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In this issue:

ATV REGULATIONS ADVANCE

DISLOCATED WORKER PROGRAM, AND MORE

HF3171-HF3179

SESSION Weekly

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On the cover: The State Capitol serves as a backdrop as a man walks past a wall of windows on the third floor of the Minnesota Historical Society April 13.

—Photo by Lisa M. Sanders

Changing direction

Bill to change 2003 legislation, expand off-road vehicle access to wetlands and in state forests advances to House floor

By NICOLE WOOD

A bill that would reverse some restrictions enacted in 2003 on off-highway vehicle use on certain types of wetlands and modify the process under which the Department of Natural Resources is currently reviewing state forests for trail management purposes is headed for the House floor.

Sponsored by Rep. Tom Hackbarth (R-Cedar), HF2678 was approved by the House Ways and Means Committee April 13.

Wetlands are protected under state law for the role they play in conserving surface and ground waters, improving water quality, and providing for floodwater retention. The state's Wetland Conservation Act emphasizes a "no net loss" approach to preserving the quantity, quality, and biological diversity of wetlands. There are several different classifications of wetlands, from peat bogs to ponds, and much legislative debate over off-road vehicles has centered around which classifications are truly at risk for damage under the tires of all-terrain vehicles, motorcycles, or four-wheel drive trucks.

In recent years, motorized sports enthusiasts have called for more trails on public lands and questioned the lasting effects of their vehicles on wetlands, while environmental groups have urged caution as to where and how those trails are designated and requested a balance in the forests between motorized and non-motorized recreation.

An agreement negotiated by a House-Senate conference committee in 2003 temporarily lifted environmental review requirements in order to speed up the process of trail designation with the caveat that certain private and publicly owned wetlands would be protected.

The "unintended consequences" of the agreement have interfered with property rights and access in some cases, Hackbarth said.

Specifically, HF2678 would remove type 8 wetlands from any restrictions and allow for riding on frozen type 3, 4, and 5 wetlands. These new rules would apply on public lands and private lands where the rider has permission from the landowner.

The wetland types addressed in the bill are classified by the Department of Natural Resources under the following explanations:

- Type 3 — A shallow marsh often covered with 6 inches or more of water, usually waterlogged during the growing season. Vegetation includes grasses, cattails, and various other marsh plants;
- Type 4 — A deep marsh usually covered with 6 inches to 3 feet or more of water during growing season. Vegetation includes bulrush, cattails, and wild rice;
- Type 5 — Shallow open water usually covered with less than 10-foot-deep water,

includes shallow ponds and reservoirs. Vegetation is similar to type 4; and

- Type 8 — Bogs, where the water table is at or near the surface. Vegetation includes moss and stunted black spruce and tamarack.

Many advocates for this year's changes live in northern Minnesota counties, such as Koochiching, that have both a large acreage of publicly owned land and a large percentage of pre-settlement wetlands still intact. Under the 2003 legislation, some northern landowners have said they might have to illegally cross a wetland to access their homes or cabins on an all-terrain vehicle.

Opponents to the changes, including citizens and conservation groups, have said they recognize the land use issues but object to broadening the use on wetlands when certain special use permits are available.

The bill also would provide a number of exemptions from the restrictions for off-highway vehicles used for farming, military, fire, emergency, law enforcement, government, or pipeline and utility work purposes, and certain forestry applications. The committee amended the bill to include surveying purposes to the exemption list. And certain use of

the vehicles for big game hunting and trapping also is authorized under the bill, provided the rider possesses the appropriate licenses.

Hackbarth successfully added a provision authorizing the department to grant three-year permits that exempt private landowners or leaseholders from the restrictions when the only reasonable access to their land is across forestry administered lands in state forests.

Similar to the argument for assuring access, Rep. Tom Rukavina (DFL-Virginia) amended the bill to forbid the department from installing gates to obstruct access to state forest roads if the road is used by private landowners to cross county-administered land within a state forest to access the landowner's private property.

The 2003 legislation also required the department to take an inventory of all state forests and by 2007 change their designation from managed, meaning trails are open unless posted closed, to limited, meaning trails are closed unless posted open.



An all-terrain vehicle enthusiast rides a private trail in northern Minnesota. Legislators are pondering changes to a 2003 law that some say conflicts with access and property rights.



A daring idea

Regional planning agency intended to build consensus, not controversy

The Metropolitan Council, acknowledged by its supporters and detractors as a bold experiment in regional governance, was born in the Legislature in 1967.

Since its inception as an administrative agency “to coordinate the planning and development of the metropolitan area,” the council has grown through three subsequent legislative acts (in 1974, 1976, and 1994) to become a major player in land use planning, developing public infrastructure location, and providing housing, natural recreation areas, and transportation throughout the seven-county Twin Cities region.

With a 2004 unified budget of \$603.7 million for operations, grants and loans, and debt service, the council runs the regional bus system, collects and treats wastewater, manages regional water resources, plans regional parks, and funds housing opportunities for low- and moderate-income individuals and families.

The council’s 17-member board, appointed by the governor, includes 16 representatives from council districts in the seven-county region, and a chairperson selected from the region at large.

Wrote Arthur Naftalin in a 1986 council-published book that reviewed its 19-year history, *Making One Community Out of Many*: “The legislative intent was to create a body that would facilitate the building of consensus concerning physical development within the region and, working essentially with city governments, be able to adopt regional policies and have them implemented.”

A former state commissioner of administration and Minneapolis mayor, Naftalin wrote the presence of two central cities nearly balanced in population with the surrounding areas, combined with “an absence of extreme distrust that has often characterized relations between central cities and their suburbs ... helped lessen the threat posed by a shift toward regional government.

“There seemed to be a conscious awareness of a common future.”

Yet, he noted, “controversy” has remained the council’s constant companion — a statement that remains true to this day.

“A persistent tension accompanies its deliberations because the exercise of its regional policy-setting authority invariably displeases some units of government, some legislators, some interest groups, and, at times, even the general public.”

Controversy was no stranger to the legislative debate that led to the council’s creation 37 years ago.

“Formidable opposition,” according to Naftalin, came from counties, the city of Bloomington and “the suburban *Sun* newspapers, which saw the new agency as threatening the independence of local governments.”

Favoring a regional agency were the Citizens League — a nonpartisan Twin Cities public affairs organization, which Naftalin later led — most of

the business community, and city officials who’d been active in dealing with critical local problems.

The key development that paved the way for the council’s creation, according to Naftalin, was a 1966 federal court-ordered reapportionment of legislative districts, based on the one-person, one-vote doctrine. The lawsuit, brought by suburban officials, led to the shifting of 11 House and five Senate seats to the Twin Cities metropolitan area, giving the region almost half of the Legislature.

Also playing a role in the council’s creation were recently enacted federal laws requiring regional agency review of a local government’s federal grant applications, particularly for wastewater and sewage treatment facilities.

The Metropolitan Council replaced the Metropolitan Planning Commission, created by the Legislature in 1957. The commission had advised municipalities concerning land use, public buildings, city utilities and services.

The 1967 state law empowered the new council to levy a 1/20th of a cent property tax throughout the seven-county region to fund its legislative mandate.

For 2004, approximately \$70 million in property tax revenue supports council operations, debt service, and provides funds for grant and loan programs.

(T. LONERGAN)

Photo courtesy of the Minnesota Historical Society



Arthur Naftalin

The inventory is underway, but Hackbarth has said the mandatory shift to limited could be expensive and cumbersome in certain forests. The bill would give the department the option of sticking with a managed status in some cases.

The return to a regulatory direction where the department has a system of managed forests goes back on the compromise in last year’s legislation, said John Curry, legislative director for the Minnesota Center for Environmental Advocacy.

Also under the bill, a vehicle safety and conservation grant program would be authorized and funded with \$75,000 from the all-terrain vehicle account, \$20,000 from the off-road vehicle account, and \$5,000 from the off-highway motorcycle account. Only statewide organizations in existence for at least five years would qualify for the conservation grant program dollars.

The grant program would help connect the hodgepodge of current trails, Hackbarth said.

That section of the bill is “too rewarding to too few private clubs,” said Curry. Furthermore, he said, the bill is far too broad on wetlands when there were narrow issues raised for northern counties.

The bill earmarks \$400,000 for the department to continue with the inventory and \$575,000 for additional grants in aid. Both of these appropriations are also in the omnibus environment finance bill approved by the House April 7.

Rep. Lyndon Carlson (DFL-Crystal) asked the department to pinpoint its areas of concern with the proposal.

The department would like to see the Legislature move forward in addressing the unintended consequences of last year’s legislation, particularly the needs of hunters and property owners to drive off-road in certain cases, said Deputy Commissioner Mark Holsten, but the House bill is broader than the changes the department originally suggested.

The department is moving toward a limited designation in state forests and the return to a managed system “could be problematic,” Holsten said.

Though not technically considered companion bills, several bills addressing off-highway vehicle use have been introduced in the Senate (SF1673, SF1711, SF1776), and another (SF2793), sponsored by Sen. Dennis Frederickson (R-New Ulm), awaits action before a second Senate committee. 🐾

If you have Internet access, visit the Legislature’s web page at:
<http://www.leg.mn>

★ **BUSINESS**

Investment information

The House Ways and Means Committee approved a bill April 13 that would give the State Board of Investment the ability to invest in venture capital business opportunities without concern that certain potentially proprietary information could be disclosed.

Rep. Lynne Osterman (R-New Hope), the sponsor of HF3061, said the provision is similar to one that was amended into the omnibus state government finance bill passed by the House April 6.

The bill requires the board to make public the name of the entity in which the board invests, the amount invested, the market value, the board's internal rate of return, and the age of the investment in years.

Any information that would be considered "financial or proprietary" in nature would be non-public. A successful amendment offered by Osterman defined the term as "information of a financial or proprietary character that has not been publicly disseminated or that is unavailable from other sources, the release of which would likely cause competitive harm to the state board or to the legal entity or to a portfolio company in which the legal entity holds an interest."

"What we've learned from Minnesota companies is that they want to be able to receive the venture capital, but they don't want to be required to share what is proprietary information to the length we had requested of them in the past," she said.

Committee members expressed no opposition to the bill, which now goes to the House Rules and Legislative Administration Committee because it did not meet the committee deadline.

A Senate companion (SF2894), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action in the Senate Rules and Administration Committee.

★ **CRIME**

Protecting service animals

Individuals whose dogs harm service animals, commonly used by people with disabilities, would be charged with a misdemeanor and ordered to pay restitution, under a bill passed 126-0 by the House April 12.

Sponsored by Rep. Paul Kohls (R-Victoria), HF1817/SF1614* applies to service animals trained to work or perform tasks for an

individual with a disability. It does not apply to police dogs, which are covered under separate statutes.

The criminal provision applies when a dog owner intentionally or negligently permits the dog to run uncontrolled off the owner's premises, or fails to keep the dog properly confined and controlled.

An individual with a disability may not be able to recognize a pending attack or be able to stop it once an attack commences, Kohls explained.

Rep. Torrey Westrom (R-Elbow Lake) said training a service animal could cost tens of thousands of dollars. Owners should be compensated when their animal is injured and is unable to perform its duties, he said.

Phil Kragnes, president of Minnesota Guide Dog Users, told the House Judiciary Policy and Finance Committee previously that his organization's members are highly concerned about dogs interfering with their service animals.

Costs resulting from injuries could include veterinarian bills, lost wages due to caretaking for the injured dog, and in some cases the replacement of the canine, which involves training. At times the damage to the service animal is psychological, requiring that the dog be retired, Kragnes added.

"The cost to the individual can be enormous," Kragnes said.

Twenty-seven states, including Minnesota, have laws providing service animal dogs with protection against harm by humans, according to Kohls. But there are no laws addressing injuries to a service animal imposed by another canine.

The bill now goes to the governor.

In the Senate, where Sen. Chuck Wiger (DFL-North St. Paul) is the sponsor, the bill passed 61-4 on April 5.

★ **DEVELOPMENT**

International development zone

A bill that would authorize the designation of an international economic development zone within 60 miles of the Minneapolis-St. Paul International Airport was heard by the House Taxes Committee April 14.

HF2298, sponsored by Rep. Ron Abrams (R-Minnetonka), will be considered for inclusion in the omnibus tax bill. Abrams said he expects a number of adjustments to its provisions prior to inclusion in the bill, however.

"This is definitely a work in progress," he said.

The zone would be developed to serve as a regional distribution center for international air freight. Morrie Anderson, a lobbyist for the Greater Metropolitan Area Foreign Trade Zone Commission, said the zone designation is necessary to encourage direct access to air cargo service for Minnesota businesses. It does not constitute a new airport, merely a cargo-handling facility.

Under the bill, the regional distribution center must be located within 60 miles or 90 minutes drive time of the airport, the only one in the state with the capacity to handle 747 freighter planes. Logistically, Anderson said, the facility must be within a 20- or 30-minute drive for short-haul truckers to benefit.

The bill would provide a number of tax incentives, as it is currently written, including exemptions from sales, income, and commercial and industrial property taxes. Abrams said the tax exemptions in the bill are some of the items he expects will be adjusted.



Morrie Anderson, a lobbyist for the Greater Metropolitan Area Foreign Trade Zone Commission, testifies April 14 before the House Taxes Committee in support of a bill that would designate an international economic development zone within 60 miles of Minneapolis-St. Paul International Airport.

Currently, Minnesota businesses ship large amounts of freight through Chicago and other larger cities, Anderson said. The zone would increase opportunities in the following areas:

- competitiveness and access to global markets;
- security, with a number of changes expected to affect air freight;
- job creation, particularly those related to global markets and air freight;
- increased productivity by allowing businesses to get products to market in two days rather than in four or six days; and
- infrastructure for existing businesses and as a way to draw business development to Minnesota.

For example, Anderson said, air cargo is currently not subject to the security that passenger airplanes are. Ultimately, those airplanes will also be subject to security constraints, and there is not adequate space at the airport to accommodate inspections.

The zone would coordinate security, customs, and other federal inspections.

Anderson said if the zone were successful, it would result in between two and four international cargo flights per day or up to 24 per week. One flight per day equates an estimated \$100 million in economic activity in the state.

The bill's Senate companion (SF1801), sponsored by Sen. Ann Rest (DFL-New Hope), awaits action in the Senate Taxes Committee.

★ EMPLOYMENT

Program modification

The House Ways and Means Committee approved a bill April 13 that would make changes to the dislocated worker program that helps those who become unemployed through plant closings, substantial layoffs, and changing market demands.

The committee removed some policy provisions from HF2799, sponsored by Rep. Bob Gunther (R-Fairmont), to more closely mirror the Senate companion (SF2646), sponsored by Sen. Ellen Anderson (DFL-St. Paul).

One removal involved changes to the responsibilities of the employment and economic development commissioner in establishing minimum standards for performance measures.

Remaining in the bill are modifications to services, tightened eligibility requirements for the dislocated worker program, the allocation of grant funds, and legislative oversight.

Along with changes to how the program oversight board distributes funds to workforce service areas, the board would be required by January 15 of each odd-numbered year to submit recommendations to the Legislature regarding workforce development programs,

modifications, or eliminations of existing programs under the board's oversight, as well as any potential new programs. Funding levels and sources must be included in the recommendations.

HF2799 also includes descriptions for long-term and short-term training, with greater emphasis on the short-term. The short-term training is, according to the bill, used "to help the participant enhance current skills in a similar occupation or industry; entrepreneurial training, customized training, or on-the-job training; basic or remedial education to enhance current skills; and literacy and work-related English training for non-English speakers."

The bill now goes to the House floor. Its companion awaits action in the Senate Rules and Administration Committee.

★ ENVIRONMENT

DNR provisions potpourri

The House Ways and Means Committee approved a bill April 13 that aims to clean up certain statutes governing the Department of Natural Resources. It now moves to the House floor.

Among the department activities covered in HF2212, sponsored by Rep. Dennis Ozment (R-Rosemount), are electronic licensing, snowmobile safety training and youth supervision, and motorboat noise regulation.

Electronic licensing is a relatively new system, and the bill would clarify license filing fee collections between the department and approved agents and would clean up language currently on the books that refers to it as a pilot program.

The bill would grant the department authority to refund license fees to the families of hunters and anglers who die or to those who get called to active military service before they can enjoy the open season.

Another licensing provision would allow charter boat operators to issue one-day fishing licenses.

The bill attempts to address some confusion over restrictions and supervision requirements for young snowmobilers. Current law states that without a snowmobile safety certificate, a person under the age of 14 may operate a machine on public land, public easements, or water or grant-in-aid trails only if accompanied by an adult on the same or an accompanying vehicle.

Under the proposal, an adult supervision clause is added that would place the adult "in a position to manage, direct, and oversee," according to prior testimony from department

officials, but the adult would not necessarily have to ride along.

The bill would clarify that a person under the age of 14 with a safety certificate is still prohibited from crossing a highway or operating the machine on a street or highway.

Another provision would clarify in law that 16- and 17-year-olds are now eligible to take the adult snowmobile safety course offered by the department. Also along the lines of training, safety course certificates issued in other states would be accepted as long as the department deems the course to be substantially similar to Minnesota requirements.

The bill also would specify that the department could test motorboats and marine engines at idle. Current law only prescribes pass-by tests at certain distances.

A Senate companion bill (SF2216), sponsored by Sen. John Marty (DFL-Roseville), awaits action on the Senate floor.

★ FAMILY

Adoption assistance payments

The House passed a bill 126-0 April 12 that would make it easier financially for low-income families to adopt foster children.

HF1828, sponsored by Rep. Char Samuelson (R-New Brighton), would allow applicants for the Minnesota Family Investment Program to disregard county adoption assistance payments, up to an amount equal to state adoption assistance payments, from their income for the purpose of qualifying for program benefits.

The bill would allow families who foster special needs children to adopt them without losing the county portion of their benefits, Samuelson said in a later interview. "It puts it on an even playing field for these families," she said.

The goal is to promote more adoption of children within the communities they were born to, according to Dave Haley, executive assistant for Ramsey County Human Services. Often those adoptive families have modest means.

Currently, there exists a financial disincentive for families who are fostering a child to adopt that child, Haley said. The intent is to eliminate that disincentive by making sure they will not lose their program benefits.

The bill only affects about 10 to 20 families a year, Samuelson said, and is budget neutral.

Rep. Kathy Tingelstad (R-Andover) said the bill should be supported because "it really promotes adoption."

The bill will now go to the Senate where its sponsor is Rep. Becky Lourey (DFL-Kerrick).

★ GAMBLING

Lottery operations

Several changes to the operation of the Minnesota State Lottery would occur under a bill approved by the House Ways and Means Committee April 13 and awaiting action on the House floor.

Sponsored by Rep. Tim Wilkin (R-Eagan), HF2199/SF2181* would give the governor responsibility for appointing the state lottery director; require the lottery director to submit a budget plan to the commissioner of finance; and would create a Lottery Organization Task Force to study and make recommendations on the future organization and profitability of the lottery.

The bill is in response to a recent legislative auditor's evaluation of the lottery. The report found concerns in a number of areas including: promotional spending, the amount of leased space, and staffing levels.

The seven-member task force would be composed of the commissioners of finance and natural resources, a House member, a Senate member, the lottery director, and two gubernatorial appointees. A report would be due to the Legislature by Feb. 1, 2005.

Legislators had previously raised concerns over how much involvement the state should have in the lottery, and Rep. Tom Rukavina (DFL-Virginia) said he was concerned over the possible "micromanaging" of the organization because of changes in the bill.

Rep. Bill Haas (R-Champlin) said HF2199 was a good bill and would "tighten up" oversight of the lottery.

The bill would also lower the operating expenses for fiscal years 2004 and 2005 to \$27.4 million from \$43.5 million. The expenses must not come from a direct function of lottery sales, which include the cost of lottery prizes, monies paid to lottery retailers as sales commissions or other compensation, costs to produce and deliver scratch game tickets, and amounts paid to an outside vendor to operate and maintain an online gambling system.

Sen. Ann Rest (DFL-New Hope) sponsors the Senate bill that passed 60-0 April 12.

★ GAME & FISH

Fair game

An omnibus game and fish bill that would get duck hunters out of bed earlier on opening day, reinstate a game bird season that has been outlawed for several decades, and encourage youth hunting was approved by the House Ways and Means Committee April 13. It now moves to the House floor.

HF2368, sponsored by Rep. Joe Hoppe

(R-Chaska), is a revamped version of an omnibus game and fish bill that stalled on the House floor last year.

The bill would add mourning doves to the statutory list of game birds and authorize a mourning dove hunting season, which has been prohibited since 1947. The Department of Natural Resources would be ordered to submit a report to the Legislature by Aug. 1, 2005, on the results and a description of the impact of the season on the mourning dove population in the state.

Rep. Alice Seagren (R-Bloomington) unsuccessfully attempted to remove the mourning dove provisions, but Hoppe prevailed, stating "There is no biological reason not to hunt doves."

Under the bill, on the opening day of duck season the shooting hours for migratory game birds, except woodcock and mourning doves, would begin at 9 a.m. rather than 12 p.m., as is current practice. The department would be directed to study the impacts of the change in shooting hours, including the harvest success and the effect on local waterfowl populations, and report back to the Legislature by Jan. 15, 2007.

This year's bill again attempts to get tougher on scofflaws who fail to show up in court or pay court-ordered fines for game and fish violations. Under the bill, those transgressions could result in the three-year revocation of game and fish license privileges.

The Eurasian collared dove, a "nuisance bird"



John Schroers, vice president and legislative committee chair of the Minnesota Outdoor Heritage Alliance, testifies during an April 13 hearing of the House Ways and Means Committee for a portion of a game and fish bill that would establish a mourning dove hunting season.

according to Hoppe, would be added to the statutory list of unprotected birds, under the bill.

There are several provisions aimed at young hunters. The bill would allow turkey hunters under the age of 16 to be accompanied by unlicensed, unarmed adults. Minnesota residents under the age of 18 would be sanctioned to take up to 25 turtles for nonprofit turtle racing, as long as the turtles are greater than four inches in length. And deer firearm and archery youth license fees would be adjusted to kick in at age 18 rather than age 16. This short-term loss in revenue would result in a long-term gain, Hoppe said.

A Senate companion (SF2203), sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), awaits action by a second committee.

Payment for refuge land

Under current law, the Department of Natural Resources makes annual payments to counties in lieu of taxes for natural resources property, specifically public hunting areas and game refuges, acquired by the state.

Rep. Greg Blaine (R-Little Falls) is sponsoring a bill (HF2928) that would direct payments in lieu of taxes to Morrison County for a game refuge at Camp Ripley.

The bill was heard by the House Taxes Committee April 13 and will be considered for possible inclusion in the omnibus tax bill.

Of the 53,000 acres at Camp Ripley, slightly more than 44,000 acres would qualify for the payments, under the bill. In addition, the committee accepted an amendment that would provide a 50 percent payment-in-lieu of taxes on the land, or about \$85,000 for 2005.

Rep. Ron Abrams (R-Minnetonka), the committee chair, said that all other game refuges in the state receive the in-lieu payments.

"This bill is about equity and it's about fairness," Blaine said. "I'm not looking for any special or preferential treatment here."

Rep. Tom Rukavina (DFL-Virginia) agreed the situation at Camp Ripley is unique, but he also noted that the county receives significant economic benefit from the influx of people who attend events at the camp.

Tom Wenzel, Morrison County commissioner, testified that while much of Camp Ripley is located within Morrison County, parts of two other counties receive economic benefit from all the events and training held at the camp. Nevertheless, it's the Morrison County roads and infrastructure bearing most of the wear and tear, he said.

In addition, said Morrison County Commissioner Bill Block, there are about 24 miles of Mississippi River shoreline in the camp and additional frontage on the Crow Wing River –



Morrison County Commissioners Tom Wenzel, left, and Bill Block testify before the House Taxes Committee April 13 for a bill that would modify annual payments to counties for game refuge land.

prime real estate that will not be developed and cannot be a tax benefit to the county.

The bill's Senate companion (SF2725), sponsored by Sen. Paul Koering (DFL-Fort Ripley), awaits action in the Senate Finance Committee.

★ GOVERNMENT

State purchasing power

The House Ways and Means Committee approved a bill April 14 that would allow state agencies to enter into volume contracts with national purchasing alliances in Minnesota in order to purchase goods at a lower cost.

It now goes to the House floor.

Sponsored by Rep. Laura Brod (R-New Prague), HF2905 would create efficiency and it "allows us to get the best bang for the taxpayer's dollar," she said. Although agencies are already permitted to combine purchases to achieve volume discounts, the bill says the "commissioner shall expand the choices available to agencies by recognizing contacts bid by a national purchasing alliance domiciled in Minnesota."

Brod previously said the language is intended to elevate the use of contracts with alliances as another choice for state agencies and give alliances preferential treatment. To be eligible for such contracts, alliances must also comply with the rules and requirements for state contracts.

A Department of Administration official told another House committee that the department now has 200 contracts with multiple ven-

dors and alliances are permitted to bid on those contracts.

Rep. Tom Rukavina (DFL-Virginia) raised concerns over why the Department of Corrections is excluded from the bill.

Brod responded the department has programs that use prisoners for making products for the state already and the purpose of the bill is not to "take away" from what those programs do.

A Senate companion (SF1859), sponsored by Sen. Dallas Sams (DFL-Staples), awaits action on the Senate floor.

DEED departmental changes

The House Ways and Means Committee approved a bill April 13 that would make housekeeping and technical changes to the Department of Employment and Economic Development.

Rep. Lynne Osterman (R-New Hope), the sponsor of HF2386, said it adds names and references, updates Minnesota's law conforming to federal law, corrects errors, and eliminates outdated statutes and rules.

Osterman offered a successful amendment that would add "improving the quality of the state workforce" to the department's existing mission statement: "To support the economic success of individuals, businesses, and communities by providing opportunities for growth."

The Legislature abolished the Department of Economic Security effective July 1, 2003, and transferred its duties to the new Department of Employment and Economic Development,

which was previously called the Department of Trade and Economic Development.

A department merger update said the consolidation of offices provides a single, cohesive agency to provide workforce and economic development services. In addition, it allows them to consolidate the offices in the same physical space, thereby eliminating millions in future lease payments.

A Senate companion (SF2350), sponsored by Sen. Julie Rosen (R-Fairmont), awaits action in the Senate Rules and Administration Committee.

★ INSURANCE

Preventing fraud

Insurance companies would fund the Division of Insurance Fraud Prevention, a law enforcement agency in the Commerce Department, under a bill approved by the House Ways and Means Committee April 14.

Rep. Gregory Davids (R-Preston), sponsor of HF2640, said policy creating such an agency already exists, but his bill establishes the funding mechanisms.

With the costs for the fraud agency supported by insurance companies, Rep. Tom Rukavina (DFL-Virginia) asked Davids if they would be passed on to consumers.

Davids said although the initial effect would be left to consumers, eventually savings would be seen through fraud prevention measures by the agency.

Robert Johnson, executive vice president for the Insurance Federation of Minnesota, testified that the increased cost of "a candy bar" to consumers would save \$1,000 a year per family through the agency. Fraud "costs every family in the state a lot of money," he said.

Several members expressed concern over a provision that would allow agency employees to have access to private data on individuals.

Rep. Mary Liz Holberg (R-Lakeville) said, "I don't think this does what they want, and there are unintended consequences," on the wording of the language in the bill. Holberg suggested it be changed before the bill makes it to the House floor.

Rep. Bill Haas (R-Champlin) said that in regard to cases, "We still have to give that investigator the latitude to investigate it thoroughly."

Also, duties of the statewide auto theft prevention program currently in the Department of Public Safety would be transferred to the Department of Commerce, under the bill.

The bill now goes to the House Judiciary Policy and Finance Committee.

A Senate companion (SF2607), sponsored by Sen. Linda Scheid (DFL-Brooklyn Park), awaits action by the Senate Finance Committee.

★ LOCAL GOVERNMENT

Cost recovery

A municipality would be able to recover additional costs when it improves a residential rental property to correct code violations, under a bill passed April 12 by the House.

The vote was 74-54.

Sponsored by Rep. Dan Dorman (R-Albert Lea), HF2378 would amend state law to allow a city or urban town to recover utility payments and the cost of exterior painting that an appointed property administrator ordered to correct code violations.

Existing law allows a municipality the option to levy a special assessment against the property benefited to recover costs for such things as: snow or rubbish removal from sidewalks, removal of a public health or safety hazard, or treatment or removal of an insect infested or diseased tree.

Dorman said a code violation must be in place against the privately owned property, and the property owner must be given notice and sufficient time to correct the violation. If the violation is not addressed and the owner abandons the property, the city can move in.

“When a city takes over a property, it assigns a person to stand in the shoes of the property owner,” Dorman said. “If there’s an outstanding heating bill, an (administrator) can pay that.”

Dorman amended the bill at the request of Rep. Joe Mullery (DFL-Mpls) to allow a municipality to recover exterior painting costs of any structure found to be in violation of a municipal code.

Rep. Torrey Westrom (R-Elbow Lake), who opposed the bill, said state law covering the issue should be left as is. “Big Brother government can come in and paint your house because somebody doesn’t like it or government determines it doesn’t meet the code,” he said. “They’re gonna stick it to them no matter if a person can afford to paint their house or not.”

Dorman responded that a structure would only be painted if it were found in violation of a municipal code, not for solely aesthetic reasons.

Dorman said the bill was requested by housing officials with the city of St. Paul who weren’t sure whether existing state law would allow the city to recover the cost of keeping the heat on in a vacant building, for example, to preserve the structure for future use.

The bill now moves to the Senate, where Sen. D. Scott Dibble (DFL-Mpls) is the sponsor.

Watershed levies

State law allows watershed districts to levy property taxes for administrative expenses. However, according to state law, that levy is

limited to either 0.048 percent of the taxable market value of the district, or \$250,000, whichever is lower.

As a result, a large area, such as the Sauk River Watershed District, may not levy enough funds to keep up with administrative costs, even though its taxable market value would more than sustain those expenses.

A bill, heard April 13 by the House Taxes Committee, would remove the dollar amount governing its levy authority and replace it with a levy of 0.01 percent of taxable market value.

The bill (HF2841), sponsored by Rep. Doug Stang (R-Cold Spring), will be considered for possible inclusion in the committee’s omnibus public finance bill.

According to testimony in the committee, metropolitan area watershed districts have no specific levy limit placed upon them by state law. Only Greater Minnesota districts must adhere to those limits, said Julie Klocker, administrator of the Sauk River district.

Klocker’s district is the largest in the state that is not located in the Twin Cities metropolitan area, she said.

By removing the dollar figure limit, the bill would allow the district to levy up to \$465,000 – lower than what the 0.048 percent would allow, but enough to support activities.

“We have a tremendous need,” Klocker said. The \$250,000 limit is “just barely keeping the lights on.”

The watershed district, which includes portions of five counties and encompasses 940 square miles, oversees 19 rivers and 18 lakes, Klocker said. It has a significant tax capacity but is unable to utilize most of that capacity because of the levy limit.

She said the problem is of great concern considering the impaired waters initiatives that will be a watershed responsibility in coming years.

“Watersheds are going to have more demands placed on them,” said Rep. Morrie Lanning (R-Moorhead). “The problem’s only going to get worse.”

Klocker said the watershed consulted with the five county commissions – Douglas, Meeker, Pope, Stearns, and Todd – and officials said a percentage levy limit without a dollar amount attached would allow the district the financial flexibility to grow with the tax base.

The Senate companion (SF2974), sponsored by Sen. Michelle Fischbach (R-Paynesville), awaits committee action.

Defining property taxes payable

A bill heard by the House Taxes Committee April 13 would clarify that all charges for basic police and fire services count as property taxes when calculating property tax refunds.

HF2780, sponsored by Rep. Dick Borrell

(R-Waverly), will be considered for inclusion in the omnibus tax bill.

Most cities and counties, Borrell testified, provide basic police and fire services through general property taxes, the number used when calculating whether a property owner is eligible for a refund. However, other communities assess separate charges or fees for basic services, which would not be included in general property tax figures for the purposes of calculating a refund.

The bill would define property taxes payable to include any fees or charges for basic police and fire services, excluding capital expenditures related to those services.

The definition would apply to both regular homeowner property tax refunds and special property tax refunds. Borrell said a constituent brought the issue to his attention.

Sponsored by Sen. Mark Ourada (R-Buffalo), the bill’s Senate companion (SF2745) awaits committee action.

Spending local revenue

Technically speaking, current law allows townships to spend only the revenue they raise through the property tax levy in a given year.

However, said Rep. Greg Blaine (R-Little Falls), many local governments carry forward their revenues to future years if they have a surplus in the event they need to purchase large equipment, such as a road grader. In order to make sure those towns can actually spend that money without having it affect their levy authority, Blaine is sponsoring HF2522 to provide that total revenue includes property taxes, revenue from other sources, and amounts carried forward.

The bill was heard by the House Taxes Committee April 13 and will be considered for inclusion in the omnibus tax bill.

According to research information about the bill, it was brought forward, in part, because of an advisory from State Auditor Patricia Anderson that the law needed to be clarified.

In addition, the bill would specify that townships may impose taxes authorized under other state laws, such as special assessments, in addition to those approved at the annual township meeting.

Kent Sulem, an attorney with the Minnesota Association of Townships, said that townships meet to approve their tax levies in March. Once they have adjourned that annual meeting, it may be reconvened anytime up through Dec. 20 of a given year to allow voters to approve an additional levy.

The bill’s Senate companion (SF2449), sponsored by Sen. David Tomassoni (DFL-Chisholm), passed that body April 5.

Requesting impact notes

Local units of government would be able to request fiscal notes when a state agency changes a rule causing more than a \$50,000 impact under a bill approved by the House Ways and Means Committee April 14.

Rep. Marty Seifert (R-Marshall), sponsor of HF2101 said, "We have local units of government who say we are throwing mandates at them but they have no way of determining how agency rules are affecting them."

The bill requires the commissioner of finance, upon request, to prepare a fiscal impact note. If the cost to comply with the rule for one business with less than 50 full-time employees exceeds \$50,000, the rule must go before the Legislature for approval.

The elected governing body of a city, township, county, school district, soil and water conservation district, or sanitary district may make the fiscal request to the commissioner at least 10 days before a public hearing, or at least 10 days before the deadline for requesting a public hearing.

The entity making the request may be required to pay a \$35 per hour fee for time spent preparing the note.

Seifert offered a successful amendment that would allow the governor to waive legislative approval of a rule change.

In discussions with the governor's office, Seifert said he attempted to address concerns that caused a similar bill to be vetoed in 2003. Previously, the threshold was \$10,000 and too much authority was given to the legislative branch, said Seifert.

The bill now goes to the House floor.

A Senate companion (SF2895), sponsored by Sen. David Senjem (R-Rochester), awaits action in the Senate Finance Committee.

TAXES



Cigarette tax increase

A bill that would increase the cigarette tax by 29 cents per pack, using the additional revenue to offset reductions in the health care provider tax and reduce assessments for a state-run health care plan, will be considered for inclusion in the omnibus tax bill.

HF2533, sponsored by Rep. Fran Bradley (R-Rochester), was heard April 13 by the House Taxes Committee. He said the key changes reflected in the bill are intended to help reduce health care costs.

Under current law, a tax of 48 cents is charged per pack of cigarettes sold. The bill would raise that tax to 77 cents per pack. The additional tax would not apply to smokeless tobacco products, under the bill.

In addition, the bill would cut the MinnesotaCare tax on health care providers, wholesale drug distributors, hospital revenues, and surgical center revenues from 2 percent to 1.75 percent.

The MinnesotaCare tax supports that program, which provides subsidized health care coverage to low- and moderate-income families and individuals.

Bradley testified that the Health Care Access Fund, into which MinnesotaCare taxes are deposited, has historically had a surplus and will continue to do so, given the significant changes in store for the program due to federal fund support.

The third piece is the provision in the bill that would require that the commerce commissioner disburse the additional revenue to the Minnesota Comprehensive Health Association to eliminate or reduce the assessment charged entities that use the program.

The association provides insurance for individuals whose health coverage was denied or terminated because of a severe or chronic illness. Members of the association are subject to assessments to help pay for the benefit. Membership is required, under law, as a condition of doing accident and health insurance, self-insurance, health maintenance organization, or community integrated service network business in this state.

Bradley called the plan "revenue neutral." He said it's one of the numerous initiatives to cut health care costs and that tobacco use is "a controllable health care factor."

Several members discussed whether the bill does enough to reduce provider taxes. "I wish we could do more, but I think this is within an attainable limit," Bradley said.

A Department of Revenue analysis of the bill indicates it would increase general fund revenue by \$235,000 in 2005, decrease revenue to the Health Care Access Fund by \$6.7 million, and increase funds for the health association by \$36.9 million.

Rep. Paul Marquart (DFL-Dilworth) questioned whether the bill could have the affect of encouraging consumers to buy cigarettes, and possibly other goods, in North Dakota and South Dakota, where the tax is lower. Bradley said that those factors are part of studies regarding consumer behavior, though he's not sure specifically what the impact would be.

The Senate companion (SF2468), sponsored by Sen. Sheila Kiscaden (IP-Rochester), failed in a Senate committee.

No tax for donated meals

Members of the House Taxes Committee were treated to a visual aid for the April 13 hearing for HF3073 – a straw and cocktail napkin.

The point: the bill would exempt certain organizations from paying use taxes on these items if they come as part of a meal donated for fundraising purposes.

Specifically, the bill would provide a specific sales tax exemption for meals donated to certain nonprofit organizations for fundraisers. Those organizations have federal nonprofit

ROLLING AGAIN



PHOTO BY TOM OLMSCHIED

Metropolitan Council Chair Peter Bell, left, answers questions during a news conference April 13 to announce an end to the 41-day Metro Transit bus strike. Amalgamated Transit Union President Ron Lloyd, center, and Gov. Tim Pawlenty also participated in the news conference.

designations and operate for charitable, religious, or educational purposes.

Meals donated to senior citizen groups for fundraisers would also be exempted.

Under current law, no sales taxes are due on the donated meals because the food is provided for free. However, any extras, such as napkins, take-out containers, disposable silverware, and cups, that may accompany the food, would be subject to state use tax.

The exemption in the bill would mean food providers would not owe any tax on the donated meal.

Rep. Tom Rukavina (DFL-Virginia) sponsors the bill, which will be considered for inclusion in the omnibus tax bill. Its Senate companion (SF2900), sponsored by Sen. David Tomassoni (DFL-Chisholm), awaits committee action.

★ TECHNOLOGY

CriMNet compliance

A bill that would ensure data on individuals stored on computerized management systems throughout the state, particularly the pending CriMNet system, is accurate and in compliance with data privacy laws cleared its third committee April 14.

HF2800, sponsored by Rep. Mary Liz Holberg (R-Lakeville), was approved by the House Judiciary Policy and Finance Committee, and sent to the House Ways and Means Committee.

The bill relates largely to the pending statewide implementation of CriMNet, a secure Internet system that will allow law enforcement agencies to share information on crimes and those who have committed them.

The bill would allow the state to determine whether various information management systems comply with information policy laws; require law enforcement agencies to document certain exchanges of data on individuals; regulate CriMNet data access; require any other multiple-jurisdiction criminal justice information management system to follow the same data practices laws as CriMNet; and clarify public defender access to criminal history data.

To showcase the bill's need, Holberg told of a man at a Burnsville political rally who police threatened to arrest if he continued to refuse to reveal the contents of his fanny pack. The police, who had seen the man in an animated discussion with another person, discovered through a local multiple-jurisdiction police database that he had been refused a concealed handgun permit. Police believed he might have a gun.

However, Holberg said, the information was incorrect; the man had been approved for such



Laurie Beyer-Kropuenske, *left*, program coordinator with the Department of Public Safety, and Robert Johnson, *right*, CriMNet executive director, voice concerns to the House Judiciary Policy and Finance Committee April 14 about a bill that would ensure data on individuals stored on computerized management systems is accurate and in compliance with data practices law.

a permit. While he did not have a gun that day, Holberg said, "I kind of shudder to think what would have happened if he had actually had a firearm in his fanny pack and the police relied on the inaccurate information to make a decision about that situation."

Several law enforcement officials testified against the bill, stating that it would hamper officers' ability to survey suspicious activity related to potential crimes.

Bill implementation costs are calculated by state agencies at \$28.2 million. However, Holberg said changes to the bill have lowered that number.

The Senate companion bill (SF2561), sponsored by Sen. Don Betzold (DFL-Fridley), was approved by one committee and awaits further action.

★ TOURISM

Tourism oversight

The House Ways and Means Committee approved a bill April 14 that would create the office of Explore Minnesota Tourism to be supervised by the commissioner of employment and economic development.

Sponsored by Rep. Gregory Davids (R-Preston), HF2044 also establishes a 28-member council to oversee the office and allows the office to generate revenue for promotional purposes.

Currently tourism functions are administered

within the Department of Employment and Economic Development, but the transfer of duties to a new agency would help "increase the awareness of tourism in Minnesota," said John Edman, director of the Minnesota Office of Tourism.

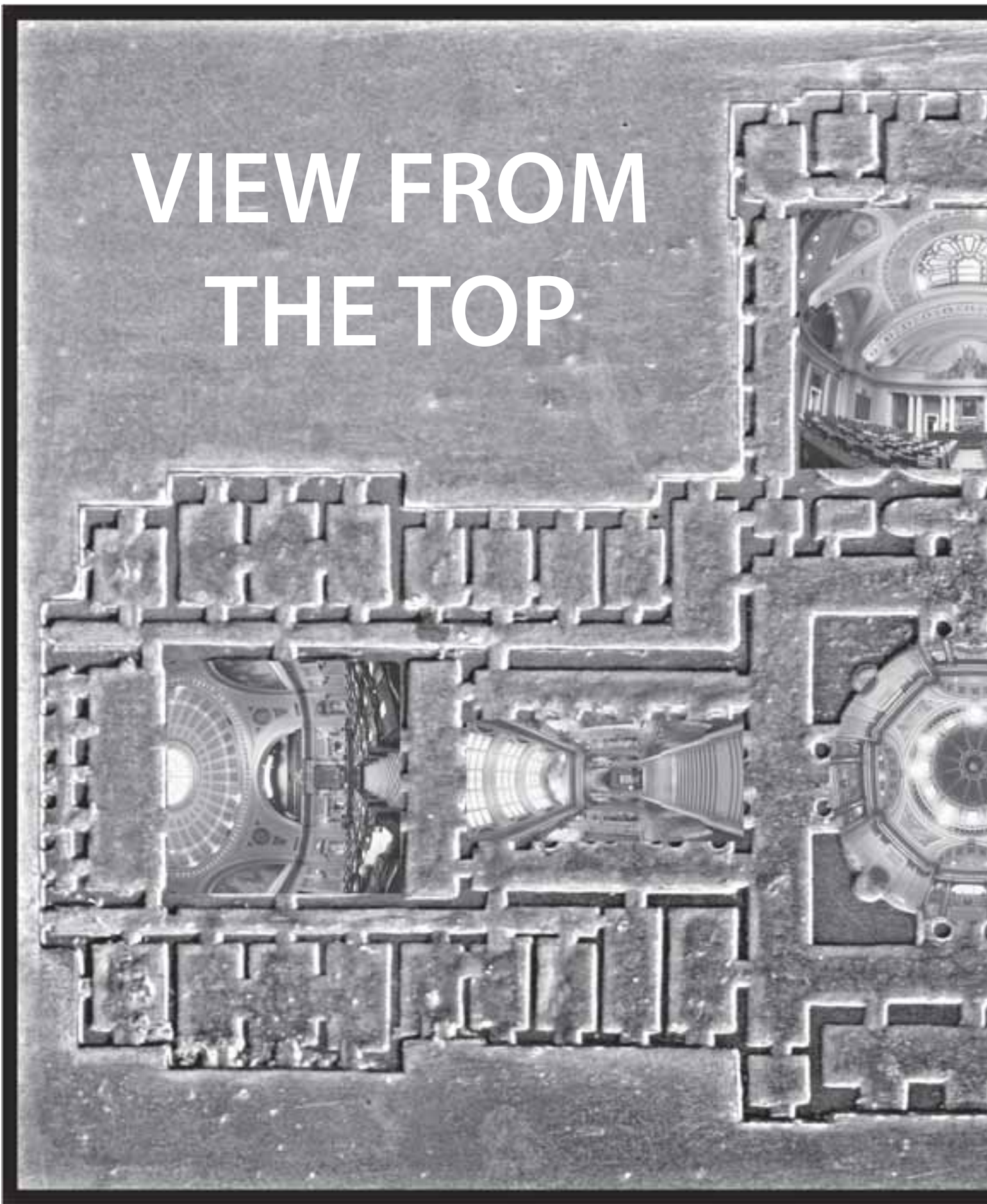
Council members would be appointed by the governor for four-year terms and would include the director of Explore Minnesota Tourism, 11 representatives from associations representing specified tourism and hospitality groups, one representative from each of the four tourism marketing areas to be designated by the office, and two legislators each from the House and Senate.

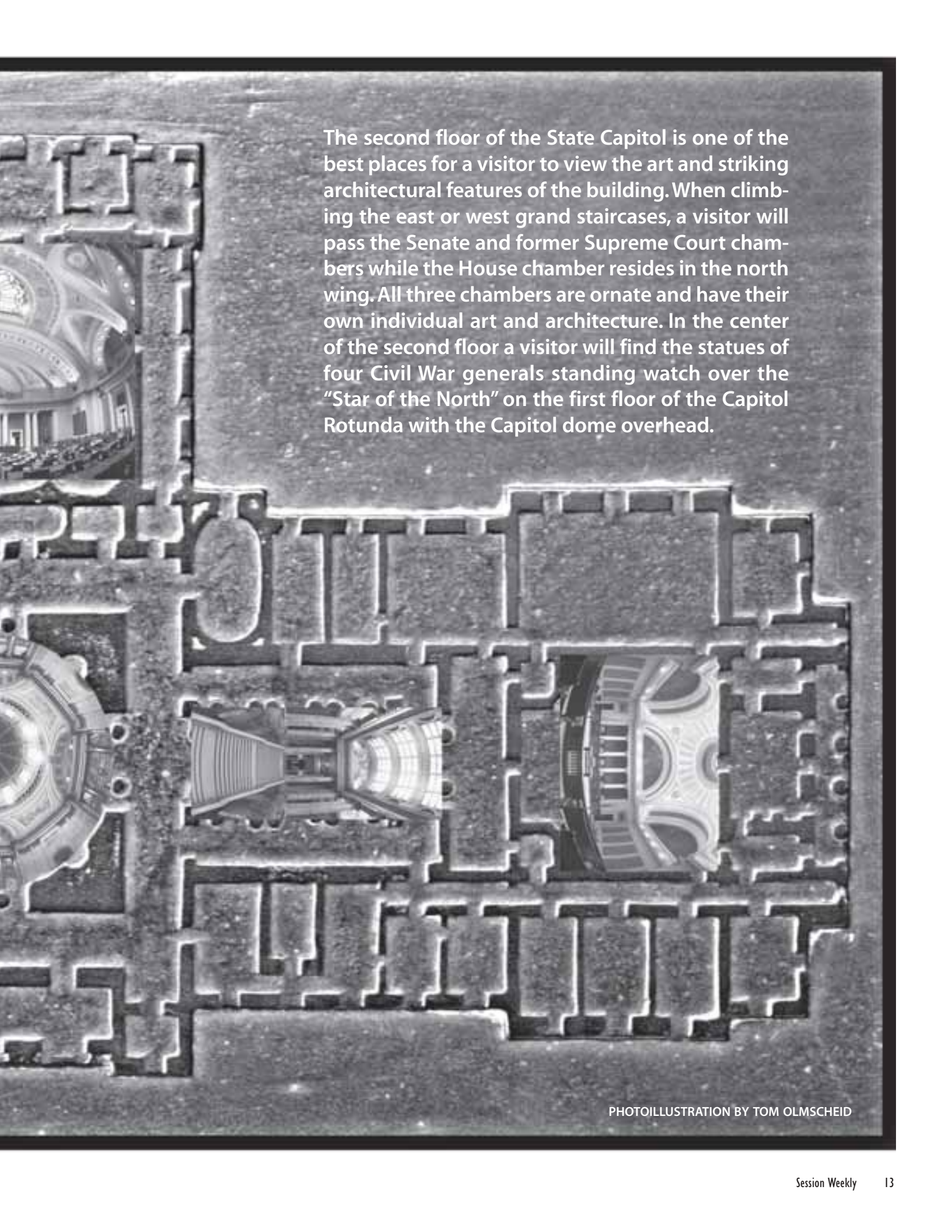
The bill, which now goes to the House floor, permits the director to sell reports, publications, or related publicity or promotional material of the office without rulemaking or prior legislative approval. The office could also receive revenue from advertising, although promotional expenses are excluded from being used for radio and television appearances of an elected public official.

A Senate companion (SF2009), sponsored by Sen. Thomas Bakk (DFL-Cook), awaits action by the Senate.

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VIEW FROM THE TOP





The second floor of the State Capitol is one of the best places for a visitor to view the art and striking architectural features of the building. When climbing the east or west grand staircases, a visitor will pass the Senate and former Supreme Court chambers while the House chamber resides in the north wing. All three chambers are ornate and have their own individual art and architecture. In the center of the second floor a visitor will find the statues of four Civil War generals standing watch over the "Star of the North" on the first floor of the Capitol Rotunda with the Capitol dome overhead.

PHOTOILLUSTRATION BY TOM OLMSCHIED

Emphasizing clean water

The Public Facilities Authority provides financial wherewithal for cities to protect one of the state's natural resources

By **MARY KAY WATSON**

Featuring a surface water area of more than 13 million acres, Minnesota is synonymous with fresh water. However, the state's most abundant liquid asset may, in fact, be running sight unseen below the surface: an estimated 1 trillion gallons of high quality ground water – a vast, yet vulnerable, resource.

April 22 marks Earth Day – an occasion intended to rekindle a commitment to safeguard such resources. However, officials say protecting the state's water takes more than commitment – it takes action. And money.

The task of keeping the state's waters clean and pollution at bay is neither cheap nor glamorous, if lists of needs are any indication. On a personal level it means proper disposal of hazardous waste, recycling used oil, and refraining from overuse of pesticides and fertilizers.

On a community level, it involves collecting and treating sewage; removing substances such as arsenic, benzene, and radium from drinking

utilities projects such as upgrading wastewater and drinking water systems. It may have a low profile, but it has funded more than \$1.7 billion in loans and grants since the establishment of three funds, each with a different purpose.

The Water Pollution Control Revolving Fund is administered in conjunction with the Minnesota Pollution Control Agency. The fund provides low-interest loans to local governments for planning and construction of wastewater or storm water collection and treatment facilities. Since 1989, the fund has loaned \$1.3 billion for 260 wastewater projects at an interest savings of \$377 million. It has also funded more than \$75 million in non-point source pollution projects through other agencies and departments.

The Drinking Water Revolving Fund, administered in conjunction with the Department of Health, has made 132 low-interest loans of \$219 million to local governments since 1998. The money is used for upgrading and constructing public drinking water systems.

The Wastewater Infrastructure Fund has awarded \$96.6 million since its establishment in 1995. The fund provides supplemental assistance for high cost wastewater treatment projects. It operates in conjunction with the U.S. Department of Agriculture's rural development grant and loan program and the Clean Water State Revolving Fund. Local governments must first apply to one of these two entities to access this

funding.

The central Minnesota city of Cold Spring, population 3,300, provides an example of how these funds work.

With goals of eliminating environmentally unfavorable septic systems and replacing them

with a central collection system, the city received an \$8 million loan from the authority. The city was also able to bring neighboring Rockville, with a population of 2,500, into the project, scheduled for completion in late 2004.


Larry Lahr, Cold Spring city administrator, said the financial benefits of the loan program include a favorable interest rate, a 20-year loan period, and a repayment program with a delayed start.

The authority was established in 1987, three weeks after the Clean Water Act was passed. Under the act, the U.S. Environmental Protection Agency awards annual grants to states to provide loans for water pollution control projects. Minnesota was the first state to sell revenue bonds to leverage federal funding for clean water, the first to establish a revenue bond pool, and the first to get a triple-A rating for its pool, according to Executive Director Terry Kuhlman. He said Minnesota has followed federal legislation very closely and has been "fairly creative" in getting funding.

The authority is staffed and administered by the Department of Employment and Economic Development. Its board includes commissioners or delegates from the Departments of Finance, Health, Agriculture, Transportation, Employment and Economic Development, and the Pollution Control Agency.

In his 2004 capital budget, Gov. Tim Pawlenty recommended \$16.3 million in general obligation bonding for the Water Pollution Control Revolving Fund and the Drinking Water Revolving Fund, an amount that would leverage \$81.4 million in U.S. Environmental Protection Agency grants, a 1:5 match.

The governor has also recommended \$10 million in general obligation bonding for the Wastewater Infrastructure Fund, plus a general fund appropriation of \$200,000 for the operating expenses associated with that program. These bonding requests are currently under review by the House Capital Investment Committee.

In addition, the authority has the ability to bond for \$1 billion without state backing. These bonds are repaid from loan repayments and investment earnings. This year the authority has asked the Legislature to increase its bonding authority to \$1.25 billion. A bill to do such (HF2342), sponsored by Rep. Jim Knoblach (R-St. Cloud), also awaits action by the House Capital Investment Committee. A Senate companion (SF2313), sponsored by Sen. Dennis Frederickson (R-New Ulm), awaits action by the Senate Finance Committee. 



PHOTOILLUSTRATION BY PAUL BATTAGLIA

The Public Finance Authority has loaned \$1.3 billion for wastewater projects since 1989, including one in development for Cold Spring in central Minnesota.

water; and treating drinking water sources for nasty things like fecal coliform bacteria. Small communities find these endeavors a hardship without additional financial support.

The Minnesota Public Facilities Authority acts as a funding agent to cities and counties for public

Spenny systems

Pollution Control Agency submits 10-year plan to correct failing individual sewage treatment systems across the state

By NICOLE WOOD

There's a lot more to properly installing and operating septic systems than the proverbial knowledge that sewage runs downhill. Though typical systems can last 40 years or more, early failure sometimes occurs due to improper design, installation, or maintenance.

Failing systems can pose a serious hazard to public health and the environment, particularly when pathogens in sewage and wastewater reach drinking water supplies. And, ultimately, faulty systems contribute to the state's growing list of impaired waters.

A recent Pollution Control Agency report estimates that there are 535,000 homes, cabins, and businesses in Minnesota with on-site septic systems. Of those, approximately 208,000, or 39 percent, are considered failing or imminent threats to public health.

To qualify as an imminent threat to public health and safety, a system might have sewage backing up into the house, discharging onto open ground, or flowing to nearby surface waters.

A failing system is defined as one that discharges untreated or partially treated water too close to the water table. This is a serious problem, according to the report, because many Minnesotans with an individual sewage treatment system also have their own, or a neighbor's, private well in close proximity to their system.

A complete system overhaul or installation can cost homeowners between \$4,000 and \$12,000, depending on the technology, design, and location. The report estimates the cost to upgrade all problem septic systems in Minnesota over a 10-year period could be as high as \$1.2 billion.

Under the current regulatory framework

for statewide septic system oversight, the Pollution Control Agency is charged with developing rules for design, location, installation, and operation, and local governments implement those rules. The agency also licenses septic system contractors.

The 2003 Legislature ordered the agency to prepare a 10-year plan to identify all noncompliant individual sewage treatment systems in the state, develop a method to ensure system maintenance under current agency rules, and recommend funding mechanisms to assist homeowners with making necessary upgrades.

The agency formed a stakeholder advisory group, including representatives from local units of government, environmental advocacy groups, the state sewage treatment contractors association, and the University of Minnesota Extension Service, to develop the plan.

The report, submitted to lawmakers in February 2004, suggests a number of improvements to septic system regulation and funding at the state and local levels, though it states that stakeholders did not reach a consensus on any specific course of action.

For example, with adequate funding, counties could identify unsewered properties through an inventory system, enhance current programs and reporting practices, and provide low-interest loans to homeowners for system upgrades.

The agency could also improve standards for septic system professionals by raising the bar on educational requirements for license registration and renewals and place additional emphasis on enforcing current rules for design, installation, and maintenance. It also could provide financial assistance to counties through Board of Water and Soil Resources Natural Resources Block Grants in proportion to the number of individual septic systems in the county, as well as technical assistance to build more successful programs.


According to the report, if the state were to provide upgrade support funding at a level of 5 percent, the target amount would be \$6.2 million annually for upgrade grants.

After adding together the upgrade grants, the costs for an inventory, as well as other boosted activities at the county level, the total annual funding from the state could be estimated at \$8.5 million.

As for funding mechanisms, the report suggests that sources could include a water protection fee concept developed by a separate working group on impaired waters. Under that proposal, the Legislature would establish a fee on municipal sewer connections and rural septic systems. The proposed fees are \$36 per year on residential units and \$150 per year on non-residential connections.

The goal, according to a recent impaired waters report prepared by the working group, would be to place approximately \$75 million per year in a state water protection account and use those funds for grants and loans to public agencies for impaired waters identification, prevention, and restoration activities.

Though the Legislature has not yet jumped at the fee suggestion this year, part of the funding from a proposal to constitutionally dedicate a percentage of state sales taxes to the environment would be earmarked for impaired waters prevention and restoration.

The success of the 10-year plan to upgrade septic systems in the state, according to the report, "will depend on the continued close communication and cooperation between the (agency), local governments and other stakeholders, and the Legislature." 

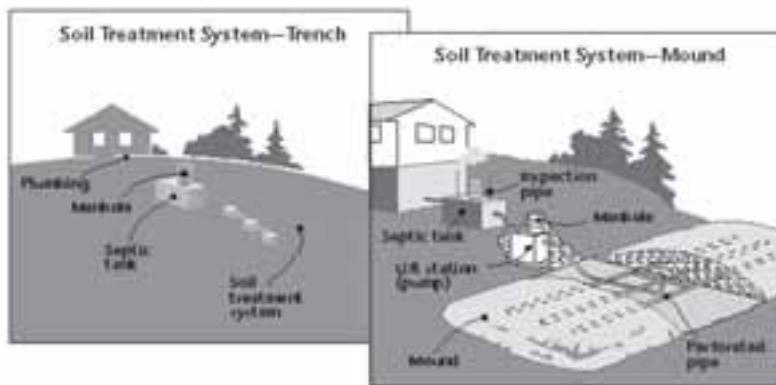


Photo illustration courtesy of University of Minnesota Extension Service Web site

Individual sewage treatment systems typically consist of a septic tank and some type of soil treatment system, such as the trench or mound varieties shown here.

Ready for school

Education finance measure includes proposals intended to help narrow kindergartners readiness gap

By Tom Loneragan

A state-funded school readiness study, released in February 2004, estimated that 12 percent of public school kindergarten students were not yet proficient in language and literacy and 11 percent were not ready for math-related activities in kindergarten.

The students, who had entered 52 public schools in September 2003, were observed for six weeks by kindergarten teachers and rated in five school readiness skill, knowledge, and behavior areas. They were rated at one of three levels: showing proficient skills on a consistent basis, showing emergent or intermittent skills, or not yet showing school readiness skills.

Betty Cooke, an Education Department early childhood education specialist, told a joint meeting of three House education committees in March that the study estimates between 7,000 and 8,000 of the children entering public school kindergartens in the fall of 2003 were “showing no skills yet” in literacy and math.

The study also found that family income – rather than race or ethnicity – is more of a factor in children’s school readiness. In the five school readiness skill and development areas assessed, students from families with annual incomes below \$35,000 were more than “twice as likely to have a ‘not yet’ rating,” according to the study, “than the students in the highest of the four income categories (\$75,000 or more).”

The two areas where the kindergarten children sampled were most proficient was in physical development and personal and social development.

Lawmakers have included some modest proposals to begin to help districts address readiness of tomorrow’s kindergartners. While some say it’s a necessary start, others say school readiness needs to be more of a priority now.

Yet there seems to be agreement that the issue is fundamental to a student’s lifelong educational success.

Todd Otis, executive director of Ready4K, a St. Paul-based statewide advocacy group for dedicated public and private funding of preschool programs, testified at the March committee hearing that the state study established

“a really important baseline.”

“How are we going to get these numbers better?” he asked. “If we can improve (school readiness), the K-12 system, higher education system and workforce preparation will be improved.”

The omnibus education finance bill (HF1793), sponsored by Rep. Alice Seagren (R-Bloomington), would restore slightly more than \$1 million in school readiness funds for children between the ages of 3-1/2 and 5. School readiness programs prepare children to enter kindergarten.

The bill would provide \$10.3 million for school readiness programs for fiscal year 2005. The Legislature previously cut school readi-



PHOTO BY TOM OLMSCHIED

Lawmakers have included some provisions in the omnibus education finance bill to address school readiness concerns.

ness funds by \$1 million for 2004.

The bill would also allow school districts to allocate up to 10 percent of state provided compensatory revenue to support pre-kindergarten programs. According to a state Department of Education official, up to \$25 million could be available for such programs under the option.

Pre-kindergarten programs “may serve resident and nonresident children,” under the bill. Districts may contract with private preschools and other providers of pre-kindergarten programs. There is a mix of privately and publicly funded preschool programs throughout the state, but no statewide publicly funded system.

The bill is likely headed to a conference com-

mittee, since the Senate has also passed a supplemental education bill with a number of different proposals. A committee has yet to be appointed.

Compensatory revenue – based on specific public school building headcounts of children from families who meet federally defined low income levels – is primarily for remedial and individualized instruction for under-prepared students who have demonstrated poor academic progress.

Karen Carlson, director of early learning services for the state Department of Education, told members of the House Education Finance Committee during a March hearing that pre-kindergarten programs were an appropriate use of school compensatory revenue.

Through state required screening of pre-kindergarten students, school districts attempt to identify “kids not yet ready for school,” Carlson said. The screening can potentially identify preschool students, she said, who could later fall into the state’s “achievement

gap,” which has shown low income students and students of color testing at consistently lower proficiency levels in math and reading.

The intent of allowing school districts another optional use of compensatory revenue, Carlson said, “is to stick with the issue of serving under-prepared kids.

“This is one more way some money can be used. It doesn’t begin to address the total need.”

However, Rep. Nora

Slawik (DFL Maplewood) said the proposal was “taking a piece of the pie, but not adding anything to it. We’re robbing one group to help another,” said Slawik, who called for new state funding for preschool programs.

Rep. Barb Sykora (R-Excelsior) said the proposal would “not create a big public program,” but could help private nursery schools, Montessori schools, and other child-care providers prepare pre-kindergartners.

“If this works, we won’t have students needing compensatory (funded school programs) in grades 5, 6, and 7,” she said. “This is a way of possibly saving for the future.”

Review board

Bill would toughen penalties for sex offenders, create parole-board style system to review potential release

By **MIRANDA BRYANT**

Vowing to get tough on sex offenders, the Legislature is considering a bill that would mean life sentences for most sex offenders. The worst would never be freed from prison, but others could petition a proposed review board for release after serving minimum sentences.

Charged with reviewing indeterminate sentences in which sex offenders have been sentenced to life, but where parole is allowed, would be the newly created Minnesota Sex Offender Review Board.

The five-member board would be comprised of the commissioners of corrections and human services, and three people appointed by the governor: a retired judge, a sex offender treatment professional not employed by the state, and a member of the public. Each person would serve a four-year term.

The corrections commissioner would devise criteria and procedures governing the board's conditional release decisions. The criteria must be reported to the Legislature by Nov. 15, 2004 and take effect on June 1, 2005, under a bill (HF2308), sponsored by Rep. Kurt Zellers (R-Maple Grove).

The board would work with one category of sex offenders — those that have been sentenced for non-aggravated first-degree criminal sexual conduct, and the most serious second-, third-, and fourth-degree sex crimes, and sexual predatory conduct. Under the bill, offenders would receive a maximum life sentence and a minimum sentence. The latter would be two-thirds of the sentence presumed for such a crime, as laid out in sentencing guidelines.

When the minimum sentence has been served, the offender would be allowed to petition the board for a release hearing.

In deciding whether the prisoner should be released, the board would consider:

- the offender's risk of re-offending, as determined by the Department of Corrections end-of-confinement review committee;
- the community investigation report prepared by the department. The report, currently mandated when any felon is released on

- supervision terms from prison, must include the views of the sentencing judge, the prosecutor, any law enforcement personnel involved in the case, and the victim, if the victim chooses to participate;
- the inmate's criminal history and behavior in prison;
- the inmate's participation in treatment, and the need for additional treatment or supervision;
- the danger the inmate would pose to the public, if released; and
- other relevant information.

Zellers said allowing other relevant information is important. This could include testimony by an offender's prison cellmate, and information gained during treatment about any other victims that the offender was not charged with violating. It could also contain statements by victims' family members about any efforts by the offender to make amends.

"We're not trying to exclude the possibility of



PHOTO BY ANDREW VONBANK

The omnibus judiciary finance bill would create a parole-style board to review sex offender cases with indeterminate sentences in which the minimum sentence has been served.

release for everybody," Zellers said. "We're just trying to keep the worst of the worst in (prison)."

Reviewing the inmate's participation in treatment will serve as an incentive, Zellers added. Currently, a sex offender can refuse treatment in prison, he explained.

The board would have to render a decision within 14 days of the hearing. Any release from prison must come within 90 days of the decision, and would be conditional, allowing the courts to re-sentence the offender for failing to follow release guidelines.

Those denied release could petition for a release hearing again in two years.


Under current law, second-degree criminal sexual conduct carries a statutory maximum penalty of 25 years; third-degree, 15 years; and fourth-degree, 10 years.

Second- and fourth-degree sex crimes involve sexual contact while third-degree involves sexual penetration.

According to a May 2003 Corrections Department report, 2,777 sex offenders were assigned risk levels in the six years following adoption of the community notification law in 1996. Level III offenders, considered at the highest risk to re-offend, numbered 368.

The bill containing the sex offender review board has been rolled into the House judiciary finance omnibus bill (HF2028), sponsored by Rep. Steve Smith (R-Mound). It passed the House 117-13 March 31. In the Senate, where Sen. Richard Cohen (DFL-St. Paul) is the sponsor, the companion bill was rolled into a supplemental budget-balancing measure. A House-Senate conference committee is expected to address the differences.

The judiciary finance bill would also:

- sentence to life in prison without parole those convicted of aggravated first-degree sex crimes — such crimes involve use of force or a weapon to rape or subdue a victim, resulting in physical or psychological harm. The current maximum penalty is 30 years in prison;
- create the crime of "criminal sexual predatory conduct" in cases where the predatory crime (murder, manslaughter, assault, robbery, kidnapping, false imprisonment, incest, or first-degree burglary) was motivated by sexual impulses; and
- expand the type of cases the department must review in deciding whether to refer cases for a sexual offender's possible civil commitment as a sexually dangerous person following completion of a prison sentence. 

Human resources

Dislocated Worker Program, created to offer employee services in 1989, continues to evolve and improve

By **PATTY JANOVEC**

While Minnesota's economy climbs into recovery and the state's unemployment rate fluctuates, some unemployed workers are finding state assistance.

One of several employment assistance programs is Minnesota's Dislocated Worker Program that helps residents who are unemployed through job transfers overseas, business closings, and changing economic and market demands. In 2001 the program served 18,828 people.

Created in 1989, the program works to minimize the economic impact of layoffs and plant closings to employers and workers through services such as: career planning and personnel counseling, training, job seeking and skills development workshops, and support services. Workers typically come to need the services in

and federal funds should be equitably divided between programs for mass layoffs and for individual worker layoffs.

The council found three primary issues facing unemployed workers attempting to use the program and concluded that the majority of them could be dealt with administratively, with two things needing specific legislative action.

First, waiting lists for services when an individual laid off worker goes to a WorkForce Center for help, or when there is a delay in determining other funding streams that might be available for the individual, were found to have "an unacceptable delay in service."

Second, the council stressed that finding a balance between providing training and facilitating rapid replacements largely depends on the needs of individual workers seeking assistance,

particularly if dislocated workers use program resources principally to support training and/or placement. In some cases, workers may view the program as an "entitlement" for training, particularly if they are unable to turn to their prior profession. Availability of other sources for assistance also plays a role.

Third, there can be a disparity of ser-

vices (depth and type) for workers depending on whether the layoff qualifies for additional funding, such as a National Emergency Grant.

The council made six recommendations for changes. In order to qualify as a mass layoff, such an action must now affect 50 people under state law. The council recommended raising that threshold to 200, so that it has more resources to serve workers in a mass layoff, even though it recognizes that mass layoffs would happen less frequently under those conditions.

Additionally the council said the Legislature must specify in law that any revenues generated

by the workforce development fee be used for those intended purposes only and not to cover general fund obligations. The fee is a surcharge paid as part of an employer's portion of the unemployment tax.

Other changes suggested include:

- create consistent delivery of information about program expectations through development of additional "scripting," templates, and print materials for use by the state Rapid Response Team in dealing with mass layoffs;
- allow for meaningful local response to dislocations by representatives of local elected officials and workforce councils in conjunction with the state Rapid Response Team; and
- review eligibility for state Dislocated Worker Programs and work with partners to clarify, through program guidance and/or staff training, the existing definitions of eligibility for the federal and state programs. This review would be conducted by the department.

The Dislocated Worker Program is funded with approximately \$34 million through both state and federal funds, said Paul Moe, director of the Workforce Partnerships Division of the Minnesota Department of Employment and Economic Development. Federal funds come to Minnesota as part of allocated funds through the Workforce Investment Act from the U.S. Department of Labor, with state funds collected from the workforce development fee.

Additional federal funds can be obtained through National Emergency Grant Funds for situations such as when 4,000 workers were laid off from Northwest Airlines after Sept. 11, 2001. Moe said the state has been granted more than \$20 million in federal funds since that time for emergency situations.

HF2799, sponsored by Rep. Bob Gunther (R-Fairmont), would make several changes to the Dislocated Worker Program, including language that would clarify definitions of long-term and short-term training, while still emphasizing short-term training.

Additionally, the bill would change how funds are distributed to dislocated workers in small or individual layoffs, by requiring the distribution to reflect recent trends in the number of permanently separated individuals applying for unemployment benefits. The bill awaits action by the full House.


A companion bill (SF2646), sponsored by Sen. Ellen Anderson (DFL-St. Paul), awaits action by the Senate Rules and Administration Committee. 



PHOTO BY ANDREW VONBANK

Services offered through Minnesota's Dislocated Workers Program are provided through State Workforce Centers, such as this one in St. Paul.

two ways: either as part of a mass layoff or as an individual seeking job training and job search assistance. Services are provided from the state through Workforce Centers. Unions, nonprofit organizations, and private businesses also provide services for individuals.

From the state perspective, the 2003 Legislature asked the Governor's Workforce Development Council to explore improvements in program efficiency.

Kathy Sweeney, state councils director with the governor's council, said the organization was asked to look into issues such as how state

What does that mean?

Acronyms and jargon are commonplace to policymakers, but can look like alphabet soup to many others

By **MARY KAY WATSON**

Sometimes, following the Legislature’s proceedings is an exercise in cognitive dissonance. A case in point: the Health and Human Services Policy Committee is talking about a bill to help needy people. You’re following the discussion with perfect understanding, when, seemingly out of the blue, they begin speaking a different language. “Emfip,” says one lawmaker. “Tanif,” says another. What is going on here?

Welcome to Planet Acronym.

Everyone is familiar with everyday acronyms like YMCA, IQ, and SPAM. Computer-spawned letter sets have been working their way into everyday usage, for instance, CD-ROM, ASCII, and HTML. And did you know that some common words started their lives as acronyms? Examples include scuba, sonar, and radar. Linguists use the term anacronym to describe words like these when the original meaning has been forgotten or become immaterial.

An acronym is an abbreviation formed from

the first letters of words. Of Greek origin, “acronym” is made up of akron meaning “tip” and onyma, or “name.” They are unlike most abbreviations in that there are no periods to denote the end of the abbreviated word (as in Rep. or Sen.). Sometimes an acronym is pronounced as a word (CREP), sometimes just the letters are used (HMO), and occasionally both are combined (MFIP) or extra vowels are inserted to make it sound like a word (TANF).

Until computers and the Internet came along, government was probably the world leader in the production of acronyms. The federal government is perhaps the grand master of acronym construction. However, Minnesota’s state agencies and its Legislature have collaborated in creating some of the *Session Weekly* staff’s most-loved acronyms.


That health and human services committee you were trying to follow at the beginning was talking about a federal program called Temporary Assistance for Needy Families, or TANF,

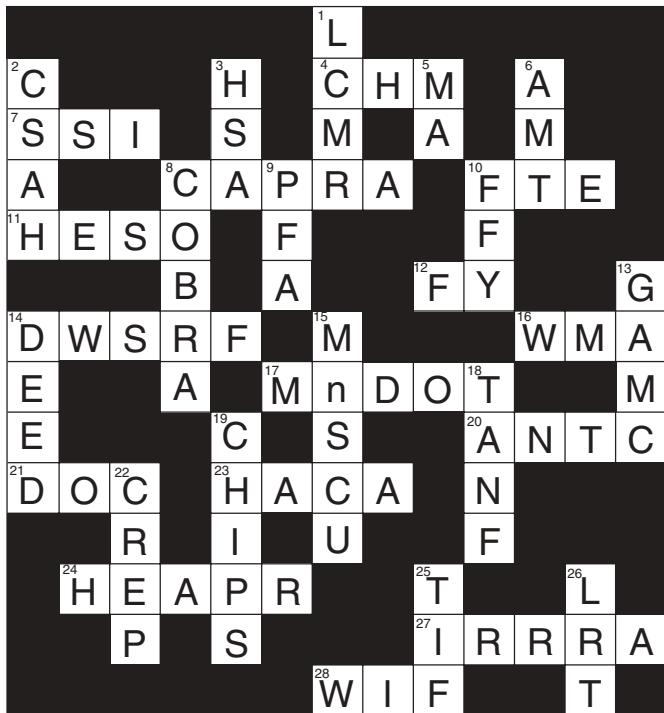
and a state’s counterpart, the Minnesota Family Investment Program, or MFIP.

When the Environment and Natural Resources committees talk about “bowser” they’re not discussing their favorite Labrador retriever. BWSR is the acronym for the Board of Water and Soil Resources. WIF is not a shortened version of a game played with a holey ball, but rather the acronym for the Wastewater Infrastructure Funding program.

The acronym has a cousin – jargon – that can compound the confusion to your cognition. Jargon is usually associated with a particular field. Both are a kind of shorthand for insiders. Both are often accused of being tools for confusion.

A good example is the term “tails” that legislators and staff throw around during budget discussion. Tails refer to the costs a provision may have in future biennia. While the Legislature may only set the budget two years ahead, it must track expenditures and revenues into future years.

Throw some acronyms or jargon into your next conversation and watch your friends’ eyes glaze over as they grapple with their meanings. It can be fun, but it stops communication in its tracks. Or you could say, it results in an EOD (end of discussion). 



DOWN	ACROSS
1. LCMR – Legislative Commission on Minnesota Resources	4. CHM – Critical Habitat Match
2. CSAH – County State Aid Highways	7. SSI – Supplemental Security Income
3. HSA – health savings account	8. CAPRA – Capital Asset Preservation and Replacement Account
5. MA – Medical Assistance: Minnesota’s Medicaid program for low-income families with children, seniors, and people with disabilities	10. FTE – Full-time equivalent
6. AMT – Alternative Minimum Tax	11. HESO – Higher Education Services Office
8. COBRA – consolidated omnibus budget reconciliation guide – a federal law that provides the right to continue coverage in a group health plan	12. FY – fiscal year, which extends from July 1 of one year to June 30 of the following year
9. PFA – Public Facilities Authority	14. DWSRF – Drinking Water State Revolving Fund
10. FFY – federal fiscal year, which extends from Oct. 1 of one year to Sept. 30 of the following	16. WMA – Wildlife Management Area
13. GAMC – General Assistance Medical Care: provides health care coverage for low-income adults, ages 21–64, who have no dependent children and who do not qualify for Medical Assistance	17. MnDOT – Minnesota Department of Transportation
14. DEED – Department of Employment and Economic Development	20. ANTC – Adjusted Net Tax Capacity
15. MnSCU – Minnesota State Colleges and Universities	21. DOC – Department of Corrections, or the prison system in the state
18. TANF – temporary assistance for needy families federal program	23. HACA – Homestead Agricultural Credit Aid
19. CHIPS – Child in Need of Protective Services	24. HEAPR – Higher Education Asset Preservation and Replacement
22. CREP – Conservation Reserve Enhancement Program combines CRP with RIM reserve	27. IRRRA – Iron Range Resources and Rehabilitation Agency
25. TIF – Tax increment financing	28. WIF – Wastewater Infrastructure Fund
26. LRT – Light-rail Transit	
	other notable acronyms
	• HMO – health maintenance organization
	• MFIP – Minnesota Family Investment Program
	Minnesota’s version of TANF
	• MHIP – Minnesota Health Improvement Partnership
	• FPG – federal poverty guideline
	• WIC – Women, Infants, and Children



How to get here

Location

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

I-94 eastbound: Exit at Marion Street. Turn left. Go to Aurora Avenue and turn right. Go nearly one block and enter Parking Lot AA on the left just before Rice Street.

I-94 westbound: Exit at Marion Street. Turn right. Go to Aurora Avenue and turn right. Go nearly one block and enter Parking Lot AA on the left just before Rice Street.

I-35E northbound: Exit at Kellogg Boulevard. Turn left. Go to John Ireland Boulevard and turn right. Metered parking spaces line both sides of the boulevard.

I-35E southbound: Exit at University Avenue. Turn right. Go to Rice Street and turn left. Go one block, turn right on Aurora Avenue and enter Parking Lot AA.

Visiting the Minnesota State Capitol complex can be a rewarding and educational experience for everyone. There are buildings to explore and tours to take almost any time you choose to visit. And when the Legislature is in session during the first part of every year, there are floor sessions to observe, committee meetings to attend, and legislators to meet. Remember that this is your state Capitol, and you are always welcome.

Parking

Public metered parking is available in Lot Q, north of the Capitol at Cedar Street and Sherburne Avenue; Lot AA, across Rice Street from the State Office Building on Aurora Avenue; Lot F, directly behind the Transportation Building; Lot K, across from the Armory on Cedar Street (enter from 12th Street); and on the orange level of the Centennial Office Building Ramp at Cedar Street and Rev. Dr. Martin Luther King Jr. Blvd. All-day metered parking is available in Lot Q. Capitol Security personnel will issue tickets for expired meters.

All-day parking permits may be purchased for \$4 from Plant Management on the ground floor of the Administration Building at 50 Sherburne Ave., north of the Capitol, across University Ave. Cash or checks are accepted and correct change is appreciated. For more information, call (651) 297-3993.

Outdoor handicapped parking is available in Lot N, which is on the northwest side of the Capitol, and in Lot F. One spot is available in Lot AA.

The main handicapped entrance to the

Capitol is on the northwest side of the building, just off Lot N; there also are drop-off entrances on the south side under the front steps and on the northeast side of the building.

Since parking is limited during legislative sessions, busing may be easier. Freeway express bus service is available. Bus number 94B takes you to the Capitol and the State Office Building. Call the Transit Information Center at (651) 349-7000 for schedule and route information.

What to do

Tours

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

Tour guides lead the 45-minute tours on the hour Mondays through Fridays between 9 a.m. and 4 p.m. (last tour leaves at 3 p.m.); Saturdays between 10 a.m. and 3 p.m. (last tour leaves at 2 p.m.); and Sundays between 1 p.m. and 4 p.m. (last tour leaves at 3 p.m.). The tours begin at the Capitol's information desk at the end of the corridor to the right of the main entrance. Brochures in about 20 foreign languages also are available there.

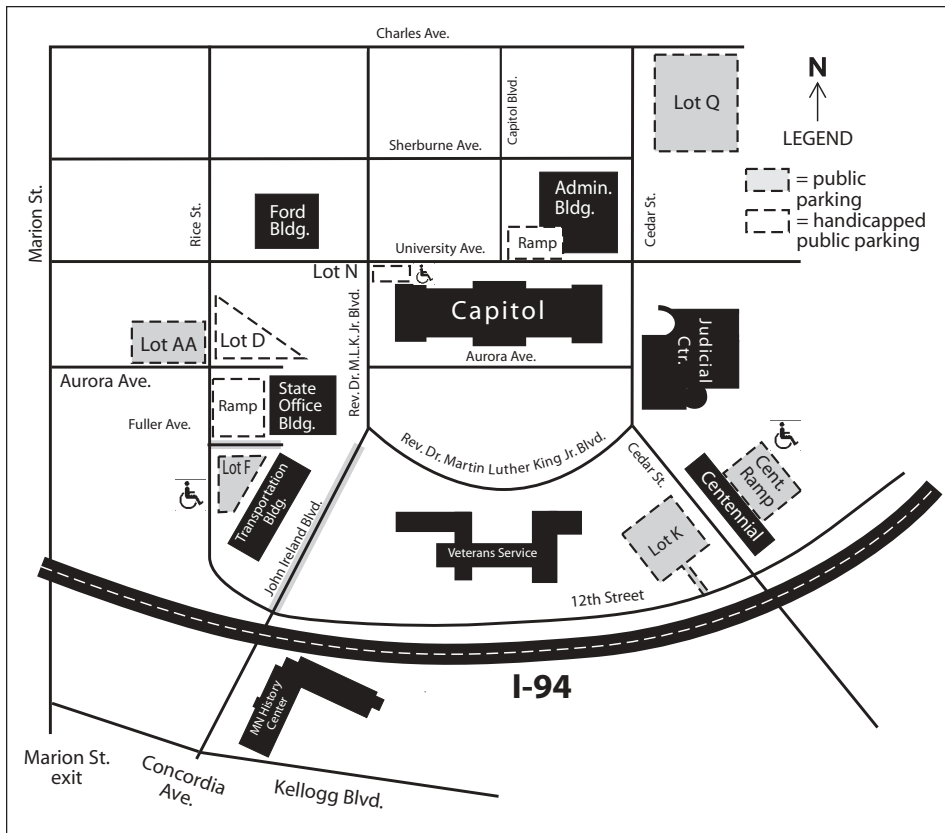
Tour rates vary. Generally, 45-minute tours for drop-in visitors to the Capitol are free of charge.

Historical society officials ask that groups of 10 or more call at least two weeks in advance to reserve a tour time.

The society offers a number of specialized tours for educational groups ranging from preschool students to high school seniors. Admission for 45-minute educational group tours is \$2 per person. Tour participants may request customized tours that emphasize topics such as architecture, women's history, or the Civil War. During the legislative session, the society offers "Voice of the People: Your Role in Minnesota Government," a three-hour session for students in grades 9-12. Admission for the lengthier, focused educational group tours is \$4 per person.

Also, special tour events are scheduled throughout the year. Themes include "Art and Artists of the State Capitol" and "Shadows and Spirits of the State Capitol." Some of these events require admission fees; others are free. A special events guide is available upon request.

For more information about the tours and fee structure, or to make a reservation, call the Capitol Historic Site Program, (651) 296-2881.



Legislative sessions

Members of the House of Representatives and the Senate debate bills when the Legislature is in session.

At the beginning of a legislative session, the pace of floor sessions is generally slow as new bills are assigned to committees and non-controversial items are discussed. At about the session's midpoint, however, the legislative pace quickens.

The House usually meets at 3 p.m. Mondays and Thursdays, and the Senate meets at 11:30 a.m. Mondays and at 9 a.m. Thursdays during the first few weeks. House floor sessions are scheduled for the afternoon because committees meet in the morning and early afternoon. As the session nears the end, however, both bodies may meet several times a week, often into the night.

All House and Senate floor sessions are open to the public. Visitors interested in observing these sessions may call the House Chief Clerk's Office, (651) 296-2314, or Senate Information, (651) 296-0504, with questions. Spectators may sit in the galleries of either chamber.

Committee meetings

Visitors wanting to attend a committee meeting may call the committee hotlines for prerecorded messages with the meeting times and agendas for each day: House, (651) 296-9283; Senate, (651) 296-8088.

Committee meetings are open to the public. When a public hearing is scheduled, the committee may listen to comments from the audience (when time permits) in addition to the scheduled speakers. Committees have different policies on hearing testimony depending upon their size and workload. Informational handouts that committee members receive during meetings or hearings are considered public information and are available to the audience on a first-come, first-served basis.

Major proposals often have several public hearings so committee members may listen to all arguments for and against a bill.

Each committee has a chair, vice chair, administrator, and legislative assistant. A list of committees and members is available in the House Public Information Services in Room 175, State Office Building, or the Senate Information Office in Room 231, State Capitol.

Groups and individuals wishing to testify before a committee should call the appropriate committee's legislative assistant well in advance of the meeting and ask to be placed on the agenda. Committees prefer requests one week in advance but will accept later notification when unexpected issues appear on the committee schedule. A brochure containing tips on testifying at legislative committee hearings is available from the House Public

Information Services Office.

Dining

Cafeterias are located in most state buildings. The small State Office Building cafeteria is usually open only when the Legislature is in session. A large, year-round cafeteria is available in the Transportation Building.

Also, there are many restaurants within walking distance. On Rice Street are the Lagoon Vietnamese Restaurant, White Castle, and El Bravo Mexican Restaurant. On University Avenue, you will find McDonald's, Burger King, Mai Village, and other restaurants. There also are dozens of restaurants only minutes away in downtown St. Paul. Bus rides downtown cost 50 cents. You can catch the bus on Rev. Dr. Martin Luther King Jr. Blvd.

Group visits

Sometimes groups plan a "legislative day" at the Capitol in order to express a particular viewpoint to legislators.

Rooms for special conferences or speakers can be reserved by calling the State Office Building room scheduler at (651) 296-5408 or the Capitol room scheduler at (651) 296-0866.

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

Often such groups have members wear a distinctive name tag or badge to indicate their concern about a particular issue.

Groups planning a trip to the Capitol should remember that seating is fairly limited in some committee rooms — particularly when the topic is controversial.

About security

Visitors to the Capitol need not be concerned or postpone a visit due to security concerns.

While security has been tightened, measures may not be obvious to the casual visitor. Remember only that you may need to identify yourself to a security officer stationed at a public entrance.

E-mail schedules

Anyone with e-mail can receive both House and Senate committee schedules.

To sign up to receive the House committee schedule, direct your Web browser to <http://ww3.house.mn/list/join.asp?listname=houseschedule> and fill out the subscription form on the Legislature's Web site.

You can also sign up for the Senate schedule on the Internet. Point your Web browser to <http://www.senate.leg.state.mn.us/schedule/listserv.htm> and fill out the subscription form.

Where to find information

House Public Information Services

175 State Office Building
(651) 296-2146 or 1-800-657-3550

The House Public Information Services Office is a nonpartisan office that provides committee meeting schedules; legislator information; and publications, including the *Session Weekly* newsmagazine, educational brochures for all ages, and member directories. All information is available at no charge.

Most of what this office publishes can be viewed on the Legislature's World Wide Web page. To connect, point your web browser at: <http://www.leg.mn>

House Television Services

216C State Capitol (651) 297-1338

House Television Services, part of the House Public Information Services department, is responsible for live coverage of House floor sessions and some committee hearings. Such coverage is aired in the Twin Cities area on KTCI-TV, Channel 17. The House also broadcasts via satellite statewide, available on local cable systems. Internet users can also view committee hearings and floor sessions via the House TV Web site. Refer to the site at <http://www.house.mn/hinfo/television.htm> for more information.

All televised floor sessions and committee hearings are close-captioned for people with hearing impairments.

Chief Clerk's Office

211 State Capitol (651) 296-2314

The Chief Clerk's Office provides copies of bills at no charge, all agendas for House sessions, and the Journal of the House.

House Index Department

211 State Capitol (651) 296-6646

The House Index Department, a part of the Chief Clerk's Office, has a computerized index available for public use. House Index lists bills by committee, topic, author, file number, and other categories. The office can also give you the current status of legislation.

Senate Information Office

231 State Capitol
(651) 296-0504 or 1-888-234-1112

The Senate Information Office is responsible for all information about the Senate, including the committee schedule, bill status, legislator information, and the distribution of bill copies.

Senate Media Services

B-44 State Capitol (651) 296-0264

Senate Media Services, a bipartisan office, produces television programs, multi-media productions, scriptwriting, photography, and graphics. It offers live coverage of the Senate floor sessions and some committee hearings.

Tracking new laws, vetoes

Once a bill has passed both the House and Senate in identical form, it's ready to be sent to the governor for consideration. The governor, who has several options when considering a bill, can:

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill;
- or do nothing, which can have two different effects. The timing of these actions is as important as the actions themselves.

In the second year of the biennium (even-numbered years), as this year is, a bill passed by the Legislature and presented to the governor before the final three days of the session will become law unless the governor vetoes it by returning it to the Legislature within three days. The governor normally signs the bills and files them with the secretary of state, but his signature is not required.

(Sundays are not counted in the three-day limit, but holidays are.)

But if a bill is passed during the last three days of session, the governor has a longer time to act on it. He or she must sign and deposit it with the secretary of state within 14 days after the Legislature adjourns "*sine die*" (Latin for adjournment "without a date certain"). If the governor does not sign a bill within this time frame, it will not become law, an action known as a "pocket veto." The governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he or she objects. As with all vetoes (save pocket vetoes) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed

during the final three days of the session, or within three days after the governor receives the bill at any other time.

Policy items contained in appropriations bills may not be line-item vetoed. In order to veto such an item, the governor is required to veto the entire bill.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next session.

The governor's veto authority is outlined in the Minnesota Constitution (Article IV, Section 23).

This information is also available on the governor's Web site (www.governor.state.mn.us). Select the "Legislation" link.

Key:

CH=Chapter; HF=House File; SF=Senate File

CH	HF	SF	Description	Signed	Vetoed
134	921	906*	Sex offender treatment co-payments authorized.	2/17/2004	
135	973	1015*	Veterans Affairs Dept. authorized to access taxpayer ID information to notify veterans of health hazards.	2/26/2004	
136	1794*	1615	Airport federally funded projects minimum required local contribution decreased.	3/10/2004	
137	480*	837	Job reference information, school violence data, and employee personnel records disclosure regulated.	3/22/2004	
138	1743	2182*	Public utility performance-based regulation plan purpose modified.	3/19/2004	
139	1980	1799*	Watershed and soil and water conservation district officers conflicts of interest clarified.	3/19/2004	
140	1822	1814*	Metropolitan Council government electronic funds transfer use authorized.	3/19/2004	
141	1935	1626*	Storm and sanitary sewer financing provisions modifications.	3/26/2004	
142	307*	497	Noncommercial sign ordinance exemption provided during state general election years.	3/26/2004	
143	1064*	1197	State employee technical and housekeeping changes provided.	3/26/2004	
144	1702	1748*	Emergency medical services provisions modifications.	3/26/2004	
145	2491	2498*	Domestic abuse ex parte protection or temporary restraining orders effectiveness.	3/26/2004	
146	1803	1745*	Trust law provisions modified and guardianship and conservatorship law changes provided.	3/26/2004	
147	1855	1903*	Counties hazardous buildings and property removal authority.	4/2/2004	
148	2878*	2537	Dr. Norman E. Borlaug World Food Prize Day designated.	4/2/2004	
149	339	40*	Minors personal injury or property damage parental liability limit increase; graffiti civil.	4/2/2004	
150	2105*	2632	Iron Range Resources and Rehabilitation Commissioner's Office established.	4/2/2004	
151	2118	2063*	Local government units financial institution deposits collateralization requirements clarification.	4/2/2004	
152	2033	1958*	Towns electronic or wire transfer payments and credit card or electronic payments acceptance authority.	4/6/2004	
153	1805	1621*	Mortgage satisfaction certificates and assignments or releases.	4/6/2004	

*The legislative bill marked with an asterisk denotes the file submitted to the governor.

CH	HF	SF	Description	Signed	Vetoed
154	2107	1653*	Real property survey and monument requirements modified.	4/8/2004	
155	2651*	2347	Interstate Compact for Adult Offender Supervision amended and interstate compact repeal delayed.	4/14/2004	
156	2455*	2499	Five-level correctional facility classification system authorized.	4/14/2004	
157	1836*	1693	Mineral tailing deposition into mine pits permitting clarified.	4/14/2004	
158	3005*	2840	County seat voting times modified.	4/14/2004	

BILL INTRODUCTIONS

APRIL 12 - 15, 2004

HOUSE FILES 3171 - 3179

Monday, April 12

HF3171—Johnson, J. (R)
Environment & Natural Resources Policy

Deer hunting muzzleloader season regulations modified to allow use of scopes by visually impaired hunters, and criminal penalties provided.

Wednesday, April 14

HF3172—Dill (DFL)

Taxes

Ely local sales tax authorized, and revenue uses specified.

HF3173—Mullery (DFL)

Commerce, Jobs &

Economic Development Policy

Metropolitan Council transit operating division retired employee unit group insurance premiums subjected to interest arbitration.

Thursday, April 15

HF3174—Nelson, C. (R)

Taxes

Rochester wastewater treatment plant sales tax exemption provided.

HF3175—Kelliher (DFL)

Higher Education Finance

Undocumented non-citizens meeting specified requirements allowed to qualify as residents of Minnesota for state higher education purposes.

HF3176—Abrams (R)

Taxes

Direct business definition provided relating to insurance premiums.

HF3177—Abrams (R)

Taxes

Card clubs; franchise fee imposed on card clubs operated by pari-mutuel licensees.

HF3178—Hornstein (DFL)

Taxes

Foreign source income taxation modified, and foreign operating corporation provisions modified relating to corporate franchise taxation.

HF3179—Abrams (R)

Taxes

Construction specialty trades income tax withholdings provided, tax compliance initiative specified, and money appropriated.

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MINNESOTA INDEX

Recycling and waste disposal

Tons of mixed municipal solid waste, including that sent to processing facilities and landfills, materials recycled, materials disposed of on site, and problem materials not recycled, generated in Minnesota, 2002, in millions	5.9
Percent increase from 2001	2.3
Average percent increase in each year of past decade	3.7
Per capita mixed municipal solid waste in 2002, in tons	1.17
Percent increase, on average, during previous 10 years	2.5
Estimated tons of mixed municipal solid waste, in millions, to be generated by 2015	9.1
Tons of recyclable materials collected by state recycling programs, 2002, in millions	2.3
Ton increase from 2001	32,048
In previous decade, average annual percent increase in amount of recyclables collected	4
2002 recycling rate in Greater Minnesota, as percent	47.4
In Twin Cities metropolitan area, as percent	46.5
As percent, county with highest recycling rate (Waseca) in 2002	83.2
Lowest, as percent (Big Stone)	20.2
Pounds of items the average Minnesotan recycled in 2002	914
Tons of corrugated paper recycled statewide in 2002	325,000
Newsprint, in tons	184,308
Food and beverage glass, in tons	76,644
Major appliances, in tons	34,895
Aluminum, in tons	29,673
Estimated 2002 gross economic activity for state recycling manufacturers, in billions	\$3.8
Approximate jobs supported	28,000
Tons, in millions, of mixed municipal solid waste sent to landfills in Minnesota and surrounding states in 2002	2.1
Years until current landfill space in Minnesota is projected to be full	9
Estimated tons of waste that Minnesotans disposed of in 2002 using on-site disposal methods, such as burning or burying	82,442
Estimated percent of state households using on-site disposal methods	5
Year that burning household waste became illegal for most Minnesotans	1969
Annual date of Earth Day	April 22
Year of first Earth Day	1970

Sources: 2003 Solid Waste Policy Report: A Vision for Solid Waste Management and Report on 2002 SCORE Programs, A Summary of Waste Management in Minnesota, both January 2004, Minnesota Office of Environmental Assistance; U.S. Environmental Protection Agency.

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