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CONCEALED CARRY PASSES

PERMIT REGULATIONS, RAIL AUTHORITIES, AND MORE
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On the cover: A group of fifth graders from Orono Elementary School are reflected in a Civil War flag case as they walk through the Capitol Rotunda during an April 17 historic tour.

— Photo by Kristine Larsen
Strange roadbed-fellows

House committees at odds over environmental permit process for road projects

BY NICOLE WOOD

Wetlands are recognized under state law conserving surface waters and maintaining underground moisture, maintaining and improving water quality, preserving wildlife habitat, providing recreational opportunities, reducing runoff and stream sedimentation, providing for floodwater retention, helping moderate climatic change, and enhancing the natural beauty of the landscape.

The state’s Wetland Conservation Act, as the collection of laws protecting the resource is known, emphasizes a “no net loss” approach in preserving the quantity, quality, or biological diversity of wetlands.

Transportation authorities — most often counties — are required to replace wetlands values and restore native plantings under an extensive road project permit process. Generally, the local government unit responsible for administering permits under the Wetland Conservation Act is the city or county, but it could also be a watershed district or soil and water conservation district.

Although the Legislature attempted to streamline the permit process over the years, the paperwork can be difficult because of a variety of local, state, and federal government units having jurisdiction over wetland areas.

The House transportation finance and policy committees heard testimony earlier this session from groups seeking administrative relief from certain requirements under the permit process.

In response to frustration over costs, delays, and duplicative governmental permit requirements, a revised wetland replacement ratio and other wetlands law modifications are advancing in the omnibus transportation finance plan (HF627), sponsored by Rep. William Kuisele (R-Rochester).

Meanwhile, government units who operate under the wetlands law and affected stakeholders — including the Board of Water and Soil Resources, Minnesota Association of Watershed Districts, Association of Minnesota Counties, Pollution Control Agency, and Department of Transportation — have negotiated a compromise plan that emphasizes early coordination between all involved parties.

Rep. Dennis Ozment (R-Rosemount) has added the so-called “alternative consensus language” to the omnibus environment and natural resources finance bill (HF779).

Ozment said that while he recognizes the transportation committee’s “of a different mind,” he believes many of the frustrations are caused by the permit process itself rather than the extra

Anoka County Highway Engineer Doug Fischer, left, and Anoka County Commissioner Dennis Berg, right, testify before the House Environment and Natural Resources Finance Committee April 23 during a discussion of environmental provisions in the House Transportation Finance Committee’s omnibus bill.

PHOTO BY ANDREW VON BANK

for additional traffic capacity projects.

The House Environment and Natural Resources Finance Committee held a hearing April 23 to review the provisions relating to wetlands restoration contained in the omnibus transportation funding package.

Specifically, the transportation bill would:

• limit native species planting permit requirements;
• exempt counties from securing any permits for work within rights-of-way on existing roads;
• expand the approved restoration zone for wetlands replacements for certain projects; and
• reduce wetland replacement ratios from 2:1 to 1.5:1 for public transportation projects in those counties classified as having at least 50 percent but less than 80 percent of the wetland acreage, as it existed before the state’s settlement, intact. Affected counties would include Anoka, Becker, Benton, Chisago, Morrison, Otter Tail, Sherburne, and Todd.

Currently, wetlands affected by transportation projects in the seven-county Twin Cities metropolitan area must be replaced in those same counties. The transportation bill would instead allow for the replacements within a major watershed that drains into the defined metropolitan area.

While most acknowledged the need for more flexibility in the process, critics of the Kuisle transportation plan testified that it could roll back the state’s goal of no net loss of wetlands, reduce local control, and perhaps put federal funds at risk.

“In doing this, we can save a lot of money in the way we do roads,” Kuisele countered. “It’s not an attempt to undo the wetland bill.”

Representatives from Anoka County offered examples of seemingly prohibitive mitigation costs. The county recently spent more than $2 million in environmental costs for a 3-mile project, according to County Commissioner Dennis Berg.

But others argued the length of road is not directly proportional to the environmental mitigation needs. “What may be a minor road project may be a major water management project,” said Tim Kelly, Coon Creek Watershed
District administrator.

The Anoka County testimony also highlighted practical challenges to implementing native grass planting requirements.

Incorporating high quality native grasses requires occasional burnings, County Highway Engineer Doug Fischer said, but burning ditches and medians in the high traffic metropolitan area is "quite problematic."

However, Bonnie Harper-Lore, restoration ecologist with the Federal Highway Transportation Administration, advised the committee that the federal interest in native plants and warned funding could be withdrawn if invasive plants are used.

The average cost per acre for a native grass roadside mix averages $200, according to a Minnesota Department of Transportation (MnDOT) seeding cost comparison presented to the committee.

"The issue has been cost... but we believe the mixture MnDOT has put together is available at a reasonable cost to transportation authorities," said Board of Water and Soil Resources Director Ron Harnack.

Fischer also said delays could be avoided by exemptions from permit requirements. Professional standards would ensure voluntary compliance with environmental regulations, he said.

"We feel very strongly that local knowledge and local control is not only appropriate, but it is essential in ensuring that projects are permitted in such a way as to reduce environmental harm without undue burden," wrote Julie Klocker, Sauk River Watershed District administrator, in a report submitted to the committee.

"Nobody in a watershed wants to delay or add costs to a road project," Klocker said.

"It's not an attempt to go after the soil and water conservation districts," Kuisle said. "But we need some rhyme and reason in road projects."

There are very few issues where environmentalists and the "hook and bullet crowd" see eye to eye, and they typically involve habitat and wetlands, said Gary Botzek, executive director of the Fish and Wildlife Legislative Alliance, also speaking on behalf of the Minnesota Environmental Partnership and the Coalition of Minnesota Conservation Organizations. "Let's not throw the baby out with the ditch water," Botzek said.

While both spending packages fall in line for the most part with Gov. Tim Pawlenty's budget recommendations, the governor has said to the media and through his commissioner that he does not support a "retrenchment" in the state's wetland laws.

The environment package was approved by the House Ways and Means Committee April 23 and referred to the House Rules and Legislative Administration Committee. The transportation bill awaits a hearing in the House Ways and Means Committee.

Preserving resources

1970 committee balanced water conservation with property rights of farmers

Since early in the state history, Minnesota's leaders have been aware of the abundance of wetlands in the state. However, a clear direction for managing those wetlands was lacking in the early days. More than 100 years after statehood, lawmakers were still grappling with the proper balance between maintaining wetlands and maximizing land use, particularly for agriculture.

Back when the Legislature was only meeting every other year, the House Conservation Committee appointed a Subcommittee on Preservation of Wetlands to meet during the interim period in 1970. The subcommittee examined state policies relating to wetland reclamation and management, particularly as it related to wildlife management areas.

Testifiers and members of the subcommittee addressed the value of wetlands to control flooding and as a method for managing wildlife. They also considered the practices existing at the time of draining land that could be used for agriculture.

The subcommittee made a number of recommendations, including:

- accelerating wetland acquisition;
- changing laws regarding land drainage;
- encouraging state departments governing wetlands and wildlife and local governments to better communicate regarding selection and management of wetlands;
- encouraging a wetland banking program;
- making payments to local governments to compensate for taxes that were no longer collected on acquired wetlands; and
- urging greater understanding and cooperation in wildlife area management between hunters and farmers.

Early water management in the state focused on manipulating water to make land more suitable for farming, according to an analysis of wetland law. Practices in the 1930s slowed drainage of waters, and in 1937, a law specifically declared all streams and lakes wholly within the state to be public waters.

Later laws further clarified public waters and which waters could be drained. In 1951, a federal program appropriated funds to acquire wetlands for wildlife management.

By early 1970, the state had acquired 180,000 acres of wetlands at the total cost of $6 million. Federal purchases included another 70,000 acres. According to the subcommittee report, 600,000 acres of wetlands in the state were located on private land.

Several witnesses testified that the state should continue acquiring wetlands for wildlife management. However, they also acknowledged that local governments' concern regarding the loss of tax revenue from acquired land was a significant concern.

"Chairman (Frank) DeGroat (representative from Lake Park) concluded that part of the problem involves a balance between acquiring land bordering wetlands to control predators and not removing so much land unnecessarily from the tax rolls as to damage the financial position of the local unit of government," the report said.

Several farmers also complained about existing practices, saying they went beyond preserving existing wetland and they obstructed use of high quality land for farmland. They also said they perceived hunters as nuisances because they didn't obey existing hunting laws.

However, farmers did support a water bank plan administered by the U.S. Department of Agriculture.

Since the report, a number of significant laws related to wetlands have been passed, most notably the Wetland Conservation Act of 1991, which established a "no net loss" policy with regard to wetland management. Simply put, no net loss policy requires that replacing wetlands cannot result in a net loss of wetland. That has dictated either 2:1 or 1:1 replacement ratios in the state.

Also, several actions since 1970 have incorporated many of the suggested changes of the committee. Between 1979 and 1984, the state conducted an inventory of public waters and specifically identified all public waters on maps for each county.

In addition, practices under the Wetland Conservation Act and subsequent amendments allow for wetland banking and attempt to encourage cooperation between units of government particularly as they need to replace wetlands.

The 1970 subcommittee report concluded with the following recommendations:

- Continue pressing for federal and state funding for acquisition of wetlands;
- Continue cooperating with local governments to develop wetland bank plans.

(M. Kibiger)

Photo courtesy of the Minnesota Historical Society
**AGRICULTURE**

**Ensuring ethanol funding**
An amendment to the omnibus agriculture finance bill approved April 23 by the House Ways and Means Committee removes a reference to a potential $35 million designated to develop ethanol production in the state.

The amendment to HF752, offered by Rep. Jim Knoblach (R-St. Cloud), would not affect the bill’s proposal for $44.4 million in ethanol producer payment funding for 2004-05. The bill’s proposal to allow ethanol producers to collect “catch-up payments” either before or after June 30, 2010 was also not changed by the amendment.

The amendment would restore existing language so that sufficient money is appropriated from the state general fund to support ethanol.

The omnibus bill proposes $10.2 million more in ethanol producer payments for the next two years than the governor proposed. The bill would base the quarterly ethanol payments at 13 cents per gallon, 3 cents per gallon more than the governor’s proposal.

For the current biennium, ending June 30, 2003, payments were based on a 20 cents per gallon rate.

The committee referred the omnibus agriculture finance bill, sponsored by Rep. Elaine Harder (R-Jackson), to the House Rules and Legislative Administration Committee where it may be combined with other omnibus finance bills before it reaches the House floor.

**Fighting disease**
Funding to expand a state program that monitors chronic wasting disease in deer and elk was approved April 23 by the House Ways and Means Committee.

The language came in the form of an amendment to the omnibus agriculture and rural development finance bill (HF752).

Sponsored by Rep. Jim Knoblach (R-St. Cloud), the amendment provides that owners of captive cervidae (primarily deer and elk) pay an annual inspection fee of $10 per animal, not to exceed $100 per herd. The size of the herd would be determined by an inventory animal owners would be required to file annually with the state Board of Animal Health. The amendment would also establish a cervidae inspection account for the board to administer and enforce the program.

The state has been monitoring chronic wasting disease on a voluntary basis with captive deer and elk herd owners since the disease first appeared in free roaming white-tailed deer in Wisconsin during the winter of 2001-02. The first two cases of chronic wasting disease in Minnesota were discovered last summer in two captive elk.

The bill would expand the state’s chronic wasting disease surveillance program to cover an estimated 12,000 captive deer and elk in the state. Herd owners would be required to register with the state, meet new requirements for fencing their herds, and submit brain samples of deceased animals for testing.

Chronic wasting is a fatal progressive brain disease in cervidae family animals caused by an abnormal protein. The disease is not known to affect humans.

In March, representatives of the Minnesota Elk Breeders Association objected to a funding plan proposed by the Pawlenty administration that would have charged deer and elk herd owners $200 annually, plus $4 for each animal.

The bill was referred to the House Rules and Legislative Administration Committee where it may be combined with another omnibus finance bill before it reaches the House floor.

**Funding county fairs**
About $360,000 in state grant money for county fairs held in 2002, cut by Gov. Tim Pawlenty in February, would be restored under an amendment to an omnibus agriculture finance bill approved April 23 by the House Ways and Means Committee.

Sponsored by Rep. Jim Knoblach (R-St. Cloud), the amendment to HF752 would require the state to pay county and district agricultural societies by July 15, 2003, “the amount of aid owed by the state for an annual fair held in the previous calendar year.” It would also require that future state payments to the agricultural societies for county fair reimbursements be made by July 15 in the year after an annual fair was held. Current law has no set date for payment.

Pawlenty cut $357,000 in county fair grants as part of a series of unallotments to balance the fiscal year 2003 budget.

Representatives of county agricultural societies have urged legislators to restore the grant payments that are used as reimbursements for cash premiums the fair-sponsoring groups paid to winners of youth group contests and other award-winning fair exhibitors.

The governor proposes to eliminate $718,000 in county fair grants for the 2004-05 biennium, but the House Agriculture and
Rural Development Finance Committee restored the money in its omnibus bill.
The Legislature first granted the county fair support money to agricultural societies in 1868.

**ARTS**

Guthrie funding

Construction of a new Guthrie Theater near the Mississippi River in Minneapolis would begin with $35 million in proceeds from state bond sales, under a bill discussed April 23.

HF254, sponsored by Rep. Ron Abrams (R-Minne tonka), was presented to the House Jobs and Economic Development Finance Committee. It will be considered for inclusion in a possible House bonding bill.

Funding for a new Guthrie Theater has twice been approved by the Legislature and twice vetoed by former Gov. Jesse Ventura.

"This is like déjà vu all over again," said Rep. Greg Davids (R-Preston), noting his support of the bill.

Other representatives were also quick to offer their endorsement. "I believe it plays a statewide vital role in what makes Minnesota work," said Rep. John Dorn (DFL-Mankato), of the Guthrie Theater.

Abrams said the Guthrie is an incomparable institution that plays a role in education, not only with the University of Minnesota, but also with every high school in the state. It tours to small cities throughout the Upper Midwest through a program called "The Stuff of Dreams."

The Guthrie was established in 1963 and has outgrown its current facility, located adjacent to the Walker Art Center, said Guthrie Artistic Director Joe Dowling. The original facility, he added, was not designed for additions or growth.

Construction documents and designs are in place for the new theater, allowing construction to ensue the moment state funding is available, Dowling said. The project would employ 1,800 full-time construction workers, create a $336 million annual economic impact, and accommodate 400 vehicles, with additional ramp parking available off-site.

The theater was designed by world-renowned French architect Jean Nouvel, and represents his first North American project. Exterior walls will be accented by humongous silkscreen images from past Guthrie productions.

A companion bill (SF115), sponsored by Sen. Larry Pogemiller (DFL-Mpls), was included in the Senate's bonding bill (SF2).

Joe Dowling, artistic director of the Guthrie Theater, testifies before the House Jobs and Economic Development Finance Committee April 23 in support of state funding of the theater's new home to be located along the Mississippi River in Minneapolis.

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**CONSUMERS**

Proper burial

Cemeteries that have interred bodies in the wrong burial spaces would be required to correct their mistakes, under a bill approved 129-0 by the House April 22.

Sponsored by Rep. Connie Ruth (R-Owatonna), HF1234 would require cemetery operators who have been informed or have become aware of a wrongful burial to exhume the burial container and place it in the proper location. Expenses would be the responsibility of the cemetery.

Kathy Pantier of Owatonna told the House Commerce, Jobs, and Economic Development Committee April 2 that a cemetery inadvertently buried a body in the plot adjacent to the location in which her granddaughter had been buried earlier. Pantier's family had purchased vacant plots surrounding the granddaughter's plot for future interment of family members.

When the mistake was realized, Pantier said, the family of the recently buried was asked to allow the disinterment of that burial container.

The family refused, she said, and a lawsuit was subsequently filed.

"I know that it's not going to help our case at all but I'm hoping it would help people in the future," Pantier said.

Under the bill, both families in any given case could avoid unearthing a wrongfully buried body by agreeing to leave the situation as is.

Ruth said several states have laws regulating burial errors.

A Senate companion bill (SF1252), sponsored by Sen. Dick Day (R-Owatonna), awaits action by the full Senate.

Phone plan eligibility

A state program that provides a monthly telephone service credit to eligible households would change its participation rules under a bill approved April 23 by the House Jobs and Economic Development Finance Committee.

Sponsored by Rep. Joe Hoppe (R-Chaska), HF1115 would require residents participating in the state's Telephone Assistance Plan program to meet federal Lifeline telephone service discount eligibility requirements to receive a greater monthly credit on their phone bill.

The bill, referred to the House Ways and Means Committee, was also approved by the House Regulated Industries Committee on April 2.

Of the approximately 35,000 people in the state program, 25,000 are already participating in the federal program, said Bonnie Becker, director of adult support programs for the state Human Services Department. Telephone companies providing local service advise phone customers of the program annually.

The bill would drop the state requirements for the program, which are income-based and limited to households with a disabled elderly (at least 65 years old) member.

To continue in the program, a state resident...
would have to meet income-based federal program requirements, including participation in Medicaid, food stamps, supplemental security income, federal public housing assistance, or low-income home energy assistance.

Regulated by the Department of Commerce, the Telephone Assistance Plan is funded by a monthly charge of 5 cents on each wire line (not wireless) in the state. The Public Utilities Commission has the authority to charge up to 10 cents per line monthly.

According to the Human Services Department Web site, residents who now participate in both the state and the federal Lifeline program can receive up to a $9.50 phone bill credit per month. State program only participants are capped at about $7 a month.

Becker said shifting the eligibility requirements to the federal guidelines could lead to more people being served in the program at a higher monthly credit. The federal Lifeline credit is not limited to elderly participants as the state program is.

Rep. Karen Clark (DFL-Mpls), a co-sponsor of the legislation that created the state program in the mid-1980s, said she was concerned that not all state participants in the program would meet the federal guidelines and could lose the monthly credit.

The bill would also relieve the Human Services Department of conducting an annual review of eligible participants. Becker said last year 80 people out of 35,000 were found to be ineligible for the program. Dropping the annual review would save the department $314,000 in administrative costs, she said.

A companion bill (SF1260), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action on the Senate floor.

CRIME

Brunch and dinner on weekends

Rep. Marty Seifert (R-Marshall) said Minnesota’s prison inmates would be able to sleep in on weekends if a bill passed by the House April 22 becomes law. That’s because HF1036 would take breakfast off the table on Saturdays and Sundays in favor of a midday brunch, saving the state about $170,000 per year, according to Department of Finance estimates.

The bill to restrict inmates to two meals on weekends and holidays is evidence that in a time of budget cuts to programs for children, the poor, and the disabled, nearly everything is fair game, said Seifert, the bill sponsor. “If we are going to look at reductions to those programs, we also need to take a look at the child molesters, the rapists, the murderers, and put some of their items on the table as well for reduction,” it passed 108-22.

Originally, the bill would have also denied desserts to prisoners, but Department of Corrections officials said that provision would actually cost the state money. “We found out that that would cost more money to take desserts away because of calorie needs,” Seifert said.

The bill’s language would allow enough flexibility for corrections officials to determine which inmates still need three meals on weekends. Seifert said juveniles, women, diabetics, and the elderly would be among the prisoners he expects would be exempted from the proposal. Inmates confined to workhouses and work camps would also likely receive three meals each day because of caloric needs.

Opponents called the bill inhumane and politically motivated.

“Those people are in jail where they belong — as far as I’m concerned they can stay there for the rest of their lives,” said Rep. Carlos M. Arian (DFL-St. Paul). “But I’m not going to be accused of supporting and condoning them just because I think it’s wrong for state governments to withhold food from people, any people.”

The bill now goes to the Senate, where Sen. Brian LeClair (R-Woodbury) is the sponsor.

Clear communication

A bill that passed the House 113-15 April 22 would make it a crime to knowingly interfere with emergency communications between public safety officers.

Responding to cases where people have “hacked” into police and fire department emergency radio frequencies and disrupted communications, HF784 would make the activity a felony punishable by up to five years in prison and up to a $10,000 fine.

Under current law, someone interfering with emergency communications would be charged with obstructing the legal process, a misdemeanor offense. Only when the interference creates a risk of death, bodily harm, or serious property damage, is it considered a felony.

Rep. Duke Powell (R-Burnsville), the bill’s sponsor, said those risks are hard to prove in court, but that any disruption in the ability of law enforcement or emergency workers to communicate could have serious consequences.

The bill specifies someone must be deliberately disrupting emergency communications among police, firefighters, or emergency medical workers to be prosecuted for the crime. It protects both radio signals and official cell phone communications from disruption.

In 2001, police arrested a man they called the “Burnsville Hacker,” who used amateur radio equipment to broadcast his own voice over police and ambulance frequencies, interrupting conversations between officers, Powell said.

The bill now goes to the Senate, where Sen. Leo Foley (DFL-Coon Rapids) is the sponsor.

EDUCATION

Shrinking school board

The Duluth School Board would be reduced to seven members under a bill passed 114-12 by the House April 22.

Sponsored by Rep. Thomas Huntley (DFL-Duluth), HF494 would allow the school board to reduce the number of its members elected on an at-large — or district-wide — basis from five to three. That would reduce the school board from nine members to seven.

The bill, which only affects the Duluth School District, would be effective for the November 2003 election. The number of school board members elected by smaller geographic areas within the overall school district would remain at four.

Huntley said the Duluth board is organized under a 1969 state law that allowed nine members. At that time, the district had 25,000 students, compared with 11,000 now, he said.

The bill would allow the Duluth School Board to adopt the change by resolution. The change would not be subject to a vote by school district residents.

The bill now moves to the Senate where it is sponsored by Sen. Yvonne Prettner Solon (DFL-Duluth).

ELECTIONS

Boundary, affidavit issues

Minneapolis City Council members elected last fall outside their current boundary lines would have to run for office again under a bill that passed the full House 81-47 April 22.

Rep. Phyllis Kahn (DFL-Mpls), the sponsor of HF129, said the bill would prevent the state from entering into a “slam dunk voters rights case.”

Because Minneapolis held its city council elections in 2001 before redistricting lines were drawn, some councilors were elected to serve areas not actually within their redrawn district. In addition, Kahn said, a case could be made...
that minorities are underrepresented, a violation of equal protection for voters under state and federal constitutions.

HF129 requires council members serving four-year, unstaggered terms in wards whose redrawn population changes by 5 percent or more to be elected to new terms at the first general election following redistricting.

Although Kahn's bill "has some merit," said Rep. Keith Ellison (DFL-Mpls), the change would require the only two minorities serving on the council to run against one another. He also added there have been "no cries of color" behind HF129. Ellison emphasized the decision should be made at the local level, not by the state.

Under the bill if no election were scheduled to occur in a year ending in 2, 3, or 4 — such as 2002, 2003, or 2004 — the city must adopt one of two options: the city may provide for council members to serve the remainder of their term, if the council members served at large from the completion of redistricting to the time when their successors are elected or qualified, or the city may provide for an election of council members ending in the year 2, 3, or 4.

If the city chooses the second option, the council member's election must be a two-year term followed by two four-year terms, or the reverse ending in a two-year term. Under a second option, a member whose term otherwise would expire a year after elected, would serve at-large or from the district to which they were elected from the completion of redistricting to the time when their successors are elected.

The bill would also change the affidavit form that candidates must fill out so that the person must also include their address. Among things current law mandates that candidates must state is that they are an eligible voter, they have no criminal record, a member whose term otherwise would expire a year after elected, would serve at-large or from the district to which they were elected from the completion of redistricting to the time when their successors are elected.

The bill would also change the affidavit form that candidates must fill out so that the person must also include their address. Among things current law mandates that candidates must state is that they are an eligible voter, they have no criminal record, a member whose term otherwise would expire a year after elected, would serve at-large or from the district to which they were elected from the completion of redistricting to the time when their successors are elected.

The bill now goes to the Senate, where Sen. Linda Higgins (DFL-Mpls) is the sponsor.

ENVIRONMENT

★ ★ ★

Solid waste plans

Solid waste managers in 80 Greater Minnesota counties and the Western Lake Superior Sanitary District will be granted some administrative relief under a new law signed by Gov. Tim Pawlenty April 17.

When integrated solid waste planning began in the mid-1980s, it was an evolving industry, and administrators were required to renew their plans with the state every five years, according to the new law that was introduced by Rep. Denny McNamara (R-Hastings).

The systems are relatively stable now and changing filing requirements to every 10 years will allow solid waste staff to spend more time implementing programs than updating plans, proponents of the legislation have said.

Effective Aug. 1, 2003, the new law also modifies Office of Environmental Assistance planning rules that solid waste administrators have said do not reflect the demographic, regional, and geographic differences between counties.

The Senate companion bill was sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids).

HF1054/SF1001*/CH13

Bridge compensation

A bill that aims to provide drainage authorities with some alternatives to expensive bridge repairs passed the House April 22. The vote was 130-0.

The bill (HF1257) would allow drainage authorities to compensate landowners for permanent removal of a private bridge if it would be less expensive than repairing the bridge and landowners agree to the situation and waive any rights to future reconstruction.

Most county boards in the state also serve as local drainage authorities, with the responsibility to maintain and replace ditches and bridges.

Rep. Howard Swenson (R-Nicollet) said the legislation was prompted after estimates to replace a particular Nicollet County bridge over a drainage ditch on private land came in at $72,000-$100,000, while landowner compensation and removal would cost approximately $35,000. However, the state attorney general told the drainage authority that current law does not allow for the compensation option, Swenson said.

A Senate companion (SF1195), sponsored by Senate Majority Leader John Hottinger (DFL-St. Peter), awaits a vote on the Senate floor.

Arsenic amounts

Fertilizers containing certain levels of arsenic would be banned for sale in Minnesota under a bill approved 124-6 by the House April 22.

HF258, sponsored by Rep. Dan Dorman (R-Albert Lea), would amend state law that governs the agriculture commissioner's rulemaking authority regarding fertilizers.

The bill would prohibit the commissioner from licensing or registering for sale or use "any fertilizer containing more than 500 parts per million by weight of arsenic." The commissioner registers each type of fertilizer that can be sold or used in the state.

Arsenic is a very poisonous chemical element, compounds of which are used in insecticides.

Dorman said the bill is modeled after similar legislation introduced in Maine that is "targeted at a group of fertilizers" containing tailings, which are the waste products from the mining process, from an abandoned silver mine in Arizona.

Last summer, public health and environmental advocates from around the United States called on large retailers Home Depot, Lowe's, and Target to stop selling a fertilizer made from mining waste that's heavily contaminated with arsenic. An exemption in federal law, those advocates say, has made it difficult for states to regulate the sale of the fertilizer called Ironite.

A companion bill (SF680), sponsored by Sen. D. Scott Dibble (DFL-Mpls), awaits action by the full Senate.
ETHICS

No probable cause for complaint

While not agreeing with the comments of Rep. Arlon Lindner (R-Corcoran), the House Ethics Committee failed to find probable cause for a violation against him April 24.

The 2-2 party-line vote means the committee’s inquiry is now over.

If probable cause would have been found, Lindner could have faced a penalty ranging from censure to expulsion.

On the House floor March 10, Lindner reiterated his belief that homosexuals may not have been persecuted during the Nazi Holocaust. He is also the sponsor of a bill (H F341) that would remove sexual orientation as a protected class under the state Human Rights Act and in other statutory provisions. On the floor he said that he did not want to “wait until America becomes another African continent” in regards to HIV/AIDS.

A complaint filed by eight DFLers offered two counts against Lindner: that his conduct “violates accepted norms of House behavior” and that his comments “bring the House into dishonor or disrepute.”

“I believe his interpretation of history is wrong and bizarre,” said Rep. Greg Davids (R-Preston), a member of the committee.

“While I don’t agree with what he said, I believe he has the right to say it even if we find it offensive. If we censure, one of my concerns is where does it stop?” He also said that those in Lindner’s district should have the final say when they go to the polls next year, assuming Lindner seeks re-election.

Rep. Tom Pugh (DFL-St. Paul) said that Lindner’s comments did cause harm both locally and nationally. “I don’t think we have to sit back and be silent when his comments angered most Minnesotans,” he said.

After the meeting, Bill English with the Coalition of Black Churches and African-American Leadership Summit shouted at Lindner in the hearing room, calling him a “redneck” and urging Lindner “to get some education.” Linder calmly said English was being “intolerant.”

Lindner, who did not make any comments during the hearing, said afterward that he holds true to what he said and that he does not regret what he said “in the least,” adding, “No apologies.”

“I’ve reviewed the tape several times myself and to this day I don’t see where there was probable cause for this charge,” Lindner added. “I don’t think we should have to evaluate in our own minds before we get up and make a point on the floor that ‘If I say this, ethics charges are going to come’ or protest and dissent is going to come. We don’t treat our Democratic colleagues like that and I don’t think they should be treating us that way.”

Rep. Keith Ellison (DFL-Mpls), one of the lead complainants in the case, said he does not feel the complaint was unnecessary.

“We stood up for the community,” he said. “The people who were persecuted in the Holocaust and their ancestors and the people of African ancestry know that at least the Democratic leadership is willing to speak up for them. They may be insulted, but they’re not going to be insulated by us not saying something about it.”

GOVERNMENT

Idea removal

The House Taxes Committee removed several tax provisions of the state government finance omnibus bill April 23.

One would have charged professional tax preparers $5 per claim for every paper return they file, in excess of 100 returns, as opposed to filing electronically. Department of Revenue personnel testified before the House State Government Finance Committee that the fee would cover their costs per paper return.

Since 2000, professional tax preparers have been required to file returns electronically if they filed more than a certain number of returns the previous year. In 2000, the threshold was 500. It decreased in 2001 to 250, and in 2002 to 100.

Rep. Ron Abrams (R-M Innetonka), chair of the taxes committee, stated at a March 19 committee meeting that he did not like the provision.

The second removed provision relates to the state elections campaign fund.

Currently, an individual may designate on state income tax forms that $5 go to help candidates for state office pay for campaign expenses. The individual decides if the $5 is for a political party or for the state general campaign fund, which is distributed from the state general fund among candidates of all major political parties. The check-off does not reduce the taxpayer’s refund or amount owed.

Gov. Tim Pawlenty proposed that the program change to a taxpayer-designated amount. Individuals would have been allowed to contribute up to $25 and married couples up to $50, under his proposal. The amount would also have been reduced from that individual’s refund or be added to the amount owed the state.

The third provision would have allowed sports boards as a new form of legal gambling, and made them subject to a state tax. However, Abrams said the provision needed to be removed, as there is some question as to whether sports boards are legal under federal law.

The charitable gaming industry supported legalizing sports boards, saying that they would generate $20 million in charitable gaming taxes for the state.

The portions of the state government finance omnibus bill removed through the amendment may yet be included in the omnibus tax bill.

HEALTH

Medical assistance choice

A bill that would give certain adoptive families a choice between two types of state medical assistance for their adopted children passed the House 129-0 April 22.

The bill (H F151) would affect adopted
children eligible for government subsidized health care because of medical or rehabilitative needs by allowing them access to the same doctors or therapists they had prior to adoption. In addition, current law already allows for families to receive adoption assistance, regardless of their financial situation, for non-medical costs related to adopting special needs children.

Currently the human services commissioner has the authority to move enrollees from one medical coverage option to the other, sometimes requiring a change in doctors or clinics. The two types of coverage under the state Medical Assistance program include a fee-for-service system and a prepaid system. Under the fee-for-service system, the Department of Human Services directly reimburses health care providers at rates specified by state law. Under the Prepaid Medical Assistance Program, the state pays outside health plans a flat rate for each enrollee and the plans pay the health care costs based on fees worked out with the providers.

Rep. Marty Seifert (R-Marshall), the House sponsor, said the department does not foresee increased costs to the state if the bill becomes law.

The bill now moves to the Senate, where it is sponsored by Sen. Dennis Frederickson (R-New Ulm).

**Insurance safeguards**

Gov. Tim Pawlenty signed a new law April 23 giving state protection to holders of long-term care insurance in the event the insurer goes out of business or becomes bankrupt.

Effective April 24, 2003, it puts long-term care insurance in the same category as health and life insurance. Under Minnesota law if a company providing those types of insurance goes bankrupt, the state protects its clients by ensuring up to $300,000 in claims under the Minnesota Life and Health Insurance Guarantee Association.

The association is funded by money collected from the insurance companies it protects.

Rep. Greg Davids (R-Preston), the bill’s House sponsor, said he offered the bill to clear up potential confusion caused because long-term care was not explicitly covered under that protection.

Long-term care insurance mainly covers costs associated with nursing home care. Only a small percentage of Minnesotans currently have the insurance, Davids said. Many legislators have said they want to find ways to increase the use of long-term care insurance to help reduce state health care costs for the elderly.

The law passed the House 131-0 March 6 and the Senate 50-0 on April 6. Sen. Ellen Anderson (DFL-St. Paul) is the Senate sponsor.

**Establishing working groups**

The commissioner of health would have to shine a spotlight on laws and regulations governing the fast-growing home healthcare industry under a bill that gained unanimous approval in the House April 22.

Sponsored by Rep. Char Samuelson (R-New Brighton), HF1251 would require the commissioner to set up a working group to summarize federal regulations that specifically burden states and home care providers. The group, made up of home care providers and other interested parties, would share its findings with the Legislature, other states, and organizations that advocate for states.

Samuelson said federal requirements putting rigid timeframes on submitting client information and governing when supervisory visits can take place hamper the ability of home care providers to do high quality work.

Once the findings are made, the bill would direct the commissioner to work with federal regulators and Minnesota’s congressional delegation to make changes in federal law to provide more flexibility to states.

The working group would also be charged with studying whether home care licensing procedures are appropriate and whether separate federal licenses are necessary. A report on the issue would be due to the Legislature in 2005.

An amendment offered by Rep. Cy Thao (DFL-St. Paul) was ruled not germane to the bill. It would have increased staffing standards at Minnesota nursing homes from two nursing hours per patient each day to three. Thao said the change would ensure nursing home patients receive an “adequate level of care.”

Samuelson said nursing homes are very different businesses from home care providers and the amendment did not belong with her bill.

The bill, passed 129-0, now goes to the Senate, where Sen. Sheila Kiscaden (IP-Rochester) is the sponsor.

**Housing**

**Assistance for the homeless**

Homeless shelter clients needing help in securing a place to live would be assisted under a bill that proposes dedicating $10 million in bond proceeds to transitional and permanent housing efforts.

HF1124, sponsored by Rep. Lynne Osterman (R-New Hope), will be considered for inclusion in a House bonding bill either this year or next year. It was presented April 23 to the House Jobs and Economic Development Finance Committee.

The money would be given to the state Housing Finance Agency for transfer to the housing development fund to make loans for permanent and transitional supportive housing efforts. Nonprofit organizations that purchase, create, or rehabilitate transitional and permanent housing typically receive the funds.

Numbers compiled for the federal government indicate there are 15,000 individuals and families with unmet housing needs throughout Minnesota, according to Michael Dahl, director of the Minnesota Coalition for the Homeless.

There are 2,000 units of supportive housing in Minnesota and an additional 1,800 in the planning process that need capital support, said Jonathan Farmer, executive director of the Minnesota Supportive Housing Consortium.

HF1124 would provide a direct resource to economic development authorities and housing rehabilitation authorities that can’t currently meet all the housing needs. The goal, he said, is to serve people whose incomes are 10 percent to 20 percent of the median income. This requires projects that have minimal debt service.


**Industry**

**Tax savings**

A proposed mining project on the Minnesota Iron Range that hopes to bring employment to a couple thousand individuals would gain financial help under a bill that includes a number of mining tax law changes.

HF1556, sponsored by Rep. Ron Abrams (R-Minnetonka), was presented to the House Taxes Committee April 22. Abrams is chair of the committee.

The proposed changes would affect any company mining or processing nonferrous ore in Minnesota. To date, the only party proposing such mining is Teck Cominco Limited, a
Canadian company involved in mining, smelting, and refining in North America and South America.

Still in the feasibility stage, what the company calls the Mesaba project includes a prototype plant that if proven to be successful would be followed by a larger full-scale operation. The mine would be built at a copper-nickel reserve near Babbitt, southwest of Ely. Copper ore would be transported by rail for processing into a concentrate at the former LTV Steel Mining Company plant, which closed in 2001, in Hoyt Lakes.

John Key, the project’s general manager, said the operation would directly employ 1,000 people and indirectly employ another 1,000.

HF1556 would:
• repeal the alternative minimum tax under the occupation tax for both taconite and nonferrous mining companies;
• clarify that refining operations are subject to the occupation and net proceeds taxes, rather than mining and corporate franchise taxes;
• compute the net proceeds tax for nonferrous mining similarly to the occupation tax. (The net proceeds tax is imposed in lieu of the property tax. The occupation tax is imposed in lieu of the corporate franchise tax). This would considerably expand possible deductions and make the tax more like an income tax rather than a property tax; and
• modify the revenue distribution formula from the net proceeds tax to make it more like the revenue distribution from property taxes on the mine, production, and refining facilities. This would provide some proceeds to the state general fund. In addition, 40 percent of revenues would be distributed to all taxing districts in the taconite fiscal disparities program.

The bill, which has no Senate companion, will be considered for inclusion in the omnibus tax bill.

Dakota County provides 35 percent of the aggregate material for the Twin Cities metropolitan area, and confusion has resulted without a definition for borrow, said County Commissioner Joe Harris.

Nonpartisan House researchers said a definition in state statute would help the counties differentiate between the many descriptions of borrow used by agencies, including the Minnesota Department of Transportation.

The 2001 aggregate materials tax, or gravel tax, allows 28 counties in the state to outright impose a tax on aggregate materials. However, any other county may charge the tax after first conducting a public hearing and then gaining approval of the county board.

HF1528 will be considered for inclusion in the tax omnibus bill.

A Senate companion bill has not yet been introduced.

LAW ★

Reporting protection
People who honestly try to report crimes to law enforcement officials could not be held accountable for damages arising from their actions under a bill the House passed 128-1 April 22.

Sponsored by Rep. Rob Eastlund (R-Isanti), HF700 would make people who seek assistance from law enforcement or who report illegal activities immune from lawsuits arising from damages caused by their actions, as long as they acted with good intentions. People who deliberately mislead police or misreport a crime would still be liable for the results of their action, under the bill.

Eastlund said the issue arose when an off-duty 9-1-1 operator in his district reported an erratic driver he believed might be drunk. “The result of that was (the operator) got sued and ended up having to defend himself in civil court,” Eastlund said. “He was exonerated but he had a bill to pay for his legal defense.”

The bill would require the awarding of attorney’s fees to people who are sued, but found not liable under the law. Lawmakers approved an oral amendment to limit such an award to “reasonable” attorney’s fees.

The bill now goes to the Senate, where Sen. Julianne Ortman (R-Chanhassen) is the sponsor.

LOCAL GOVERNMENT ★

Additional flood relief
Nearly 11 months after seemingly endless rains fell in much of northwest Minnesota, particularly the city of Roseau, communities are still working to get back to the way things were before floodwaters ravaged the area.

Roseau Mayor Jeff Pelowski told the House Capital Investment Committee April 22 that 50 families are still living in trailers and struggling to make house payments to avoid foreclosure before the city can buy them out, and that more construction needs to be completed in the city.

“The flood of 2002 was greater than a 500-year flood event,” Pelowski explained to committee members. He said that HF1048 would be “phase two” of repairing the city.

Sponsored by Rep. Maxine Penas (R-Badger), the bill would provide $20.5 million in general fund money to Roseau through the Department of Natural Resources, Department of Trade and Economic Development, and the Housing Finance Agency. The original bill sought $48.6 million.

Included in the work yet to be done, Pelowski said, is continued repair of the
sewers that backed up and overflowed, rebuilding of the police department, and the building up of city streets and flood protection levees.

Also included in the bill is $2 million for the prevention of overland flooding at the Polaris Industries facility, the 12th largest employer in Minnesota.

Although the city received flood assistance money during a September 2002 special session, the $31.8 million package was just enough to make it through the winter, Pelowski said.

In his budget plan, Gov. Tim Pawlenty didn’t account for any bonding for fiscal year 2004, leaving committees to come up with cash for the flood-ravaged areas. Typically, governors make bonding recommendations in the second year of a legislative biennium, which would be effective for the odd-numbered fiscal year.

Though the bill originally included bonding, those provisions were removed from the bill by the committee and replaced by the general fund appropriations.

“This is no longer a bonding committee,” said Rep. Loren Solberg (DFL-Grand Rapids), and he suggested the bill be passed to get it out of the committee.

Rep. Phil Krinkie (R-Shoreview), the committee chair, explained the bill deals with capital projects that are the purview of the committee. Although no House bonding bill is currently in the plans for this session, he said, having the HF1048 before the committee could be seen as a “preliminary information meeting” if there were a bonding bill.

However, funding for some of these projects are in other omnibus bills, including the environment and natural resources finance bill (HF779) and the jobs and economic development finance bill (HF748).

The Senate companion to HF1048 (SF892), sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), has been included in a Senate bonding bill.

The bill was approved and now moves to the House Ways and Means Committee.

**Publishing legal notices**

A bill allowing local government units to choose out-of-jurisdiction newspapers for official public notices was approved by the House 130-0 April 22.

Under current law, each township, city, county, school district, or other local government unit must designate annually one official newspaper of record for all legal and public notices, including meeting minutes.

Only newspapers maintaining offices within the territory of the local government unit may be chosen. If no main office for a qualified newspaper exists in the jurisdiction, but one or more qualified newspapers maintain a secondary office there, one of them must be designated.

HF944, sponsored by Rep. Mary Liz Holberg (R-Lakeville), would change the law to allow the legal notices to be published in any qualified newspaper— even if it doesn’t have an office in the jurisdiction— provided certain criteria are met.

Holberg said she sponsored the bill after the local school board association in her district complained about the current law. The school board, she said, received multiple bids for legal publication services. But only one newspaper had an office within the jurisdiction, and therefore had to be chosen despite its higher price.

“It is not good for competition,” Holberg said.

HF944 lays out a high threshold to be met before local government units could choose an out-of-jurisdiction newspaper. The newspaper must be a qualified medium of official and legal publication, the publisher must swear that circulation reaches 75 percent or more of the households in the jurisdiction, and the governing body must vote unanimously to designate the newspaper.

The Minnesota Newspaper Association worked with Holberg on the bill, she said.

Mark Anfinson, the association’s lawyer, told the House Local Government and Metropolitan Affairs Committee on March 25 that his initial reaction to the bill was not “kind.” However, he added, in the suburban area there are often multiple newspaper chains serving the same city, but with only one maintaining an office in the area.

“In the suburban area I think the time is right to refine the law,” Anfinson said.

The bill now goes to the Senate, where Sen. Claire Robling (R-Jordan) is the sponsor.

**RECREATION**

**Youth referees**

A bill that would allow youth between ages 11 and 14 to work as assistant soccer referees even if the players are in an older age bracket was approved by the House 133-0 April 24.

HF1189/SF1064*, sponsored by Rep. Ron Erhardt (R-Edina), is similar to HF446, sponsored by Rep. Lynn Wardlow (R-Eagan), that was approved unanimously by the House March 27. HF446 also allows youths between ages 11 and 14 to serve as sports officials, but limits them to overseeing only younger players. That bill awaits a Senate floor vote.

Both bills are exceptions to current law, under which no child under 14 years old may be employed, save for as an actor or model, newspaper carrier, or in the agricultural field. Exemptions are allowed by the state Department of Labor and Industry on an individual basis, which has been done routinely for youth sports officials working at youth sports events.

About 2,000 exemptions are processed by the state each year for youth sports officials.

HF1189/SF1064* stipulates that assistant youth soccer referees must have adequate supervision and a parent’s written permission.

In the Senate, where the bill is sponsored by Sen. Michele Bachmann (R-Stillwater), the bill passed 58-0 April 16. It now goes to the governor.

**SAFETY**

**Redefining lighted vehicle lamps**

Minnesota has required automobiles to display headlights when conditions create reduced visibility since the 1930s. Since 1990, vehicles have been required to display headlights during periods of rain, snow, sleet, or hail.

However, new automobile technologies, which provide for certain vehicles to operate all the time with lit headlights, created an
unintended safety concern, said Rep. Dan Severson (R-Sauk Rapids).

Running headlights do not activate taillights.

The House passed Severson’s bill (HF1268) 113-17 on April 22. The bill specifies that vehicle lights that must be lighted during times when visibility is reduced include both headlights and taillights.

John Dennig, a trooper with the State Patrol, during testimony in the House Transportation Policy Committee April 1, testified to the safety issues created when a vehicle is not operating its taillights. While motorists can see when someone is heading toward them, “that doesn’t help in the situation in the back of the vehicle,” he said. “It requires the driver to physically reach down and turn the switch on.”

The bill now moves to the Senate, where it is sponsored by Sen. Michelle Fischbach (R-Paynesville).

**TAXES**

**Claiming a homestead**

Farm owners who don’t live on their farms and are having an immediate family member care for the land would still be allowed to claim the property as a special agricultural homestead for tax purposes, under a bill heard April 22 by the House Taxes Committee.

HF1149, sponsored by Rep. Laura Brod (R-New Prague), would clarify that the renter’s property tax refund, which is based partially on household income, must be apportioned based on the fraction of income not received from public assistance. For example, if 25 percent of a person’s income were from sources other than public assistance, the person would receive 25 percent of the refund that would otherwise be received.

Current law applies to residents of nursing homes, intermediate care facilities, and long-term residential facilities. Department of Revenue officials testified that the department has also been applying the law to group residential home clients, even though forms and instructions for claimants don’t reference such clients. Letters have been sent to group homes in recent years stating that the law does apply to them.

HF1548 would clarify that group residential home clients are in fact to be included in the law. Doing so would assist individuals completing the renters’ property tax refund forms. Brod said.

The bill will be considered for inclusion in the tax omnibus bill.

A Senate companion bill (SF1358), sponsored by Sen. Thomas Neuville (R-Northfield), was heard by the Senate Taxes Committee April 15 and will be considered for inclusion in its omnibus bill.

**Planning ahead**

The city of Newport, in the southeast Twin Cities metropolitan area, doesn’t yet have any hotels with 25 or more rooms, but a bill invoking a lodging tax is preparing for the inevitable.

Rep. Katie Sieben (DFL-Newport) told the House Taxes Committee April 22 that HF1555 would allow the city to impose a lodging tax of up to 4 percent on hotels and motels with at least 25 rooms. The bill, which Sieben is sponsoring, further states that if the city also imposes the tourism lodging tax allowed under general law, the combined rate of the two taxes cannot exceed 4 percent.

Sieben said a $350 million bridge construction project is changing a highway in the area, prompting several hotel and motel operators to consider locating in the city of 3,400 people.

In response to a question from Rep. Arlon Lindner (R-Corcoran), Sieben said a lodging tax would not have hotels and motels reconsidering Newport. Many Minnesota cities have such a tax and it has not impeded businesses, she said.

The bill states that the city must use tax revenues on economic development and redevelopment, including creation of open spaces, parks, and trails.

HF1555 will be considered for inclusion in the House tax omnibus bill.

Sieben said the Senate companion bill (SF1481), sponsored by Sen. Sharon Marko (DFL-Cottage Grove), was heard by the Senate Taxes Committee April 22 and will be considered for inclusion in its omnibus bill.

**Refunds for renters**

Group residential home clients whose rent is paid in part by public assistance would potentially receive less through the state’s renters’ property tax refund program, under a bill heard April 22 by the House Taxes Committee.

HF1548, sponsored by Rep. Laura Brod (R-New Prague), would clarify that the renters’ property tax refund, which is based partially on household income, must be apportioned based on the fraction of income not received from public assistance. For example, if 25 percent of a person’s income were from sources other than public assistance, the person would receive 25 percent of the refund that would otherwise be received.

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**Frequently called numbers**

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When regional rail authorities were created by the Legislature in 1980, they were originally designed to allow Greater Minnesota counties the option of preserving and possibly expanding existing freight and rail services.

Seven years later, the law expanded to allow regional rail authorities to study, plan, and design light-rail systems.

Since that time, a number of rail authorities have developed rail plans and advocated for the expansion of rail transit in the state. However, some lawmakers are now questioning whether the roles of regional rail authorities, as they have evolved, are remaining true to the original intent of the laws, and whether the activities they are engaging in and spending money on are appropriate public functions.

“I know the current situation is an absolute first-class mess,” said Rep. Ron Abrams (R-Minnetonka) of studies on, and funding for, current and proposed commuter transit systems, particularly in Ramsey and Hennepin counties. Abrams, who chairs the House Taxes Committee, made his comments during an April 16 meeting of the committee.

During that meeting, lawmakers debated a bill (HF688), sponsored by Rep. Phil Krinkie (R-Shoreview), that would abolish all regional rail authorities in the seven-county, Twin Cities metropolitan area. The bill will be considered for inclusion in the committee’s omnibus tax bill.

Regional rail authorities were created as special units of local government, with the powers to levy local property taxes. The idea was to address situations in which, for example, a small town grain elevator would be left without railroad service.

Though all 87 counties in the state are allowed to create regional railroad authorities, few Greater Minnesota counties have done so. Conversely, all seven metropolitan counties have regional rail authorities.

The original law did not dictate the specific makeup of regional rail authorities. Authority members are appointed by the county boards. In the case of the metropolitan counties, the respective county boards have appointed themselves as the various regional railroad authorities.

As such, metropolitan-area regional rail authorities are a redundant and unnecessary level of government, Krinkie said. Their duties can and should be performed by county governments, the Minnesota Department of Transportation, and the Metropolitan Council, he added.

In presenting his case, Krinkie distributed minutes from the Dec. 17, 2002 meeting of the Ramsey County Regional Rail Authority. He noted the authority’s proposal to levy $140 million to save money for a transit corridor project that hasn’t yet been approved by the Legislature nor funded by the federal government. Krinkie added that the regional rail authority ultimately only levied $4.2 million to provide for current projects.

“I call it being very presumptuous,” Krinkie said.

Krinkie also noted that the Ramsey County Regional Rail Authority is spending $40,182 on lobbyists to seek federal funds for proposed commuter transit projects, as well as contracting a firm at a cost of $250,000 to educate the public about a study on the proposed Central Corridor transit project, which has yet to receive specific approval from the state.

Another portion of the minutes Krinkie highlighted said the rail authority had earlier approved a $3.7 million grant contract with the Minnesota Department of Transportation for the Central Corridor Transit Study. This, he said, has Ramsey County taxpayers paying the state to study a proposed project that should be studied by the state and the Metropolitan Council without additional taxpayers’ dollars.

Both Krinkie and Abrams questioned why it was appropriate for Twin Cities metropolitan area counties to lobby the federal government for funding for the Hiawatha light-rail transit line and then insist that the operating costs be covered not by the counties, but by the state.

In response to a question by Rep. Jerry Dempsey (R-Red Wing), Krinkie said the bill would not limit a county’s ability to sell bonds for transportation projects. Counties, he
On to the Senate
Plan to change concealed weapons permit policy pits personal protection against perceived safety risks

BY JEFF JONES

For the second time in the past three years, the House has passed a bill that would fundamentally change the way concealed weapons permits are granted in Minnesota April 23.

By requiring the state's sheriffs to issue handgun permits to any applicants not specifically excluded by law, the bill would significantly change the state's policy on concealed weapons permits and, according to the state Bureau of Criminal Apprehension, result in 20,000 new gun permits each year after the first. The bureau estimates about 50,000 new permits will be issued initially upon enactment of the measure.

On an 88-46 vote, the House passed the language from HF261, sponsored by Rep. Lynda Boudreau (R-Fairbault), which had been amended onto a technical bill for the Department of Natural Resources (HF823/SF842*).

Though House Speaker Steve Sviggum (R-Kenyon) said he had doubts about whether the gun issue was properly related to the natural resources bill as required by House rules, a majority of members voted to allow the amendment. Since the original bill was already passed in the Senate, the amended version will return there for a vote to approve the changes or take the bill to a conference committee.

In order to receive a handgun permit under current law, applicants must prove to their local sheriff or chief of police that they have an "occupation or personal safety hazard" requiring them to carry a gun. However, law enforcement officials around the state set different standards for granting such requests. Under the bills county sheriffs would be given the responsibility of granting permits and they could not deny an application without showing that a person is specifically prohibited by law from receiving a permit.

The bill specifies sheriffs may consult with police chiefs when doing a background check on applicants and that police chiefs can be appointed as agents of the sheriff for purposes of taking applications.

The bill would charge a fee for applying for a handgun permit. Sheriffs' offices could charge the amount it costs them to process applications up to $100.

In response to criticism from law enforcement organizations, the bill would allow sheriffs to deny an application if a person presents "a substantial likelihood" of being a danger to themselves or to the public. It sets up a judicial process for appealing and justifying such determinations.

As a result of an amendment offered by Rep. Lynne Osterman (R-New Hope) and adopted by the House, the bill would prohibit anyone with a history of violent crimes from ever receiving a permit. Currently, many offenders are eligible for gun permits 10 years after they finish serving their sentences. Other people who could not receive a permit under the bill include:

- anyone under age 21,
- nonresidents of Minnesota,
- anyone who has not taken a course in firearm safety and usage, and
- anyone listed in a criminal gang database.

The bill would relax requirements on businesses not wishing to allow people with guns into their establishments. While previous versions would have required that private businesses install lockers for permit holders to store their guns, the bill now would only require posting a conspicuous sign near their entrance stating that firearms are not allowed inside.

Under the bill, employers, colleges, and universities could set their own policies about letting students or employees carry weapons on their property, while the property of day care centers, elementary schools, and high schools would be off limits to guns. Parents picking up children from school could have guns in their cars but would have to place them in their trunks when they leave the car. Members defeated an amendment offered by Rep. Jim Rhodes (R-St. Louis Park), to give schools more control over their individual firearms policies.

Opponents of the bill said they worry a dramatic increase in guns on the street would make the state inherently more dangerous. Boudreau and other supporters said the bill is a matter of personal protection, giving law-abiding citizens the chance to protect themselves, and others, from would-be criminals.

Though the legislation is often referred to as "conceal carry," there is no provision in the bill requiring guns carried under the permits to be concealed. The House defeated an amendment offered by Rep. Ron Erhardt (R-Edina) to require that guns always be visible.

House Minority Leader Matt Entenza (DFL-St. Paul) and Rep. Ron Abrams (R-Minnetonka) chastised House Republican leaders for using parliamentary tactics to force a vote in the Senate.

Rep. Mark Olson (R-Big Lake) said the moves were necessary because DFL leaders in the Senate won't allow a floor vote on the legislation even though a majority of members support it.

The bill now returns to the Senate, where members will have the options of either accepting the House amendments or rejecting them and calling for a conference committee.
Protecting everyone

Board of Animal Health benefits two-legged Minnesotans by keeping four-legged ones safe

BY TOM LONERGAN

The disease names, like West Nile Virus and chronic wasting, are now easier to say; veterinarians respond, test and diagnose animal ailments much more efficiently, due to advances in science and technology; and there are far fewer horses in the state than the 1900 census count of 782,129.

While much has changed since the 1903 Minnesota Legislature created the Livestock Sanitary Board — renamed the Board of Animal Health in 1980 — the small independent agency’s primary mission remains to protect the health of the state’s domestic animals, and in the process help farmers and livestock producers avoid financial ruin.

State-employed veterinarians spent the early decades of the 20th century tracking and controlling tuberculosis and brucellosis in cattle, diseases easily transmitted to humans. One crucial factor in battling the diseases was the pasteurization of milk.

The diseases “used to kill people and caused tremendous economic losses” in agriculture, said William Hartmann, the state veterinarian and Board of Animal Health executive director. Hartmann is the state’s seventh chief veterinarian appointed by the board in the past 100 years. Serving on an annual basis, he was first appointed in 2001.

While prevention of brucellosis and tuberculosis was well in hand by 1950, Hartmann said, the state wasn’t declared free of swine and bovine tuberculosis until 1975-76, and brucellosis wasn’t completely eradicated until 1984, according to “One Hundred Years of Progress – The History of Veterinary Medicine in Minnesota,” by Dr. John Arnold and Dr. H.C.H. Kernkamp.

The authors note that the board’s action to suppress and control tuberculosis in the first decades of the 1900s, although controversial and opposed by some legislators because it involved condemnation of property, proved to be a national model.

“The early certification of many herds in the state made Minnesota a pioneer in the use of the ‘test and slaughter’ program for the control and elimination of tuberculosis in cattle. As the result, the Minnesota plan was incorporated into the nationwide modified free herd tuberculosis plan of the Bureau of Animal Industry.”

Board of Animal Health programs also led to the eradication of hog cholera, scabies in sheep, and glanders. The latter disease, also called “farcy,” was “a highly contagious and fatal disease of horses ... transmissible to humans.”

Hartmann said a celebration marking the board’s centennial is being planned for later this year.

The number of horses destroyed each year due to glanders peaked at 606 in 1905-06, and by 1911-12, “the board announced that glanders was well on its way of being eliminated in Minnesota.” A major factor was the closing of public water troughs in Minneapolis and St. Paul.

Hartmann said the board continues to work closely with its historical partners — the state Board of Health and the University of Minnesota. In 1883, 20 years before the Livestock Sanitary Board was created, the Board of Health ruled that local health boards were responsible for controlling animals suffering with diseases communicable to humans.

The first director of the Board of Health’s veterinary department was Dr. M.H. Reynolds, the head of the university’s veterinary science division. Arnold and Kernkamp wrote, “Unfortunately, Dr. Reynolds was given little enforcement authority” and “was limited to offering suggestions and hoping that the livestock owners would abide by the rules and regulations.”

Today’s Board of Animal Health has a biennial budget of $8 million. A staff of about 40 people oversees voluntary and mandatory programs to control and eradicate animal diseases in the state. Three veterinarians lead divisions that monitor diseases affecting cattle, swine, poultry, and related animals. The board assigns veterinarians to seven district offices throughout the state.

Hartmann said the board responded quickly in the summer of 2002 when the first cases of West Nile Virus and chronic wasting disease appeared in Minnesota.

Last year, nearly 1,000 horses tested positive for the virus, which can cause encephalitis — an inflammation of the brain and spinal cord. Thirty percent of the horses died. Birds serve as the host for the virus, which is spread by mosquitos. Neither horses nor humans can spread the disease.

The board provides information about the disease and encourages horse owners to protect their animals before the onset of mosquito season with a recently developed vaccine.

Two elk infected by chronic wasting disease were found in two different herds last summer. Four herds were quarantined and three have been “de-populated,” Hartmann said. The disease affects cervidae (elk and deer) and is caused by abnormal proteins. The disease has not been detected in free roaming deer in the state, as it has in Wisconsin.

The board’s chronic wasting control program has been voluntary. A bill to require two-thirds of the state’s captive elk herds be registered with the state and participate in the board’s surveillance program is part of this year’s omnibus agriculture finance bill.

Five state residents, appointed by the governor, serve on the Board of Animal Health. Three represent livestock producers and two are veterinarians, the same board composition the Legislature approved in 1903.

Hartmann said a celebration marking the board’s centennial is being planned for later in the year.
**Administration**
200 Administration Building
50 Sherburne Ave., St. Paul 55155 ........................................... 296-8261
Brian Lamb - Commissioner ............................................ 296-1424

**Agriculture**
Agriculture Building
95 W. Plato Blvd., St. Paul 55107 ........................................ 297-2200/1-800-967-2474
Gene Hugoson - Commissioner ........................................... 297-3219

**Children, Families & Learning**
1500 Highway 36 W., Roseville 55113 ........................................ 582-8200
Cheri Pierson Yecce - Commissioner ........................................... 582-8204

**Commerce**
133 E. Seventh St., St. Paul 55101 ........................................... 296-4026
Glenn Wilson Jr. - Commissioner ........................................... 296-6025

**Corrections**
Suite 200
1450 Energy Park Drive, St. Paul 55108 ........................................ 642-0200
Joan Fabian - Commissioner ........................................... 642-0282

**Economic Security**
390 N. Robert St., St. Paul 55101 ........................................... 296-3711
Harry Mares - Commissioner ........................................... 296-3711

**Employee Relations**
Second Floor, Centennial Office Building
658 Cedar St., St. Paul 55155 ........................................... 296-3095
Cal Ludeman - Commissioner ........................................... 296-3095

**Finance**
400 Centennial Office Building
658 Cedar St., St. Paul 55155 ........................................... 296-5900
Dan McElroy - Commissioner ........................................... 297-7881

**Health**
The Golden Rule Building, Suite 400
85 Seventh Place E., St. Paul 55101 ........................................... 215-5800
Dianne Mandernach - Commissioner ........................................... 215-5813

**Housing Finance Agency**
400 Sibley, Suite 300, St. Paul 55101 ........................................... 296-6573/1-800-657-3769
Tim Marx - Commissioner ........................................... 296-5813

**Human Services**
Human Services Building
444 Lafayette Road, St. Paul 55155-3815 ........................................... 297-3933
Kevin Goodno - Commissioner ........................................... 296-2701

**Labor & Industry**
443 Lafayette Road, St. Paul 55155 ........................................... 284-5005/1-800-342-5354
Scott Brener - Commissioner ........................................... 296-2342

**Military Affairs**
Fourth Floor, Veterans Service Building
20 W. 12th St., St. Paul 55155-2098 ........................................... 282-4662

**Natural Resources**
500 Lafayette Road, St. Paul 55155-4001 ........................................... 296-6157
Gene Merriam - Commissioner ........................................... 296-2549

**Pollution Control Agency**
520 Lafayette Road N., St. Paul 55155 ........................................... 296-6300/1-800-657-3864
Sheryl Corrigan - Commissioner, Board Chair ........................................... 296-7301

**Public Safety**
Town Square
444 Cedar St., St. Paul 55101 ........................................... 282-6565
Rich Stanek - Commissioner ........................................... 282-6565

**Revenue**
600 N. Robert St., St. Paul 55146 ........................................... 296-3781
Dan Salomone - Commissioner ........................................... 296-3403

**Trade & Economic Development**
500 Metro Square
121 Seventh Place E., St. Paul 55101-2146 ........................................... 297-1291/1-800-657-3858
Matt Kramer - Commissioner ........................................... 296-6424

**Transportation**
395 John Ireland Blvd., St. Paul 55155 ........................................... 296-3000/1-800-657-3774
Lt. Gov. Carol Molnau - Commissioner ........................................... 296-3000

**Veterans Affairs**
Second Floor, Veterans Service Building
20 W. 12th St., St. Paul 55155 ........................................... 296-2562
Jeffrey L. Olson - Commissioner ........................................... 296-2345

* and other major agencies
Area code 651 except where otherwise noted.
Boards & Agencies

Board of Pardons
Suite 200
1450 Energy Park Drive, St. Paul 55108-5219 ...................... 642-0284
Jeffrey Shorba - Secretary ................................. 642-0284

Campaign Finance & Public Disclosure Board
First Floor, Centennial Office Building
658 Cedar St., St. Paul 55155 .............................. 296-5148
Jeanne Olson - Executive Director .................. 296-1721

Capitol Area Architectural & Planning Board
204 Administration Building
50 Sherburne Ave., St. Paul 55155 .................. 296-7138
Nancy Stark - Executive Secretary ............. 296-1162

Higher Education Services Office (HESO)
1450 Energy Park Drive, Suite 350
St. Paul 55108-5227 ............................. 642-0533/1-800-657-3866
Robert Poch - Director ....................... 642-0502

Iron Range Resources & Rehabilitation Board
P.O. Box 441, Eveleth 55734 .................. (218) 744-7400/1-800-765-5043
Sandy Layman - Commissioner

Law Library
Ground Floor Judicial Center
St. Paul 55155 .................................................. 296-2775

Metropolitan Council
Mears Park Center
230 E. Fifth St., St. Paul 55101 ...................... 602-1000
Peter Bell - Chair .................. 602-1453

Minnesota Historical Society
Minnesota History Center
345 Kellogg Blvd. W., St. Paul 55102-1906 .................. 296-6126
Nina M. Archabal - Director .................. 296-2747

Minnesota State Colleges & Universities (MnSCU)
500 World Trade Center
30 E. Seventh St., St. Paul 55101 .......................... 296-8012
James McCormick - Chancellor ............. 296-8012
Mary Choate, Minnetonka - Board Chair

Minnesota Tax Court
Minnesota Judicial Center
Suite 245, St. Paul 55155 .............................. 296-2806
George Perez - Chief Judge

Minnesota Veterans Homes Board
122 Veterans Service Building
20 W. 12th St., St. Paul 55155 .................. 296-2073
Wayne M. Sletten - Chair

Office of Environmental Assistance
520 Lafayette Road, Second Floor, St. Paul 55155 .......................... 296-3417
Sherry Enzier - Director ...................... 296-215-0263

Public Utilities Commission
Metro Square Building, Suite 350
121 Seventh Place E., St. Paul 55101 .......................... 296-7124/1-800-657-3782
Burl Haar - Executive Secretary ............. 296-7526
LeRoy Koppendrayer - Chair

University of Minnesota
100 Church St. S.E.
202 Morrill Hall, Minneapolis 55455 .......................... (612) 625-5000
Robert Bruininks - President ............. (612) 626-1616
Maureen Reed, Stillwater - Board of Regents Chair

Workers’ Compensation Court of Appeals
Legislative Reference Library
645 State Office Building .......................... 296-3398
Governor’s Office
130 Capitol ...................................... 296-3391
Attorney General’s Office
102 Capitol ...................................... 296-6196
Secretary of State’s Office
180 State Office Building .......................... 296-2803
Capitol Security
B-3 Capitol ........................................ 296-6741
Emergency ........................................ 296-2100

Area code 651 except where otherwise noted.

Frequently called numbers
(Area code 651)

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<td>Chief Clerk of the House</td>
<td>211 Capitol</td>
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| Committee Hotline, Senate | 296-8088 |
| Legislative Reference Library | 645 State Office Building | 296-3398 |
| Governor’s Office | 130 Capitol | 296-3391 |
| Attorney General’s Office | 102 Capitol | 296-6196 |
| Secretary of State’s Office | 180 State Office Building | 296-2803 |
| Capitol Security | B-3 Capitol | 296-6741 |
| Emergency | 296-2100 |
Minnesota State and Federal Offices

U.S. Senators

Senator
Mark Dayton (DFL)
SR-346, Russell Senate Office Building
Washington, D.C. 20510
(202) 224-3244
Fax: (202) 228-2186

Bishop Henry Whipple
Federal Building, Suite 298
St. Paul, MN 55111
(612) 727-5220
1-888-224-9043
Fax: (612) 727-5223

Senator
Norm Coleman (R)
B-3 Dirksen Senate Office Building
Washington, D.C. 20510
(202) 224-5641
Fax: (202) 224-1152

U.S. Representatives

First District
Gil Gutknecht (R)
425 Cannon House Office Building
Washington, D.C. 20515
(202) 225-2472
Fax: (202) 225-3246

Second District
John Kline (R)
1429 Longworth House Office Building
Washington, D.C. 20515
(202) 225-2271

Third District
Jim Ramstad (R)
103 Cannon House Office Building
Washington, D.C. 20515
(202) 225-2871
Fax: (202) 225-6351

Fourth District
Betty McCollum (DFL)
1029 Longworth House Office Building
Washington, D.C. 20515
(202) 225-6631
Fax: (202) 225-1968

Fifth District
Martin Olav Sabo (DFL)
2365 Rayburn House Office Building
Washington, D.C. 20515
(202) 225-2165
Fax: (202) 225-1593

Sixth District
Mark Kennedy (R)
1415 Longworth House Office Building
Washington, D.C. 20515
(202) 225-2331
Fax: (202) 225-6475

Seventh District
Collin Peterson (DFL)
2159 Rayburn House Office Building
Washington, D.C. 20515
(202) 225-2165
Fax: (202) 225-1593

Eighth District
James L. Oberstar (DFL)
236 Rayburn House Office Building
Washington, D.C. 20515
(202) 225-6211
Fax: (202) 225-0699

Web site: http://coleman.senate.gov/

Minnesota State and Federal Offices

E-mail: dayton.senate.gov/webform.html
Web site: http://www.senate.gov/~dayton

E-mail: millenium.house.gov/mark.kennedy@mail.house.gov

E-mail: mn03@mail.house.gov
Web site: http://www.house.gov/ramstad/

Third District
Jim Ramstad (R)
103 Cannon House Office Building
Washington, D.C. 20515
(202) 225-2871
Fax: (202) 225-6351

Fourth District
Betty McCollum (DFL)
1029 Longworth House Office Building
Washington, D.C. 20515
(202) 225-6631
Fax: (202) 225-1968

Fifth District
Martin Olav Sabo (DFL)
2365 Rayburn House Office Building
Washington, D.C. 20515
(202) 225-2165
Fax: (202) 225-1593

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Mark Kennedy (R)
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Washington, D.C. 20515
(202) 225-2331
Fax: (202) 225-6475

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2159 Rayburn House Office Building
Washington, D.C. 20515
(202) 225-2165
Fax: (202) 225-1593

Eighth District
James L. Oberstar (DFL)
236 Rayburn House Office Building
Washington, D.C. 20515
(202) 225-6211
Fax: (202) 225-0699

Web site: http://coleman.senate.gov/

E-mail: dayton.senate.gov/webform.html
Web site: http://www.senate.gov/~dayton

E-mail: millenium.house.gov/mark.kennedy@mail.house.gov

E-mail: mn03@mail.house.gov
Web site: http://www.house.gov/ramstad/

Minnesota State and Federal Offices

E-mail: dayton.senate.gov/webform.html
Web site: http://www.senate.gov/~dayton

E-mail: millenium.house.gov/mark.kennedy@mail.house.gov

E-mail: mn03@mail.house.gov
Web site: http://www.house.gov/ramstad/
Constitutional Officers

Governor
TIM PAVLENTY (R)
Room 130
State Capitol
St. Paul 55155
(651) 296-3391
1-800-657-3717
Fax: (651) 296-0674

Lieutenant Governor
CAROL MOLNAU (R)
Room 130
State Capitol
St. Paul 55155
(651) 296-3391

State Auditor
PATRICIA AWADA (R)
525 Park St.
Suite 400
St. Paul 55103
(651) 296-2551

Joint Legislative Services

Legislative Coordinating Commission (LCC)
51 State Office Building.............................................. (651) 296-9002
LCC Central Accounting
70 State Office Building............................................... (651) 296-8890
LCC Subcommittee on Rules
55 State Office Building.............................................. (651) 296-1121
Claims (Joint Subcommittee on Claims)
51 State Office Building.............................................. (651) 296-0099
(GIS) Subcommittee on Geographic Information Systems
55 State Office Building.............................................. (651) 296-0098
Legislative Advisory Commission (LAC)
Fourth Floor, Centennial Office Building
658 Cedar St., St. Paul 55155...................................... (651) 296-5188
Office of Legislative Auditor
Centennial Office Building, Room 140
658 Cedar St., St. Paul 55155-1603.................................. (651) 296-4708
Legislative Commission on the Economic Status of Women
G-22 State Capitol ......................................................... (651) 296-8590
Toll Free................................................................. 1-800-657-3949
Joint Subcommittee on Employee Relations (LCC)
51 State Office Building.............................................. (651) 296-2963
Legislative Commission on Health Care Access
309 Capitol.............................................................. (651) 296-4261
Legislative Commission on Minnesota Resources (LCMR)
65 State Office Building.............................................. (651) 296-2406
Legislative Commission on Pensions & Retirement
55 State Office Building.............................................. (651) 296-2750
Legislative Commission on Planning & Fiscal Policy
51 State Office Building.............................................. (651) 296-9002
Iron Range Resources & Rehabilitation Board (IRRB)
P.O. Box 441
Eveleth 55734.......................................................... (218) 744-7400
Mississippi River Parkway Commission
P.O. Box 59159
Minneapolis 55459-8257........................................... (763) 212-2560
Electric Energy Task Force
322 Capitol.............................................................. (651) 296-4370
Regent Candidate Advisory Council
51 State Office Building.............................................. (651) 296-9002

Board of Trustees Candidate Advisory Council
85 State Office Building............................................. (651) 296-9002
Campaign Finance & Public Disclosure Board
190 Centennial Office Building................................. (651) 296-5148
658 Cedar St., St. Paul 55155
Toll Free................................................................. 1-800-657-4889
Legislative Reference Library
645 State Office Building
Circulation ............................................................... (651) 296-3398
Reference ................................................................. (651) 296-8338
Office of the Revisor of Statutes
700 State Office Building........................................... (651) 296-2868

Minnesota State Agencies

(Area code 651)

Agriculture................................................................. 297-2200
Toll Free................................................................. 1-800-676-2474
Children, Families and Learning................................. 582-8200
Commerce ............................................................... 622-4026
Corrections ............................................................... 297-3200
Economic Security .................................................... 296-3711
Toll Free................................................................. 1-888-GET-JOBS
Employee Relations .................................................. 297-1184
Job Information Hotline ............................................ 296-2616
Finance ................................................................. 296-5900
Health ................................................................. 215-5800
Human Rights ......................................................... 296-5663
Toll Free................................................................. 1-800-657-3704
Human Services ....................................................... 297-3933
Labor and Industry .................................................. 284-5000
Toll Free................................................................. 1-800-342-5354
Military Affairs ......................................................... 282-4662
Natural Resources .................................................... 296-6157
Toll Free................................................................. 1-888-MINNDR
Pollution Control Agency ........................................... 296-6300
Toll Free................................................................. 1-800-657-3864
Public Safety ........................................................... 282-6565
Driver and Vehicle Services ....................................... 296-6911
Fire Marshal ............................................................. 215-0500
Alcohol and Gambling Enforcement Division .................. 296-6979
State Patrol .............................................................. 282-6871
Revenue ................................................................. 296-3781
Taxpayer Assistance .................................................. 297-1291
Trade and Economic Development ......................... 297-1291
Toll Free................................................................. 1-800-657-3858
Office of Tourism ...................................................... 296-5029
Toll Free................................................................. 1-800-657-3700
Transportation ......................................................... 296-3000
Toll Free................................................................. 1-800-657-3774
Veterans Affairs ....................................................... 296-2562

Other Information Numbers

Federal Information .................................................... 1-800-688-9889
White House ......................................................... (202) 456-1414
1600 Pennsylvania Ave.
Washington D.C. 20500
State DFL Party ....................................................... (651) 293-1200
State Republican Party ............................................. (651) 222-0022
State Independence Party ........................................ (612) 487-9700
State Green Party .................................................... (612) 871-4585
House Information Services ..................................... 296-2146
TTY ................................................................. 296-9896
Toll Free voice and TTY ............................................. 1-800-657-3550
Senate Information ................................................... 296-0504
Toll Free................................................................. 1-888-234-1112
State Information ..................................................... http://www.state.mn.us
Legislative Information ............................................. http://www.leg.mn
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 first year of the biennium, the important thing to remember is that the governor has three days from the time of “presentment” to veto a bill. If the governor doesn’t sign the bill within this time frame, it will become law with or without his signature. (Sundays are not counted in the three-day time limit, but holidays are.)

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 that occur in the days after the Legislature has adjourned sine die) the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is three days after the governor receives the bill.

Policy items contained in 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 year.

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

More information is available on the governor’s Web site (www.governor.state.mn.us). Select the “Legislation” link. Or, retrieve bill status updates on the House Web site (http://ww3.house.leg.state.mn.us/bills/chapters.asp?ls_year=83&session_number=0)

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

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<td>94*</td>
<td>St. Cloud state land conveyance description correction.</td>
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<td>744</td>
<td>726*</td>
<td>State building code cumulative fees collection reporting requirement modifications.</td>
<td>4/3</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>457</td>
<td>356*</td>
<td>Child de facto custodian provisions modifications.</td>
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<td></td>
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<tr>
<td>8</td>
<td>415</td>
<td>512*</td>
<td>Rockford Metropolitan Council jurisdiction removal.</td>
<td>4/2</td>
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<tr>
<td>9</td>
<td>1158*</td>
<td>993</td>
<td>County nursing home payment adjustment increased; and money appropriated.</td>
<td>4/7</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>267*</td>
<td>176</td>
<td>Fire insurance standard policy provisions modified relating to terrorism.</td>
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</tr>
<tr>
<td>11</td>
<td>330</td>
<td>293*</td>
<td>Public employment labor agreements; compensation plan amendments and salary increase proposals ratification.</td>
<td>4/9</td>
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<tr>
<td>12</td>
<td>166</td>
<td>112*</td>
<td>Uniform Guardianship and Protective Proceedings Act.</td>
<td>4/11</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>1054</td>
<td>1001*</td>
<td>Solid waste management plans updating and content requirements modified.</td>
<td>4/17</td>
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</tr>
<tr>
<td>14</td>
<td>94</td>
<td>187*</td>
<td>State fair season circuses prohibition repeal (24-hour waiting period for abortions).</td>
<td>4/14</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>774</td>
<td>790*</td>
<td>Department of Human Services Background Studies Act.</td>
<td>4/17</td>
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<tr>
<td>16</td>
<td>647*</td>
<td>533</td>
<td>Nicollet Co. nursing home construction moratorium exception provided.</td>
<td>4/17</td>
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</tr>
<tr>
<td>17</td>
<td>827</td>
<td>768*</td>
<td>Capitol Area Architectural and Planning Board enabling language modified.</td>
<td>4/17</td>
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<tr>
<td>18</td>
<td>912</td>
<td>1095*</td>
<td>State soldiers assistance fund use restriction clarification.</td>
<td>4/17</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>51*</td>
<td>537</td>
<td>Health insurance provisions clarified relating to long-term care insurance.</td>
<td>4/23</td>
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</tr>
<tr>
<td>20</td>
<td>266*</td>
<td>224</td>
<td>Purchasing alliance stop-loss fund modified relating to health plan companies.</td>
<td>4/23</td>
<td></td>
</tr>
</tbody>
</table>

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

Where to find information

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 Public Information Services
175 State Office Building
(651) 296-2146 or 1-800-657-3550
House Public Information Services is a nonpartisan office that provides committee meeting schedules; legislator information; and publications, including the Session Weekly.

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.
Tuesday, April 22

HF1557—Seifert (R)
Higher Education Finance
Riots; students convicted of rioting offenses deemed ineligible for postsecondary state grant awards and required to pay highest applicable tuition rate.

HF1558—Jaros (DFL)
Taxes
Mortgage interest income tax deduction limited, funding provided for homeless persons assistance programs, and money appropriated.

HF1559—Lanning (R)
Taxes
Affordable housing contributions tax credit provided.

HF1560—Erickson (R)
Health & Human Services Finance
Family planning grant funds prohibited from being used to subsidize abortion services.

HF1561—Kelliher (DFL)
Taxes
Household income used instead of market value as the basis for computing property taxes on homestead properties, and money appropriated.

Wednesday, April 23

HF1562—Lanning (R)
Taxes
Vacant commercial, industrial, and residential property tax class rate increased; and appeals of classification provided.

HF1563—Dempsey (R)
Environment & Natural Resources Finance
Goodhue Pioneer Trail funding provided, bonds issued, and money appropriated.

HF1564—Lenczewski (DFL)
Taxes
Local government aid city aids formula modified.

Thursday, April 24

HF1565—Abrams (R)
Taxes
Electric generation facility sales and property tax exemption qualifying period extended.

HF1566—Abrams (R)
Taxes
Guthrie Theater construction materials sales tax exemption provided.

HF1567—Clark (DFL)
Jobs & Economic Development Finance
Bridges rental housing assistance program funding provided, and money appropriated.

HF1568—Stang (R)
Ways and Means
Omnibus higher education finance bill providing funding for Minnesota State Colleges and Universities system, the University of Minnesota, and other higher education; issuing bonds; and appropriating money.

HF1569—Bradley (R)
Taxes
Rochester sales tax revenue additional uses authorized, and bonding authority increased subject to local approval.

HF1570—Abrams (R)
Taxes
Sales and use tax provisions modified to conform to streamlined sales tax project.

Friday, May 2

HF1571—Clark (DFL)
Governmental Operations & Veterans Affairs Policy
Iraq; resolution memorializing Congress to protect the health of military personnel serving in Iraq.

HF1572—Olson, M. (R)
Education Finance
School bus carrier liability limited.

HF1573—Nelson, P. (R)
Taxes
Appeals and equalization course for property tax local boards of review provided, meeting requirements imposed, and proof of compliance required.

HF1574—Sviggum (R)
Taxes
Taconite production tax rate and distribution modified, funds and accounts transfers provided, and tax payments provided.

HF1575—Urdahl (R)
Jobs & Economic Development Finance
Cokato mandated water treatment facility grant provided, bonds issued, and money appropriated.

HF1576—Krinkie (R)
Taxes
Circle Pines tax increment financing district extension authorized.

HF1577—Koenen (DFL)
Taxes
Market value homestead credit reimbursement to cities payment eliminated, transit levy authority reinstated, additional means of transit financing provided, and local government aid to cities reduced.

HF1578—Thissen (DFL)
Taxes
Tax preparers regulated, consumer protections established, and enforcement authority provided.

HF1579—Lesch (DFL)
Taxes
St. Paul and Ramsey County collocated police and sheriff facility construction materials sales tax exemption provided.
explained, can sell bonds for virtually any reason. Special levy authority was granted to regional rail authorities to purchase rights-of-way for future transportation projects.

Rep. Ann Lenczewski (DFL-Bloomington) said a number of legislators asked her if Krinkie was attempting to stop the Northstar Corridor commuter rail project between Minneapolis and Rice and light-rail systems in general. The bill as she understands it, she said, would not do that nor would it prohibit lobbying activities or studies on the part of county governments.

Several people defended the authorities.

Regional rail authorities have been good stewards of public funds and strive to gain value from investments, said David McCauley, an Anoka County commissioner and member of the Anoka County Regional Rail Authority.

Twin Cities metropolitan area authorities have also engaged in planning and engineering to advance transit projects, and have secured $330 million in federal funds, added Hennepin County Commissioner Randy Johnson. Those federal funds could potentially be lost to other states’ projects.

Problems would result if regional rail authorities were abolished, said Gary Erickson, director of Hennepin County Regional Rail Authority. Specifically, the Hennepin County authority holds 100 leases and 60 easements for abandoned railroad rights-of-way, as well as two long-term contracts with railroad companies.

The Senate companion to the bill (SF686), sponsored by Rep. Mady Reiter (R-Shoreview), was tabled April 8 by the Senate Transportation Policy and Budget Committee.

Additional content from page 14:

Long bright spring days draw many visitors to the State Capitol, and prompt even frequent visitors to revisit and admire the architectural achievements, however subtle, displayed on the façade of the building.

Adornments conceived by architect Cass Gilbert combine to provide a sense of welcome and ownership to state residents, and an inviting appeal to those who visit.

In some ways, Gilbert looked at the outside decor of the building as a “teaser” to get the public to venture inside, and view how art and architecture easily complement a seat of government where laws are made.

Two factors helped to enhance the Capitol façade's stately persona – location and design. The present site, chosen in 1893 over 18 other proposals, sits atop a hill to provide a commanding view out across the city.

The front of the building faces south-southeast toward the U.S. Capitol in Washington.

Gilbert’s basic design was that of the Italian Renaissance in “a most stately and dignified character.” He proposed that the outer structure be of elegant white Georgia marble, but had to compromise with those who opposed his use of stone from another state. So Gilbert added St. Cloud granite to the stairs, terraces, and ground floor level to make the structure look like it was sitting on a specially built platform.

The artistic and aesthetic subtleties Gilbert added to the façade are best seen while approaching the building on foot.

The center of its length draws the most focus — from the tip of the gilded orb above the massive dome to the street level. From the Capitol’s base, visitors see 50 grand steps that lead to the wide first floor granite porch, which often gets used as a stage by public groups. Three wide marble arches define the main entrance that leads into a loggia, or open area before one enters the first floor of the building through massive wooden doors.

The loggia supports a platform on which is placed another open area, accessible only from inside on the second floor. The space is graced from the outside with another three massive arches with Corinthian columns in between, all reaching from the roof of the first floor to the roof of the third floor.

Most visitors are impressed by the prominent Quadriga or “Golden Horses” finished in gold leaf, and the massive dome whose exterior is 89 feet in diameter. But those with a discerning eye may see even more. They see how Gilbert creatively combined in stone the classic with the modern by the use of many symmetrically placed decorations on the building’s outer layer. He added small portals surrounded by elaborate wreaths, large eagles, evenly spaced columns, the initial “M” in calligraphy style, sculpted flowers and leaves wrapped in ornamental drapery.

A little known but most important feature are six human figures sculpted by the Quadriga artist, Daniel Chester French. Four women and two men sculpted to support the Quadriga symbolize the virtues that support and assist the progress of the state. They depict Bounty, Courage, Integrity, Prudence, Truth, and Wisdom.

Cass Gilbert created his masterpiece to speak to the ages and to keep lawmakers and other Minnesotans mindful that development and growth are the results of a unity of diverse ideas.

- LECLAIR GRIER LAMBERT

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**Where to find information**

**Senate Information Office**

231 State Capitol (651) 296-0504

The Senate Information Office is responsible for all information about the Senate, including the committees 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.
Minnesota nurses

Number of registered nurses (RN) as of Dec. 31, 2002 ............................................ 66,222
Licensed practical nurses (LPN) ........................................................................... 22,445
Registered nurses who are female, as percent ...................................................... 92.8
Percentage of LPNs who are women ................................................................... 95.8
Percentage growth in employment between 1990 and 2000 .................................. 44
Estimated number of job openings for RNs in Minnesota ...................................... 3,000
Active registered nurses planning to leave the profession in the next two years,
as percent ................................................................. 15
Current number of registered nurses younger than age 30, as percent ................. 11.2
Percentage who are age 50 and older .................................................................. 33.7
Current licensed practical nurses younger than age 30, as percent .................. 12.7
Percentage who are age 50 and older ................................................................. 33.1
Average age of a Minnesota registered nurse in 2000 ........................................ 45.3
National average ................................................................................................. 42.4
Number of registered nurses living in the seven-county Twin Cities
metropolitan area ................................................................................................. 31,325
In Greater Minnesota .......................................................................................... 25,339
RNs practicing in Minnesota, but living outside the state .................................. 9,558
Licensed practical nurses living in the seven-county Twin Cities
metropolitan area .................................................................................................. 7,052
In Greater Minnesota .......................................................................................... 14,032
LPNs practicing in Minnesota, but living outside the state ................................ 1,361
Registered nurses with an associates degree who received their degree
from a state institution, as percent ........................................................................ 86
Nurses with a baccalaureate degree from a Minnesota institution, as percent .... 70
Approximate percentage of registered nurses planning to pursue additional
nursing education within the next two years ....................................................... 25
Average pay for a registered nurse at their primary worksite, per hour ............... $26.70
Average pay for those in the Twin Cities metropolitan area, per hour ............... $29.18
Average hourly wage in Greater Minnesota ...................................................... $24.12
Percentage of registered nurses who believe their personal level of pay is
satisfactory ............................................................................................................. 66
Percentage who believe they are appropriately compensated for the work
expected of them .................................................................................................. 46
Registered nurses, as percent, who feel they have sufficient input into the
program of care for each patient .................................................................... 75
Percentage who feel they have sufficient time for direct patient care ................. 46
Registered nurses who feel there is too much clerical and “paperwork” required
in their job, as percent ....................................................................................... 80

Sources: State of Minnesota Board of Nursing; Findings from the Minnesota Registered Nurse Workforce Survey, Office of the Rural Health Primary Care, Minnesota Department of Health, January 2003; Minnesota Nurses Association.