

A NONPARTISAN PUBLICATION    ★ ★ ★

# SESSION Weekly

MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION OFFICE

APRIL 5, 2002  
VOLUME 19, NUMBER 10

In this issue:

PRESCRIPTION DRUG PLANS

HISTORY OF EVEN-YEAR SESSIONS, AND MORE



# SESSION Weekly

*Session Weekly* is a nonpartisan publication of the Minnesota House of Representatives Public Information Office. During the 2001-2002 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Office  
175 State Office Building  
St. Paul, MN 55155-1298  
(651) 296-2146 or  
1-800-657-3550  
TTY (651) 296-9896

**Director**  
LeClair G. Lambert

**Editor/Assistant Director**  
Michelle Kibiger

**Assistant Editor**  
Mike Cook

**Art & Production Coordinator**  
Paul Battaglia

**Writers**  
David Maeda, Lisa Hilton,  
Sarah McKenzie, Theresa Stahl

**Chief Photographer**  
Tom Olmscheid

**Photographers**  
Andrew Von Bank, Becky Ekstam

**Office Manager**  
Nicole Wood

**Staff Assistants**  
Christy Novak, Kelli Lin Foster

*Session Weekly* (ISSN 1049-8176) is published weekly during the legislative session by the Minnesota House of Representatives Public Information Office, 100 Constitution Ave., St. Paul, MN 55155-1298. Periodicals postage paid at St. Paul, MN, and at additional mailing offices. POSTMASTER: Send address changes to *Session Weekly*, Public Information Office, Minnesota House of Representatives, 175 State Office Building, 100 Constitution Ave., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled,  
30% post-consumer content.



## CONTENTS

### HIGHLIGHTS

Agriculture • 5  
Banking • 5  
Business • 5  
Consumers • 5  
Crime • 6  
Elections • 6

Environment • 6  
Game & Fish • 7  
Higher Education • 7  
Housing • 8  
Insurance • 8  
Local Government • 9

Military • 9  
Recreation • 9  
Safety • 10  
Transportation • 10

### FEATURES

**At Issue: Health** — Several states are considering state-level prescription drug discount programs for residents. However, in Minnesota budget constraints may be an obstacle. • 11

**History** — It's not unusual for legislators to work beyond the Easter and Passover holidays in the second year of a biennium. And legislators have more than a month before they run up against constitutional constraints for adjournment. • 12

**People** — Rep. Sharon Marko (DFL-Cottage Grove) will leave the House after this term to pursue an open seat in the Minnesota Senate created by the new redistricting plan. • 13

**People** — Rep. Mary Jo McGuire (DFL-Falcon Heights) has decided not to run for re-election in the district she has represented for 14 years. The court-ordered redistricting plan paired McGuire and incumbent Rep. Alice Hausman (DFL-St. Paul) in the same district. • 14

**Policy** — State officials are targeting foreign tourism markets to draw vacationers to the state as an economic development tool. • 15

### DEPARTMENTS/RESOURCES

It's a Fact: Legislating weather	4	Committee Schedule (April 8-12)	22
Resources: Where have all the bills gone?	15	Reflections: Performance	23
Governor's Desk (CH219-CH314)	19	Minnesota Index: Minnesota Teachers	24
Bill Introductions (HF3708 – HF3712)	22		

**On the cover:** A statue of former Gov. Knute Nelson as a statesman and as a young Civil War soldier is covered with snow after Mother Nature played an April Fools Day joke by dropping between four and six inches of wet snow on the Capitol complex. Nelson was governor from 1893-1895, before serving for 28 years in the U.S. Senate.

—Photo by Tom Olmscheid

# Reconciling differences

Second phase of budget adjustments, stadium, bonding, anti-terrorism package among unresolved issues for 2002

## SESSION WEEKLY STAFF

Legislators have a number of issues left to resolve before closing the books on the 2001-2002 legislative session.

Leadership in both the House and Senate aimed to finish prior to the Passover and Easter holidays. But the House and Senate differ on both philosophy and process regarding issues that remain unresolved, making resolution seem elusive.

And the issues left on the table are weighty: anti-terrorism issues and funding, transportation and construction bonding, stadium plans, and the second phase of budget-balancing measures.

As in the past, House leaders have instructed members to keep their schedules flexible as negotiations continue. They're hopeful for a swift resolution but can't be sure it'll happen.

"Pending a resolution on the numbers, the targets, with the Senate we might be in the position to close up the session next week although that is very speculative at this point," said House Majority Leader Tim Pawlenty on April 2. "I wouldn't be making any expensive or certain plans right now."

Evidence of the procedural problems legislators must address is the format for the second phase of budget cuts.

To address the remaining \$439 million deficit for the current biennium the House passed omnibus finance bills dealing with several areas of the budget.

However, the Senate amended the House omnibus state government finance bill (HF3270) to incorporate a variety of spending cuts and tax increases. The state constitution requires any revenue-raising bills to originate in the House.

Members, including the bill's House sponsor Rep. Philip Krinkie (R-Shoreview), objected to the move, saying the new bill includes tax increases and multiple topics making it subject to constitutional challenge. It will now go to a conference committee.



PHOTO BY TOM OLMSCHIED

Materials for the day, prepared by the Chief Clerk's Office, await the speaker's arrival on the steps of his desk prior to the House taking action on the proposals.

Here is a summary of some of the remaining issues left to be addressed:

### Anti-terrorism

One of the biggest differences between the two plans (HF2622/SF2563 and various bills) is the source of funding to pay for changes.

The House version would use \$22 million of the state's tobacco settlement money to fund the bill, while the Senate favors a plan to increase by 25 cents the tax on the 911 phone fee.

Other differences include changes to driver's license regulations and a plan to mark the licenses of foreign residents in the state on a visa, the issuance of "United We Stand" license

plates, changes to wire tap laws, when public meetings can be closed, and the definition of terrorism.

### Bonding

The House and Senate remain about \$360 million apart on capital investment projects.

The House bonding bill (HF3618) stands at \$839.1 million, and the Senate's version (SF3203) totals 1.2 billion.

In the biggest area of spending, higher education, the Senate wants to grant more than \$485.6 million, which is \$158.5 million over the House allocation.

Nearly \$81 million splits the two bodies on transportation. The House allocates more than the Senate, with most of the funds for roads and bridges. The House also would direct \$26 million toward a statewide public safety radio system, where the Senate would give \$100,000.

In other education projects, the House would allocate \$1.5 million and the Senate almost \$66 million. The House skipped funding nearly every local project proposed, while the Senate would fund the Minneapolis Planetarium for \$20 million, Red Lake additions and renovations for more than \$20 million, plus other community, youth, and leadership centers.

### Transportation bonding

The two chambers are miles apart on how to pay for transportation improvements.

The House plan (HF3364) would allow the state to borrow \$750 million over five years for highway improvements.

The Senate plan (SF2812) would increase the state gas tax by 6 cents in order to pay for about \$5 billion in bonds over a 10-year period.

### Other budget areas

Senate proposals largely avoid further specific spending cuts, focusing on raising revenues to cover budget shortfalls for 2003 and the 2004-05 biennium.

The House proposed cuts for specific budget areas are as follows:

- Early childhood and family education — in HF2909, the House cuts \$6 million from the 2003 appropriations, including state's



## Legislating weather

### 1977 law claims state's sovereign right to clouds, regulates rainmakers

child-care development fund, holding adult basic education programs at 2002 levels, and reductions to child-care funding. The Senate plan (SF3436) shifts 5 percent of education aid spending to fiscal year 2004, as it did for all education programs.

- Economic development — the House has proposed reducing the 21st Century Minerals Fund by \$6.7 million in this biennium, the Jobs Skills Partnership Program by \$1.4 million, and the Minnesota Film Board by almost \$1.4 million.
- Environment and natural resources — the House plan (HF766) would trim another \$10 million, particularly by reducing recycling-promotion grants to counties in both fiscal years 2004 and 2005 and transferring funds from the PCA to the Office of Environmental Assistance to administer the state's household hazardous waste program.
- Health and human services — The House bill (HF2515) would drain \$325 million from the Tobacco Prevention Endowment to pay for state programs and cut an additional \$61.6 million from state services. Adjustments include limiting General Assistance and Emergency General Assistance payments, consolidating the General Assistance Medical Care program into MinnesotaCare, and repealing an expansion of the number of children covered by the state's Medical Assistance program set to take effect July 1. The Senate proposed modest spending increased this biennium and in 2004-05.
- Higher education — The House made no cuts in the second round of reductions, and the Senate plan would increase funds for grants from the Higher Education Services Office by \$5 million.
- State government funding — The House plan would reduce funding by \$38.9 million in the 2003 and \$26.9 million in 2004-05. The primary items include a reorganization of the governor's cabinet into eight secretary level positions and further cuts to the legislative branch. The Senate bill would repeal a consulting contract moratorium enacted in the first phase of budget cuts.

### State employee contracts

The House and Senate also deal with the state employee's contracts differently. Under current law the commissioner of the Department of Employee Relations is authorized to enter into agreements with those representing the various state employee groups. The Legislature is required to accept or reject the bargained agreements.

The Senate provision, included in its

Continued on page 23

There ought to be a law against April snowstorms. Maybe the land needs the precipitation, maybe the snowmobilers are happy, but the rest of us could use some legislative intervention against prolonged winter.

Some may chuckle at the idea of legislating the elements, but there was a law on the books for 22 years that regulated those who attempted to modify Minnesota's weather.

A 1977 law set guidelines for the issuance of cloud-seeding licenses and permits, and charged the Minnesota Department of Agriculture with collecting and evaluating weather modification data.

The law also asserted Minnesota's sovereign right to the clouds and moisture in the atmosphere above the state.

Cloud seeding is the process of injecting clouds through airborne or ground-based delivery with silver iodide, dry ice, or other materials to increase precipitation and decrease hailstone size.

A 1977 report titled "Weather Modification Information for the Minnesota Legislature" concluded that regulating cloud seeding was in the public interest because of legal ramifications over the effects on downwind landowners, potential environmental concerns, and the need to maintain professional standards.

"Because of human nature, it is possible for citizens of this and other states to be victimized by unethical cloud seeders," the report warned. "Support of the proposed weather modification legislation does not necessarily imply support of weather modification as a usable technology."

According to the report, some weather modification experiments around the globe suggested cloud seeding could potentially increase rainfall by an average of 10 percent above what would occur naturally and decrease hail damage up to 50 percent.

However, other data were not so encouraging. "Weather modification is not a predictable science," the report cautioned. "There is no absolute proof that cloud seeding works."

The summary cites Russia's success at

using ground-to-air rockets to seed clouds, but it notes that their project required anti-aircraft artillery and 25,000 soldiers to accomplish the task.

"Attempts have been made in the United States to develop a similar approach, but the FAA frowns on the indiscriminate firing of rockets into our airplane-filled skies," the report says.

The Minnesota law specifically prohibited ground-based seeding projects.

Enthusiasm for cloud seeding has waned

since its heyday in the 1960s and 1970s. Minnesota's weather modification law was repealed in 1999 as part of an overall effort to streamline occupational regulation. No one had ever applied for a license, according



Photo courtesy of the North Dakota State Water Commission Web site.

This plane is used by a North Dakota cloud modification unit to seed clouds for controlling precipitation.

to Rep. Dan McElroy (R-Burnsville), sponsor of the repeal.

While Minnesota is not pursuing weather modification, North Dakota supports an active program, modifying clouds specifically to reduce hail and increase precipitation.

At first glance, it might seem odd that neighboring states would take such different approaches to precipitation management. Greg Spoden, of the Department of Natural Resources climatology unit, explains that Minnesota sits between the semi-humid east and the semi-arid high plains and drought has not been an issue here for a number of years. In fact, the 1990s were Minnesota's wettest decade of the 20th century.

"Farmers in the western part of the state have chosen to combat dry spells with ground irrigation systems, rather than looking to the sky," Spoden said.

Other Great Plains states and Canadian provinces also continue to experiment with weather modification. The province of Alberta has a unique hail suppression program funded by the insurance industry in the hope that seeding clouds will reduce hail size and thus reduce crop and property damage.

(N. Wood)

★ **AGRICULTURE**

**Policy provisions**

An agriculture policy measure cleared the House April 3 after members spent hours debating a number of amendments to the bill.

The measure (HF3183), sponsored by Rep. Tim Finseth (R-Angus), chair of the House Agriculture Policy Committee, passed 131-0. The bill now goes to the Senate.

Much of the floor debate centered on an amendment offered by Rep. Phyllis Kahn (DFL-Mpls) that would have banned treating poultry and livestock with antibiotics if the animals are otherwise healthy. The House voted down the amendment 75-59.

Widespread overuse of antibiotics has been linked to the development of drug-resistant genes. Kahn cited figures indicating livestock and poultry are treated with 10 times more antibiotics than humans are.

Those who opposed the amendment said the issue should be dealt with by Congress on a federal level.

Rep. Carol Molnau (R-Cologne) said the state's farmers are already taking steps to address the problem. "This would make Minnesota an island," she said.

Also speaking in opposition to the amendment, Rep. Al Juhnke (DFL-Willmar) said adopting statewide policy without more thoughtful deliberation would cause "huge problems" for Minnesota's turkey processors. The state is one of the nation's leaders in the turkey industry.

The main provisions in the agriculture policy bill sparked little debate.

The bill includes a number of largely technical sections, including provisions that would update state rules related to pesticide and food handling to make the state compliant with federal law.

It would also include a provision amending the definition of county extension work. The University of Minnesota Extension Service would be directed to place less emphasis on human development programs and instead pay more attention to agricultural finance and youth leadership development.

The Senate companion is SF3219, sponsored by Sen. Steve Murphy (DFL-Red Wing).

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

★ **BANKING**

**Money transmitter licensing**

Small-business money transmitters may soon have lower financial requirements for licensing, under a measure passed by the House.

A 2001 law requiring money transmitters to be licensed has been difficult for some smaller establishments to meet, particularly those who often send money from Minnesota to Somalia and Mexico.

The House passed a measure (HF3464/SF3174\*) that clarifies the 2001 law by a vote of 129-0 on April 3, and the Senate passed it 62-0 on April 2. It awaits Gov. Jesse Ventura's signature.

Previously, all money transmitters were held to a \$100,000 net worth requirement, though many of the smaller businesses did not reach that mark.

Under the bill, the current \$100,000 net worth requirement for being licensed would be dropped to \$50,000 for money transmitters that have six or fewer locations in Minnesota.

Money transmitters with seven or more locations would still be held to the \$100,000 net worth requirement. Additional locations beyond the seven would be required to have a worth of \$50,000 per location, up to \$500,000.

The bill would also adjust legal requirements that the businesses carry surety bonds for a certain percentage of their net worth.

The \$50,000 current bond requirement would become \$25,000 for money transmitters with three or fewer locations. The amount would not change for money transmitters with four or more locations, and would be capped at \$250,000.

Rep. Dan McElroy (R-Burnsville) and Sen. Steve Kelley (DFL-Hopkins) sponsored the legislation.

★ **BUSINESS**

**Drinking licenses, times**

Various cities in the state would be given the authority to issue additional liquor licenses, under the omnibus liquor bill that again passed the House April 2 by a 102-25 vote.

Sponsored by Rep. Doug Stang (R-Cold Spring) and Sen. James Metzger (DFL-South St. Paul), the measure (HF3058/SF2739\*) would give the cities of Albert Lea, Brainerd, Coon Rapids, Eden Prairie, Proctor, and West

St. Paul the authority to issue additional liquor licenses.

The Senate also passed the conference committee agreement April 2, by a 52-6 vote.

The only difference between the version of the bill that originally passed the House was the additional number of on-sale intoxicating liquor licenses authorized for West St. Paul. The House version authorized six for that city while the Senate version authorized two. The House acceded to the Senate number.

Hotels possessing on-sale intoxicating liquor licenses that have hotel rooms with cabinets that dispense liquor for a charge, would be exempt from the state's bar closing time of 1 a.m. on those sales, under the measure.

The bill now goes to the governor.

★ **CONSUMERS**

**Do-not-call list passes**

Minnesotans may soon be able to eat their supper without jumping up to answer a phone call from a telemarketer.

The House passed legislation April 4 that would allow people to put their home phone numbers on a "do-not-call" list, to which phone solicitors would have to subscribe.

"This has worked very successfully in other states," said Rep. Matt Entenza (DFL-St. Paul), the House sponsor of the bill (HF2710/SF3246\*).

The state Department of Commerce would maintain the list, which would have to be established by Jan. 1, 2003. Residents could add their names to the do-not-call list for free, and they would stay on the list for two years unless they revoked their names.

Nonprofit organizations, as well as political groups, would not have to subscribe to the list. Businesses that have a resident's permission, businesses with a prior relationship to a resident, and businesses "who will complete the sales presentation at a later face-to-face meeting," such as a seller of Mary Kay Cosmetics, are exempt from the requirement to obtain the list, according to the bill.

Four times a year, telemarketing companies would have to purchase the updated list, or face a fine. The fee for obtaining the list would be \$125 for each copy. In 2004 the fee would be reduced to \$90, and in 2005, and thereafter it would be \$75.

General fund monies would be used to maintain the list: \$482,000 in 2003, \$349,000 in 2004, and \$299,000 in 2005.

A violator of the list would be charged a civil

penalty up to \$1,000 for each call.

The bill was successfully amended by Rep. Greg Davids (R-Preston) regarding the creation of a national do-not-call list. If such a list should be established, the phone numbers on Minnesota's do-not-call list would have to be sent to the Federal Communications Commission to be included on the national list. The commission would not be charged.

The amended bill now returns to the Senate, where Sen. Richard Cohen (DFL-St. Paul) is the sponsor. The Senate previously passed the measure 65-1 on March 21.

## ★ CRIME

### Paying to do time

Criminals who are sentenced to serve time in county jails would be required to pay for time they spend behind bars, under a bill passed by the House April 2.

Sponsored by Rep. Maxine Penas (R-Badger) and Sen. Leo Foley (DFL-Coon Rapids), the bill (HF2841/SF2533\*) would allow counties to collect fees from inmates if the person has the ability to pay.

During debate on the House floor, some lawmakers worried that the bill would affect family members of inmates more than the convict.

Rep. Mary Murphy (DFL-Hermantown) said charging convicts could end up costing the state money since it could hurt the person's spouse and children as much as the convicted person. The family of the convicted person may have to rely on social services if the family's money goes to the county to pay for jail time, she said.

But Rep. John Tuma (R-Northfield) said the bill provides exceptions for those who can't afford to pay.

The bill also requires inmates to make other payments such as fines and child support payments before money would be taken for the jail time.

The House passed the bill 108-22, and the Senate approved the bill 64-0 on March 8. It now goes to the governor for approval.

## ★ ELECTIONS

### Campaign finance board confirmations

The House Governmental Operations and Veterans Affairs Policy Committee voted April 3 to recommend confirmation of two nominees to the state's Campaign Finance and Public Disclosure Board.

The board is responsible for administering

## 'GRACE' UNVEILED



PHOTO BY ANDREW VON BANK

The newly designated Minnesota State Photograph, Eric Enstrom's "Grace," is officially unveiled at an April 3 ceremony in the secretary of state's office. Among those at the unveiling are, from left, Secretary of State Mary Kiffmeyer; Britta Nyberg, Enstrom's great-granddaughter; Rhoda Nyberg, Enstrom's daughter; Rep. Loren Solberg, the House sponsor of the law designating the photograph; and Lois Berendts, Enstrom's daughter.

registration, disclosure, and enforcement programs to ensure that the state's government ethics laws are met. The board also provides financial information about public officials to the populace.

Gov. Jesse Ventura's two nominees come from Greater Minnesota. Last year while recommending confirmation of four candidates, all of whom were from the Twin Cities metropolitan area, committee members expressed concern about having rural representation on the board.

One of this year's nominees, Susan Stevens Chambers said she was encouraged to apply for the board because she is a female attorney from Greater Minnesota. She lives in Mankato.

Chambers said she also applied to be a board member because she likes complicated work and puzzles, and much of the board's work entails that type of work.

Ventura nominated Chambers to replace Shirley Chase who resigned last September to become the commissioner of the Department of Labor and Industry.

The other nominee, Clyde Miller, is an attorney from Cambridge. He ran an unsuccessful campaign in 2000 as a member of the Independence Party for the House seat occupied by Rep. Rob Eastlund (R-Isanti).

Miller said he became interested in serving to help balance the political makeup of the current board. State law requires that no more than three of the six board members be of the same party. Currently two DFLers and two Republicans serve on the board.

Miller would replace Donald Roggenbauer, whose four-year term expired in January.

The nominees need "advice and consent" approval from three-fifths of the members in both the House and Senate before their confirmations are complete.

The recommendations now go before the full House.

## ★ ENVIRONMENT

### Fertilizer restriction

The use of phosphorus-based lawn fertilizers would be restricted beginning in 2004, under a bill approved by the House April 3.

The House passed the measure (HF1524/SF1555\*) 116-16 after substituting the House language for the Senate wording and approving other amendments.

Overuse of fertilizers enriched with the element has been linked to increased algae blooms in lakes and rivers that choke other aquatic life in the state's water bodies.

Rep. Peggy Leppik (R-Golden Valley), the House sponsor, said a more uniform policy is necessary since many residents are confused by the wide array of local regulations.

"If we do nothing, the widening patchwork of local ordinances will become worse," Leppik said.

She pointed to statistics indicating that one pound of phosphorus produces 300 pounds

of algae, which in turns costs hundreds of dollars to remove.

Some rural lawmakers voiced opposition to the bill, arguing it wouldn't target the main sources of phosphorus-related pollution like grass clippings that are dumped in the state's water bodies. An amendment that would have expanded the restriction to include the application of grass clippings and other organic materials to sidewalks, streets, and other "impervious" surfaces was voted down by the body.

The measure would preempt local ordinances regulating the sale of turf fertilizer containing phosphorus beginning Jan. 1, 2004. However, it would grandfather in local ordinances enacted before Aug. 1, 2002 if equal to or harsher than the state law.

A ban on the use of phosphorus-based fertilizers in the seven-county Twin Cities metropolitan area would also take effect Jan. 1, 2004. Counties in Greater Minnesota would be limited to a turf fertilizer containing 3 percent phosphorus.

Those found in violation of the fertilizer regulation would be ticketed with a petty misdemeanor.

The ban would not apply to the state's farmers who use phosphorus when fertilizing crops. Golf courses and private lawns treated professionally by certified specialists would also be exempt if the soil is determined to need phosphorus.

The bill would also direct the commissioner of agriculture, in consultation with the University of Minnesota Extension Service, fertilizer industry, and lake groups, to provide consumers with information about fertilizer restrictions and best practices related to lawn treatment. A report on the effectiveness of the restrictions would be due to the Legislature by Jan. 1, 2007.

The Senate voted to not concur with the House amendments on April 4. The bill, sponsored by Sen. Linda Higgins (DFL-Mpls) in that body, will now go to conference committee to have differences reconciled.

## Reporting changes

Gov. Jesse Ventura vetoed a bill April 1 that would have changed a couple of government auditing report procedures.

Under current law, local units of government must report all revenue collected from waste management fees, together with interest earned on the fees and how the revenue is used, to the state auditor.

The bill would have stipulated that the

reports are due annually and would have required them to be sent to the Office of Environmental Assistance rather than the state auditor.

It also would have changed another separate filing requirement involving forfeited property in criminal proceedings. Currently agencies provide a monthly written record of each forfeiture incident to the state auditor. Required information on the report includes the amount forfeited, the date, and a brief description of the circumstances involved.

The report also includes a list of the number of firearms forfeited, along with the make, model, and serial numbers of those firearms.

By law the auditor is required to annually make a report on the information to the Legislature.

The bill would have required that that information be filed with the Office of Strategic and Long Range Planning rather than the auditor.

Finally the bill would have repealed a requirement that local government expenditures for legal services to defend the entity from lawsuits and amounts paid in voluntary settlements or judgments be reported annually to the state auditor.

In his veto message, Ventura wrote that he had "serious reservations" about transferring responsibilities from one state government entity to another without providing funding and staffing changes to make sure the work can get done.

Ventura also expressed concern that with the current hiring freeze passed as part of the law providing the first phase of budget cuts, the Office of Strategic and Long Range Planning could not handle the additional work.

The bill passed the House 120-6 on March 25 and the Senate 60-0 the following day.

House sponsor Rep. Dennis Ozment (R-Rosemount) said the auditor's office along with the agencies involved and groups representing local government were all "on board" with the legislation.

Sen. Ann H. Rest (DFL-New Hope) is the Senate sponsor.

HF3506/SF3084\*/CH309

## ★ GAME & FISH

### ★ Permits and licenses

The House passed a game and fish omnibus policy bill April 2 that would allow limited prairie chicken hunting and restrict fishing in private aquatic farms.

After a lengthy debate, the measure (HF2920/SF2674\*) advanced in the House on a 103-28 vote after members approved substituting the House language.

The Senate did not agree with the changes

April 3. A conference committee will be convened.

Under the measure, sponsored by Rep. Dennis Ozment (R-Rosemount) and Sen. Jane Krentz (DFL-May Township), hunters would be able to enter a lottery to secure a prairie chicken hunting permit. Those chosen would be required to purchase a \$20 license if they want to harvest the birds.

Further, the bill would establish lifetime hunting licenses for archery. The licenses are already issued for hunting by firearm.

The bill became a magnet for a host of amendments, including one offered by Rep. Torrey Westrom (R-Elbow Lake) that would permit fishing by property owners who own lakeshore next to waters licensed for aquatic farming. The bill restricts other anglers from fishing in the hatcheries.

Westrom's amendment, which passed 77-55, sparked off a debate about the rights of property owners versus the rights of all people to access public waters.

Speaking in defense of the amendment, Ozment said the provision would protect aquatic farmers by barring other anglers from taking their fish. The farmers have made significant investments in the hatcheries, he said.

In opposing the amendment, Rep. Jean Wagenius (DFL-Mpls), said it would effectively protect the rights of the fishery operators and some lakeshore landowners, at the expense of other landowners.

Another amendment tacked on to the bill would add tobacco-product filters to a list of items that cannot be arbitrarily tossed within state parks. Rep. Phyllis Kahn (DFL-Mpls), who offered the amendment, said the provision would target cigarette butts that have become a major source of litter. The amendment was adopted on a 103-27 vote.

Members also approved amendments that would establish a conservation angling license and ban shining at night on agricultural lands marked with signs banning the practice. Shining refers to the use of headlights or spotlights to locate wild animals.

The bill that passed the Senate differs from the House bill in that it contains language regulating all-terrain vehicles.

## ★ HIGHER EDUCATION

### ★ Contract exemption passes

A plan passed April 3 by the House would exempt one group of Minnesota State Colleges and Universities (MnSCU) contracts from the state's contract moratorium.

As part of the state's budget reduction law, groups in the state's executive branch are prohibited from entering into contracts for

Vetoed  
by  
the  
governor  
★ ★ ★

professional and technical services before July 1, 2003.

However, Rep. Marty Seifert (R-Marshall) said the law inadvertently affects certain activities at college campuses in the state.

The measure (HF3690\*/SF3444) would exempt MnSCU contracts paid for from student fees or funds from private sources from the contract moratorium.

Seifert, the House sponsor, said services paid for with student fees that are not able to take place while the ban is in place include speakers for graduation, fine arts festivals, job fairs, student life programming, and spring dances.

Schools could pay for those services with general funds, but instead set up a structure using student fees. "This would not affect the state's general fund," Seifert said of the proposal.

The bill awaits action in the Senate, where it is sponsored by Sen. Tony Kinkel (DFL-Park Rapids).

## ★ HOUSING

### Disclosure protection

Signed by the governor  
★ ★ ★

A new law designed to protect the rights of people buying a home was signed by Gov. Jesse Ventura April 1.

Effective Jan. 1, 2003, the law will require people selling a home to tell buyers if there is something wrong with the home that could, "adversely and significantly" affect the buyer's interest in the property.

Rep. Mary Liz Holberg (R-Lakeville) and Sen. Ann Rest (DFL-New Hope) sponsored the law.

Holberg said the law will help protect home buyers and will shield real estate agents from being sued for problems that they were not told about by the home's sellers.

The law does not apply to certain property transfers, such as those between family members or those related to divorces or inheritance.

It includes certain protections for sellers who did not disclose problems because they were unaware of the problem or did not have the technical knowledge needed to determine that the problem existed.

A provision in the law also allows the sale of property "as is" if both parties agree that no legal action will be taken after the sale.

The House passed the measure 98-32 on March 22, and the Senate passed the bill 61-2 on March 25.

Ventura approved a similar measure March 26 when he signed a bill that clarifies

that real estate agents do not have to disclose certain information about a house, such as if it was the scene of a homicide or if it is near a nursing home or group home.

HF3079/SF2697\*/CH306

## ★ INSURANCE

### Refusal allowed

Signed by the governor  
★ ★ ★

The Joint Underwriting Association, which provides medical malpractice insurance, now has the ability to refuse coverage to someone perceived to be too high a risk, under a new law.

Signed by the governor April 1, the new law changes several laws governing the association, and makes minor revisions to insurance statutes.

Created in 1976, the association provides coverage to doctors and other medical professionals who cannot obtain regular insurance for medical malpractice.

"The purpose (of the association) was to protect the public, but if someone posed a severe risk, (such as) a dangerous person or doctor ... they could continue to practice," said Kris Hasskamp, chair of the Minnesota Joint Underwriting Association and former state representative from Crosby.

The Minnesota association, which also provides liability insurance for various industries,

is already allowed to refuse coverage under state law. The organization generally insures businesses that sell liquor, as well as daycare centers and assisted living communities.

While studying the statutes governing the associations after she became chair, Hasskamp found some of the provisions between the two organizations didn't match. So she contacted a lawmaker.

Sponsored by Rep. Greg Davids (R-Preston) and Sen. Linda Scheid (DFL-Brooklyn Park), the new law helps the association avoid too much risk.

It also removes a requirement for the commerce commissioner to automatically review association coverage every two years. The commissioner has the ability to decide who the association should and should not be covering.

Under the new law, the department will only be called to review when there is an issue that needs examining. The change will reduce administration costs for the association and the department.

New insurance provisions include a continuation of life insurance through a former employer. Previously, if a person left a job, they could continue receiving life insurance up to 18 months at the same price plus 2 percent. The new law allows the continuation past 18 months for a higher premium.

Credit insurance, including credit life and credit disability, can now be sold on first mortgage loans on the same basis as other

### MARBLE FRAME



PHOTO BY TOM OLMSCHIED

Three-year-old Nicholas Moe, who has food allergies, peeks between columns of the second floor railing in the Capitol Rotunda April 3 as his mother, Michelle, waits to talk with legislators about having ambulances carry epinephrine.

consumer loans. The new law also changes state statutes to conform to federal laws regarding claim forms used between hospitals and clinics and insurance companies.

All changes are effective April 2, 2002.

The new law passed the House 131-0 on March 22 and the Senate 64-0 on March 25. HF3492/SF3315\*/CH307

## ★ LOCAL GOVERNMENT

### Tank maintenance, new terms

A bill that would allow municipalities greater flexibility in the way they pay for repair and maintenance on water tanks was passed by the House 88-42 April 3.

House sponsor Rep. Larry Howes (R-Walker) said the bill (HF2995/SF3168\*) would allow municipalities either through direct negotiation or through a request for proposal process to enter into multiyear professional service contracts for work on water tanks.

Howes said the bill would allow municipalities to spread out payments over a period of time rather than having to pay the entire costs up front.

The bill also would allow the city of Walker to enter into an agreement with either the Department of Human Services or the Department of Administration to allow it to take over the maintenance and operation of a water tower owned by the state and located at the Ah-Gwah-Ching nursing home facility.

An amendment offered by Rep. Phyllis Kahn (DFL-Mpls) was adopted that would require city council members with four-year terms who are elected by ward to run for a new term in 2003. The requirement would only apply to the cities of Minneapolis, St. Paul, Bloomington, and Duluth.

The city of Minneapolis went to four-year terms for city council members a few years ago. Council members were elected last November under current ward boundaries and won't run again until 2005. However, when those boundaries change later this year, a worst-case scenario would place two council members in the same ward, and some residents would have no representative.

The bill now returns to the Senate where it passed without the amendment 61-2 March 11. Sen. Dan Stevens (R-Mora) is the Senate sponsor.

**To find out who represents you at the Capitol . . .**

Call the House Public Information Office at (651) 296-2146 or 1-800-657-3550

## MILITARY



### Called to duty

Members of the Minnesota National Guard can be called to duty by the governor for state active service or federally funded state active service. Members can also be called to action by the president for federal active service.

A new law signed April 1 by Gov. Jesse Ventura changes state law regarding the code of military justice for guard members called to duty by the governor so that it conforms more closely to federal code.

The new law deletes obsolete statutory language, and clarifies and updates language and terms.

Judge Advocate Gen. John Brossart, a lieutenant colonel in the Minnesota National Guard, told the House Governmental Operations and Veterans Affairs Policy Committee Feb. 15 that most of the prior law was adopted in 1963 with amendments passed in 1974 and 1986.

An example of bringing the state code more into conformity with the federal Uniform Code of Military Justice is a provision of the

**Signed by the governor**  
★ ★ ★

new law relating to the code's definition of "desertion" and the procedure to deal with that violation. Desertion under the previous law contained a clause that defined the act as quitting a member's unit, organization, or place of duty with intent to avoid hazardous duty or to shirk "important" service. The new law removes the word "important" from the definition.

Under the same section, the law clarifies that those presumed in violation of the definitions of desertion are not merely "guilty" but rather "shall be punished as a court-martial may direct."

Effective Aug. 1, 2002, the new law is sponsored by Rep. Rob Eastlund (R-Isanti) and Sen. Leo Foley (DFL-Coon Rapids).

HF3221/SF3145\*/CH308

## ★ RECREATION

### Trail maintenance

The House passed a bill April 2 that would appropriate \$1.2 million for all-terrain vehicle trail maintenance and bar cross-country ATV travel in state forests.

The measure (HF2970), sponsored by Rep. Tom Hackbarth (R-Cedar), cleared the House floor on a 130-2 vote. It now goes to the Senate for consideration.

The House vote comes on the heels of news reports showing environmental damage in some Minnesota forests and wetlands stemming from heavy all-terrain vehicle use.

Hackbarth said the bill represents a compromise between state environmental groups, ATV users, and the Department of Natural Resources (DNR).

The appropriation for fiscal year 2003 would be funded by taking \$700,000 from the all-terrain vehicle account, \$460,000 from the off-road vehicle account, and \$55,000 from the off-highway motorcycle account.

Monies would go toward hiring additional DNR conservation officers to monitor and enforce state all-terrain vehicle regulations.

The Senate companion measure (SF3010), sponsored by Sen. LeRoy Stumpf (DFL-Thief River Falls), includes the same amount of money for trail maintenance and enforcement activities.

Restrictions on ATV travel in state forests would not apply to big game hunters during the hunting or trapping seasons.

Members also approved a number of amendments to the bill, including one that would exempt forest harvesters from the ATV restrictions. Minnesotans who only use ATVs on their own private property would not have to register their vehicles under another amendment to the bill.

### SNOWY TRAIL



PHOTO BY BECKY EKSTAM

Students slowly clear a path up the front steps of the State Capitol through freshly fallen snow on April 2.

A couple of amendments related to snowmobiles were also attached to the measure. One provision would exempt snowmobiles from the 50-mph speed limit posted on some state waters. It would require an administrative law judge to determine a maximum, reasonable speed.

Another amendment would allow the DNR to use up to 50 percent of the state snowmobile maintenance and grooming grant to reimburse people who were intended to receive that money this year but didn't due to a lighter snow pack this winter.

## ★ SAFETY

### Legalizing fireworks

The House passed a bill April 4 that would allow the sale and use of fireworks during certain times of the year. The vote was 81-52.

The bill (HF2525/SF2960\*) would allow fireworks approved by the federal government to be sold by licensed dealers from May 1 to July 15 and Dec. 1 to Jan. 2, and used on private land from July 1-7 and Dec. 26 to Jan. 2.

Those buying the fireworks would be required to be at least 18 years of age and would have to show a picture identification before being allowed to purchase the items.

Rep. Wes Skoglund (DFL-Mpls) offered an unsuccessful amendment that would have deleted the fireworks section from the bill. He said legalization would lead to more injuries particularly to the children in the state. "Kids like fire. Kids like bang. Kids are going to get hurt under this bill."

Speaking against the amendment was Rep. Mark Holsten (R-Stillwater), whose bill to legalize fireworks (HF1543) was amended on to this bill during the committee process. He said fireworks are allowed in 41 other states, and the national trend has been to legalize their use rather than restrict or ban them.

Rep. Tom Bakk (DFL-Cook) said that because most children have already used fireworks, having a law that makes them illegal sends a message it is acceptable to pick and choose what laws to obey.

Using that logic, Rep. Dennis Ozment (R-Rosemount) said that would mean that the state's speed limit laws should also be repealed. Ozment, a retired fire captain, said that volunteer firefighter associations throughout the state oppose the measure because it would lead to more fires.

The bill would also prohibit employers with at least 10 employees from taking disciplinary action against an employee who misses time while performing volunteer fire fighting duties.

Under the measure, employees would be allowed to miss up to 40 hours of work per year to perform duties that are related to emergency response, but not administrative or training duties.

Rep. Tom Hackbarth (R-Cedar) and Sen. Debbie Johnson (R-Ham Lake) are the bill's sponsors. The bill now returns to the Senate, where it passed 65-0 March 8 without the fireworks provision.

### Yield to emergency vehicles

It is now up to Gov. Jesse Ventura to decide whether drivers who fail to yield to emergency vehicles should face harsher penalties.

The House gave final approval April 2 to a plan (HF2706) to crack down on drivers who do not pull over for ambulances, fire trucks, and other emergency vehicles. The vote was 128-0.

Sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Richard Cohen (DFL-St. Paul), the bill was previously passed by the House and sent to the Senate, which amended the bill and returned it to the House. The March 26 Senate vote was 57-0.

The bill would allow emergency vehicle drivers to call in the license plate numbers of drivers who don't pull over, or who intentionally get in the way of emergency vehicles that are responding to a call.

Under the bill, it would be a petty misdemeanor for drivers who simply refuse to yield because they don't know the law or don't notice the vehicle, but a misdemeanor for those who intentionally impede the emergency vehicle.

Entenza said the bill is needed because drivers are refusing to yield to emergency vehicles more and more frequently.

The change would give emergency vehicle drivers similar authority to call in license plates that school bus drivers now have to report drivers who drive through a bus stop sign, he said.

## ★ TRANSPORTATION

### Modifications pass

The House passed the state Department of Transportation annual housekeeping bill on April 2 after several hours of debate spanning two days and encountering numerous amendments.

The bill (HF3199/SF3298\*) sponsored by Rep. William Kuisle, (R-Rochester) and Sen. Dean Johnson (DFL-Willmar), makes several changes to transportation issues around the state, and House members tacked on nearly a

dozen amendments before passing the bill 110-22.

Among other changes, the bill modifies commercial vehicle weight limits, prohibits spending money on the Dan Patch commuter rail line between Northfield and Minneapolis, allows advance funding for certain highway construction projects, and keeps the Stillwater bridge project alive.

A provision in the bill also recognizes an agreement reached between the Minnehaha Creek Watershed District and the Minnesota Department of Transportation concerning Camp Coldwater Springs near Fort Snelling.

A law passed last year to protect the spring halted highway construction of the interchange of Highways 55 and 62.

Rep. Jim Abeler (R-Anoka) twice failed in adding a provision that would have regulated where school buses can park in front of schools in order to prevent children from being exposed to diesel fumes. Some legislators said the requirement would cause problems for school districts since they would have to find new places to park buses.

Much of the floor debate centered around a successful amendment proposed by Rep. Mike Osskopp (R-Lake City) that would ban the city of Minneapolis from adopting zoning ordinances that would affect commercial or industrial activity along the upper harbor of the Mississippi River.

Rep. Phyllis Kahn (DFL-Mpls) argued against the amendment, saying it isn't fair for the state to tell cities how to best use their riverfronts.

Osskopp and others responded that the river serves as an important transportation waterway for the state and Minneapolis shouldn't be allowed to close ports.

The Senate voted to not approve the changes made by the House April 3 and requested a conference committee to work out the differences.

## Where to find information

### House Public Information Office

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

The House Public Information Office is a nonpartisan office that provides committee meeting schedules; legislator information; and publications, including the *Session Weekly* news magazine, 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>

# Keeping costs down

House, Senate have separate prescription drug plans on the table, but budget shortfall is an obstacle

By SARAH MCKENZIE

State legislators around the country are mounting an aggressive campaign to make prescription drugs more affordable for senior citizens and even low-income or disabled residents under 65 — joining federal lawmakers who have placed the issue high on their agendas.

The National Conference of State Legislatures (NCSL) reported on March 27 that lawmakers in 37 states, including Minnesota, are considering more than 180 bills related to prescription drugs.

While Congress considers adding a prescription drug benefit to Medicare — the nation's largest health insurance plan that covers about 40 million older Americans — state lawmakers are increasingly turning to local plans that would ease the financial burdens of seniors by directly subsidizing the drug costs or launching discount programs.

Although the looming budget deficit has largely put the issue on the back burner, Minnesota lawmakers have stated they are eager to do more to help seniors pay for drugs.

In 1999 Minnesota established a prescription drug subsidy program. Richard Cauchi, a NCSL healthcare analyst in Denver, said 12 other states have adopted similar programs in the past five years. Overall, 26 states have some form of subsidized prescription drug coverage plans, he said.

"Pharmaceutical policy debate continues to be intense," Cauchi said. "This year preferred drug lists, supplemental rebates and prior authorization are hot, while bulk buying and discounts also attract broad interest."

The Minnesota program applies to low-income seniors age 65 and older who earn a maximum of 120 percent of federal poverty (\$879 per month for an individual and \$1,181 for a couple).

The program came on the heels of a 1997 University of Minnesota study indicating 125,000 low-income senior citizens lacked prescription drug coverage. Meanwhile, about 35 percent paid more than \$500 a year for drugs, with 19 percent paying more



Photo illustration by Tom Olmscheid

**Many states are considering state-level prescription drug discount programs to help residents pay for costs.**

than \$1,000.

The 2001 Legislature appropriated \$3.8 million for the prescription drug program this fiscal year and \$8.7 million in fiscal year 2003.

Another plan to make prescription drugs more affordable is inching along in the Legislature this year.

Earlier this session, the House Health and Human Services Policy and Finance committees approved a bill (HF2646), sponsored by Rep. Fran Bradley (R-Rochester), that would establish a prescription drug discount program for Minnesotans who earn a maximum 250 percent of federal poverty (\$21,475 or less).

The plan would allow patients to buy drugs

at a Medicaid rate, potentially reducing costs by 20 percent, Bradley said. Participating pharmacies would be able to seek state reimbursement for prescriptions sold at discounted prices.

The bill has since stalled as Minnesota legislators grapple with a budget shortfall. House

leaders have targeted hefty spending reductions in health and human services to balance the budget.

"The primary problem at this point is funding," Bradley said. "With the serious budget deficit, it is very hard to find the several million dollars needed to fund this proposal. I haven't given up hope, but I have no identified source at this time."

For its part, the Senate passed a bill (SF765), dubbed the fair drug-pricing act, last May. The House referred the measure to committee. Senate Assistant Majority Leader John Hottinger (DFL-Mankato) is the bill sponsor.

The two bills differ in that the Senate version of the prescription drug rebate program does not limit eligibility based on income. The Senate bill would appropriate \$5 million from the general fund to launch the drug discount program.

Bradley said the House version of the program balances the needs of consumers with those of pharmacists.

"With the mean's testing language, cost coverage for pharmacists and careful analysis of (Department of Human Services) payment turnaround, we have managed to greatly reduce the concerns of pharmacists," he said. "Senior Federation advocates remain concerned about the means testing, but I have made it clear that the bill would not continue without this provision."

Kate Stahl, president of the Minnesota Senior Federation for the Twin Cities metropolitan area, said the group was discouraged that the bill has slipped down the Legislature's list of priorities. She called on state lawmakers to

**Continued on page 23**

# Plenty of time

Legislators are more than a month away from using up all legislative days in the biennium

By DAVID MAEDA

**W**hen the Legislature reconvened for its 82nd session Jan. 29, the stated goal from both sides of the aisle in both bodies was to finish business by the Passover/Easter holiday — an ambitious goal considering both fell at the end of March.

That the goal wasn't accomplished shouldn't come as a surprise when comparing the current session with previous ones historically.

Statistics show that other two-year sessions have traditionally gone past the holiday even when Passover and Easter fell later in the year. In the previous biennia, for example, the Legislature used a record 118 legislative days before adjourning on May 18, 2000.

Biennial sessions are limited by the constitution to 120 legislative days.

Statutorily a legislative day is defined as a day when either house of the Legislature is called to order. In what can sometimes seem to be a disorderly process, a legislative day begins at 7 a.m. and continues until 7 a.m. the following calendar day.

As of April 4, the Legislature had used 95 legislative days this session.

Leadership of the House and Senate determine the schedule that will be used in the second year of the biennium meaning even-year sessions have started and ended at various times over the past decade. In 1998, for example, the session opened Jan. 20 and adjourned April 9. In 2000, the session opened Feb. 1 and lawmakers returned home after the May adjournment.

The Legislature met only every other year before a 1972 constitutional amendment allowed for the current system.

Since 1973, the regular session of the Legislature has been a biennial session — technically a single session extending over parts of a

two-year period. The Legislature has met every year since 1973 although there is no legal requirement that it meet in the even years.

Current law requires the Legislature to convene on the Tuesday after the first Monday in January of each odd-numbered year.

When it comes to the legislative calendar, the state's constitution also establishes a few stipulations.

For example, the Legislature is required to meet at the seat of government in regular session in each biennium. The session must adjourn by the Monday following the third Saturday in May of any year.

The constitution prohibits either the Senate or House from adjourning for more than three days (excluding Sundays) without

or early-April.

By the numbers, the Legislature used 109 legislative days in 1997-1998, 113 days in 1995-1996, 106 days in 1993-1994, and 100 days in 1991-1992.

Prior to 1999-2000, the longest session on record was the first two-year session in 1973-1974 when lawmakers took 116 days to complete their work.

The shortest two-year session on record was 1983-1984 when the Legislature met a total of 84 days.

Traditionally, the first, or odd-numbered, year of the session has been devoted to setting budgets for state agencies, constitutional offices, the Legislature, and the judicial branch of state government. The second year has been devoted to establishing a list of construction and repair projects to be paid for by selling bonds. The second year has also usually included supplemental spending and revenue adjustments for costs, surpluses, and deficits that were unforeseen the previous budget year.

Since 1973 the average two-year session has met for 100 days, 60 days on average in the odd years and 40 days on average in the even years.

The Legislature used 59 legislative days in 2001. That number does not include the nine-day special session that was needed to reach agreement on the budget for the current biennium. Special sessions are not calculated into the regular sessions since they must be called by the governor.

And while it may seem as though meeting every year means that lawmakers see more of each other in St. Paul that isn't necessarily the case.

Prior to 1973 the every other year sessions were not much shorter in terms of legislative days used. Instead lawmakers compressed their work, meeting more often and

recessing less frequently and for shorter periods of days.

The 1971 Legislature used 104 legislative days to complete its work (with an additional 54 needed in a special session). The 1969 Legislature used 102 legislative days, while 103 days were needed in 1967 and 1965. 



PHOTO BY TOM OLMSCHIED

**The House discusses one of many policy bills taken up April 2. House members are not sure how long they will be in session as many issues remain unresolved, but they have plenty of time remaining before they reach constitutional deadlines and constraints for adjournment.**

the consent of the other body and from meeting in any place other "than that in which the two houses shall be assembled without the consent of the other house."

Generally the first year of the biennial session begins in early-January and adjourns for the year in late-May. The even-year sessions have typically started around the beginning of February and have adjourned in late-March

# Crossing another bridge

Marko to exit the House, but hopes to continue legislative service in the Senate

By DAVID MAEDA

In June 1985, Rep. Sharon Marko (DFL-Cottage Grove) moved to the Twin Cities from Chicago for graduate school. One of the first things she noticed during her first drive into the southeastern part of the metropolitan area was the traffic problem in the Wakota Bridge area where Interstate 494 intersects with Highway 61.

She immediately wondered what designers were thinking in building a four-lane bridge at the only Mississippi River crossing between Hastings and St. Paul. The bridge is part of a major truck route.

What she later discovered was that the Wakota Bridge, named after the two counties that it connects — Dakota and Washington — was completed in 1958. When the freeway was later constructed, engineers incorporated the bridge into the road system rather than tearing it down and building a more adequate crossing.

Weekday traffic figures on the bridge that connects Newport and South St. Paul reached an estimated 80,000 vehicles by the mid-1990s. Making the bottleneck even worse is an antiquated junction connecting I-494 and Highway 61 east of the bridge.

“First responders have to get out of their cars and run up on the bridge to get to the accident,” Marko said.

It was the bridge and issues related to it that started Marko’s public service career.

As she settled into her new home in Newport she began attending city council meetings hoping to bring attention to the importance of addressing the traffic issue.

She learned the Minnesota Department of Transportation (MnDOT) told the community that all local issues involving the highway needed to be addressed before the project would become a priority for the department. That meant that whatever solution was developed would not be completed until the year 2020.

“That would have been the death knell for the city of Newport,” Marko said.

She won a spot on the city council in 1989, serving for three years and chairing a task force designed to develop community consensus for

a plan to address the traffic issue. She eventually became the deputy mayor where she served for two years.

A few months after the task force completed its plan in 1994, the House member from Marko’s district, former Rep. Pat Beard (DFL-Cottage Grove), announced he would not



PHOTO BY TOM OLMSCHEID

Rep. Sharon Marko asks a question during a hearing of the House Transportation Policy Committee earlier this session. Marko plans to leave the House and seek a seat in the Minnesota Senate in November. Rep. Bernie Lieder, left, and Rep. Henry Kalis, right, are also members of the committee.

seek re-election. Marko said the timing seemed perfect and she would be able to follow the project to the next level — securing state funding.

Addressing the issue was originally estimated to cost tens of millions of dollars. Construction is set to begin this spring at an estimated \$250 million, with anticipated completion in five to six years.

During the 16 years she spent working on the project, Marko said she never doubted that it would eventually get done. However, she said that focusing on getting the whole project done at one time has been a fight.

“I like to call it a ‘House of Cards’ where if you don’t build the whole thing at once and you pick out bits and pieces then the whole thing falls apart,” she said.

In addition to serving on the House Transportation Policy and Finance committees,

Marko was the lead DFL member of the House Local Government and Metropolitan Affairs Committee.

And now she hopes the next step will include a seat in the Minnesota Senate.

When the redistricting plan was announced, Marko said, she was surprised to see a newly created Senate district that incorporates her entire House district. Again the timing of the new opportunity seemed perfect.

She cited the culture differences between the House and Senate as one reason a Senate run seemed natural. She considers herself a “policy wonk,” and she said the Senate seems more deliberate and less political in its decision-making.

“I think they are able to take a step back in the Senate and give policy a little more thought,” she

said. “They tend to be a little more deliberate and I think that makes for good public policy.”

Serving for four terms meant developing many friendships, and Marko said she will miss working with her colleagues. Those on the other side of the aisle said they appreciated her abilities as a member of the House.

“She was always on top of the issues. I consider her to be very bright and a very capable legisla-

tor,” said Rep. Greg Davids (R-Preston).

Though Marko has gotten the most attention for her work on the Wakota Bridge, that has not been her most gratifying accomplishment.

“When a constituent has called me and I can help with a problem — all this is done quietly — and then I get a letter of thanks. That makes me feel better than anything else.”

## STEPPING DOWN

**Rep. Sharon Marko**  
DFL  
District 57B — Cottage Grove  
Terms: 4

**Career notes:** Marko worked to help secure funding for a new bridge spanning the Mississippi River near Newport to alleviate congestion on the Wakota Bridge.

# Redistricting casualty

New boundaries prompt McGuire to step aside after 14 years at the State Capitol

By LISA HILTON

Rep. Mary Jo McGuire (DFL-Falcon Heights) attributes her entrance into state politics to hard work, a good campaign, and a little bit of fate.

Although she was encouraged by members of the DFL caucus to challenge a well-liked Republican incumbent, “no one really expected me to win,” McGuire says.

Then, on the day she decided she would take up the challenge, the incumbent died, changing the political atmosphere. Although it was still a tough race between McGuire and her Republican challenger, McGuire won the chance to represent the people of District 54A,

seek re-election eight days after new district maps were released March 19.

Although she is sad to leave, McGuire said knowing that people in her district could be represented by Hausman and Rep. Mindy Greiling (DFL-Roseville) made the decision to step down easier.

“I know I’m leaving the district in good hands,” McGuire said.

McGuire expressed frustration that the courts combined the districts of female members of the House when drawing the maps.

“It wasn’t a complete surprise, but it’s unfortunate to be losing another woman,” she said. “As an institution, we should be increasing the number of women.”

Of 134 members of the House, only 34 are female, and the state should work to better reflect the state’s population, she said.

Born and raised in Falcon Heights, McGuire still lives in her childhood home. Her knowledge and involvement in the community has made her job in the Legislature easier, she said.

McGuire was active in student government while attending the College at St. Catherine in St. Paul where she earned a degree in business administration before going on to Hamline University School of Law. There she earned a law degree and also worked towards a master’s degree in public administration, which she later finished at Harvard University’s Kennedy School of Government.

During her time in office, McGuire has fought for child-care issues, education (particularly early childhood), violence prevention, data practices issues, and stopping underage drinking and drug use.

at St. Catherine in St. Paul where she earned a degree in business administration before going on to Hamline University School of Law. There she earned a law degree and also worked towards a master’s degree in public administration, which she later finished at Harvard University’s Kennedy School of Government.

During her time in office, McGuire has fought for child-care issues, education (particularly early childhood), violence prevention, data practices issues, and stopping underage drinking and drug use.

McGuire counts an anti-stalking bill that became law as one of her successes. Minnesota was one of the first states to treat stalking seriously, she said.

Another bill that requires beer kegs to be registered in an effort to reduce underage drinking became law this session after nine years of work.

Hausman said McGuire will be remembered for her work on education, early childhood, and family issues.

“If there is a legacy we will long appreciate, it is Mary Jo’s work on education generally, certainly for the University of Minnesota, but especially early childhood education,” she said.

Rep. Barb Sykora (R-Excelsior) is chair of the House Family and Early Childhood Education Finance committee. McGuire now serves as that committee’s DFL lead.

Although they often disagreed on issues, Sykora said she has enjoyed serving with McGuire. “She’s a fun person to be with. We don’t always see eye to eye on everything, but that is to be expected.”

When she’s not in the public arena, McGuire can sometimes be found on the ice arena.

Growing up a block away from an ice rink, McGuire enjoys ice skating and playing hockey, and she is training to become a referee for girl’s hockey. On Sunday nights, she often joins a group of legislators and friends for a game.

She will also continue to teach at her alma mater, commonly known as St. Kate’s, where she teaches classes in the Weekend College Program.

McGuire said she won’t miss her frustration with partisan politics getting in the way of change but she will miss the friends she has made at the State Capitol over the years.

Though she’s not ruling out public office, she also says she plans to concentrate on working for the issues she cares about.



PHOTO BY TOM OLMSCHIED

Rep. Mary Jo McGuire, left, and Rep. Alice Hausman share a light moment during a March 27 news conference where McGuire announced her retirement from the House. The court-drawn redistricting plan paired the friends in the same district.

which includes Falcon Heights, Lauderdale, Roseville, and St. Anthony.

“Fate brought me to the opportunity,” McGuire said.

Now 14 years later, it seems fate is calling again.

Like 35 other representatives, newly re-drawn district lines left McGuire paired with another incumbent. The new political map combined her district with that of her colleague, neighbor in the chamber, and friend, Rep. Alice Hausman (DFL-St. Paul).

McGuire announced her decision to not

## STEPPING DOWN

**Rep. Mary Jo McGuire**

**DFL**

**District 54A — Falcon Heights**

**Terms: 7**

**Career notes:** McGuire has worked on early childhood and family education initiatives, serving as the DFL lead on the committee governing funding for those issues. She also worked for a keg registration measure that became law this session, an effort to curtail underage drinking.

# International tourism

Officials urge continued presence abroad to attract foreign tourists who generate revenue for the state

By **THERESA STAHL**

**T**hrough advertising, media tours, and trade missions, the state encourages people in other countries to come experience the variety of activities Minnesota offers. Officials say it's a modest investment for the state — \$480,000 in 2002 — that yields a high rate of return.

In 1999, international tourism reeled in nearly \$400 million.

“Once we can get people here, we can get people hooked,” said Cheryl Offerman, international marketing manager for the Minnesota Office of Tourism.

International visitors spend five to seven times the amount of money that a domestic traveler does, according to Offerman. International tourism marketing accounts for less than 5 percent of the state's tourism budget.

Promoting international tourism has been a goal for the state Office of Tourism since the 1970s. In 1979, the office even requested a supplemental appropriation of \$840,000 to expand its reach, including international markets.

Traditionally, the governor has been involved in major annual promotional events such as the governor's fishing opener.

And in recent years such draws as the Mall of America have become international tourism promotion tools for governors, particularly Govs. Rudy Perpich and Arne Carlson.

However, tourism efforts are suffering the effects of last year's recession and further economic downturn subsequent to Sept. 11. Like many areas of government, the Office of Tourism has experienced budget cuts.

Under the state budget reductions that recently became law, the office will cut \$440,000 in this biennium and \$700,000 in the 2004-05 years.

But officials emphasize the importance of promoting tourism as an economic development and revenue-generating tool.

In Minnesota, the annual \$9 billion tourism industry comes close to the revenue generated by the state's agriculture industry, according to Office of Tourism Director John



Photo courtesy of the Minnesota Historical Society

**State tourism officials are targeting foreign markets to draw tourists to the state's attractions, including natural phenomena like the Mississippi River headwaters.**

Edman.

And officials emphasize the need to maintain a presence in the international tourism market, though they recognize they're performing many of the same duties with fewer resources.

Offerman said Minnesota's goal is to maintain the level of tourism the state saw in 2001, with growth predicted in 2003.

To achieve that goal, tourism missions abroad have continued. Offerman accompanied Gov. Jesse Ventura on a recent tourism mission to Germany. The trip cost around \$40,000 for the governor's tour and trade show expenses. Just getting Minnesota's name in the media over the course of the trip is worth tens of thousands of dollars, she said.

Germany is one of several countries Minnesota has chosen to focus its marketing program on and has been doing so for more than 10 years. Others include Canada, the United Kingdom, Switzerland, Austria, Belgium, the Netherlands, and Japan.

Japanese travelers account for the largest number of overseas visitors, for business or pleasure, to Minnesota. In 1999, Ventura went on a trade and tourism mission to Japan, costing taxpayers \$100,000.

With the rising popularity of golf in Japan and its limited space to meet the growth with new courses, Ventura promoted Minnesota's greens on his visit, according to local newspaper reports. He also encouraged tour operators to recommend fishing vacation packages and talked up the state's winter sports, such as snowmobiling.

Targeting the same countries over long periods of time has proven prosperous for the state.

“We have a long-term commitment to the market,” Offerman said. “Other states have a hop-scotch approach,” which isn't as successful.

A 1997 report to the Legislature on the state's international tourism program said: “The Minnesota Office of Tourism has traditionally entered a market, established industry and infrastructure relationship, and then encouraged Minnesota private sector travel industry representatives to accompany staff at trade shows and on sales missions.”

Traditional first-time visitors to the United States visit Florida, New York, California, and Hawaii, the report said. The second time to the states, travelers visit national parks in the western states.

“Minnesota will remain an option for third-time and repeat visitors to the U.S.,” according to the report. “Fortunately, international visitors travel to the U.S. an average of 10 times, so Minnesota will remain a potential destination for millions of international visitors.”

Being home to a special shopping attraction doesn't hurt the state's tourism draw either. “With the opening of the Mall of America in late-1992, Minnesota started to receive increased recognition as an international stop-over, if not as a destination,” according to the tourism report.

“International tourism will provide the most significant opportunities for continued growth for the Minnesota travel and tourism industry,” the report claimed. 🏞️

# Where have all the bills gone?

Each legislative session, members introduce more than 2,500 bills, many of which receive hearings. However, only about 10 percent of those bills become law and the others wait their turn or never resurface. If you've

been wondering what happened to many of the measures discussed during 2002, the editors have compiled an unofficial list of bills and their status as of April 4. Please note: this is not a complete list of all

bills heard and introduced. It merely reflects the issues that received hearings, votes, and other attention this year.

Bill Number	Description	Status
HF58*/SF389/CH232	Requires beer kegs sold in Minnesota to be labeled with an identification tag.	Signed by the governor March 13.
HF94/SF222*/CH270	Provides greater penalties for people violating game and fish overlimit laws.	Signed by the governor March 25.
HF175	Requires that a percentage of cigarettes sold in the state be made of fire-retardant materials by July 1, 2004.	Awaits action on the House floor.
HF197*/SF107/CH280	Authorizes \$7.8 million in grants to public television stations to implement digital television conversion.	Vetoed by the governor March 27.
HF289*/SF1514	Provides four-year terms for representatives and senators.	Awaits action on the House floor.
HF643	Places a constitutional amendment question on the general election ballot asking voters whether to establish a system of ballot initiative and referendum.	Passed the House 76-57 on March 21; awaits action in the Senate Rules and Legislative Administration Committee.
HF861	Imposes a penalty of life imprisonment without parole for murdering a child under age 14.	Awaits action on the House floor.
HF1097/SF1072*/CH255	Designates Eric Enstrom's "Grace" as the state photograph.	Signed by the governor March 22.
HF1205	Would have allowed wine sales in grocery stores.	Failed in House Commerce, Jobs, and Economic Development Policy Committee Feb. 20.
HF1359/SF2125*	Designates certain state consolidated conservation lands as wildlife management areas; authorizes the Department of Natural Resources to enforce ATV regulations.	Awaits action on the House floor.
HF1517	Allows children to play in portable wading pools at in-home daycare centers.	Awaits action by the governor.
HF1524/SF1555*	Restricts the use of phosphorus fertilizer on lawns.	Awaits action in conference committee.
HF1543	Legalizes sale of fireworks during certain times of the year.	Amended to HF2525, a bill providing unpaid leave for volunteer firefighters; that bill passed the House 81-25 on April 4.
HF1547/SF1495*/CH244	Requires a 2 percent biodiesel blend by March 1, 2005.	Filed as law with the Secretary of State, without the governor's signature, March 15.
HF2214*/SF1857	Authorizes sale of up to \$330 million in revenue bonds to help finance construction of a baseball stadium; provides framework including \$165 million in team contributions and local referendum.	Awaits action by a House-Senate conference committee.
HF2437	Requires that high-school wrestling teams be gender-separated.	Awaits action on the House floor.
HF2473*/SF2807	Provides that an organ donor designation on a driver's license is sufficient intent the person wished to donate their organs.	Awaits action by the governor.
HF2492/SF2363*	Prohibits the use of credit scoring for underwriting homeowners or automobile insurance.	Passed the House 131-2 on April 4; passed Senate March 14 65-0.
HF2525/SF2960*	Unpaid leave provided for employees serving as volunteer firefighters.	Passed the House 81-62 on April 4; passed Senate 65-0 on March 8.
HF2542	Provides bonding funds for construction of the Minneapolis Planetarium.	Funds were not included in the House bonding bill (HF3618), but the project is included in the Senate version of that bill. The bill awaits conference committee action.

Bill Number	Description	Status
HF2568	Transfers the Metropolitan Airports Commission to the state Department of Transportation.	Awaits action by the House Transportation Finance Committee.
HF2570*/SF2533/CH283	Requires insurance companies to pay a fair and reasonable price for auto glass replacement and prohibits steering customers to particular companies, as well as incentives, such as steaks or cash.	Vetoed by Gov. Ventura on March 26; veto overridden by the House March 26 and the Senate March 27. Bill took effect March 28.
HF2589	Encourages use of corn-based de-icers on Minnesota highways.	Awaits action on the House floor.
HF2598	Requires students in public and charter schools to recite the pledge of allegiance.	Passed House 114-11 on Feb. 27; awaits action by the full Senate.
HF2603/SF2627*/CH259	Requires professionals performing eye examinations to release contact lens prescriptions.	Signed by the governor March 22.
HF2613	Prohibits people convicted of a violent felony from ever possessing a firearm.	Awaits action on the House floor.
HF2622*/SF2683	Provides various measures to prevent and respond to acts of terrorism in Minnesota.	Passed House 94-39 on March 20; passed Senate 66-0 on March 21. Bill awaits action by conference committee.
HF2632	Permits charter buses to also use shoulders on highways.	Awaits action on the House floor; included in Senate version of the transportation housekeeping bill (HF3199/SF3298*) awaiting action in a conference committee.
HF2636	Extends unemployment benefits for employees of Farmland Foods Company in Albert Lea.	Included in HF3648 awaiting action on the House floor.
HF2644	Provides bonding funds for homeless veterans and single adults.	Included in the House bonding proposal (HF3618) that awaits action by a House-Senate conference committee.
HF2646	Provides a prescription drug discount program for certain low-income Minnesotans.	Stalled in the House Health and Human Services Finance Committee.
HF2660	Modifies school instruction regarding sexually transmitted diseases to include marriage education.	Awaits action on the House floor.
HF2680	Allows commissioner of revenue to increase gas taxes annually as necessary to fund projects from a major project account, also established by the bill.	Initially included in HF3364, which no longer increases the gas tax but provides bonding funds for transportation projects; that bill awaits action by a House-Senate conference committee.
HF2690	Provides bonding funds for Reinvest in Minnesota conservation program.	Some funds included in House bonding bill (HF3618) awaiting action in conference committee.
HF2706	Allows emergency vehicle drivers to call in license numbers of vehicles that do not yield the right of way.	Awaits action by the governor.
HF2708	Clarifies the work definition for county extension services.	Awaits action on the House floor.
HF2710/SF3246*	Establishes a do-not-call list for telephone solicitation.	Passed House 126-8 on April 4; passed Senate 65-1 on March 21.
HF2715	Provides exemptions for some property and sales taxes to residents of certain border cities.	Awaits action in the House Taxes Committee.
HF2719*/SF2877	Regulates solicitation of college athletes by sports agents.	Passed House 81-47 on March 26; passed Senate 63-0 on April 4.
HF2752	Reduces spending by state agencies on consulting services.	HF351*/SF264/CH220, the first phase of budget cuts, imposed a moratorium on state consulting contracts. That bill became law Feb. 28 after a legislative override of Gov. Ventura's veto.
HF2761/SF197	Creates a treasurer's office, now a constitutional office that is abolished as of Jan. 1, 2003.	Included in the state government finance bill (HF3270) that has passed both the House and Senate and may require a conference committee.
HF2764/SF2505	Provides for a unicameral legislature.	Failed in the House Ways and Means Committee March 25.
HF2789/HF3423/HF3433/HF3658/HF3659	Authorize construction of either a baseball or football stadium.	These bills were not included in the stadium plan approved by the House Taxes Committee.
HF2799	Authorizes operation of a state-run casino.	Stalled in the House Governmental Operations and Veterans Affairs Policy Committee.
HF2811	Provides state bonding funds for construction of the Guthrie Theater in Minneapolis.	Not included in House bonding bill (HF3618)

Bill Number	Description	Status
HF2818	Provides state bonds for initial development of the Northstar commuter rail corridor.	Initially included in the House bonding proposal, but removed from the version that passed the House (HF3618); some funding included in Senate proposal. The bill awaits action by a conference committee.
HF2846	Provides biological agents registry.	Included in House anti-terrorism bill (HF2622) awaiting conference committee action.
HF2849	Allows certain public meetings to be closed when discussing issues of security.	Included in House anti-terrorism bill (HF2622), awaiting action in conference committee.
HF2876	Removes provision that charges sales tax on bakery items prepared in the same place they are sold.	Awaits action in the House Taxes Committee.
HF2882*/SF3122/CH285	Regulates operation of electric personal mobility devices on sidewalks and roadways.	Signed by the governor March 25.
HF2899*/SF2711/CH246	Allows communities to be a part of the Metropolitan Council livable communities program until they opt out.	Signed by the governor March 21.
HF2904/SF2970*	Requires that motor vehicle airbags be replaced after a collision.	Passed Senate 62-0 on March 11; awaits action in the House Civil Law Committee.
HF2917	Provides bonds as a state match a federal initiative to improve public land and buildings in Minneapolis neighborhoods.	Not included in the House bonding bill (HF3618); Senate proposal (SF3203) contains funding; bill awaits action in conference committee.
HF2920/SF2674*	Department of Natural Resources wildlife and forestry bill.	Awaits action in conference committee.
HF2962	Provides funding for preliminary planning of the new Roy Wilkins Auditorium in St. Paul.	Not included in House bonding bill (HF3618) but is partially funded in Senate proposal (SF3203); those bills await action in a conference committee.
HF2970*/SF3010	Appropriates \$1.2 million for increased enforcement and monitoring of all-terrain vehicles on state trails and bans cross-country all-terrain vehicle travel in the state.	Passed House 130-2 on April 2; awaits action on the Senate floor.
HF2984	Allows alternative school district plans to be approved by a legislative oversight committee.	Stalled in the House Education Policy Committee.
HF3004	Allows veterans organizations to pay utility bills with lawful gambling proceeds.	Awaits action on the House floor.
HF3005	Grant program to help local communities build or renovate libraries.	Not included in House bonding proposal (HF3618).
HF3007	Allows school districts to opt out of certain state mandates.	Awaits action in the House Ways and Means Committee.
HF3031*/SF2669	Clarifies the governor's emergency powers governing incidents of bioterrorism in Minnesota.	Awaits action in conference committee.
HF3050	Provides a sales tax exemption for certain devices that assist with quitting smoking.	Awaits action in the House Taxes Committee.
HF3058/SF2739*	Authorizes additional liquor licenses for certain Minnesota cities; exempts hotel room liquor cabinets from on-sale restrictions.	Awaits action by the governor.
HF3067	Provides funding to renovate the Children's Theater.	Not included in House bonding bill (HF3618)
HF3076/SF2612*	Allows funeral home vehicles to have a red flashing light for funeral processions.	Awaits action by the governor.
HF3078/SF2821*/CH286	Clarifies that real estate agents are not liable for disclosing some facts and specifies the state's role in investigating real estate complaints.	Signed by the governor March 26.
HF3079/SF2697*/CH306	Requires homeowners to disclose problems with property they are trying to sell.	Signed by the governor April 1.
HF3086	Requires social security information from child-care providers and recipients.	Awaits action on the House floor.
HF3130	Precludes agencies seeking state grants from engaging in public advocacy of abortion.	Included in HF2515, the second phase of budget reductions for health and human services programs, which passed the House 72-60 on March 14. That bill awaits action in the Senate.
HF3151	Establishes the Department of Workforce and Economic Development and merges functions of the existing Departments of Economic Security and Trade and Economic Development.	The merger of the two existing state departments was delayed until 2003 in HF351*/SF264/CH220, the first phase of budget cuts, which became law Feb. 28.

Bill Number	Description	Status
HF3157	Reduces agriculture and rural development program appropriations.	Included in HF351*/SF264/CH220, the first phase of budget cuts, which became law Feb. 28.
HF3200*/SF3155	Allows licensed dentists in bordering states to receive guest licenses.	Awaits action by the governor.
HF3205/SF2890*/CH299	Prohibits clauses in public works contracts that limit the rights of the contractor to recover costs or damages caused by the contracting public entity.	Signed by the governor March 27.
HF3226	Allows motorcyclists to go through red lights when motorcycles do not trigger traffic signals.	Amended to HF3203, which passed the House 121-8 on March 26 and awaits action on the Senate floor.
HF3234	Requires insurance companies to provide coverage for ovarian cancer screening.	Not included in House health and human services funding measures.
HF3275/SF2932*/CH253	Allows the Minnesota Pollution Control Agency to encourage citizen water-quality monitoring.	Signed by the governor March 22.
HF3286	Higher education-related appropriations reduced.	Included in HF351*/SF264/CH220, the first phase of budget cuts, which became law Feb. 28.
HF3320	Provides for a study of personal rapid transit at the University of Minnesota-Twin Cities campus.	Stalled in the House Transportation Finance Committee.
HF3328/SF3278*/CH305	Requires driver's education courses to include instruction about organ donation.	Signed by the governor March 27.
HF3350	Establishes a program for dentists to donate services to low-income patients.	Awaits action on the House floor.
HF3364*/SF2812	Provides \$750 million in trunk highway bonds for transportation projects through 2007.	Awaits action by a House-Senate conference committee.
HF3379/SF3384*	Modifies Minnesota campaign finance laws to further clarify spending limit requirements.	Passed the House 124-10 on April 4; passed Senate 65-0 on March 26.
HF3393/SF3114*	Grants temporary driver's licenses to people who are behind on child support payments and have lost permanent licenses.	Awaits action by the full House; passed the Senate 52-3 on March 22.
HF3395	Criminal justice and public safety appropriations reduced.	Included in HF351*/SF264/CH220, the first phase of budget cuts, which became law Feb. 28.
HF3411/SF3207*/Res. 7	Resolution urging the pension corporation governing plans for LTV mining employees to delay termination until March 2003.	Signed by the governor Feb. 27.
HF3415	Provides a gas tax increase and proposes a constitutional amendment changing the way tax revenues are allocated.	Not included in the House transportation funding measure, though the Senate plan does propose to increase gas taxes. Those bills await action in a House-Senate conference committee.
HF3434/SF3030*	Prohibits predatory home lending practices.	Awaits action on the House floor; passed the Senate 63-0 on March 26.
HF3453	Provides bonding funds for improvements to the St. Cloud Civic Center.	Some funding included in the House bonding bill (HF3618), awaiting conference committee action.
HF3457	Automatically registers men for selective service when they receive a state driver's license or identification card.	Withdrawn from consideration in the House Governmental Operations and Veterans Affairs Policy Committee Feb. 21.
HF3556	Establishes a state flag task force.	Awaits action on the House floor.
HF3618*	Omnibus bonding appropriations bill.	Awaits action in a House-Senate conference committee.
HF3625/SF2908*	Requires that unsolicited e-mail be labeled as advertisements.	Awaits action by a House-Senate conference committee.
HF3648/SF3431*	Provides unemployment benefits extensions to employees of Farmland Foods Company in Albert Lea and modifies other economic development programs and practices.	Awaits action on the House floor; passed Senate 44-20 on March 27.
HF3690*/SF3444	Excludes certain Minnesota State Colleges and Universities contracts from a moratorium on new state contracts for professional services.	Passed the House 132-0 April 3; awaits action in the Senate.

\* - denotes the file submitted to the governor.

## Tracking new laws, vetoes

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

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

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

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

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

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

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

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

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

**This information is also available on the governor's Web site ([www.governor.state.mn.us](http://www.governor.state.mn.us)). Select the "Policy" link, then click on 2002 Bill Tracking.**

**Key:**

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

CH	HF	SF	Description	Signed	Vetoed
Res. 6	2681*	2469	Resolution supporting personnel responding to Sept. 11 terrorist attacks.	1/31	
Res. 7	3411	3207*	Resolution urging delayed termination of LTV pension plan.	2/27	
219	2698	2655*	Extending physical therapy board authority to adopt licensee ethics rules.	2/27	
220	351*	264	Omnibus budget balancing and appropriations bill.		2/25◆
221	97	58*	Changing terminology in statute of references to mentally ill.	2/27	
222	3049	3019*	Predatory offenders registration requirement expansion.	2/28	
223	1297	1471*	Municipal Board authority transferred to Office of Strategic and Long-Range Planning.	3/5	
224	2642*	2760	Mine inspector annual audit requirement modified.	3/7	
225	3116*	2822	Environment and Natural Resources Trust Fund provisions modified.	3/7	
226	2624*	2441	Shakopee Public Utilities Commission increased from three to five members.	3/7	
227	3148*	3025	Speech-language pathologist and audiologist registration requirements modified.	3/7	
228	2992*	2865	Occupational therapist temporary licensure terms modified.	3/7	
229	3062*	2839	Hennepin and Ramsey counties juvenile court judge term limits repealed.	3/7	
230	2748	2573*	Browns Valley school year start before Labor Day.	3/13	
231	2695*	2531	Minneapolis Firefighters Relief Association retirement provisions corrections provided.	3/13	
232	58*	389	Beer kegs identification and sales requirements.	3/13	
233	3190*	3111	Juvenile court data in statewide supervision system.	3/13	
234	2783*	2671	No-fault auto insurance residual liability coverage regulated.	3/14	
235	1189*	1376	Election of municipal council members provided after annexation.	3/14	
236	1620*	2210	Orderly annexation agreements strengthened.	3/14	
237	2987*	2873	Cook County Mineral Center cemetery conveyance to Grand Portage reservation authorized.	3/14	
238	3202*	2801	Delano Public Utilities Commission increased to five members.	3/14	
239	2629*	2913	Retired professional designation for Board of Architecture et al.-licensed retirees.	3/14	
240	3309*	3082	Nursing home licensed bed lay away authorized during moratorium projects.	3/14	
241	2637*	2472	Temporary town officeholders authorized in event of inability or refusal to serve.	3/14	
242	3344*	2892	Second Judicial District combined jurisdiction program authorized.	3/14	
243	3296*	3206	State employee Social Security administrative duties transfer.	3/14	

◆ - veto overridden by the Legislature

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

CH	HF	SF	Description	Signed	Vetoed
244	1547	1495*	Omnibus agriculture policy provisions modifications.	3/15†	
245	2612*	2562	Licensed architect, et al. requirement circumstances revised.	3/15	
246	2899*	2711	Livable community demonstration account provisions modified.	3/21	
247	3584*	3302	Judgment calculation interest rate formulas modified.	3/21	
248	2813*	2803	Child care providers required to develop policies for reporting suspected child maltreatment.	3/21	
249	2766*	2475	Motor vehicle fuel franchise sale federal code compliance expiration date removed.	3/21	
250	3189*	3135	Street-sweeping vehicles defined as special mobile equipment for registration purposes.	3/21	
251	2742*	2757	State agency contested case procedures regulation provided.	3/21	
252	2531*	2381	Hospice care providers regulated, and criminal penalties imposed.	3/22	
253	3275	2932*	Citizen water quality monitoring encouraged.	3/22	
254	3133	2971*	State procurement competitive bidding for building and construction contract references codified.	3/22	
255	1097	1072*	"Grace" state photograph designation.	3/22	
256	3074	2834*	Steele County recorder appointment.	3/22	
257	3512	3258*	Garfield state land exchange.	3/22	
258	2652	2434*	Polk County recorder and auditor-treasurer appointment.	3/22	
259	2603	2627*	Optometrists and physicians contact lenses prescriptions regulated.	3/22	
260	3238	3115*	State energy efficiency installment purchases regulation provisions modified.	3/22	
261	3462	3080*	Funeral trust account provisions modified.	3/22	
262	3348	3136*	Workers' compensation provisions modified.	3/22	
263	2753	2590*	Carlton County recorder appointment authorized.	3/22	
264	2796*	2670	Minneapolis asphalt plant construction authority.	3/22	
265	2792*	2575	Appliance recycling required.	3/22	
266	3373	3045*	Fourth Judicial District domestic fatality review team pilot project extension.	3/25	
267	3362	3109*	Municipal police departments black patrol vehicles.	3/25	
268	2662	2611*	Interstate compact for adult offender supervision.	3/25	
269	1934	1030*	National crime prevention and privacy compact.	3/25	
270	94	222*	Game and fish laws gross overlimit violations penalties.	3/25	
271	2873	2578*	County human services and public health clients support programs.	3/25	
272	2993	2463*	Nurses overtime work hours regulation; border state nursing licenses reciprocity.	3/25	
273	3263	3167*	Sex offenders civil commitment determinations data access authority.	3/25	
274	1413	1226*	No-fault automobile insurance full medical expense benefits entitlement.	3/25	
275	3276	3100*	Medical assistance reimbursement for tribal health services.	3/25	
276	3291	3124*	Nursing and board care homes resident reimbursement classifications provisions modification.	3/25	
277	3245	3126*	Health care and human services programs provisions technical modifications.	3/25	
278	3061	3117*	Metropolitan Council interceptor facilities continued use determination.	3/25	
279	2600	2419*	Child care programs wading pools public swimming pools regulations exemption.	3/25	
280	197*	107	Noncommercial television station and metro bus garage grant provided.		3/27
281	2678	2768*	Medical assistance demonstration project provisions modified.	3/26	
282	3579	3073*	Domestic abuse order for protection or no contact order misdemeanor violations standards clarified.	3/26	
283	2570*	2553	Automobile insurance damaged window glass claims payment basis modified.		3/26◆
285	2882*	3122	Electric personal assistive mobility device and roadway and sidewalk regulations.	3/26	
286	3078	2821*	Real estate brokers and salespersons regulatory provisions modifications.	3/26	
287	2664	2459*	Supplemental nursing services agencies registration criteria expansion.	3/26	
288	1885	2115*	Motor vehicle dealers surety bond requirements clarification.	3/26	
289	3091	2764*	Mentally retarded persons incidents and emergencies reporting standards modification.	3/26	
290	2932	2614*	Foster care placement communicable diseases disclosure requirement.	3/26	
291	3080	3055*	Metropolitan transit police provisions modifications.	3/26	
292	2757	2692*	Human services licensure.	3/26	
293	2889	2933*	Individual sewage treatment systems installation.	3/26	
294	2635	2550*	Special education services costs reimbursement.	3/26	
295	3222	2953*	Fire insurance excess coverage prohibitions.	3/26	
296	2933	2546*	Rockville and Pleasant Lake consolidation plan joint development required.	3/26	
297	2884*	2715	Motor vehicle excessive gross weight civil fine imposition modified.	3/26	
298	3196*	2966	State procurement law ethical provisions clarified.	3/26	
299	3205	2890*	Public works contracts regulated.	3/27	
300	3223	2793*	Out-of-state facilities for children with severe emotional disturbance certification plan required.	3/27	

◆ - veto overridden by the Legislature  
† - Filed without signature

CH	HF	SF	Description	Signed	Vetoed
301	2842	3244*	Evidentiary laboratory blood sample reports electronic signatures.	3/27	
302	3224	3034*	Hennepin County Medical Center cooperative purchasing authority.	3/27	
303	3240	2814*	Electronic voting authorized for cooperatives.	3/27	
304	2596	2673*	Child custody provided for by de facto custodians and third parties.	3/27	
305	3328	3278*	Driver's education organ and tissue donation instructions.	3/27	
306	3079	2697*	Real estate transactions disclosure requirements.	4/1	
307	3492	3315*	Insurance provisions modification; medical malpractice insurance joint underwriting assoc. issuance prohibition.	4/1	
308	3221	3145*	Military justice code revisions.	4/1	
309	3506	3084*	State and local government units auditing and reporting requirements modifications.		4/1
310	1224*	887	Medical response unit registration provided.	4/1	
311	2785	2542*	Business and nonprofit corporations and limited liability companies regulation provisions modifications.	4/1	
312	3519	2675*	State agencies required to use biodiesel and clean fuels; recyclable material container requirements modified.	4/4	
313	2647	2569*	Federal tax rebates not considered means of support relating to veterans home discretionary admission.	4/4	
314	2840	2580*	Criminal prosecution estoppel provisions modified.	4/4	

## BILL INTRODUCTIONS

APRIL 2 - 3, 2002

HOUSE FILES 3708 - 3712

### Tuesday, April 2

#### HF3708—Davids (R)

##### Environment & Natural Resources Policy

Water appropriation permit requirements modified to include an exemption for feedlots.

#### HF3709—Huntley (DFL)

##### Commerce, Jobs &

##### Economic Development Policy

Minnesota Comprehensive Health Association enrollment closure required, and alternative coverage proposal provided.

### Wednesday, April 3

#### HF3710—Otremba (DFL)

##### Taxes

Local child out-of-home placements costs special levy authorized.

#### HF3711—Otremba (DFL)

##### Taxes

Biosolids waste treatment equipment sales tax exemption extended.

#### HF3712—McGuire (DFL)

##### Commerce, Jobs &

##### Economic Development Policy

National affordable housing trust fund creation supported by resolution to Congress.

## COMMITTEE SCHEDULE

APRIL 8 - 12, 2002

Schedule is subject to change.

For information updates, call House Calls at (651) 296-9283.

All meetings are open to the public.

Sign language interpreter services:

(651) 224-6548 v/tty.

To have the House committee schedule delivered to your e-mail address direct your Web browser to

<http://ww3.house.mn/scripts/lyris.pl?join=houseschedule> and fill out the subscription form on the Legislature's Web site.

House committee schedules are also available on the Web site at <http://www.house.mn/info/schedule/index.htm>.

### MONDAY, April 8

1 p.m.

THE HOUSE MEETS IN SESSION.

### TUESDAY, April 9 - FRIDAY, April 12

No meetings have been announced.

Continued from page 4

budget bill, would provide that if the Legislature does not reject the contracts before adjourning they are automatically approved. The Senate passed another bill (HF3575/SF3208\*) containing that provision alone.

The House state government finance bill does not contain language dealing with the state workers contract. Rather, the body passed a bill (HF3575/SF3208\*) that would remove same-sex domestic partner benefits from all the negotiated agreements. Contracts that did not contain the clause and provisions of negotiated compensation plans without the benefit would be approved under the measure.

## Stadiums

Both bodies passed stadium bills that would provide financing for a new Minnesota Twins ballpark. The House bill incorporates a plan put forth by the Ventura administration that would take advantage of the difference in interest rates between state-issued revenue bonds and a gift fund established through a contribution from the team and other private sources.

The Senate bill authorizes a variety of taxes and fees including a tax on sports memorabilia, media access fees, and revenues from naming rights to pay for the state's portion.



Continued from page 10

apply pressure to the Minnesota congressional delegation to support a federal solution to the problem.

According to the NCSL report, 14 states besides Minnesota are considering passing prescription drug discount programs for Medicare enrollees based on Medicaid pharmaceutical rates.

California is the first state to pass a law establishing a program. The governor signed the legislation in October 2001.

It's a voluntary program that allows pharmacies to charge discounted prices for prescription drugs based on Medicaid rates. The pharmacies, in turn, will be eligible for state reimbursement based on rebates from drug manufacturers.

On the federal level, President Bush has proposed spending \$190 billion to improve the Medicare system, setting aside \$77 million for a 10-year prescription drug program for Americans earning less than \$13,000 a year. The plan would cover an estimated 3 million people.

Meanwhile, congressional leaders in both the Republican-controlled House and Democratic-controlled Senate have called for more sweeping drug coverage this year that would be available to all of the 40 million Medicare beneficiaries.



# Reflections



From the time a legislative session convenes until legislators adjourn *sine die*, the entire process may be compared to the concept, development, and production of a well-constructed dance performance.

While these entities seem to be as far removed as ice fishing and space travel, the elements of enacting legislation and of creating a timeless, artistic piece are similar in theory.

While legislative enactment and dance creations do not all follow the same rule of thumb, those that are well thought out and meticulously developed last for a very long time.

Both entities are given life through the passion and involved human spirit of their originators. Their work then develops to a completion that likely will provide an ongoing, positive impact on the lives of many people.

Take transportation, for example. The state's trunk highway system, along with other modes of travel in Minnesota, was written into the constitution by experienced visionaries. Each year the system receives ongoing renovation from the Legislature as bills are introduced to provide for new construction, ongoing maintenance, and other improvements — all in an effort to better the overall product.

Likewise, unique dance works embody very similar processes.

As in a well thought out piece of legislation, the production of "Revelations" by the Alvin Ailey American Dance Theater builds on an original idea by incorporating construction, structure, and design for experienced performers to facilitate.

"Revelations" is comprised of three major parts that are shaped and put together

as a complete and extraordinary artistic piece set to Gospel and blues.

A recognized dancer and choreographer who died in 1989, Ailey created the piece from experiences in his childhood. He premiered "Revelations" for his dance company in 1960. Through his talent and ingenuity, "Revelations" is considered to be one of the best works created by an American performing arts organization.

Like Minnesota's transportation system, the work has endured in a manner similar to the life span of a well-planned and executed bill in the Legislature.

While no innovations have been added to "Revelations" for 42 years, it continues to be the dance company's signature piece. For 12 years, former premier dancer, and now artistic director, Judith Jamison continues to improve on its details to exemplify the work and the overall strengths and experience of its troupe of performers.

When the troupe performs in the Twin Cities every three or four years, those who know the company's reputation and new fans flock to see what critic Arthur Todd called, "one of the most beautifully constructed and moving works in the repertoire of any company."

While hundreds of bills are introduced by the Legislature during a session, not all of them captivate the public.

In a similar manner, many performing arts productions are created annually. However, only a few like "Revelations" make and maintain a lasting and unforgettable impression.

—LECLAIR GRIER LAMBERT

"Revelations" — Courtesy, Jack Mitchell Photographs and Alvin Ailey American Dance Theater

SPEAKER OF THE HOUSE: STEVE SVIGGUM  
 MAJORITY LEADER: TIM PAWLENTY  
 MINORITY LEADER: THOMAS W. PUGH

# MINNESOTA INDEX

## Minnesota teachers

Number of licensed teachers employed by school districts or in charter schools during 2000-01 school year .....	57,509
Percent of those with at least a master's degree .....	41
Percent with at least a bachelor's degree .....	57
Number of first-year teachers .....	2,819
In 1999-00 .....	3,506
In 1997-98 .....	3,410
Average age of a full-time teacher in 2000-01 .....	41.3
In 1997-98 .....	42.1
Salary, on average, of a full-time Minnesota teacher in 2000-01 .....	\$42,794
National average .....	\$42,898
State average in 1997-98 .....	\$38,620
State average in 1989-90 .....	\$32,190
Years of experience for all Minnesota teachers in 2000-01, as an average .....	13.7
In 1997-98 .....	14.9
Approximate number of teacher licenses held in Minnesota in 1999 .....	96,000
Approximate number of full-time equivalent positions in public schools ...	55,000
Percentage of districts that hire teachers under temporary licenses as a recruitment or retention strategy .....	71
Percentage of districts involving teachers in decision making .....	69
Percentage improving staff development .....	63
Subject area with the largest share of teacher workforce (elementary education), as percent .....	30
Second (special education), as percent .....	14
Third (English/language arts), as percent .....	8
Number of teaching license variances issued by the state	
Board of Teaching in 2000-01 so districts can use teachers in assignment areas they are not licensed for or to hire non-licensed community experts as teachers .....	2,552
In 1997-98 .....	485
Approximate percent of 2000-01 teacher workforce that have a variance .....	5
Minnesota teachers beginning their career in 1995-96 that were teaching	
5 years later, as percent .....	80
National retention rate, as percent .....	82
Percentage of state's current teacher workforce expected to retire between 1998 and 2008, as approximate .....	33
Percentage of state's chemistry teachers .....	60
Percentage of math teachers .....	46

Sources: *Teacher Recruitment and Retention: Summary of Major Studies*, Minnesota Office of the Legislative Auditor, March 2002; Minnesota Department of Children, Families and Learning; American Federation of Teachers; National Center for Education Statistics; University of Minnesota Center for School Change.

## FOR MORE INFORMATION

For general information, call:  
**House Information Office**  
**(651) 296-2146 or**  
**1-800-657-3550**

To obtain a copy of a bill, call:  
**Chief Clerk's Office**  
**(651) 296-2314**

To find out about bill introductions or the status of a specific bill, call:  
**House Index Office**  
**(651) 296-6646**

For an up-to-date recorded message giving committee meeting times and agendas, call:  
**Committee Hotline**  
**(651) 296-9283**

The House of Representatives can be reached on the World Wide Web at:  
**<http://www.house.mn>**

Teletypewriter for the hearing impaired.  
 To ask questions or leave messages, call:  
**TTY Line (651) 296-9896 or**  
**1-800-657-3550**

Check your local listings to watch House committee and floor sessions on TV.

**Senate Information**  
**(651) 296-0504**  
**1-888-234-1112**

**Senate Index**  
**(651) 296-5560**

This document can be made available in alternative formats to individuals with disabilities by calling (651) 296-2146 voice, (651) 296-9896 TTY, or (800) 657-3550 toll free voice and TTY.