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In this issue:

BUDGET VETO OVERRIDE

ANTI-TERRORISM PROPOSALS, AND MORE

HF3607-HF3660

SESSION Weekly

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On the cover: Flags are visible on all of the members' desks as the House prepares to take up a pledge of allegiance bill Feb. 27.

—Photo by Tom Olmscheid

Keeping Minnesota safe

Anti-terrorism bill addresses a range of topics, all designed to ease residents' minds

By LISA HILTON

After weeks of debate and discussion, a bill that would give state and local law enforcement officials new ways to prevent and fight terroristic activities is one step closer to getting a full House vote.

The House Crime Prevention Committee approved the measure Feb. 22 and referred it to the House Judiciary Finance Committee.

HF2622, sponsored by Rep. Rich Stanek (R-Maple Grove), which addresses everything from new driver's license regulations to changes in wiretapping laws, was broken into bits and pieces and has been filtered through numerous committees to end up in its current form.

One of the many pieces rolled into the bill contains parts of Gov. Jesse Ventura's anti-terrorism package, which was whittled down to sections that were added to the plan.

Perhaps the most difficult part of putting together the anti-terrorism bill was defining exactly what terrorism is.

The original bill states that people would be guilty of terrorism if they commit a crime of violence intended to terrorize a considerable number of people beyond those directly affected by the crime.

But some committee members and testifiers said that definition is circular and the term too vague to be useful in courts.

Rep. Wes Skoglund (DFL-Mpls) said the term "terrorism" shouldn't be defined by using only the word terror.

The definition could also include nearly any crime, since one could argue that almost any misdeed could make a considerable number of people afraid, he said.

Rep. John Tuma, (R-Northfield), the committee chair, and one of the bill's sponsors, disagreed.

The state has defined "terrorize" in case law and courts have not had a problem with the definition, he said.

Instead, an amendment was passed that would define a crime of violence as it relates to terrorism.

Some felonious examples that could be



PHOTO BY TOM OLMSCHEID

Public Safety Commissioner Charlie Weaver answers a question from a member of the House Crime Prevention Committee Feb. 22.

considered terrorism include murder, manslaughter, the use of drugs to cause great bodily harm, kidnapping, and piracy or theft of motor vehicles, aircraft, trains, or boats.

The original amendment included a list of 25 offenses, but that number was reduced to 15 after officials pointed out that some of the crimes, such as stalking and harassment, would not normally involve a considerable number of people.

Peter Erlinder, a professor of constitutional law at William Mitchell College of Law, said there are problems with the bill.

By enhancing the penalties for existing crimes, he said the bill wouldn't create new crime, but it would create "supercrime."

That could lead to abuse by prosecutors, who could use the threat of a terrorism charge to coerce people into pleading guilty to lesser crimes, Erlinder said. Under the bill, a terrorism conviction would carry a sentence of 5 years to 30 years imprisonment, along with up to a \$100,000 fine.

Most people would rather plead guilty to a lesser charge than face the possibility of a terrorism conviction, Erlinder said.

House members also struggled with how to put together a plan to keep the state safe without sacrificing the personal freedom of law-abiding citizens.

The following is a sampling of the changes proposed in HF2622:

- Make terrorism a crime and create a mandatory 5-year minimum sentence upon conviction.
- Require two approved forms of identification to be shown when applying for a Minnesota driver's license.
- Make a visa holder's driver's license or identification card expire the same day as the visa.
- Allow police to more easily access voicemail, driver's license photographs, and e-mail.
- Require the state to establish a biological agents registry to better track chemicals.
- Allow public meetings to be closed when matters of security are discussed.
- Require truck drivers to provide their U.S. Department of Transportation number upon request by law enforcement.
- Require the state to perform background checks on hazardous material drivers.
- Increase the penalty for terroristic threats and hoaxes.
- Expand the definition of first-degree murder to include murder committed during an act of terrorism.
- Make trespassing on school roofs and public utility property a misdemeanor.
- Make it easier for law enforcement to obtain a permit for a roving wiretap, and expand the list of crimes that can be investigated with a roving wiretap.
- Set aside money for training and equipment needed to prevent, investigate, and respond to terroristic acts.
- Make terrorists responsible for costs of testing and disposing of intentionally tainted food.
- Allow the commissioner of the Minnesota Pollution Control Agency to suspend rules in emergency situations to deal with disposal of debris and waste.
- Make it a felony to introduce a disease to livestock or wild deer.



War effort

Labor officials kept a watchful eye over labor practices during early 1940s

For many immigrants, a plan to alter driver's license regulations for foreigners who are in the country on visas was especially troublesome.

A plan that called for the placing of a small code on the license was scrapped in favor of a plan to mark the licenses with the word "non-renewable," and place a color-coded strip on the top.

Omar Jamal, executive director of the Somali Justice Advocacy Center in St. Paul, said the plan would have a tremendous effect on the Somali community.

Marking the licenses would not prevent terrorist attacks, but the practice would give police a way to discriminate against legal immigrants, Jamal said.

Skoglund said law enforcement could be sufficiently notified that a person is in the country on a visa by placing the small code on the back of the license.

"I don't know why we need to label these people further," he said. "Is it for law enforcement, or do you want the grocer to know, too?"

Rep. Dale Walz, (R-Brainerd), who supported the driver's license amendment, said there are already eight distinguishing colors on licenses, including black for those under 21.

Walz, a police officer, said he has no tolerance for discrimination, but it's always going to be a possibility, even for those under 21.

The bill would also make several other changes in driver's license regulations.

It would close a loophole in the law that allows visa holders to apply for a driver's license or identification card that has an expiration date beyond the date that their visa expires.

That allows visa holders to appear as if they are in the country legally, Public Safety Commissioner Charlie Weaver said. The bill would change the law so the license expires the same day as the visa.

The measure would also make it harder for people to acquire a state driver's license or identification card by requiring two forms of identification.

Minnesota is good about checking the identification of people applying for licenses, Weaver said, but some other states are not.

That means that under current law people can obtain a license in a more lax state and use it to obtain a license in Minnesota, he explained.

Another area that raised some questions is the proposed change to wiretapping laws and access to stored communication such as e-mail and voicemail.

The bill would give greater authority to law enforcement to obtain a roving wiretap and would allow them easier access to suspects'

In the early 1940s, Minnesota was experiencing a phenomenon all too familiar across the country: vast numbers of women were entering the labor force.

While World War II raged in Europe and the Pacific, labor officials reported large shortages of workers, then referred to as "manpower," and women responded by the dozens to answer the need.

Women were given crash courses in various trades and industries, such as welding, woodworking, drilling, and machine shop work.

But their skills weren't limited to factory jobs. Many women also served on farms, as domestic help in households, as truck drivers, and in a number of other fields.

However, demand for war-related goods soared, requiring both men and women to work inordinately long hours, coming close to violations of the state's maximum weekly hour limits.

In the 1943-44 report of the state Department of Labor and Industry, officials urged the Legislature to change minimum wage and maximum hour laws to provide adequate compensation for employees and to ensure quality production throughout the duration of the war effort.

But the call may have been sounded too late to provide immediate relief for workers.

The report, released in January 1945, discussed the state's 54-hour law that limited workers to no more than 54 hours of work per week. However, officials were concerned that some employers could lump all those hours together, rather than spreading them out over the seven days of the week.

The department had granted temporary exemptions to the law for 77 businesses statewide who were experiencing particularly high demand. However, the average number of hours per employee only increased to 58.5 during the biennium.

But officials were careful in their exemptions.

"In the final analysis, a moratorium on all labor laws for the duration of the war

would seem short-sighted and might result in a serious impairment of the quality and even the quantity of the materials for war," the report said.

Still, the division of women and children noted inequities involving women because federal law at the time did not protect them.

"Thousands of women are now working in retail trades, offices, and service industries without the benefit of the Fair Labor Standards Act of 1938, which has gone far

in assuring other workers a higher income with overtime guaranteed," the report said.

Statistics cited in the report showed that women in the workforce increased 25 percent during the biennium. As a result, inspections of workplaces increased by 50 percent, the report said.

The report called for legislation to clarify the 54-hour week, allowing for

30-minute lunch breaks and a day of rest during the week. In the alternative, the report said, lawmakers could choose not to limit the work week and implement a time-and-a-half standard for paying workers for overtime hours.

"A work-week of 54 hours has long been outmoded for either males or females. To provide employment for the many persons now in the armed service or defense work of the country, shorter working hours must be adopted, and this should be done in advance of an armistice," said the report.

A review of session laws from 1945 did not indicate any changes were made that year, however. Armistice was declared later that year, and within several months, changes in the workforce, due to the war effort, became less and less a concern.

In 1973, the Legislature enacted the Minnesota Fair Labor Standards Act, which governed work weeks, hours, and wages. The law limits the work week to 48 hours but allows for overtime if an employee is paid at 1.5 times his or her hourly wage.

(M. KIBIGER)



Men and women work side by side in a factory, 1944.

Continued on page 27

Photo courtesy of the Minnesota Historical Society

★ AGRICULTURE

Biodiesel on hold

A House-Senate conference committee considered approving a proposed biodiesel mandate Feb. 27 requiring that all diesel fuel sold in the state contain at least 2 percent of the alternative fuel.

The conference committee took no action, but was expected to consider the plan again March 1. It has been offered up as an amendment to the conference committee report on SF1495, an agriculture policy bill from the 2001 session.

Biodiesel is derived from vegetable oil or animal fats. The state's soybean growers have pushed for the mandate.

The mandate would take effect March 1, 2005 provided that the state's annual biodiesel production capacity had exceeded 8 million gallons. It could go into effect earlier if at least 18 months had passed since the state or federal government passed a 2 cent biodiesel tax credit.

Nuclear power plants and trains would be exempt from the mandate.

As for a provision that would require the state to reimburse distributors if the mandate was later repealed, distributors would be eligible to recoup 80 percent of their costs to adjust to the new biodiesel fuel blends if the repeal is done within two years. After that, the reimbursement declines 10 percent each year and caps at 20 percent eight years after the state imposes the mandate.

There was considerable debate over whether the federal government was in a better position to encourage biodiesel as an alternative fuel.

John Hausladen, president of the Minnesota Trucking Association, said that under a state mandate, Minnesota truck stop operators would be saddled with the added costs and lose business. He said the federal government was in a better position to encourage biodiesel use and distribute the added costs more evenly among the nation's fuel distributors.

Sen. Steve Murphy (DFL-Red Wing), committee co-chair, challenged Hausladen's arguments and said that Congress has lagged behind state efforts on the issue.

Hausladen also argued that the mandate would only benefit a small group of biodiesel investors and processors — not the average Minnesota farmer like supporters suggest. Further, he pointed to studies indicating the cost of biodiesel blends could cost as much as 44 cents more per gallon than regular diesel.

Members of the conference committee disputed that figure, adding that the "jury is still out" on the production costs. Murphy said studies have shown biodiesel blends adding no additional costs or only 3- to 4-cent increases per gallon.

Feedlot changes

Pastures used by farmers to temporarily feed livestock would be exempt from feedlot regulations under a bill approved Feb. 21 by the House Environment and Natural Resources Policy Committee.

The measure has backing from the Minnesota Pollution Control Agency (PCA). An earlier version of the bill contained an amendment exempting winter-feeding areas as well, which prompted an objection from the agency.

Now HF2894, sponsored by Rep. Rod Skoe (DFL-Clearbrook), directs the agency to make recommendations to the Legislature by next January on winter-feeding areas and whether they should also be included in the exemption.

Rod Massey, the agency's South District director, said in some instances farmers have used the areas to feed a number of animals, creating feedlot conditions with large amounts of manure.

A farmer would meet the pasture exemption if the area contained vegetation during the growing season. The vegetative cover is not required in spots near feeding and watering equipment or other areas used to transport animals.

Tom Dunnwald, representing the Clean Water Action Alliance, pushed for a sunset provision on the bill. "Without a sunset, it's going to require some heavy lifting to change it," he said.

He said the pasture exemption would open the door to permanent feeding in the areas, which he said would lead to greater density of animals.

Rep. Jean Wagenius (DFL-Mpls) pressed Massey on water quality, questioning him about how the agency monitored feedlot runoff and asking if the agency tested for antibiotics in water downstream from the farms.

Massey said the agency's goal is to encourage farmers to use the best manure management practices.

"Our goal is no discharge," he said. "Our whole approach is prevention."

The committee referred the bill to the House floor.

It also approved a measure that extends a ban on large, open-air swine manure basins

until 2007. Existing basins that hold 1 million gallons of manure or less would be exempt from the moratorium.

HF2965, sponsored by Rep. William Kuisle (R-Rochester), would also exclude feedlot operators from liability if manure discharge is caused by vandals or an "act of God," which is defined as a 25-year rainfall in a 24-hour period.

The committee temporarily delayed a decision on a similar bill (HF3207), sponsored by Rep. Gary Kubby (DFL-Granite Falls), that would have permanently banned all open-air swine manure lagoons.

Projects sought

More than \$121.8 million in proposed bonding projects cleared the House Agriculture and Rural Development Finance Committee Feb. 22 — about \$30 million more than the governor called for in his proposal.

A \$20 million bonding request for the Rural Finance Authority topped the committee's list of recommendations. Minnesota farmers are eligible for a number of loans through the authority, including programs for livestock expansion and other farm improvements.

Gov. Jesse Ventura recommended \$15 million in bond funding for the loan program.

Other projects outlined in the recommendation, in order of priority, included:

- \$76 million for a proposed joint laboratory to be shared by the Agriculture and Health departments in St. Paul, also recommended by the governor;
- \$14 million for a new agriculture and food sciences charter school near the University of Minnesota's St. Paul campus;
- \$1.6 million to renovate the University of Minnesota's veterinary diagnostics laboratory; and
- \$10 million for a new Minnesota Farmers Market Hall project.

The St. Paul project would be a year-around spot for farmers to sell value-added products so they can keep a larger share of the dollar spent on food. Organizers estimate the market will draw 800,000 visitors annually.

The committee also added a \$6 million request for the Agriculture Best Management Practices program, which is intended to help local governments implement the best plans for individual and agriculture-related sewage treatment systems.

A measure that would require the Department of Agriculture to move its primary offices outside of the seven-county, Twin Cities

metropolitan area was also recommended. A similar proposal is moving through the Senate.

Rep. Al Juhnke (DFL-Willmar) successfully attached the amendment to the agriculture spending bill Feb. 14 before House and Senate leaders agreed on a new budget agreement. However, that agreement was vetoed Feb. 25 by Ventura.

Juhnke pointed out that the state has a number of vacant office buildings in Greater Minnesota that could easily accommodate state office buildings.

The committee forwarded its recommendation to the House Capital Investment Committee.

★ ARTS

Children's Theatre expansion

Eighth-grader Caroline Innerbichler said she was in awe of the singing, dancing, and acting in her first show at the Children's Theatre Company.

Since that performance a few years ago, the Dakota Hills Middle School student has played the part of Annika in "Pippi Longstocking," performed in theaters as far away as Seattle, and has set a goal to attend college.

She testified in support of a bill that would expand the educational facilities of the Minneapolis company, giving more children the opportunities she's had. Teresa Eyring, managing director of the company, said they are turning away hundreds of children, families, and teachers from its programs due to lack of capacity.

HF3067, sponsored by Rep. James Clark (R-New Ulm), was heard at the Feb. 25 meeting of the House Jobs and Economic Development Finance Committee.

"They have classes without classrooms," Clark said.

The bill would allocate \$12 million in bonds to match private funds of the same amount, of which half has been raised. The company would gain a 300-seat flexible theater to better serve children younger than five and teenagers, plus classrooms, rehearsal space, a dance studio, and a lobby area.

The company has partnerships with 10 schools, reduced-cost matinees for 80,000 students a year, after-school and summer programs, as well as "pay what you can" performances to help build communities, according to company literature.

The company has been in its current facility for 30 years and has never renovated or expanded, Eyring said. The architectural designs are currently underway, she said, and



Caroline Innerbichler, an eighth-grader at Dakota Hills Middle School in Eagan, tells a joke to the House Jobs and Economic Development Committee. She testifies in support of a bill that would expand the educational facilities of the Children's Theatre Company in Minneapolis.

work could begin as soon as this summer.

The governor did not recommend funding for any arts projects. The bill was not recommended by the committee to be funded, but the House Capital Investment Committee may include it in its omnibus bill.

New Guthrie proposed

A proposal asking for \$35 million in state bonds for the Guthrie Theater met a committee chair reluctant to fund another arts facility.

"It's our children and grandchildren that pay for the public arts facilities we create," said Rep. Dan McElroy (R-Burnsville), chair of the House Jobs and Economic Development Finance Committee. "There's some limit to what we can afford."

The bill (HF2811), sponsored by Rep. Ron Abrams (R-Minnetonka), was heard Feb. 21.

Proponents of the bill argued the importance of the legislation, saying the Guthrie is one of the state's top 10 cultural institutes, as well as world-renowned.

"It is not an exaggeration to say the theater world is watching the progress of the new Guthrie," Abrams said.

"The program is an ambitious one," admitted Joe Dowling, artistic director for the theater. But the complex has been carefully designed, he said. "If we could do this for less money, we wouldn't be here."

A new theater, costing \$125 million, would feature three stages, an educational facility, and a production facility. Private funding will account for \$75 million, of which more than \$58 million has already been raised.

Dowling said the project would be revised if the state didn't come through with the full \$35 million, but didn't offer any specifics.

The new Guthrie would bring an additional \$285 million to Minnesota's economy and would create 1,550 full-time construction jobs over the two years needed to build it.

Abrams said the theater has an educational mission that includes free and reduced tickets, and would be an "economic engine."

McElroy said he sees the economic and cultural impact a new theater would have, but he also said the state could easily spend \$1 billion in the coming years on arts facilities such as the Roy Wilkins Auditorium, Schubert Theater, Ted Mann Concert Hall, and the Children's Theater. All facilities either have funding proposals in front of the Legislature or plan to present them in the near future.

The bill was not listed as a high priority of the committee, however, the House Capital Investment Committee may still include it in its omnibus bill.

★ BONDING

Judiciary finance recommendations

The House Judiciary Finance Committee recommended \$72.5 million in bonding projects for the Department of Corrections and other criminal justice related organizations at its meeting Feb. 26.

Each of the eight projects under consideration by the committee received a favorable recommendation. Gov. Jesse Ventura recommended funding only \$30.4 million, including four of the projects.

Top ranked among the projects was the request for \$35 million for conversion to a state-wide public radio system.

The funds would help nine counties in the Twin Cities metropolitan area (Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, and Washington) link to a high-frequency (800 mega-hertz) system for public safety and emergency personnel. Currently, officials testified, there is no way for multiple departments to communicate on the same frequency, primarily because they do not have the technological infrastructure and the equipment to link to such a system.

Officials recognized how acute the need to communicate with one another is after the Sept. 11 attacks, said Hennepin County Sheriff Pat McGowan, testifying before the committee Feb. 25.

McGowan also said another \$37 million request for the next phase of the statewide system would help link Greater Minnesota counties in a corridor from Rochester to St. Cloud. Communities in those counties are ready to contribute local dollars to the program.

The request came through the Department of Transportation and was not recommended by the governor.

The committee also recommended four projects requested by the Department of Corrections. Though the department had submitted eight projects for 2002, the governor only recommended funding for the four projects, so the department limited its presentation to those projects.

The largest would require \$23.1 million to finish exterior restoration of the walls surrounding the Stillwater prison. Interior restoration was completed through funds in the 2000 bonding law.

Other projects include \$4.2 million for a new unit to house 416 offenders at the Lino Lakes facility, \$90,000 for pre-design of a new segregation unit planned for Stillwater, and \$3.1 million to renovate an independent living unit at the Shakopee women's prison.

The Shakopee project would convert apartment-style facilities to a dormitory arrangement, said Deputy Commissioner Dennis Benson. That structure would allow double bunking to accommodate a rapidly growing population.

Other projects recommended by the committee that did not receive approval from the governor include: \$6 million for the Colin Powell Youth Leadership Center planned in Hennepin County, \$500,000 for a public safety terrorism training center at Camp Ripley near Little Falls, and \$550,000 for a regional public safety training center in Rochester.

★ CHILDREN

Legally taking a dip

Children who attend family day care at homes with swimming pools should be allowed to use the pool, the House Civil Law Committee decided Feb. 21.

Current law prohibits such activity.

Under HF1517, children would be allowed in the pool with the permission of their parents and the day care provider.

The bill, sponsored by Rep. Tim Wilkin (R-Eagan), would make providers responsible for ensuring that the pool meets safety and other requirements.

Providers would also be responsible for notifying the county of the arrangement each

year, and would have to have a signed contract with the child's parent or guardian.

In addition, providers would have to take courses in first aid and how to operate a pool.

Joel Carlson, representing the Minnesota Trial Lawyer's Association, opposed part of the bill that granted municipalities immunity from lawsuits resulting from accidents at the pool.

The state should not make it legal to use the pool and then not allow lawsuits, he said.

Laura Zrust, program director with the Department of Human Services, said cities and towns shouldn't be held responsible for accidents since they would not be monitoring the pool.

The bill was eventually changed to give cities immunity unless they knew of licensing violations, making it clear that the municipality would not be monitoring the pool for other safety or sanitary conditions.

Wilkin said the bill makes it clear that it would be the parents' responsibility to see that the day care provider is abiding by the rules.

Rep. Mary Liz Holberg (R-Lakeville) pointed out that the bill would only regulate what is already going on since many day care providers already allow children to swim in the pool illegally.

The bill now goes to the House floor.

★ CRIME

Child murder penalties

Those convicted of killing a child under age 14 would receive a mandatory life sentence without the possibility of parole, under a bill approved by the House Crime Prevention Committee Feb. 22.

Rep. Debra Hilstrom (DFL-Brooklyn Center), the sponsor of HF861, said there are only a handful of cases where the bill would apply, most notably in the case of 12-year-old Cally Jo Larson.

Larson was raped and murdered in her Waseca home on April 20, 1999.

Lorenzo Sanchez was charged with both first-degree murder and murder while committing a sexual act in connection with her death.

Because the latter charge would have resulted in a life sentence without parole, Sanchez pleaded guilty to first-degree murder so he would have a chance at parole in 2030.

The bill would have prevented a plea bargain in the case and would have guaranteed that he remain in prison for life if convicted of murder, Hilstrom said.

Since the bill is not retroactive, it will not

effect Sanchez, but will apply to murder cases in the future.

The bill was unopposed in committee and moves to the House Judiciary Finance Committee next.

Sex offender registry

A bill requiring more repeat sexual offenders to register with the state for the rest of their lives was hurried through the House on Feb. 27 and sent to Gov. Jesse Ventura for his approval.

Rep. John Tuma (R-Northfield), the House sponsor of HF3049/SF3019*, said it is important for the Legislature to act on the bill right away in order to avoid losing nearly \$850,000 in federal grant money from the Edward Byrne Memorial State and Local Law Enforcement Assistance program.

That money goes to local law enforcement units for training and other purposes.

The Senate bill was sponsored by Sen. Jane Ranum (DFL-Mpls).

State laws requiring certain criminals to register for 10 years went into effect in 1991, but lifetime registration was not added until 2000. At that time, 1991 was set as the cutoff for considering previous offenses.

Lifetime registration is currently only required if the offender's first offense was one that required registration at the time the case was decided in court. The bill would require criminals who were convicted of an offense before 1991 to register if they are convicted of a second offense.

It would also apply to residents convicted of similar crimes at the federal level or in other states, as well as those who work in Minnesota but live in other states.

Although some members opposed the way the bill was sped through the process, the House passed the bill 129-0.

Rep. Wes Skoglund (DFL-Mpls) tried to amend the bill to include a section changing sexual offender sentencing guidelines, but House Speaker Steve Sviggum (R-Kenyon) ruled that the amendment was not related to the rest of the bill, and he would not allow it to be considered.

★ DEVELOPMENT

Civic center expansion

The St. Cloud Civic Center needs to be expanded to meet the needs of the conference and convention community, proponents say.

Rep. Jim Knobloch (R-St. Cloud) is sponsoring a bill that would allocate \$22.5 million

in bonds for major center improvements. The amount would be matched by local sources. The bill (HF3453) was presented at the Feb. 25 meeting of the House Jobs and Economic Development Finance Committee.

An expansion would include space for exhibits and trade shows, a divisible ballroom, meeting rooms, riverfront enhancements, and a 400-stall parking ramp.

St. Cloud Mayor John Ellenbecker said the civic center expansion is a top priority for the city, especially with the potential closing of Fingerhut Corporation.

"We need to do anything we can to pump money back into the economy," Ellenbecker said.

If Fingerhut closes, St. Cloud would lose \$50 million in economic activity, \$12 million of which an expanded civic center could replace. According to the city, the civic center added \$18.7 million to the St. Cloud area economy last year. A larger, improved civic center would bring in an estimated \$31 million annually.

Proponents said that during the past five years the space shortage has become noticeable: 34 different events were turned away in the past 18 months; 13 major clients have expressed concern about lack of adequate space; and only a single moderately-sized event can be hosted at one time.

The civic center is located in a tight area in the center of downtown St. Cloud. It would be expanded onto property a library currently occupies next to the center. Ellenbecker said the library is being relocated.

The committee took no action on the bill, but will consider it for inclusion in its omnibus bill.

★ EDUCATION

Pledge of allegiance passes

For the second straight year, the House passed a bill that would require students to recite the pledge of allegiance in school.

Last year the bill had no Senate companion, which inhibited its chances of getting a hearing in that body. This year the Senate companion to HF2598 was approved Feb. 27 by the Senate Education Committee and awaits action on the Senate floor. The House passed the measure Feb. 27 by a vote of 114-11.

The bill, sponsored by Rep. George Cassell (R-Alexandria), would require public and charter school students to recite the pledge of allegiance at least once a week. Students and teachers who object to reciting the pledge would be excused from participating.

Some who opposed the legislation said it might make people uncomfortable or offend them. Cassell responded to those claims on the House floor.

"When I think of the people who have fought and died and suffered for freedoms of this country ... when we say 'One nation, under God, indivisible with liberty and justice for all' ... I think of the price that is paid over and over and over.

"I am offended when anyone would use this kind of weak excuse for not sharing with our young people what this country stands for by saying the pledge of allegiance," he said.

Rep. Alice Hausman (DFL-St. Paul) expressed concerns that the bill may counter freedoms in this country. She talked about the outburst of patriotism America experienced after the events of Sept. 11.

"When citizens must be ordered by their government to say the pledge, it cheapens that outburst," she said.

The bill would also require instruction in the proper etiquette and correct display of the U.S. flag.

Local school boards would be permitted to waive the requirement of the recitation or instruction and to adopt their own policies regarding the recitation of the pledge.

Safety and security levy

Increased safety and security concerns in schools have prompted Rep. Jim Abeler (R-Anoka) to sponsor a bill that would expand the use of the health and safety levy.

"This gives local school districts a chance to decide if they need more safety measures," Abeler said. He presented his bill (HF3295) to the House K-12 Education Finance Committee Feb. 22.

Vicky Roy, chair of the Association of Metro School Districts, said districts are experiencing increased pressure for safety and security measures. There is a need for more hallway monitors, parking lot attendants, and building greeters, among other security devices, she said.

"This would take some pressure off strapped general fund budgets," said Scott Croonquist, executive director of the association. Currently, costs are paid through a district's general operating budget.

Every district would have access to meet their particular need, said Carter Christie, business manager of the Burnsville-Eagan-Savage school district. For example, he said Minneapolis would need more than Mora.

The bill says student and staff safety plans must describe the means necessary to ensure security. Costs may include security cameras, screening devices, physical improvements to building entrances, and various operating costs, such as police liaison officers and other staff.

"While any threat of violence is remote," we still need to take precautions and it does cost money, Christie said.

Before the bill could become law, it would require approval from the state Department of Health, according to Committee Chair Rep. Alice Seagren (R-Bloomington).

Districts can now levy for fire and life safety code repairs, hazardous substance removal, and health, safety, and environmental management, including indoor air quality management.

HF3295, which would become effective in fiscal year 2003, will be considered for inclusion in the committee's omnibus bill.

CENTER OF ATTENTION



PHOTO BY TOM OLMSCHEID

House Minority Leader Tom Pugh is surrounded by members of the media after the House voted Feb. 26 to uphold Gov. Jesse Ventura's veto of the budget bill.

★ EMPLOYMENT

Farmland worker benefits

A bill that would extend unemployment benefits to workers who lost their jobs due to a fire at the Farmland Foods Company in Albert Lea easily cleared its first committee.

Members of the House Jobs and Economic Development Finance Committee expressed strong support for HF2636, sponsored by Rep. Dan Dorman (R-Albert Lea), which was heard Feb. 27. The bill will be considered for inclusion in the committee's omnibus bill.

On July 8, 2001, firefighters were unable to contain the fire that resulted in a complete loss of the plant. Nearly 500 workers at the meat and food processing plant lost their jobs, and about 200 are still unemployed. Most of the others have left the state, Dorman said.

Rep. Greg Davids (R-Preston) said it is imperative to keep the workers in Minnesota.

"If those 200 workers leave and the plant reopens, we're not going to get them back," he said.

Farmland's payroll added about \$25 million annually to the economy. Albert Lea, a city of about 20,000 people, took the biggest hit from the closing, but the effects also spread into surrounding cities.

HF2636 would extend unemployment benefits to the workers for 13 weeks. However, recipients would be required to be enrolled in an educational training program.

Most of the workers' unemployment ran out at the end of January, said Mike Lee, who worked at the plant for 25 years. He now works part time at the local workforce center and is going to school for industrial maintenance.

Lee said it's hard to keep his former co-workers in school. "They're all worried about how they're going to feed their families," he said.

The situation is similar to the closing of the LTV Steel Mining Plant in Hoyt Lakes, where workers have skills that don't translate into other industries.

Dorman said he wants to help the workers find another job or help them hang on if the plant reopens. Farmland is expected to announce in April whether to rebuild the plant.

It will cost \$70 million to \$80 million to rebuild the plant, said Bill Avery, union representative for Local 6 United Food and Commercial Workers.

The reason a decision hasn't yet been made, Dorman said, is due to financial struggles and insurance settlements. The plant has separate insurance policies on the product, equipment, and the building.

"It's been a disaster trying to get this thing resolved," Avery said.

★ ENVIRONMENT

Park money sought

Officials with the Twin Cities metropolitan area regional parks system urged the House Environment and Natural Resource Finance Committee to approve a \$15 million bonding request Feb. 25.

The request focuses on improving park facilities and access to the recreational areas for all visitors.

During hearings, the committee heard dozens of bonding proposals for mostly local projects around the state. The requests, including the Twin Cities parks system proposal, were considered for possible inclusion in the committee's list of recommended projects to the House Capital Investment Committee.

John VonDeLinde, director of Anoka County Parks, and Rep. Kathy Tinglestad (R-Andover), sponsor of the regional park request (HF2555), said the bonding dollars are needed to accommodate steady increases in the number of visitors.

VonDeLinde pointed to figures showing a six-fold increase in the number of park visitors since 1975 — from five million to 30 million in 2000.

In contrast, state parks attract eight million visitors annually, according to figures presented to the committee.

Meanwhile, Tinglestad and VonDeLinde noted that the governor's bonding request includes \$31 million for state parks compared to \$8 million for the Twin Cities metropolitan area park system.

The Twin Cities park system includes 32 regional parks, 11 park reserves, and 18 regional trails in the seven-county area.

The state bonding dollars would be leveraged by \$16.8 million in local and federal funds. VonDeLinde said the park system needs a projected \$348 million over the next 10 years for capital improvements.

During the presentation, Rep. Jean Wagenius (DFL-Mpls) raised questions about arsenic-treated lumber that was often used for playground sets built in the 1970s. She said other states, including Florida and California, have developed plans to eliminate children's exposure to the poisonous chemical in parks.

"We seem to be way behind other states in dealing with this issue," Wagenius said.

VonDeLinde said playground sets with the treated lumber are periodically sealed to guard against exposing children to the chemical.

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Protecting the land

Seeking \$25 million in bonding, proponents of a state land conservation program told the House Environment and Natural Resources Finance Committee Feb. 25 that they would lose out on federal matching dollars without state support.

Participants of Reinvest in Minnesota (RIM) rely on state, local, and federal dollars to purchase easements to set aside land for protection from future development.

Since its inception in 1986, RIM has received \$23 million from the state, \$3 million from special license plate fees, and \$26 million in land donations and cash from citizens.

RIM grants have been used by citizens and groups to restore wetlands, forests, native prairies, grasslands, and fish habitats. Farmers involved in the program have agreed to make idle cropland prone to flooding or of otherwise marginal agricultural value.

Rep. Greg Davids (R-Preston), the sponsor of HF2690, said the \$25 million bonding request would fund projects statewide.

Kevin Scheidecker, chairman of the Basin Alliance for the Lower Mississippi in Minnesota, said that RIM dollars have largely targeted land along the Minnesota River Watershed, neglecting other parts of the state.

Scheidecker said that a survey of the state's 91 Soil and Water Conservation districts indicate there is a demand to enroll more than 22,000 acres into RIM, which would cost an estimated \$19 million.

Pointing out that Congress is poised to pass a new farm bill with additional funding for conservation programs, Scheidecker urged committee members to approve the bonding request so the dollars could be leveraged by federal money.

Davids said the RIM dollars would allow farmers, particularly in southeastern and northwestern Minnesota, to take farmland out of production. Both regions have experienced severe flooding in recent years.

"We don't want to have to sandbag every few years," Davids said.

A provision in the bill allowing for 15 percent of the bond proceeds to be used for professional and technical services to implement the program caught the eye of Rep. Tom Osthoff (DFL-St. Paul).

Osthoff expressed concern that the program would require additional state employees. He said it appeared the program had become tied to the state's bureaucracy instead of remaining a citizen-based grassroots effort.

The committee amended the provision to cap the share of the proceeds for technical support to 10 percent.

Rep. Tim Finseth (R-Angus) said RIM applicants often need lawyers to sort through all of the paperwork.

"The process is hideous," Finseth said.

The committee considered the bonding proposal for possible inclusion in its recommendation to the House Capital Investment Committee.

Phosphorus fertilizer restrictions

The House Local Government and Metropolitan Affairs Policy Committee approved a bill Feb. 27 that would restrict the use of phosphorus fertilizer on lawns throughout the state.

HF1524 passed through the committee process last session but did not receive action on the House floor.

Rep. Peggy Leppik (R-Golden Valley) said she has continued to work with various groups interested in the issue. The committee adopted a delete-all amendment that she said reflects interim discussions and strengthens the bill.

Under the amended bill, those residing in the seven-county Twin Cities metropolitan area would be prohibited from applying fertilizer containing phosphorus with some exceptions. The restriction would be lifted if tests of the soil indicate that it is lacking the amount of phosphorus needed to support healthy turf growth, and property owners first establishing a lawn would be exempt during the first growing season.

For those in Greater Minnesota, the bill would establish a restriction of 0.3 pounds phosphate per 1,000 square feet.

Leppik said the bill applies to turf only and does not apply to agricultural land.

Rep. Mark Buesgens (R-Jordan) expressed concern about establishing a petty misdemeanor penalty because without supplying any funding to local units of government the bill would either be an unfunded mandate or would lack enforcement power.

Leppik said the goal isn't to punish people, but rather educate them on the environmental harm caused by phosphorus.

Speaking in support of the bill, Shorewood Mayor Woody Love said that cities throughout the state are concerned about the phosphorus issue and the impact it has on lakes.

"If there is an 1,000 mile journey to protect our water bodies, this represents a significant stride," Love said.

Tony Kwilas, representing the Minnesota Chamber of Commerce, spoke against the bill. Because it allows local governments to adopt tougher restrictions for a period of time, he said it would create a patchwork of ordinances that businesses would need to be aware of community by community.

He said that while the bill's goals are "laudable," a voluntary market driven educational approach would be preferable.

The bill now goes to the House floor.

GAMBLING



State casino rejected

A proposal that would establish a state-run casino with revenue shared with American Indian tribes was voted down 14-5 by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 22.

The measure was one of six gambling related bills, ranging from legalizing sports betting to authorizing slot machines at Canterbury Park, that the committee voted against.

Sponsored by Rep. Dave Bishop (R-Rochester), HF2799 would have imposed a 40 percent tax on revenue generated at the casino minus the amount paid out as prizes. The tax revenue would then be split 50/50 between the state and the tribes. The bill was amended to change the tax rate to 20 percent.

The Minnesota State Lottery would operate the casino, under the measure. Lottery Director George Andersen said a Twin Cities metropolitan area casino could likely generate as much as \$500 million annually.

Bobby Whitefeather, tribal chair of the Red Lake Band, said the additional revenue would help in economic development. He said the Red Lake unemployment rate is around 50 percent, and that there is a severe need for housing in the community.

A philosophical problem that Rep. Bill Hilty



Bobby Whitefeather, tribal chair of the Red Lake Indian reservation, testifies before the House Governmental Operations and Veterans Affairs Policy Committee Feb. 22 in support of a bill that would authorize a state-run casino and establish an American Indian net profit portion.

(DFL-Finlayson) had with the proposals is that gambling revenue is an unfair way to deal with real needs in the state and that all should contribute if an issue is deemed worthy of public funds.

Bishop said that gambling revenues amounted to a user fee, not a tax.

An unsuccessful amendment supported by Bishop would have put a constitutional amendment question before the voters in the 2002 general election to give the Legislature permission to authorize a casino in the state.

Rep. Phyllis Kahn (DFL-Mpls) spoke against the amendment saying it would open up the possibility that a casino operator could expand operations by opening up subsidiary "mini-casinos" elsewhere in the state. Although a co-sponsor of the bill, Kahn said the amendment changed the scope so that she could no longer support it.

Rep. Eric Lipman (R-Lake Elmo) offered an amendment that would allow the lottery director to sell opiate products, including heroin at the casino. He said if the issue was to raise revenue despite involving the state in an activity that has social implications, the revenue expansion in the amendment would fit in with the rest of the bill.

Lipman withdrew the amendment after saying he wanted to raise discussion on the issue.

GAME & FISH



Hunting for chickens

Prairie chicken hunters might soon be able to come out of retirement.

For the first time since the mid-1940s, the state would allow a limited harvest of the birds, under a bill approved Feb. 26 by the House Environment and Natural Resources Policy Committee.

Minnesota's prairie chicken population of about 3,000 has been stable for about a decade. Prairie chickens were disappearing rapidly in the last half of the 20th century because of dwindling habitat, but the population has rebounded largely due to land conservation efforts.

Under HF2920, sponsored by Rep. Dennis Ozment (R-Rosemount), the Department of Natural Resources (DNR) would establish a prairie chicken lottery. Hunters chosen would be required to purchase a \$20 license.

The license fee drew criticism from Rep. Jean Wagenius (DFL-Mpls), who argued taxpayers have spent a lot of money to help restore the prairie chicken population. She would like to see a much higher fee.

The bill also contained a number of other provisions, including a technical amendment

regarding timber sales on state forestlands. The amendment reinstates a 60-day time limit for purchasers to sign a timber permit.

Furthermore, HF2920 regulates the harvest of turtles. Minnesota anglers who have a recreational license would be allowed to take and keep turtles for personal use for \$25. The license to sell turtles would be \$70.

The committee struck two provisions from the bill proposed by the DNR: a section requiring that hunters with firearms licenses complete a firearms safety course, and a plan to allow the DNR commissioner to require restitution or restoration when an individual has tampered with aquatic plant life in public waters.

Ozment, the committee chair, raised concerns that landowners who removed weeds along their shoreline might be subject to a fine under the proposal.

Rep. Thomas Bakk (DFL-Cook) pressed the DNR to instead focus efforts on removing exotic species, such as rusty crayfish, from Minnesota lakes that are threatening to destroy the aquatic vegetation.

The committee also approved a number of amendments to the bill, including:

- allowing residents to obtain an all-season deer license, which would enable them to take one doe and one buck by either firearm or archery;
- prohibiting the use of silencers for firearms, unless the individual has a federal permit or is hired by a local government to shoot deer to control the population; and
- establishing a safety training course for hunters and trappers.

The bill now goes to the House Environment and Natural Resources Finance Committee.

★ GOVERNMENT

Benefit plan revision

A second state employee strike would be avoided under a bill approved by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 27.

As originally introduced, HF3575, sponsored by Rep. Dave Bishop (R-Rochester), would have eliminated the requirement that collective bargaining agreements with state employees be approved by the Legislature. The now-amended bill would ratify six labor agreements negotiated between the state and employee unions, as well as four other employment-related contracts. Those contracts include agreements with the state's two largest employee unions — the Minnesota Association of Professional Employees and the American Federation of State, County, and Municipal Employees.

Bishop is also the sponsor of a bill (HF3407) approved by the committee on Feb. 13 that would reject all but one labor agreement, that with the Minnesota Government Engineers Council. Additionally, he sponsored a resolution stating the intent of the body was to reject the contracts because of concerns about provisions granting insurance benefits to same-sex partners. It passed the House Feb. 13.

The amended HF3575 includes criteria defining when the same-sex partner of a state employee would be eligible for insurance benefits, not only in the current negotiated agreements, but also in future agreements. Bishop said his concern all along was that the domestic-partner benefit language was too vague and could be interpreted as broadly as partners having financial dependence on someone they live with.

Some criteria spelled out in the amended bill include: the domestic partners be of the same gender, are not related by blood or adoption in a manner that would prohibit marriage, have a committed interdependent relationship that they intend to continue indefinitely, and that they agree to assume all legal spousal obligations to each other that would apply if they were legally married.

Rep. Tony Kielkucki (R-Lester Prairie) offered an unsuccessful amendment that would have removed the section of the bill defining the criteria for an eligible domestic partner. It would have put into law that no collective bargaining agreement or compensation plan can grant insurance benefits to a domestic partner of a state employee.

Kielkucki said the bill would establish intent and precedence in law that the state approves of same-sex partnerships.

"What you have done with the bill is take an issue and carry it even further than the intent of the contracts," he said.

Rep. Mike Jaros (DFL-Duluth) spoke in support of the bill. "This is not a moral issue. It's an economic issue," he said. "We should strive to cover everybody."

The bill now goes to the House State Government Finance Committee.

Affirmative action program

The Department of Employee Relations would take a greater role in coordinating the state's affirmative action program in state agencies, under a measure approved by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 27.

Rep. Len Biernat (DFL-Mpls), the sponsor of HF3531, said the measure is a "noncontroversial bill with a controversial title."

Michael Watts, director of the Diversity and Equal Opportunity Office in the Department

of Employee Relations, said the bill would reduce the redundancy of each agency developing its own affirmative action plan. The bill would require the department to prepare an executive branch plan each even-numbered year.

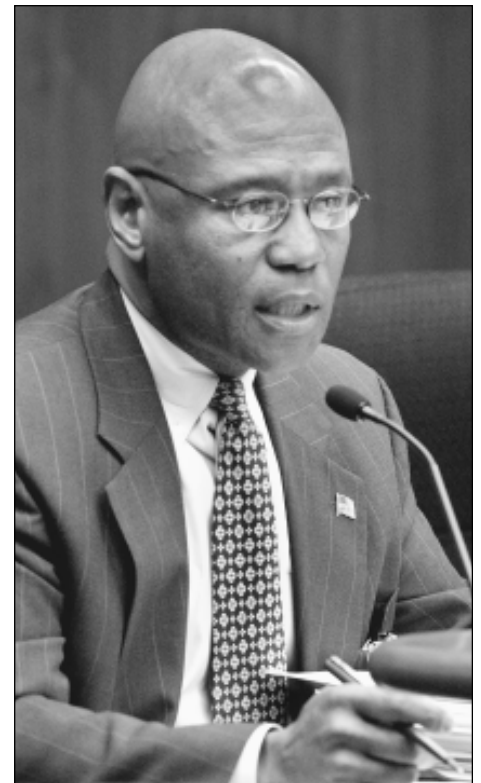
Rep. Mike Osskopp (R-Lake City) expressed concern about a provision in the bill that would require the department to establish an "annual goal," or target, to identify problem areas where women, minorities, and people with disabilities are not being used for certain jobs. The bill further requires the department to "make a good faith effort to achieve the goals."

Osskopp said that the provision sounded as though it would create quotas in state hiring and promotion practices.

Watts said that current law requires agencies to justify "missed opportunities" when making non-affirmative action hires. The law requires that agencies maintain a 25 percent or less missed opportunities rate in its appointments to open positions.

Watts said the current system could therefore be construed as relying more on quotas than the annual goal provision established in the bill, a point that Osskopp said he agreed with.

Rep. Phyllis Kahn (DFL-Mpls) said it was important to distinguish that equal opportunity is different than affirmative action. She



Michael Watts, director of the Diversity and Equal Opportunity Office at the Department of Employee Relations, testifies Feb. 27 before the House Governmental Operations and Veterans Affairs Policy Committee in support of a bill that would modify the state's affirmative action program.

pointed to the Department of Natural Resources hiring of Asian enforcement officers to better communicate with that community as an example of how service positions require diversity.

Rep. Phil Krinkie (R-Shoreview) said references in the bill to recruiting and retaining employees during a time where the private sector is laying off employees indicates that the administration doesn't see the need to reduce the state government workforce.

Watts responded that the bill would address the long-term hiring and retention practices of the state.

The bill now goes to the House floor.

State flag redesign

A new state flag may be blowin' in the wind, under a bill approved by the House Governmental Operations and Veterans Affairs Policy Committee Feb. 27.

HF3556, sponsored by Rep. Ron Erhardt (R-Edina), would establish a task force to study the form, style, and design of the current state flag and suggest any changes. Consisting of three senators and three representatives, the task force would report back to the Legislature by Jan. 15, 2003.

The current flag, like 25 other state flags, is blue with an insignia, Erhardt said. The flag design has been revised over the years, with the last change coming in 1983. The current version includes the state seal surrounded by the state flower and motto, the North Star, and

19 stars representing Minnesota as the 19th state admitted to the union following the original 13.

Erhardt said the existing flag is "unremarkable and not very distinctive." "School kids couldn't tell you about it to save your soul."

Sen. Edward Oliver (R-Deephaven), the sponsor of a Senate companion bill (SF3201), said that in a session dealing with a budget deficit and other serious issues this bill adds a lighter tone to discussions. He said that since Sept. 11, there has been a greater appreciation for flags and an outpouring of people displaying the American flag.

"Flags are great symbols that arouse great passions," Oliver said.

Rep. Marty Seifert (R-Marshall) said he was concerned that if a new flag is developed it would become a "very big issue" as all those who currently fly the state flag such as municipalities, churches, VFW's, and businesses would have to buy new flags.

Oliver responded that in other states where new flags have been developed the old flags are usually phased out and the state would operate in a two-flag mode for awhile.

Rep. Eric Lipman (R-Lake Elmo) questioned whether the bill was needed. He said that if the interest is there to redesign the flag that a task force could be formed without the bill.

Rep. Phyllis Kahn (DFL-Mpls) said she thought the bill was needed because the issue would get more public attention if passed into law.

The bill now goes to the House floor.



Rep. Ron Erhardt, *left*, describes the detail in the Minnesota state flag to illustrate why a new design is needed during the Feb. 27 meeting of the House Governmental Operations and Veterans Affairs Committee. Sen. Edward Oliver, *right*, also testified in support of the bill that would establish a state flag design task force. Displayed at the committee was one possible new flag design.

★ HEALTH

Donation education

Students in driver's education programs may soon be learning about a new topic: organ donation.

A bill that passed the House Transportation Policy Committee on Feb. 26 would require that all students in driver's education be taught about organ and tissue donation.

The bill would apply to students in public and private school driver's education classes, as well as commercial driver training schools.

Rep. Carol Molnau (R-Cologne), the sponsor of HF3328, said driver's education is a good time to teach people about donation because they are about to apply for a license.

The state now allows drivers to check a box on their driver's license application or renewal forms to indicate they wish to donate their organs upon their death.

Most people support organ donation but many don't think about it when they apply for or renew their license, Molnau said.

The bill would also require the state to include a section about organ and tissue donation in the state driver's manual.

The section would include information on the shortage of organs and tissue available for donation, basic facts about donation, and the use of the driver's license as an indication of intent. It would also stress the importance of sharing donation intentions with family members.

There is currently no age restriction in law limiting who can donate organs.

The bill was approved and referred to the House Governmental Operations and Veterans Affairs Policy Committee.

HF3328 is the second measure this session dealing with organ donation. HF2473, sponsored by Rep. Phyllis Kahn (DFL-Mpls), would make sure that those who request to donate their organs have their wishes fulfilled without interference from family members. That bill awaits action on the House floor.

★ HIGHER EDUCATION

University project requests

The University of Minnesota's 2002 capital budget request features something for each of its campuses.

University projects for 2002 total \$239.8 million, and the school seeks \$186.5 million in state financing. The rest would come from a combination of user-financed bonds and private fundraising.

The committee recommended funding for all the university projects Feb. 25 (see next higher education story).

Of the university's request, the top priority is \$80 million to invest in facility renewal, safety, disability access, and utility infrastructure. The funds would be used to complete 85 projects on all four campuses (Crookston, Duluth, Morris, and the Twin Cities), President Mark Yudof told the House Higher Education Finance Committee Feb. 22.

Gov. Jesse Ventura is recommending \$35 million, Yudof asked the committee to come as close to fully funding the needs as possible.

Of the remaining 11 projects, the university ranked the renovation, demolition, or replacement of greenhouses on the St. Paul campus to serve educational needs in agriculture, biology, and natural resources as its next priority. The university wants \$18.7 million for the project, but Ventura recommended \$3.4 million. Nearly \$6 million was appropriated two years ago for the first phase.

The lone project specific to the Duluth campus is next: a new building for the chemistry and biology programs and enhancement of other science facilities for \$22 million in state bonds.

"You don't build a great university with a 1948 chemistry building," Yudof said.

Fourth on the list is \$24 million to renovate Nicholson Hall into a freshman learning center on the Minneapolis campus. The governor is recommending \$10 million. University officials said the project would be hard to stagger over several years, so the \$10 million should go to another project if the renovation is not fully funded.

Eighth on the overall list is \$7.7 million for the demolition and replacement of Bede Hall, the student center on the Crookston campus. Built in 1921, the building's basic systems — such as mechanical and electrical — are now obsolete or nonexistent. University officials said it would be cheaper to rebuild than to renovate.

The only Morris-specific project involves renovation and expansion of the Social Science Building and the installation of fire sprinklers in three dormitories. The cost would be \$9 million; the governor is recommending no funding.

Bonding recommendations

The House Higher Education Finance Committee approved a list of \$480 million in bonding recommendations at its Feb. 25 meeting. The list featuring 40 items is now headed to the House Capital Investment Committee.

Compiled from requests by the University of Minnesota and the Minnesota State Colleges and Universities system, the final list features all items requested.

"However, we moved some things around and split some things up" in ranking the projects, said Rep. Peggy Leppik (R-Golden Valley), the committee chair.

Sharing the top spot on the list is \$70 million in infrastructure and building maintenance money for the university and nearly \$85.85 million for MnSCU. The latter could get even more as a proposed amendment would compensate for any difference between rebuilding costs and the yet-to-be-negotiated insurance settlement for the food services building at Southwest State University. A fire destroyed the previous building on Jan. 2.

Other than those projects, the top three university projects are \$1 million for the installation of a fire sprinkler system in three dormitories on the Morris campus (originally part of a combined project to renovate the Social Science building, though both projects would receive funding); \$18.7 million for renovation, demolition, or replacement of greenhouses on the St. Paul campus; and \$4 million for classroom improvements on all four campuses.

"We felt this was a life-safety issue so we split the two (Morris projects)" and moved the sprinkler system to third on the list, Leppik said.

For MnSCU, a \$9.9 million remodeling of the science building at Normandale Community College topped the list and was second overall. The other top two recommended MnSCU projects are \$30 million for a new science building at Winona State University and \$9.15 million for a classroom technology building at Alexandria Technical College.

"It's been under design," Leppik said of the Winona science building. "The current science building is in very bad shape."

Three projects that were not a part of MnSCU's original request to the governor totaling \$52.15 million were included in the committee's list but without recommendation: a \$31.15 million proposal for design and construction of a health sciences center and the University Center in Rochester, a \$3 million in infrastructure improvement at the Rochester campus, and an \$18 million request for field house additions at Bemidji State University.

Rep. Paul Marquart (DFL-Dilworth) asked Leppik what percent of the House bonding bill generally goes to higher education. She said historically it has been about one-third, and percentage-wise this plan would be a little higher.

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Equality sought

A bill concerning equity for certain teachers failed to get a vote from the House Higher Education Finance Committee Feb. 27, but progress was made.

HF2545, sponsored by Rep. Peggy Leppik (R-Golden Valley), would create a committee to study the issues of establishing bargaining units for instructors who teach in state residential facilities, including correctional facilities.

The committee would be required to submit its recommendations to the Legislature by Nov. 15, 2002. Committee members would represent the state residential school association, Minnesota State College Faculty, Education Minnesota, Minnesota State Colleges and Universities (MnSCU), and the departments of corrections and children, families and learning.

Currently within state residential facilities, particularly correctional units, there are instructors hired by the Department of Corrections that generally teach K-12 education, GED classes, and some vocational classes. Meanwhile, some other full-time instructors at the facilities are employees of the MnSCU system. They teach more college level classes.

The two collective bargaining units differ on issues like hours, wages, and benefits. Additionally, per their contract, corrections department instructors take part in safety measures such as patting down prisoners or participating in lockdown procedures.

"Our intent is to find a solution for all parties involved, especially those at the prisons," said Jeanette June, president of the State Residential Schools Education Association.

John Shabatura, MnSCU vice-chancellor for labor relations, said this matter has not been formally introduced to the Board of Trustees or the chancellor so they have no position on the bill.

Leppik said a fiscal note attached to the bill that would appropriate money for the study "came in high."

However, June, Shabatura, and Cheryl Furrer, representing Education Minnesota, agreed to meet informally to begin discussing the issue.

★ HOUSING

Lending changes

The practice of making high-cost home loans to borrowers who are unlikely to be able to pay the loan back would be prohibited, under a measure approved by the House Commerce, Jobs, and Economic Development Policy Committee Feb. 26.

Rep. Jim Rhodes (R-St. Louis Park), the

sponsor of HF3434, said the bill was a compromise reached between those in the lending industry, groups that have been targeted by the practice known as "predatory lending," the state Department of Commerce, and other interested parties.

The committee adopted a delete-all amendment to the bill that reflects the compromise. "Predatory lending is alive and well in Minnesota," Commerce Commissioner Jim Bernstein said, adding that the practice is not illegal.

Though not perfect, Bernstein said the compromise would give the department a tool to stop the practice that "tears the heart out of a lot of people in Minnesota."

The amended bill includes a disclosure requirement, that among other provisions, requires the department to develop a "simple disclosure notice written in plain language, easily readable and understandable by a person of average intelligence and education" that would be given to all applicants providing information about high-cost home loans.

The disclosure also requires that the lender encourage borrowers to seek independent home loan credit counseling.

Tara McCarthy, a certified credit counselor, said people affected by predatory lending are generally those who want to pay the loan but do not have the financial ability.

"This will help curb some of the practices that are intentionally putting consumers at harm," she said.

Rep. Karen Clark (DFL-Mpls) spoke against a successful amendment that would change the applicable interest rate threshold criteria.

Prior to the amendment, the bill would have applied to first lien mortgage loans with an interest rate that equals or exceeds six percentage points over the weekly average yield on five-year United States Treasury securities.

Under the amendment, a standard set in a federal code of regulations would apply. Bernstein said the current interest rate using those standards is 12.1 percent.

Clark said that rate was too high. "We're not going to help a lot of people who desperately need it," she said.

Rhodes said the bill was not aimed at "good people who do the right thing. We're going after the bad actors."

The bill now goes to the House Civil Law Committee.

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

Paperless filings

A plan to allow real estate documents to be filed electronically made its way through the House Civil Law Committee Feb. 27.

HF3587 is the result of a task force created two years ago, said Rep. Ray Vandevener (R-Forest Lake), the bill sponsor.

Bert Black, a legal analyst with the secretary of state's office, said current law only allows real estate documents to be filed in paper form.

The bill also allows electronic signatures and seals to be used as part of the pilot project implemented by the task force in 2000.

Under current law, real estate documents have to meet seven requirements including the size and weight of the paper, margin size, and title.

There is a \$10 filing fee for documents that do not meet all of the standards.

The bill would also make it clear that the electronically filed documents are not subject to that fee, Black said.

It would also continue the task force study that is set to expire June 30, 2003. The expiration date would be pushed back one year to allow the task force to see how the filing is working, Black said.

The bill was approved by the committee and sent to the House Governmental Operations and Veterans Affairs Policy Committee because it involves a government task force.

SUPPORTING MENTAL HEALTH



PHOTO BY ANDREW VON BANK

Hundreds of people take part in a Feb. 26 rally in the Capitol Rotunda as part of Mental Health Day on the Hill, an annual event sponsored by the Mental Health Legislative Network. The event is designed to encourage support of public mental health policies.

HUMANITIES

★ Money for libraries

Local communities may receive some state assistance to help build or renovate libraries, under a bill approved Feb. 25 by the House Family and Early Childhood Education Finance Committee.

HF3005, sponsored by Rep. Larry Howes (R-Walker), would set up the Mighty Books grant program to allow libraries to apply for state money. The libraries must provide a 70 percent match of local money to qualify.

Grants awarded would be the lesser of \$500,000 or 50 percent of the total project cost.

Committee chair Rep. Barb Sykora (R-Excelsior) said the bill would be the first time the state has bonded to provide money for local libraries.

There are many libraries across the state that are old, in bad condition, or just need more space, Howes said.

The bill originally requested \$18 million for the grant program, and only required a 50 percent local match, but Sykora said given the tight budget this year, that amount was not likely to be approved.

Instead, the committee agreed to recommend to the House Capital Investment Committee approval of \$3 million for the program, with a 70 percent local match. The Senate is recommending \$1 million, Sykora said.

Although raising the matching requirement to 70 percent may cause some libraries to scramble for money, Sykora said it would also make the grant program more appealing to the bonding committee.

The committee heard several proposals for local library projects this session. Instead of addressing each individual project, committee members said that the libraries would be eligible for Mighty Books grants.

Libraries in Fergus Falls, Pine River, Fosston, and Cross Lake requested a total of \$3.1 million.

Howes noted that a lot of state money is spent on sports facilities, but libraries are much more important.

"When kids look up at the scoreboard, I would hope that they could read it," he said.

★ LAW

Bus driver checks

A bill designed to give the state more freedom in deciding who sits behind the wheel of a school bus was approved by the House Crime Prevention Committee Feb. 22.

HF2232, sponsored by Rep. Dan Larson (DFL-Bloomington), would give the state

public safety commissioner greater authority to deny school bus endorsements to people who have had a gross misdemeanor or a series of violations that show the person is a risk to public safety. It now goes to the House floor.

Current law denies a school bus endorsement to those who have been convicted of a gross misdemeanor drug or alcohol violation, as well as those who have been convicted of a felony.

Drivers who have had four moving violations within the past three years are also not granted a bus endorsement.

Larson said the bill is needed because authorities are currently unable to deny an endorsement to people who have been convicted of certain gross misdemeanors, such as possession of an illegal firearm, or have a history of repeated criminal behavior.

Capt. Ken Urquhart of the Minnesota State Patrol spoke in favor of the bill.

Driving a bus isn't an easy job, and if the person can't deal with their own life, maybe they shouldn't be driving a bus, he told the House Transportation Policy Committee at its Feb. 19 meeting.

Urquhart said the Department of Public Safety allows drivers who are denied an endorsement to apply for a waiver.

"We would just like to look at more of these cases," he said.

Some committee members questioned how the commissioner would be able to determine who is a risk to public safety.

"We can't predict it, but we know it when we see it," he said.

★ LOCAL GOVERNMENT

Commission size increase

The state's public utilities commissioner population would continue to grow under a measure approved by the House Local Government and Metropolitan Affairs Policy Committee Feb. 25.

Rep. Steve Smith (R-Mound), the sponsor of HF3202, said the bill would increase the Delano Public Utilities Commission from three members to five. He said it is similar to HF2624 that passed the House floor on Feb. 11. That bill expands the Shakopee Public Utilities Commission from three members to five.

The city of Grand Rapids received the same authority from the Legislature in 1999.

Public utilities commissions are responsible for the management of publicly owned water and electric utilities. HF3202 would maintain staggered three-year terms for the Delano commission and would prohibit more than one city council member from serving on the commission at any time.

Phil Kern, the Delano city administrator, said that since the commission was formed in 1936 the city's population has quadrupled and the commission's budget has increased 800 percent. The current budget is around \$2.8 million.

Rep. Mark Buesgens (R-Jordan), who sponsored HF2624 on behalf of the city of Shakopee, said that if he is a member of the 2003 Legislature he intends to sponsor a bill that would give similar authority to public utilities commissions throughout the state.

The bill now goes to the House floor.

Appointing positions

Soil and water conservation board supervisors would be appointed in Hennepin County, under a measure approved Feb. 25 by the House Governmental Operations and Veterans Affairs Policy Committee.

HF2252, sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center), would allow the Hennepin County Board of Commissioners to divide the county into five districts and appoint the supervisors.

Under current law, soil and water supervisors run at-large in counties for four-year terms, except in Ramsey and Washington counties. The Legislature has allowed supervisors in those counties to run by district.

Hilstrom said that HF2252 would make Hennepin County the lone county in the state to appoint its soil and water conservation board supervisors.

Karen Johnson, chair of the current Hennepin County Soil and Water Conservation District Board, said board members support the bill. She said it is difficult to attract people to run for the positions, and the bill would allow the county board to establish an application process that would yield qualified individuals for the positions.

Because voters are generally unaware of who the candidates are, Johnson said appointing supervisors would serve county residents better even though there was a chance she would not be appointed, "and that would break my heart." She said she ran unopposed in her last two elections.

Rep. Tony Kielkucki (R-Lester Prairie) said he was against the bill because conservation issues can often be contentious, and it is important to have accountable elected officials.

Just because some public officials are appointed rather than elected doesn't necessary mean they are less accountable, countered Rep. Mark Gleason (DFL-Richfield). He noted that he was impressed in dealing with the appointed Minnehaha Creek Watershed District members while working on issues

surrounding Camp Coldwater Springs.

Rep. Len Biernat (DFL-Mpls) said he supported the bill because it was unrealistic to expect soil and water supervisors, elected at the county level, to "door knock" on the doors of the 500,000 voters in Hennepin County.

The bill now goes to the House Environment and Natural Resources Policy Committee.

★ METRO AFFAIRS

Improvements for communities

A bonding request of \$10 million for the Livable Communities Act was presented to the House Jobs and Economic Development Finance Committee Feb. 22.

The bill (HF3446), sponsored by Rep. Jim Abeler (R-Anoka), would fuel a fund that distributes grants to cities in the Twin Cities metropolitan area.

Overseen by the Metropolitan Council, the Livable Communities Act was established by the Legislature in 1996. Three separate accounts are dedicated to cleaning up polluted land; revitalizing communities and promoting efficient development; and providing affordable housing to people with moderate incomes, according to council literature.

Ramsey Mayor Tom Gamek said his city is a recipient of Smart Growth. He said it was a great opportunity to develop a downtown center, which includes housing and transportation.

"We're using the land for the best ability we can," Gamek said.

Plymouth Mayor Mary Tierney said the Livable Communities Act helped considerably with funds of \$200,000 to address the city's problem of affordable housing.

An advisory committee decides how to distribute the funds, said Caren Dewar, deputy regional administrator for the Metropolitan Council. She said the programs are competitive, available to all cities, and for public improvements only.

Potential projects include: \$1.2 million for construction of a town center in Mendota Heights, \$1 million for redevelopment of a boulevard in Coon Rapids, and \$1 million for a skyway system in Richfield.

The bill has been recommended for inclusion in the committee's omnibus bill.

Personal rapid transit plan

A House committee has approved a plan that would appropriate \$400,000 to the University of Minnesota to study viability and application of personal rapid transit on the Twin Cities campus and the nearby state fairgrounds.

The bill (HF3320), sponsored by Rep. Mark

Olson (R-Big Lake), would also appropriate \$4.8 million in general obligation bonds to the university to develop and construct a personal rapid transit system of at least one-third mile at the campus and the fairgrounds.

Witnesses at the hearing indicated the bill would likely be scaled back to only call for the university study, rather than full development of the project.

The House Transportation Policy Committee approved the bill Feb. 22.

Personal rapid transit involves a system of small cars that accommodate one or two people and operate on elevated guideways. The cars would go from station to station, as the riders direct them, requiring only one fare for the entire car full and ride.

Taxi 2000, a Fridley company that has developed personal rapid transit technology, is developing a test track in Fridley that should be complete within 12 months, said Joseph Lampe, vice president for the company. The track is being funded with \$1 million from private sources.

Lampe testified that personal rapid transit has low construction and maintenance costs. In addition, it reduces congestion, he said, because it operates on raised platforms and does not have to contend with regular traffic like buses or light-rail transit would.

Industry officials also say it would pay for itself within a few years of development.

Olson testified that the university and the fairgrounds are a good place to test the system because of the thousands of staff and students on the campus every day and the 1.6 million people who attend the state fair during its 12-day run every year.

The bill now moves to the House Transportation Finance Committee.

★ MILITARY

Draft registration dilemma

The House Governmental Operations and Veterans Affairs Policy Committee heard a proposal (HF3457) Feb. 21 that would automatically register men for selective service when they receive a driver's license or state identification card.

Committee chair Rep. Jim Rhodes (R-St. Louis Park) who sponsored the bill pulled it from immediate consideration after members expressed concern about the automatic registration process.

Minnesota Selective Service Director John Fitzgerald said Minnesota ranks in the top 10 in the nation with a 93 percent registration rate. He said the percentage drops, however, among immigrants and high school dropouts.

Fitzgerald said that men who fail to register

before they turn 26 years old lose all rights to federal education assistance money, cannot apply for federal jobs, and lose the ability to become citizens.

Rep. Phyllis Kahn (DFL-Mpls) said the bill would take away the rights of those who wish to protest the registration process. She said that women aren't allowed to register and thus some men might morally object to the entire process as being discriminatory.

A better approach might be to notify people who get a driver's license or identification card of the requirement to register for the draft, said Rep. Bill Hilty (DFL-Finlayson).

Fitzgerald said that the bill would not cost the state any money and that a notification system might need state dollars to implement and run.

Rep. Phil Krinkie (R-Shoreview) said the bill was "as dumb as we can get" and instead of automatically registering people the thrust of the bill should be reversed.

"This bill highlights my firm faith belief in all the things government shouldn't do," Krinkie said, pointing out that the draft was abolished in 1974. "We're trying to perpetuate a system that does absolutely nothing. We want to make felons out of 18-year-old men who fail to supply government with their names and addresses so they can be notified about something that doesn't exist."

Krinkie said the committee should amend the bill into a resolution instructing Congress to finally abolish the selective service registration system.

★ RECREATION

Owning a team

Those who have always wanted to own a major league baseball team would get that opportunity, under a community ownership

NATIVE SPEAKER



PHOTO BY TOM OLMSCHIED

American Indian activist Clyde Bellecourt is framed by an Eagle Staff as he speaks in the Rotunda during the first Metro Urban Indian Day Feb. 27.



Julian Loscalzo testifies Feb. 25 before the House Governmental Operations and Veterans Affairs Policy Committee in support of a bill that would provide a Minnesota Twins community ownership process.

bill approved Feb. 25 by the House Governmental Operations and Veterans Affairs Policy Committee.

HF2587, sponsored by Rep. Phyllis Kahn (DFL-Mpls), would allow people to buy stock in the team up to a limit of 75 percent public ownership.

She said the bill is separate from the stadium issue, but if the community owned the team it would remove threats to relocate or contract the Twins and thus be a first step toward a more “rational” discussion on the merits of a publicly financed ballpark.

“When you take a train from Boston to New York you have to go through New Haven first,” she said.

The bill would require that a managing owner hold 25 percent of the team’s stock and would be responsible for the day-to-day operations. Two classes of stock would be established, “Class A,” that would allow owners full voting rights on all matters, and less expensive “Class B” certificates that would only allow stockholders to vote on relocation matters.

Rep. Philip Krinkie (R-Shoreview) questioned whether the bill would accomplish anything.

“There is no impetus to push Major League Baseball to do this. Why would they want to do this?” he said. “Billionaire blackmail is an easy game to play. The idea of contraction is just a myth.”

Julian Loscalzo, who spoke in support of the bill, said there are currently some clubs that operate under a similar structure. Loscalzo said that Arizona Diamondbacks owner Jerry Colangelo owns only 6 percent of the team.

Kahn said the plan is similar to one agreed upon in 1997 by Twins owner Carl Pohlad. She said she has spoken with at least one member of the Pohlad family who indicated some interest in the plan.

She said the bill is not required for the team to offer something similar on its own, but the Legislature would send a message about the importance of the team as a community asset by passing the measure.

The bill now goes to the House floor.

★ RETIREMENT

LTV pension concerns

**Signed
by
the
governor
★ ★ ★**

Gov. Jesse Ventura signed a resolution Feb. 27 that claims laid off LTV steel mining workers were given “virtually no notice” of the termination of their pension plan and calls for action on their

behalf.

The resolution states that the Minnesota Legislature urges the pension corporation to delay terminating the LTV Steel Mining Pension Plan until March 2003 in order to enable the employees of LTV and the state “to study possible alternatives to a Pension Benefit Guaranty Corporation distressed termination.”

Besides the pension corporation, the president of the U.S. Senate, the speaker of the U.S. House of Representatives, and several federal administrators will receive a copy of the resolution.

The pension corporation gave plan participants 45 days notice of its intention to terminate the pension plan, based on their analysis that the plan is no longer fully funded, according to the resolution.

About 3,500 Minnesotans are either collecting or are eligible for a fully funded pension.

The LTV mining plant in Hoyt Lakes shut down in August 2000, and went bankrupt in February 2001.

Rep. Tom Bakk (DFL-Cook) sponsored the resolution in the House, and Sen. David Tomassoni (DFL-Chisholm) carried it in the Senate.

The measure passed the House 119-0 on Feb. 18 and the Senate by a vote of 64-0 on Feb. 14.

HF3411/SF3207*/R7

★ TAXES

City aid changes

In 1972 the state’s local government aid program was created to provide property tax relief. By providing state aid to local units of government, policymakers expected the need to raise local property taxes would be diminished.

Beginning in 1994 a new formula was established, that focused more on needs as determined by total population, population decline, the amount of housing built before 1940, and the percent of a city’s tax base classified as commercial and industrial.

At that time, several communities were grandfathered in under the previous standards to protect them from suffering too steep a decline in aid.

However, a proposal (HF3454) heard by the Property Tax Division of the House Taxes Committee Feb. 25 would switch those excepted communities to the standard now in practice.

Rep. Ann Lenczewski (DFL-Bloomington), the sponsor of the measure, said that under the current system 63 percent of the \$565 million in aid is determined by the grandfather provisions.

“There is an inherent unfairness in the system,” she said. “We are pumping money into a system that’s faulty.”

Lenczewski added that she realized it would be difficult to pass the bill since many cities would see a decrease in aid under the plan and thus representatives from those areas would likely oppose the bill.

“It will take a lot of courage to do something like this but it’s the right thing to do,” she said.

The bill would provide that an increase in the total local government aid appropriation a community receives above the 2002 appropriation would result in an equal decrease in the amount of aid paid to cities governed by the former formula. That money would be redistributed according to the updated formula.

Under the bill, the city of Rochester would see a decrease in aid of \$115,934 when compared with the current law, and payments to Richfield would be decreased by \$93,471. On the other hand, Chaska would receive \$31,199 more and Brainerd would see a \$26,026 increase.

Lenczewski said her own city, Bloomington, would see a reduction in aid of \$11,702, but that creating a fairer system is the goal of the legislation.

Rep. Bob Milbert (DFL-South St. Paul) said he supported the bill but would eventually like to see the Legislature move to a system where the aid went directly to taxpayers and not to local government.

The bill will be considered for possible inclusion in a potential omnibus tax bill.

Recreational property

Cabin owners would see reduced property taxes under a measure heard by the Property Tax Division of the House Taxes Committee Feb. 25.

HF2630, sponsored by Rep. Ron Erhardt (R-Edina), the division chair, would exempt noncommercial seasonal recreational property from the state's general levy.

As part of the changes to the state's property tax laws last year, a new statewide general tax levied on commercial-industrial and seasonal-recreational properties was established. Future growth of the tax was dedicated to education funding.

Despite promises that all properties would see relief under the changes, Erhardt said that seasonal recreational property has seen "virtually less property tax relief than any other property."

He said it is unfair that cabin owners who don't send their children to the school district where the cabin is located are still required to pay property taxes for those schools.

Niles Zickman, president of the Minnesota Seasonal Recreational Property Owners Coalition, said members of the coalition are not opposed to "paying our fair share, but we have been paying more than our fair share."

Zickman said many of the state's cabin owners are second- and third-generation owners of the property that has been handed down in the family and are not "rich cabin owners."

The bill would not generate more overall tax revenue but would increase the taxes paid by commercial-industrial property owners by \$27.9 million to make up for the reduction to seasonal-recreational property.

That shift concerns the Minnesota Chamber of Commerce. Tom Hesse, representing the chamber, said the shift would create an unfair tax burden particularly on owners of small businesses.

Hesse said that although commercial-industrial properties would only see a 1.5-percent increase statewide, the increase for those properties in areas with a large amount of seasonal-recreational properties would be much higher.

The committee took no action on the bill, but it will be considered for possible inclusion in a potential omnibus tax bill.

While the committee voted to move the bill to the House Transportation Finance Committee, members did so without any recommendation.

HF3415, sponsored by Rep. Tom Workman (R-Chanhassen), would raise the state gas tax from 20 to 25 cents per gallon and the tax would be indexed, or increased as necessary each year based on the consumer price index, which helps measure inflation.

In addition, the bill would place a constitutional amendment on the November 2002 general election ballot to dedicate at least 32 percent of motor vehicle sales tax revenues to highways. About 30 percent of those proceeds are dedicated to highways, under current practice, which is governed by law, not the constitution.

The bill would also appropriate \$400,000 in trunk highway bonds, allowing the commissioner of transportation to spend the money with the following guidelines: 50 percent each year to alleviate bottlenecks in the Twin Cities metropolitan area and 50 percent each year for at-risk interregional corridors in Greater Minnesota.

Under the bill, gas tax increases would take effect July 1, 2002.

Rep. Mary Liz Holberg (R-Lakeville) said she is uncomfortable with the idea of indexing the gas tax in future years. Workman said that it's a difficult choice, but the Legislature has shown a historic reticence to raise the tax even though road maintenance calls for it. Gas taxes have not been raised since 1988.

"We need to do those uncomfortable things that we don't like to do," he said.

Members agreed that a long-term funding solution for road systems needs to be in place. In addition, they said they should only be concerned with Minnesota's needs and let surrounding states such as Iowa and South Dakota — which have lower fuel taxes — take care of themselves.

"We need to take care of our roads for our people," said Rep. Ted Winter (DFL-Fulda). "We need to move that up a little bit."

Rep. Alice Hausman (DFL-St. Paul) agreed that road funding is warranted but said any increase in gas taxes should not be limited to funding roads and bridges alone. Other transit options, such as commuter rail, should also be considered.

In response, the Legislature commissioned a study group to determine alternative methods for funding local road improvement projects.

The result of the study is a proposal to create a fund in the state treasury and appropriate funds to be disbursed to cities, counties, and townships in the form of grants or loans.

The proposal is contained in a bill (HF3602), sponsored by Rep. Carol Molnau (R-Cologne). The bill was approved Feb. 22 by the House Transportation Policy Committee and now goes to the House Transportation Finance Committee.

"The huge challenge that counties and cities are facing is not just maintenance, but in expanding capacity," said Fred Corrigan, executive vice president of the Minnesota Transportation Alliance.

The bill would establish the fund and would authorize \$50 million in general obligations bonds in the 2002 bonding bill for the fund. Two accounts would be established — one for trunk highway corridor projects and one for local roads representing routes of regional significance.

Projects would be evaluated for funds based on several criteria, including project significance, the number of people it affects, and the local government's ability to maintain the project once completed.

In addition, the bill stipulates that the money be spent for local costs not otherwise covered by state or federal funds.

Dave Callister, city administrator for Osseo, testified in favor of the bill, calling it a positive move forward. Osseo, a town of about 2,500 people in northwest Hennepin County, falls under the population threshold for most state-aid programs and yet its main street bears traffic loads of several thousand motorists daily due to its location between Maple Grove and Brooklyn Park — both rapidly growing communities.

"I'm not sure Osseo will benefit from it, but like I said, it is a step in the right direction," Callister said. "I don't think population is a good way to give out aids to local governments."

Though Rep. Henry Kalis (DFL-Wells) questioned the use of general obligation bonds for highway purposes, he supported the bill's concept and reasserted the need for better roads in Greater Minnesota.

"I don't know how much more need we need to show before somebody has the courage to do something," he said.

★ TRANSPORTATION

Gas tax increase advances

Members of the House Transportation Policy Committee heard a bill Feb. 22 that would increase the state gas tax and would change the way certain transportation funds are allocated.

Local road improvement fund

During the 2001 session, legislators and local officials expressed concern that the current state funding system for highways does not provide enough resources to local agencies looking to improve their roads.

Electric transport devices

The first consumer models of a new mode of transportation just went up for auction online, but state legislators are preparing for what could be a very popular way to get around.

The Segway Human Transporter, a cross between a scooter and a vehicle, is described on the company's Web site as a "self-balancing, electric-powered personal transportation machine."

Three of the machines are now available on an Internet site for more than \$100,000 each.

Although they might be too expensive for most consumers now, technology and popularity might drive prices down and the machines may start showing up in the state within a few years. As a result, the House Transportation Policy Committee approved a bill Feb. 21 that would limit use of the Segway and other devices to sidewalks and bike paths, and would limit the speed to 15 mph.

The electric devices carry one person and

react to the rider's movements. They do not have brakes or a steering wheel, but respond to the riders balance. Leaning forward slightly will make them go, leaning back slightly will make them stop, explained Douglas Franzen, representing the company that makes the machines.

"We have a new creature here," he said, "It is not a car, it's not a motor vehicle."

HF2882, sponsored by Rep. Tom Workman (R-Chanhassen), now goes to the House floor.

Rep. Carol Molnau (R-Cologne) said the Segway presents an interesting addition to current modes of transportation. Although they are not realistic for long-distance travel, light-rail transit users could use it to get to and from the stations, she said.

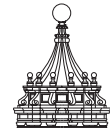
She also commended the committee for being proactive in regulating the transporters before they become a problem.

The committee's discussion also raised questions about electronic wheelchairs.

Current law is vague about whether electric wheelchairs are motor vehicles. If they

were defined in law as a motor vehicle, the state would require them to be licensed and registered.

Rep. Al Juhnke (DFL-Willmar), suggested that electric wheelchairs be added to the bill when it is discussed on the House floor.



NOTES

Caroline Innerbichler, an Eagan eighth grader, explained to legislators why an elevator is so badly needed at the Children's Theatre.

"The elevator is slower than our governor receiving the budget bill," she said at a Feb. 25 hearing of the House Jobs and Economic Development Finance Committee.

"At least the elevator gets to its destination," replied Committee Chair Dan McElroy (R-Burnsville).

Minnesota House and Senate Membership

1 A • Rep. Maxine Penas-(R) B • Rep. Tim Finseth-(R) Sen. LeRoy A. Stumpf-(DFL)	15 A • Rep. Al Juhnke-(DFL) B • Rep. Gary W. Kubby-(DFL) Sen. Dean E. Johnson-(DFL)	29 A • Rep. Jerry Dempsey-(R) B • Rep. Mike Oskopp-(R) Sen. Steve Murphy-(DFL)	43 A • Rep. Tom Workman-(R) B • Rep. Barb Sykora-(R) Sen. Edward C. Oliver-(R)	57 A • Rep. Nora Slawik-(DFL) B • Rep. Sharon Marko-(DFL) Sen. Leonard R. Price-(DFL)
2 A • Rep. Bernie L. Lieder-(DFL) B • Rep. Rod Skoe-(DFL) Sen. Roger D. Moe-(DFL)	16 A • Rep. Joe Opatz-(DFL) B • Rep. Jim Knobloch-(R) Sen. Dave Kleis-(R)	30 A • Rep. Fran Bradley-(R) B • Rep. Greg M. Davids-(R) Sen. Sheila M. Kiscaden-(R)	44 A • Rep. Betty Folliard-(DFL) B • Rep. Jim Rhodes-(R) Sen. Steve Kelley-(DFL)	58 A • Rep. Joe Mullery-(DFL) B • Rep. Phyllis Kahn-(DFL) Sen. Linda Higgins-(DFL)
3 A • Rep. Irv Anderson-(DFL) B • Rep. Loren A. Solberg-(DFL) Sen. Bob Lessard-(IP)	17 A • Rep. Sondra Erickson-(R) B • Rep. Leslie J. Schumacher-(DFL) Sen. Dan Stevens-(R)	31 A • Rep. William Kuisle-(R) B • Rep. Gregory M. Davids-(R) Sen. Kenric J. Scheevel-(R)	45 A • Rep. Ron Abrams-(R) B • Rep. Peggy Leppik-(R) Sen. Martha R. Robertson-(R)	59 A • Rep. Len Biernat-(DFL) B • Rep. Phyllis Kahn-(DFL) Sen. Lawrence J. Pogemiller-(DFL)
4 A • Rep. Doug Fuller-(R) B • Rep. Larry Howes-(R) Sen. Anthony G. "Tony" Kinkel-(DFL)	18 A • Rep. Rob Eastlund-(R) B • Rep. Loren Geo Jennings-(DFL) Sen. Twyla Ring-(DFL)	32 A • Rep. Gene Pelowski Jr.-(DFL) B • Rep. Michelle Rifenberg-(R) Sen. Bob Kierlin-(R)	46 A • Rep. Mark Thompson-(DFL) B • Rep. Lyndon R. Carlson-(DFL) Sen. Ann H. Rest-(DFL)	60 A • Rep. Margaret Anderson Kelliher-(DFL) B • Rep. Scott Dibble-(DFL) Sen. Myron Orfield-(DFL)
5 A • Rep. Tom Rukavina-(DFL) B • Rep. Anthony "Tony" Sertich-(DFL) Sen. David J. Tomassoni-(DFL)	19 A • Rep. Mark Olson-(R) B • Rep. Bruce Anderson-(R) Sen. Mark Ourada-(R)	33 A • Rep. Arlon Lindner-(R) B • Rep. Rich Stanek-(R) Sen. Warren Limmer-(R)	47 A • Rep. Darlene Luther-(DFL)* B • Rep. Debra Hilstrom-(DFL) Sen. Linda Scheid-(DFL)	61 A • Rep. Karen Clark-(DFL) B • Rep. Neva Walker-(DFL) Sen. Linda Berglin-(DFL)
6 A • Rep. Thomas (Tom) Bakk-(DFL) B • Rep. Thomas Huntley-(DFL) Sen. Douglas J. Johnson-(DFL)	20 A • Rep. Robert "Bob" Ness-(R) B • Rep. Tony Kielkucki-(R) Sen. Steve Dille-(R)	34 A • Rep. Steve Smith-(R) B • Rep. Jeff Johnson-(R) Sen. Gen Olson-(R)	48 A • Rep. Bill Haas-(R) B • Rep. Connie Bernardy-(DFL) Sen. Don Betzold-(DFL)	62 A • Rep. Jim Davnie-(DFL) B • Rep. Wes Skoglund-(DFL) Sen. Julie A. Sabo-(DFL)
7 A • Rep. Dale Swapinski-(DFL) B • Rep. Mike Jaros-(DFL) Sen. Yvonne Prettner Solon-(DFL)	21 A • Rep. Marty Seifert-(R) B • Rep. Richard Mulder-(R) Sen. Arlene J. Lesewski-(R)	35 A • Rep. Carol L. Molnau-(R) B • Rep. Mark Buesgens-(R) Sen. Claire A. Robling-(R)	49 A • Rep. Jim Abeler-(R) B • Rep. Luanne Koskinen-(DFL) Sen. Leo Foley-(DFL)	63 A • Rep. Jean Wagenius-(DFL) B • Rep. Mark S. Gleason-(DFL) Sen. Jane B. Ranum-(DFL)
8 A • Rep. Mary Murphy-(DFL) B • Rep. Bill Hilty-(DFL) Sen. Becky Lourey-(DFL)	22 A • Rep. Ted Winter-(DFL) B • Rep. Elaine Harder-(R) Sen. Jim Vickerman-(DFL)	36 A • Rep. Chris Gerlach-(R) B • Rep. Dan McElroy-(R) Sen. David L. Knutson-(R)	50 A • Rep. Tom Hackbarth-(R) B • Rep. Kathy Tingelstad-(R) Sen. Debbie J. Johnson-(R)	64 A • Rep. Matt Entenza-(DFL) B • Rep. Michael Paymar-(DFL) Sen. Richard J. Cohen-(DFL)
9 A • Rep. Kevin Goodno-(R) B • Rep. Paul Marquart-(DFL) Sen. Keith Langseth-(DFL)	23 A • Rep. James T. Clark-(R) B • Rep. Howard Swenson-(R) Sen. Dennis R. Frederickson-(R)	37 A • Rep. Dennis Ozment-(R) B • Rep. Mary Liz Holberg-(R) Sen. Pat Pariseau-(R)	51 A • Rep. Andrew Westerberg-(R) B • Rep. Ray Vandever-(R) Sen. Jane Krentz-(DFL)	65 A • Rep. Andy Dawkins-(DFL) B • Rep. Carlos Mariani-(DFL) Sen. Sandra L. Pappas-(DFL)
10 A • Rep. Bud Nornes-(R) B • Rep. George Cassell-(R) Sen. Cal Larson-(R)	24 A • Rep. John Dorn-(DFL) B • Rep. Ruth Johnson-(DFL) Sen. John C. Hottinger-(DFL)	38 A • Rep. Tim Wilkin-(R) B • Rep. Tim Pawlenty-(R) Sen. Deanna L. Wiener-(DFL)	52 A • Rep. Barbara Goodwin-(DFL) B • Rep. Geri Evans-(DFL) Sen. Satveer Chaudhary-(DFL)	66 A • Rep. Tom Osthoff-(DFL) B • Rep. Alice Hausman-(DFL) Sen. Ellen R. Anderson-(DFL)
11 A • Rep. Roxann Daggett-(R) B • Rep. Mary Ellen Otremba-(DFL) Sen. Dallas C. Sams-(DFL)	25 A • Rep. John Tuma-(R) B • Rep. Lynda Boudreau-(R) Sen. Thomas M. Neuville-(R)	39 A • Rep. Thomas W. Pugh-(DFL) B • Rep. Bob Millbert-(DFL) Sen. James P. Metzgen-(DFL)	53 A • Rep. Philip Krinkie-(R) B • Rep. Carl Jacobson-(R) Sen. Mady Reiter-(R)	67 A • Rep. Tim Mahoney-(DFL) B • Rep. Sheldon Johnson-(DFL) Sen. Mee Moua-(DFL)
12 A • Rep. Dale Walz-(R) B • Rep. Greg Blaine-(R) Sen. Don Samuelson-(DFL)	26 A • Rep. Bob Gunther-(R) B • Rep. Henry J. Kalis-(DFL) Sen. Chuck Fowler-(DFL)	40 A • Rep. Dan Larson-(DFL) B • Rep. Ann Lenczewski-(DFL) Sen. David H. Johnson-(DFL)	54 A • Rep. Mary Jo McGuire-(DFL) B • Rep. Mindy Greiling-(DFL) Sen. John Marty-(DFL)	
13 A • Rep. Torrey Westrom-(R) B • Rep. Doug Peterson-(DFL) Sen. Charles A. Berg-(R)	27 A • Rep. Dan Dorman-(R) B • Rep. Rob Leighton-(DFL) Sen. Grace S. Schwab-(R)	41 A • Rep. Alice Seagren-(R) B • Rep. Ken Wolf-(R) Sen. William V. Belanger Jr.-(R)	55 A • Rep. Harry Mares-(R) B • Rep. Scott Wasiluk-(DFL) Sen. Charles W. Wiger-(DFL)	
14 A • Rep. Steve Dehler-(R) B • Rep. Doug Stang-(R) Sen. Michelle L. Fischbach-(R)	28 A • Rep. Connie Ruth-(R) B • Rep. Steve Sviggum-(R) Sen. Dick Day-(R)	42 A • Rep. Ron Erhardt-(R) B • Rep. Erik Paulsen-(R) Sen. Roy Terwilliger-(R)	56 A • Rep. Mark William Holsten-(R) B • Rep. Eric Lipman-(R) Sen. Michele Bachmann-(R)	

*Rep. Darlene Luther passed away Jan. 30. A special election will fill her seat Mar. 4.

Second time's a charm

Ventura vetoes House-Senate budget plan, but Legislature overrides veto, making plan law March 1

By DAVID MAEDA



Gov. Jesse Ventura

It took two tries but the House voted 99-33 Feb. 27 to override Gov. Jesse Ventura's veto of a budget bill (HF351*/SF254) that addresses much of the state deficit for the current biennium.

Needing two-thirds of the body (90 members) to vote to override the veto, the motion offered by Rep. Dave Bishop (R-Rochester) failed the previous day by an 87-44 vote.

The Senate voted to override the veto on Feb. 28 by a 60-7 vote. Most of the provisions in the law become effective March 1.

It is the seventh time the Legislature has overridden a Ventura veto, but it's the first veto of such a significant provision.

The House override came two days after the Department of Finance projected the deficit for 2002-2003 will grow up from the \$1.95 billion forecasted in November to \$2.3 billion.

"(The bill) meets the governor's challenge that he gave us before the session began, to work together and to meet the \$1.953 (billion) shortfall and do it quickly," Bishop said Feb. 26.

The new law will spend \$1.59 billion from various state reserve accounts and one-time spending reductions and make \$374 million in permanent spending cuts.

In his veto message, Ventura called the bill "irresponsible" because it uses all the budget reserves without providing a plan to replace them, which could have a negative effect on the state's bond rating. Ventura wrote that unless significant revenues were raised or there were "drastic cuts to education and local government" in the next bill addressing the deficit,

the state would be set up for an "even more severe crisis next year."

House DFL members expressed concern over the amount of education cuts in the bill that would have to occur over the next biennium if the economy fails to improve.

Rep. Betty Folliard (DFL-Hopkins) said the bill was put together too hastily and was irresponsible for not including inflation increases in its totals. "What we've got in front of us is an imaginary solution to a real problem," she said during floor debate.

House Minority Leader Tom Pugh (DFL-South St. Paul) said he received a commitment from Ventura to increase education spending by 2.5 percent in each of the next two years if there were a bill with sufficient revenue sources to fund the increases. Since it is unclear whether the House will produce an omnibus tax bill this session, Pugh said members had to weigh the governor's commitment against other issues.

Rep. Kevin Goodno (R-Moorhead), chair of the House Health and Human Services Finance Committee, said eliminating all cuts to education would require the area of health and human services to take an even bigger cut, including probable cuts to medical assistance

and general assistance programs. Health and human services already will receive the largest cut at \$95.9 million.

The new law will cut \$15 million in the area of K-12 education and \$50 million for higher education. Rep. Harry Mares (R-White Bear Lake), chair of the House Education Policy Committee, said if the override failed it would have meant deeper cuts to schools. In his budget balancing proposal Ventura recommended \$100 million in cuts to K-12 education for 2002-2003 and \$70 million for higher education.

"We've kept the cuts, especially in the K-12 area, to a minimum," Mares said.

House Majority Leader Tim Pawlenty (R-Eagan) assured members that the House would try to avoid further education cuts. "It's extremely unlikely. In fact I would say that there will be no further cuts to K-12 and higher ed.," he said.

Rep. Gregory Gray (DFL-Mpls) asked whether the assurance also applied to the area of family and early childhood education. Pawlenty said that area received one of the smallest cuts at \$4 million with much of that being replaced with federal dollars, thus the same commitment could not be made.

Gray said further cuts in the area should be carefully considered. "There isn't a lot of fat in (the family and early childhood) program," he said.

Rep. Philip Krinkie (R-Shoreview) was one of two House Republicans to vote against the override Feb. 27. Rep. Mark Olson (R-Big Lake) was the other. Krinkie said the cuts to state government did not reflect the deeper

cuts being felt by the private sector.

"For those of you who think we can hold education harmless, you're wrong. You know we can't do that unless we raise taxes," Krinkie said. "There are a lot of organizations that are happy. There are a lot of organizations that want us to override the veto so that we can pretend that we've solved this problem."

Rep. Rich Stanek (R-Maple Grove) sponsored the bill in the House and Sen. Doug Johnson (DFL-Tower) sponsored it in the Senate.



PHOTO BY TOM OLMSCHIED

Speaker of the House Steve Sviggum announces the 99-33 vote Feb. 27 to override the governor's veto of the bipartisan budget-balancing bill.

Forecast fallout

New economic report projects higher deficit, but officials say economy should improve slowly

BY THERESA STAHL

A new economic forecast projects a \$2.3 billion deficit for the biennium ending June 30, 2003, roughly \$330 million more than November's estimate.

At a Feb. 25 press conference, State Economist Tom Stinson attributed the lost revenue primarily to the individual income tax, citing weak wage growth and declining employment.

Lower end-of-year bonuses and a decline in giving out stock options, both of which are treated as wages, also contributed to the estimate. Income taxes make up the largest part of Minnesota's tax base.

A lower-than-estimated tax base, as well as losses mainly from individual income tax and corporate tax, also contributed to a larger deficit calculation. However, Stinson said the worst is likely over, even though income revenue is still down.

"The recession is not as severe (as past recessions) and we're actually expecting economic growth," Stinson said.

But Minnesota will not see improvement until unemployment and wages turn around, said Finance Commissioner Pam Wheelock.

"Minnesota seems to be recovering more slowly than the national average," Wheelock said.

The seasonally adjusted rate of unemployment for Minnesota in January was 4.1 percent, compared with 5.6 percent nationally. In December 2001, Minnesota's rate was 4 percent while nationally it was 5.8 percent.

States with manufacturing economies took a harder hit, Stinson said. Minnesota had the seventh largest total employment decline of any state at the end of December.

The large drop may be because Minnesota had such a low unemployment rate at the start of the economic downturn, Wheelock said. Vehicle purchases, home buying, and other consumer spending have sustained numbers to some degree.

The attacks of Sept. 11 contributed to Minnesota's economic slump, but Wheelock said the New York tragedy is not entirely responsible. The economy was already beginning to decline, she said.

Speaker of the House Steve Sviggum (R-Kenyon) noted that forecasts have historically been off by several hundred million dollars.

"We know the forecast will be wrong," he said, "But we don't know which way."

State law requires the Department of Finance to prepare forecasts of state revenues and expenditures, primarily for purposes of the governor and Legislature to determine whether current budgets remain in balance and to plan for future budgets.

The department contracts with Data Resources, Inc. to perform the forecast. Last November's forecast was the first in nine years that projected a deficit for the state.

But Sviggum was optimistic, saying he thinks the economy will grow better and the state will soon be out of the recession.

Full recovery from the recession will require stronger consumer spending, increases in jobs, and a rebound in business purchases of facilities or equipment, according to Finance Department documents. If these conditions are not met, another recession is not necessarily inevitable, but possibly an extended period of sub-par growth, as occurred in the early 1990s.

Stinson said he expects the slow economic pace to continue in 2004-05. The new forecast projects \$670 million less than November's estimate, bringing the total deficit in those years to \$3.2 billion.

The budget plan would reduce the deficit in the outlying years by nearly \$2 billion. Sviggum said he and other House Republicans believe inflation numbers will be much less than the forecasted projections. Before making more cuts in those years he said that he wants better facts and information from new forecasts, particularly in November.

House DFL members disagree, saying larger numbers in 2004-05 need to be accounted for this session.

Legislators overrode Gov. Jesse Ventura's veto on a budget plan to deal with the state's deficit, but the new law does not account for the latest forecast's \$330 million additional deficit. There is still time left in this session for the Legislature to account for the additional revenue loss, as the state constitution requires them to do.

Wheelock said the state might release another budget forecast in August depending on the state of the economy and the level of reserves. The new law will drain nearly all the state's reserves, which leaves little flexibility to deal with another economic downturn.

"We are much more vulnerable to economic shocks ... if we don't have a billion-plus in reserves," Wheelock said.

So far legislators do not have a plan to



PHOTO BY TOM OLMSCHEID

State Economist Tom Stinson, left, uses a graph to point out the 1 percent wage drop in the fourth quarter of 2001 and projection for the first quarter of 2002 during the Feb. 25 release of the state's revenue forecast. Finance Commission Pam Wheelock, right, listens to Stinson's explanation for the revenue downturn.

Continued on page 27

Planning for the worst

Proposal clarifies and expands the governor's authority in the event of a bioterrorism incident

By SARAH MCKENZIE

A bioterrorism attack would trigger the governor's emergency powers, including the authority to quarantine people to prevent the spread of deadly biological agents, under a measure moving through House committees.

The governor's emergency powers would also include the authority to direct how dead bodies should be properly disposed of to prevent further spread of communicable diseases. Identities of victims and the cause of deaths would be forwarded to the commissioner of health.

The House Health and Human Services Policy Committee held an informational meeting on HF3031, sponsored by Rep. Richard Mulder (R-Ivanhoe), but took no action Feb. 26.

The House Civil Law Committee moved it to the House Governmental Operations and Veterans Affairs Policy Committee without recommendation Feb. 27.

Mulder and Rep. Thomas Huntley (DFL-Duluth), a bill co-sponsor, said that Minnesota has significant work to do to improve bioterrorism responsiveness.

Huntley said the state's hospitals lack adequate surge capacity, meaning there are few extra beds to accommodate a large influx of patients.

Mulder, a physician in southwestern Minnesota, pointed to the need for health care providers to come up with individual readiness plans.

He said the healthcare provider he works for would be hard pressed to respond to an anthrax attack.

"We just don't have a plan for that," Mulder said.

Testifying in support of the bill, Health Commissioner Jan Malcolm said the bill would clarify the governor's authority in responding to bioterrorism.

"We have become convinced that our current legal framework is inadequate to the task,"

Malcolm said. "Clarity will be our best friend in an emergency."

The Senate companion to the bill (SF2669), sponsored by Sen. John Hottinger (DFL-Mankato), more broadly defines the triggering event for the governor's emergency powers as a public health emergency, rather than an act of terrorism, as proposed in the House plan.

Rep. Betty Folliard (DFL-Hopkins) asked Malcolm about policies in other states. "We've got huge concerns, but we don't want to overreact," Folliard said.

"We have become convinced that our current legal framework is inadequate to the task. Clarity will be our best friend in an emergency."

— Minnesota Health Commissioner Jan Malcolm

On the national level, Malcolm said 29 state legislatures are considering implementing similar versions of the emergency powers bill.

Legislative action comes in the wake of deadly anthrax cases last fall on the East Coast.

According to the National Conference of State Legislatures, 27 states are expected to expand their public health statutes to include quarantine and isolation provisions. And 24 states are considering passing laws that would direct officials to gather and disseminate public health information.

Speaking in opposition to the bill, Twila Brase, president of the Citizens Council on Health Care, said she was concerned that the Legislature would neglect civil liberties in its response to bioterrorism.

Brase cautioned that the bill would give the state the "right to ration healthcare."

However, Huntley pointed to existing state law that already grants the governor significant discretion during emergencies.

One provision, Huntley noted, allows the governor to require anyone to "perform services for emergency management purposes."

HF3031, however, contains some restrictions on the governor's emergency powers.

The emergency declaration would expire after 30 days unless renewed by the governor. The Legislature, by a majority vote in each body, would also have the authority to terminate an emergency declaration 60 days after it was issued.

In the event of a bioterrorist attack, the governor would be required to consult with the commissioner of health and other public health experts before declaring an emergency.

Under the quarantine section of the bill, the governor or delegated authority would be required to use the "least restrictive means necessary" to separate individuals infected with communicable diseases from the public.

Those quarantined would also have the right to "adequate food, clothing, shelter, and means of communication."

If enacted, the law would expire July 1, 2005.

Under HF3031, the commissioner of health would also be required to study and make further recommendations to the Legislature on additional policies to bolster the state's bioterrorism responsiveness.

The report, due Jan. 15, 2003, would be required to contain recommendations on the following:

- Ways to make health care providers and other first responders immune from deadly biological agents;
- Measures to control medical supplies, facilities, and limit public gatherings;
- Procedures on detecting and preventing the spread of diseases;
- Safeguards to ensure individuals quarantined or isolated would be afforded due process; and
- Methods of enforcement to ensure compliance with the emergency declaration.

Malcolm said she supported the inclusion of the study in the bill.

"This is the first of many steps," she said.



Monday, February 25

**HF3607—Holsten (R)
Environment & Natural
Resources Policy**

Timber permit and lease provisions modified, prairie chicken hunting license established, turtle taking and firearms safety certificate provisions modified, enforcement authority, provided, and criminal penalties imposed.

**HF3608—Holsten (R)
Environment & Natural
Resources Finance**

Stillwater flood hazard mitigation grant provided, bonds issued, and money appropriated.

**HF3609—Abeler (R)
K-12 Education Finance**

School districts authorized to pursue additional revenue through advertising and sponsorship.

**HF3610—Dibble (DFL)
Civil Law**

Junior creditor redemption rights eliminated under certain circumstances.

**HF3611—Haas (R)
Commerce, Jobs &
Economic Development Policy**

Public insurance adjusters regulated.

**HF3612—Schumacher (DFL)
Transportation Finance**

St. Cloud Regional Airport land acquisition funding provided, bonds issued, and money appropriated.

**HF3613—Tuma (R)
Crime Prevention**

Sex offenders; 10-year conditional release period imposed, 10-year felony offense provided for certain crimes, aggravated harassing conduct definition clarified, and penalties prescribed.

**HF3614—Mullery (DFL)
Commerce, Jobs &
Economic Development Policy**

Residential tenant reports provided, and civil fine increased for violation of applicant screening fee provisions.

**HF3615—Peterson (DFL)
Agriculture & Rural
Development Finance**

University of Minnesota at Morris swine farrowing demonstration facility funding provided, bonds issued, and money appropriated.

**HF3616—Knoblach (R)
Environment & Natural
Resources Policy**

State-owned land inventory required, net increase of acreage prohibited, and fee disposition from sale of tax-forfeited lands modified.

**HF3617—Penas (R)
Higher Education Finance**

Roseau municipal building renovation grant provided, bonds issued, and money appropriated.

**HF3618—Knoblach (R)
Capital Investment**

Regional park organizations in Greater Minnesota provided grants, bonds issued, and money appropriated.

**HF3619—Blaine (R)
Environment & Natural
Resources Finance**

Little Falls; Pine Grove Park Zoo improvements funding provided, bonds issued, and money appropriated.

**HF3620—Dawkins (DFL)
Taxes**

Sales and use tax extended to include pesticides.

**HF3621—Sviggum (R)
Ways & Means**

Tobacco use prevention and local public health endowment fund eliminated.

**HF3622—Lieder (DFL)
Agriculture & Rural
Development Finance**

Farm wrap network and rural help network grants provided, and money appropriated.

**HF3623—Goodno (R)
Health & Human Services Policy**

Health record access provisions modified.

**HF3624—Kielkucki (R)
Education Policy**

Profile of Learning repealed, local academic achievement testing established, local testing revenue provided, and money appropriated.

**HF3625—Pawlenty (R)
Civil Law**

Electronic mail solicitation regulated, Internet consumer privacy protected, and penalties provided.

**HF3626—Tuma (R)
Crime Prevention**

Controlled substance crimes modified to include six degrees.

**HF3627—Sviggum (R)
Taxes**

Medford sales and use tax authorized and fund use specified.

**HF3628—Abrams (R)
Taxes**

Electric generation facility personal property tax exemption provided, and hydroelectric generating facilities construction materials sales tax exemption provided.

**HF3629—Marquart (DFL)
Taxes**

Property tax payment required prior to title transfer of manufactured homes, and notification provided.

**HF3630—Koskinen (DFL)
Civil Law**

Supreme Court requested to study and make recommendations regarding tracking of civil actions involving sexual abuse.

**HF3631—Gunther (R)
Taxes**

Lewisville wastewater collection and treatment system construction materials sales tax exemption provided.

**HF3632—Greiling (DFL)
K-12 Education Finance**

School district voter-approved referendum amounts restored.

**HF3633—Holberg (R)
Civil Law**

Uniform conflict of laws-limitations act established regulating limitation periods of certain actions.

Tuesday, February 26

**HF3634—Stanek (R)
Transportation Finance**

Local metropolitan public safety radio communications capital improvement grants provided, bonds issued, and money appropriated.

**HF3635—Stanek (R)
Crime Prevention**

Child advocacy center grants provided, and money appropriated.

**HF3636—Sertich (DFL)
Local Government &
Metropolitan Affairs**

Municipal repayment period extended for certain public safety, ambulance, and road construction equipment.

**HF3637—Sertich (DFL)
Local Government &
Metropolitan Affairs**

Municipal repayment period extended for certain public safety, ambulance, and road construction equipment.

**HF3638—Mares (R)
Education Policy**

Students' access to needed services improvements required relating to nursing and counseling.

**HF3639—Goodno (R)
Taxes**

Moorhead tax levy authorized, and proceeds dedicated.

**HF3640—Opatz (DFL)
Environment & Natural
Resources Finance**

St. Cloud area regional parks and trails coordinating board grant provided, bonds issued, and money appropriated.

**HF3641—Huntley (DFL)
Jobs & Economic
Development Finance**

Duluth visitor's center grant provided, bonds issued, and money appropriated.

Wednesday, February 27

**HF3642—Erhardt (R)
Taxes**

Sales tax refund of tax related to bad debt losses of lender authorized, and filing dates modified for filing a claim on bad debt loss.

**HF3643—Haas (R)
Ways & Means**

Claims against the state payment funding provided, and money appropriated.

**HF3644—Vandever (R)
Civil Law**

Public employee data classification modified to exclude employees city and county of residence.

**HF3645—Schumacher (DFL)
Crime Prevention**

Firearm possession prohibition federal conformity provided.

**HF3646—Penas (R)
Jobs & Economic
Development Finance**

Tourism promotion grant provided for the areas near the northern border of Minnesota, including the Northwest Angle.

HF3647—Kelliher (DFL)

Taxes

Property tax valuation exclusion time limit extended for improvements to certain older homesteads.

HF3648—McElroy (R)

Commerce, Jobs &

Economic Development Policy

Federal unemployment trust fund loan interest payment special assessment provided.

HF3649—Mariani (DFL)

Agriculture Policy

Ethanol plant payments prohibited to plants in violation of certain ordinances.

HF3650—Goodno (R)

Health & Human Services Finance

Veterans nursing homes board funding provided, and money appropriated.

HF3651—Stanek (R)

Education Policy

School-year length requirement decreased by three days.

Thursday, February 28

HF3652—Buesgens (R)

Taxes

Biomass electrical generating facility under a certain size exempted from property taxes.

HF3653—Westerberg (R)

Transportation Policy

Driver's licenses authorized to include nicknames.

HF3654—Anderson, B. (R)

Education Policy

School districts not required to comply with state mandates unless revenue to comply is identified.

HF3655—Dempsey (R)

Governmental Operations & Veterans Affairs Policy

Prairie Island Indian trust land replacement by Congress urged by resolution in the event of a nuclear incident.

HF3656—Sertich (DFL)

Education Policy

Independent School District No. 696, Ely, authorized to waive the open enrollment deadline date.

HF3657—Mulder (R)

Jobs & Economic

Development Finance

Lake Benton visitor center and railroad depot planning grant provided, and money appropriated.

HF3658—Goodno (R)

Taxes

Stadium; football stadium and parking ramp financing provided, Metropolitan Sports Facilities Commission membership modified and requirements imposed, taxes and fees imposed, and money appropriated.

HF3659—Gray (DFL)

Taxes

Stadium; Hennepin County authorized to finance open air roof-ready baseball park, levy taxes, and issue bonds; and transfer of related funds authorized.

HF3660—Larson (DFL)

Health & Human Services Policy

Cancer patient health coverage required to include limited coverage for scalp hair prostheses.



Shortages nationwide

Nearly all states dealing with budget deficits

Minnesota is not alone in its quest to tackle a staggering budget deficit.

The National Conference of State Legislatures (NCSL) reports that all but five of the 50 states have projected revenue shortfalls.

In Minnesota, a November economic forecast revealed a drop in revenues from state sales and income taxes. The February forecast revealed a dimmer picture. The state's deficit is predicted to grow from \$1.95 billion to \$2.3 billion.

"The magnitude of the budget gaps has been significant enough that even programs that often are spared from cuts, such as K-12 education, have been reduced in some states," the report reads.

Further, 23 states have reported that Medicaid expenditures are over budget. Several other social services, including programs for the mentally ill, senior citizens, and lower income residents, face cost overruns.

"The combination of weakening revenues and higher Medicaid costs is forcing many states to make painful budget decisions," Stephen Saland, NCSL president and New York state senator, said in a statement. "Fortunately, most states have been preparing for this rainy day and are appropriately using their budget reserves."

The report, released this month, indicates that 15 states have opted to use the reserve funds. Meanwhile, another 10 states are considering it.

Although many state legislatures are considering spending down reserves and cutting social services, few have proposed tax increases to balance state ledgers.

The NCSL also found that eight states have decided or planned to use endowments established by tobacco lawsuit settlements to balance budgets.

In Minnesota, some members have proposed tapping tobacco endowment funds as a possible budget-balancing option.

Other highlights of the NCSL report include:

- Twenty-eight states and the District of Columbia have indicated government spending has topped budgeted levels;
- Louisiana, North Dakota, Texas, West Virginia, and Wyoming report that revenues have met or slightly exceeded state targets;
- Thirty states have executed cost-savings plans by delaying construction projects, implementing hiring freezes, or boosting revenue from gaming; and
- Nineteen states are considering tax proposals to balance 2003 budgets.

The NCSL collected the information from the state legislatures in late January. The data includes information gathered through December with some states including January updates.

(S. MCKENZIE)

Frequently called numbers

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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/hinfo/schedule/index.htm**.

The House will not hold committee hearings Monday, March 4; Tuesday, March 5; or before noon on Wednesday, March 6 to accommodate precinct caucus attendance.

The House will not meet in session on Monday, March 4 or Tuesday, March 5.

WEDNESDAY, March 6

12 noon

TRANSPORTATION FINANCE
 10 State Office Building
 Chr. Rep. Carol Molnau
 Agenda: To be announced.

12:15 p.m.

TAXES
 200 State Office Building
 Chr. Rep. Ron Abrams
 Agenda: Presentation: Tri-partisan StadiumTask Force, Rep. Kevin Goodno.
 Various sports stadium bills, to be announced.

3 p.m.

THE HOUSE MEETS IN SESSION.

After session

JUDICIARY FINANCE
 500S State Office Building
 Chr. Rep. Rich Stanek
 Agenda: To be announced.

4 p.m. or 30 minutes after session

ENVIRONMENT & NATURAL RESOURCES FINANCE
 10 State Office Building
 Chr. Rep. Mark Holsten
 Agenda: To be announced.

4:30 p.m. or 30 minutes after session

JOBS & ECONOMIC DEVELOPMENT FINANCE
 400N State Office Building
 Chr. Rep. Dan McElroy
 Agenda: HF2574 (McElroy) Biodiesel fuel use incentives provided, and ethanol plant cogeneration facility closed-loop biomass deadline for producer payments extended.
 HF2561 (Kahn) Minneapolis Park and Recreation Board authorized to lease land adjacent to the Mississippi River for purposes of operating a commercial food or entertainment facility.
 HF3158 (Gunther) Greater Minnesota redevelopment program established.
 Other bills may be added.

THURSDAY, March 7

8:15 a.m.

JUDICIARY FINANCE
 Basement Hearing Room
 State Office Building
 Chr. Rep. Rich Stanek
 Agenda: To be announced.

TRANSPORTATION FINANCE
 5 State Office Building
 Chr. Rep. Carol Molnau
 Agenda: To be announced.

10:15 a.m.

TAXES
 200 State Office Building
 Chr. Rep. Ron Abrams
 Agenda: Continuation of hearings on sports stadium bills.

12 noon

ENVIRONMENT & NATURAL RESOURCES FINANCE
 Basement Hearing Room
 State Office Building
 Chr. Rep. Mark Holsten
 Agenda: To be announced.
 Note: The committee will meet from 12 noon to 2:30 p.m. in the Basement Hearing Room and, if necessary, continue the meeting at 4 p.m. or 30 minutes after session in 5 State Office Building.

12:30 p.m.

AGRICULTURE & RURAL DEVELOPMENT FINANCE
 10 State Office Building
 Chr. Rep. Bob Ness
 Agenda: To be announced.

4:30 p.m. or 30 minutes after session

JOBS & ECONOMIC DEVELOPMENT FINANCE
 400S State Office Building
 Chr. Rep. Dan McElroy
 Agenda: To be announced.

FRIDAY, March 8

8:15 a.m.

GOVERNMENTAL OPERATIONS & VETERANS AFFAIRS POLICY
 Basement Hearing Room
 State Office Building
 Chr. Rep. Jim Rhodes
 Agenda: To be announced.

JOBS & ECONOMIC DEVELOPMENT FINANCE
 5 State Office Building
 Chr. Rep. Dan McElroy
 Agenda: To be announced.

JUDICIARY FINANCE
 500S State Office Building
 Chr. Rep. Rich Stanek
 Agenda: To be announced.

TRANSPORTATION FINANCE
 400N State Office Building
 Chr. Rep. Carol Molnau
 Agenda: To be announced.

8:30 a.m.

TAXES
 200 State Office Building
 Chr. Rep. Ron Abrams
 Agenda: Continuation of hearings on sports stadium bills.

10 a.m.

ENVIRONMENT & NATURAL RESOURCES FINANCE
 Basement Hearing Room
 State Office Building
 Chr. Rep. Mark Holsten
 Agenda: To be announced.

10:15 a.m.

K-12 EDUCATION FINANCE
 5 State Office Building
 Chr. Rep. Alice Seagren
 Agenda: To be announced.

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Continued from page 4

voicemail. Roving wiretaps allow police to tap multiple forms of communication.

It also allows Internet service providers the authority to turn information over to the police if the provider reasonably believes it is necessary to prevent an emergency involving serious injury or death. The bill would shield the provider from lawsuits, unless there were fraud involved.

Trespass laws would also be tightened in the bill. A loophole in current law that allows people to legally be on the roof of a school is made a crime in the bill, as is trespass on public utilities property. Current law requires that a person be told to get off of the property before the trespass becomes a crime.

The crime would be a misdemeanor under the bill.

Aside from addressing those who commit acts of terrorism, the bill would also crack down on those who are indirectly involved or participate in terroristic threats or hoaxes.

Those who are found to hinder the apprehension of terrorists could face a 10-year sentence and up to a \$25,000 fine, under the bill. If the terrorist has killed someone, those helping the terrorist avoid apprehension could be charged with first-degree murder.

It also increases the penalty for those who falsely report crimes from a misdemeanor to a gross misdemeanor.

Continued from page 21

replenish the budget reserves. Sviggum said the Legislature will propose a "phase 2" bill that will have a method for contributing to the reserves.

During years of surplus, the Legislature has allocated from surplus funds to the state's reserves.

Minnesota could risk being downgraded from its AAA bond rating if the Legislature does not enact a method to fill the reserves, Wheelock said. Only eight other states qualify for the bond rating, which is the highest a state can receive.

The AA rating, one step lower, is not as secure, and interest would be about 0.1 percent higher. The lower rating would cost \$28 million in additional interest each year for the state's \$2.8 billion in bond debt. Regaining a AAA bond rating requires a state to demonstrate financial stability over a period of a few years.

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

Reflections

Certain areas of the House chamber serve as bases or foundations for conducting various activities in the largest room of the Capitol. There, 134 House members and other key staff gather to debate issues, make decisions, and vote on bills.

Prominent in the chamber is the front desk, which holds on its upper level the Speaker of the House's podium and the main desk used by Chief Clerk Ed Burdick and his staff on the lower. Behind the front desk, the members' retiring room is tucked behind the Chamber.

Not to be outdone are the visitor's alcove and a press corps alcove in the rear of the chamber, and a public gallery accessed from the third floor.

But a little recognized feature in the chamber is the main aisle, a subtle yet quite visible focal point in both the House and Senate chambers leading up to the front desk. A main aisle is present in most statehouses across the country — all duplicating in some fashion the floor plans of the legislative chambers in the nation's capitol. The aisle stretches down the middle of a large room from a rear entrance to a main area in front.

Main aisles have become essential spaces either out of tradition or architectural requisite. They have been included in building plans for hundreds of years, not only in rooms or structures where laws are created, but also in most settings for religious services.

Some examples are seen in many city council chambers across the state; at the Minneapolis/St. Paul Archdiocese in the St. Paul

Cathedral; the Mount Zion Temple on St. Paul's Summit Avenue; and St. Thomas Episcopal Church in south Minneapolis.

The concept for constructing a central area as an aisle to divide a room was first introduced to a legislative body in 1789 for the French General Assembly. The idea was later improved upon by the French and used by the U.S. Congress as that body outgrew its work area and new chambers were added in the mid-1800s.

One tradition started by an early Congress is a method of using the aisle as space to separate members of different parties, unless the caucus in the majority has more members than seats on their side of the aisle.

In the manner similar to the president addressing Congress, the main aisle in Minnesota's House normally gets used at the beginning of a biennial session as senators and members of the judicial and executive branches enter the chamber to hear an address from the governor.

The main aisle also gets used as a formal walkway for renown visiting dignitaries, such as the international spiritual leader Dalai Lama and President Vaclav Havel of the Czech Republic.

Whether by pomp or circumstance, the main aisle in a room continues to be a setting where honor, dignity, protocol, individual beliefs, and rights to unify or dissent prevail.

—LECLAIR GRIER LAMBERT



PHOTO BY ANDREW VON BANK

The center aisle of the House chamber.

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>

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

MINNESOTA INDEX

Minnesota agriculture

Number of farms in Minnesota in 2000	79,000
In 1989	90,000
Average acreage of farm in 2000	362
In 1989	333
State ranking in oats, sugarbeets, and green peas for processing produced in 2000 ...	1
For spring wheat, canola, cultivated wild rice, and sweet corn for processing	2
For soybeans and flaxseed	3
Value of state farm exports for fiscal year 1999, in billions	\$2.18
National rank	7
Billions in 1998	\$2.36
Millions of dollars of 1999 exports that were feed grains and products	\$689.6
Soybeans and products, in millions	\$681.4
Cultivated wild rice production in 2000, in millions of processed pounds	5.5
Percent decrease from 1999	11
Combined value of all livestock and poultry on Minnesota farms at the end of 2000, in billions	\$2.5
Millions of pigs produced in Minnesota in 2000	9.27
Annual litter rate	8.95
Millions of turkeys raised in 2000	43.5
In billions of pounds	1.06
State rank for both	1
Total chicken inventory (excluding broilers) on Dec. 1, 2000, in millions	15.8
Percent decrease from 1999	5
State's egg production in 2000, in billions of eggs	3.27
Percent increase from 1999	4
State rank for year 2000 milk production	5
Billions of pounds produced	9.49
Average pounds of milk per cow (new record)	17,777
Minnesota dairy farms licensed to sell milk to plants in January 2001	7,676
In January 1999	8,860
State rank in 2000 total cheese manufactured	4
In butter	4
In ice cream	5
Total net farm income for Minnesota farmers in 1999, in billions	\$1.29
Billions in 1998	\$1.51
Average net income for a Minnesota farm in 1999	\$16,164
In 1998	\$18,814
In 1997	\$12,268

Source: 2001 Minnesota Agricultural Statistics, Minnesota Agricultural Statistics Service, July 2001.

FOR MORE INFORMATION

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