

SESSION WEEKLY

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SESSION WEEKLY

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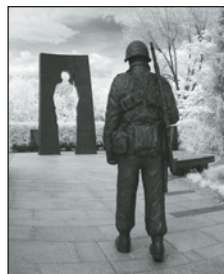
Christy Novak, Susan Xiong

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On the cover: The Capitol Dome is framed by new spring foliage.

— Photo by: Andrew VonBank

Not cutting as deep

Although painful now, omnibus HHS budget bill could set stage for reform

BY LAUREN RADOMSKI

A House proposal to cut \$156 million in health and human services spending this biennium spares some programs reduced or eliminated under Gov. Tim Pawlenty's supplemental budget recommendation. Yet it's little comfort to patients and providers long accustomed to falling under the budgeting axe.

The House Finance Committee approved HF2614, the omnibus health and human services supplemental budget bill, April 28. Sponsored by Rep. Thomas Huntley (DFL-Duluth), the bill would cut significantly less than the \$346 million proposed by the governor.

Like Pawlenty, House leadership is counting on \$408 million in federal funding to help fill the remaining budget gap. However, that money may not be approved by Congress until after the Legislature adjourns.

Cuts in the bill, combined with reduced spending on General Assistance Medical Care, would reduce health and human services spending by about \$300 million. These cuts are especially sensitive because they traditionally affect the elderly, people with disabilities and the very sick.

"I know people across the state of Minnesota are struggling as we come out of the recession," said Rep. Erin Murphy (DFL-St. Paul), "but there are people that are vulnerable and they're really feeling the impact in the way they lead their lives."

In what some see as a glimmer of hope, the bill also sets the stage for future health reforms. Some are prompted by the federal health care reform law, such as a provision that would use federal funding to increase enrollment in the state's Medicaid program. Other proposed reforms are state-directed

efforts to reduce administrative expenses, improve accountability and bring down costs in the long run.

The bill was amended to incorporate HF1993, a budget bill from the House Housing Finance and Policy and Public Health Finance Division that would eliminate \$1.6 million in public health expenditures. It also includes a portion of HF2760/SF2505*, the omnibus early childhood bill, bringing its total General Fund savings to \$164 million.

Difficult decisions

The House bill calls for cuts in state funding to health care providers, but makes some compromises to lessen the blow.

Payments to non-primary care physicians and professional services would be cut by 3 percent beginning next summer. However, clinics owned by nonprofit HMOs would receive increased funding.

Hospitals would be safe from cuts until next summer, when the state would reduce their payment rates by 7.5 percent. Some of the savings would be used to support specialty facilities like Children's Hospitals and Clinics of Minnesota.

Legislators are also proposing an increased surcharge on HMOs in order to capture federal funding. The surcharge dollars would also help the state avoid cutting payments to nursing homes and facilities serving people

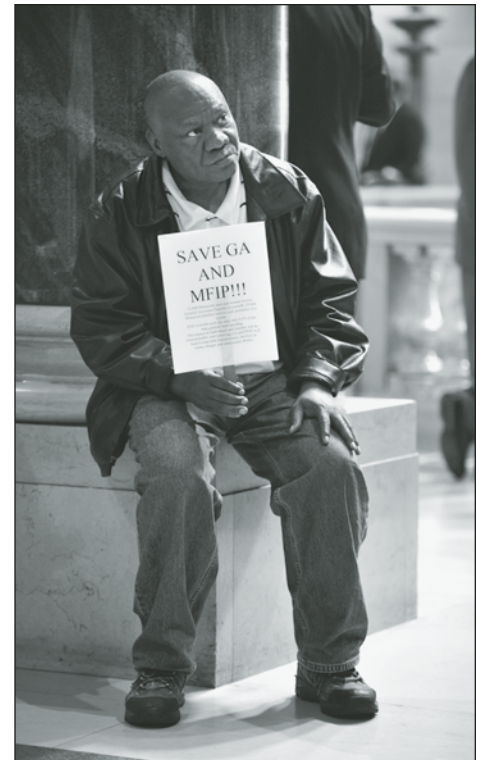


PHOTO BY TOM OLMSCHIED

Eric Vaye, a resident at the House of Charity in Minneapolis, rests on one of the granite columns in the Capitol Rotunda April 26 while holding his sign urging members to save General Assistance and the Minnesota Family Investment Program.

with developmental disabilities.

Hospital representatives, patient advocates and others who testified before the House Health Care and Human Services Finance Division April 27 said the bill's proposed cuts are particularly painful in the context of previous reductions and unallotments. For example, community mental health services expecting to lose funding under the scaled-back version of General Assistance Medical Care would also lose valuable state grants under the budget bill.

"Our mental health system simply cannot absorb these cuts," said Sue Abderholden,

First Reading continued on page 4

executive director of the National Alliance on Mental Illness of Minnesota. “You can’t make these cuts, obliterate entire programs and expect them to rebound in two years. It will be too late.”

The House proposal would also eliminate nearly \$10 million in grants used by counties to address child abuse. Critics say failure to protect children is not only an injustice, but will lead to greater state expenses later on.

“Without protection and early intervention, they are the future clients of our mental health, corrections, chemical dependency and homeless services,” said Mary Regan, executive director of the Minnesota Council of Child Caring Agencies.

House leadership opted not to include many of the governor’s recommendations in their legislation. The bill does not touch General Assistance, which provides cash assistance to childless, unemployed adults. Pawlenty proposed replacing GA with a short-term grant program.

The governor also recommended the repeal of the rate equalization law, which keeps nursing homes from charging private pay residents more than people on Medical Assistance. The repeal, which is not included in the House bill, is supported by cash-strapped nursing homes, but opposed by seniors’ advocacy groups like AARP.

Other provisions in the bill would restore some dental benefits to people on Medical Assistance; establish licensure for birth centers; and remove state-imposed barriers to the federal food support program, allowing an estimated 70,000 Minnesotans to receive related benefits. An amendment would slow the redesign of State Operated Services, the Department of Human Services division that runs facilities for people with developmental disabilities, mental illness and chemical dependency issues.

Looking to the future

The bill is peppered with reform measures, many of them aimed at capturing funding under the Patient Protection and Affordable Care Act.

The most immediate reform would mean a major change in health coverage for current participants in General Assistance Medical Care. Beginning in 2014, this population and other low-income adults will be covered under a federal expansion of Medicaid. At that time, the federal government will pay a significantly higher share of Medicaid costs.

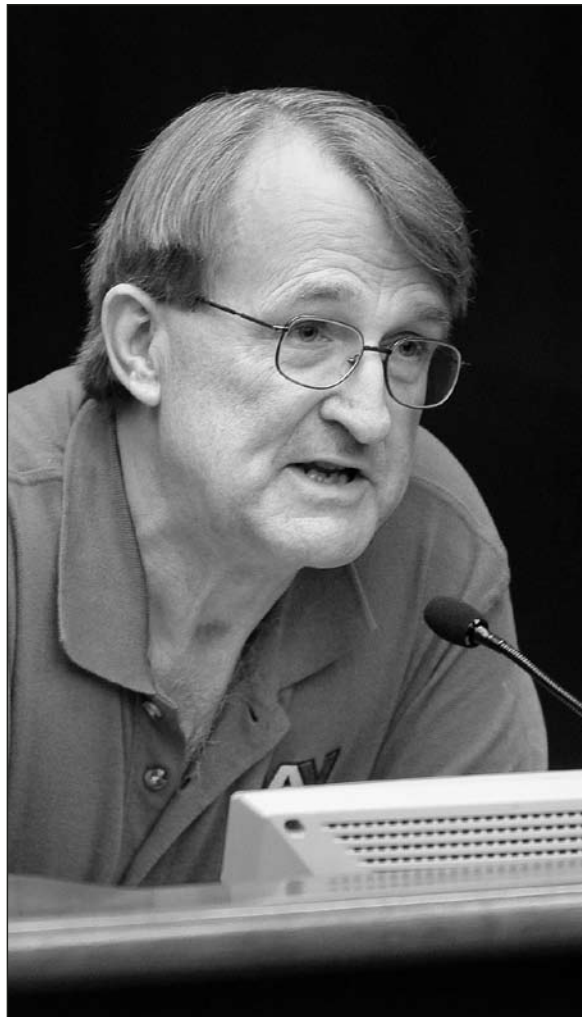


PHOTO BY ANDREW VONBANK

Cyril J. Denn of Mankato testifies before the House Health Care and Human Services Finance Division April 27 during public testimony on the omnibus health and human services supplemental budget bill.

Huntley says an aim of the budget bill is to ensure that the state’s estimated 30,000 GAMC enrollees receive appropriate care until the federal expansion takes effect. He supports a so-called “early option”: enrolling certain adults in the state’s Medicaid program ahead of 2014.

“The patients get better care, they get a better (benefits) package, and all the health care providers ... will get an additional payment — roughly 20 percent more than they’re getting right now — on the GAMC population,” Huntley said.

Representatives from several of Minnesota’s health systems have said the early option is preferable to the revised GAMC program, which asks selected hospitals to care for GAMC patients with low reimbursement.

The early option would leverage an estimated \$1 billion in federal funding, but would require


a state match. Huntley proposes to pay for it by using the money that otherwise would have been spent on GAMC and running a deficit in a fund that helps low-income families and individuals purchase health insurance. Transfers from the General Fund would keep the deficit in the Health Care Access Fund from growing more than is currently projected for fiscal year 2013.

Not everyone is as enthusiastic about the early option and even supporters acknowledge their questions still need answers from the Centers for Medicare and Medicaid Services. An amendment to the budget bill would require the Department of Human Services to prepare a January report to the Legislature on the costs and savings to the state over the next five years because of the federal health care reform law.

Then there is the \$408 million in pending federal funding state officials hope will close the budget gap. As part of the American Recovery and Reinvestment Act of 2009, Congress approved a temporary increase in federal matching funds for states’ Medicaid programs. This increase in Federal Medical Assistance Percentages (FMAP) may be extended by Congress, which is unlikely to address the issue

before the Legislature must constitutionally adjourn May 17.

Other reform-related provisions in the omnibus bill direct the Department of Health to explore new models of service delivery that would incentivize providers to keep their patients healthy. An “Office of Health Care Inspector General” would be created within DHS to enhance antifraud activities, and the department would be charged with reducing the costs of caring for the most expensive Medical Assistance enrollees. An advisory board would review the reasonableness of administrative expenses within publicly funded programs.

A companion, SF2337, sponsored by Sen. Linda Berglin (DFL-Mpls), was held over by the Senate Health and Human Services Budget Division April 28. 

Editor's note: The following Highlights are coverage of select bills heard in House committees and other House activities held April 22-29. Designations used in Highlight summaries: HF-House File; SF-Senate File; CH-Chapter; and *- the bill version considered by the House or the bill language signed by the governor.

AGRICULTURE

Omnibus bill gets House OK

Instructions on how to properly fold a Minnesota state flag and the legalizing of growing industrialized hemp are included in a bill that passed the House on a 127-3 vote April 27.

As amended to include the House language, the omnibus agriculture and veterans policy bill, HF2678/SF2737*, sponsored by Rep. Al Juhnke (DFL-Willmar) and Sen. Dan Skogen (DFL-Hewitt), would:

- add an official from the Animal and Plant Health Inspection Service of the United States Department of Agriculture, or a peace officer from the county sheriff's office, to those who could make a personal inspection of a farmer's livestock loss due to a gray wolf;
- allow for the growing of industrial hemp as an agriculture crop;
- make technical changes to pesticide application references;
- permit the agriculture commissioner to waive certain review fees for businesses that sell prepackaged foods, such as video stores;
- repeal the loan incentive program for native grasses and wildflower seed production;
- allow nonprofit farms less than 40 acres in size to use profits for educational purposes and be exempt from corporate farm land requirements;
- permit cities and towns to charge fees and spend money for county extension work, such as 4-H programs;
- require banks to extend credit to feed mills at the beginning of the process of mediation, resulting in mills being paid for that feed;
- detail procedures on the proper way to fold and present the state flag;
- permit the commissioner of veterans affairs to determine a suitable site and plan for three new state veterans cemeteries in northeastern, southeastern and southwestern Minnesota; and
- require certain conditions to be met before Minnesota would be granted a federal

THEN AND NOW



PHOTO BY TOM OLMSCHEID

Army veteran Roger Ball, left, the American Legion legislative liaison and a member of Post 39 in North St. Paul, and officers' candidate Davin Fischer, who works in government relations at the Minnesota National Guard, watch from the House gallery as members debate the omnibus agriculture and veterans policy bill April 27.

waiver in regards to E-15, including all vehicles being able to use the ethanol mixture regardless of year made. It would also give

the Department of Commerce the ability to specify how long it could take gas stations to set up for the ability to deliver E-15.

Several successful amendments were offered including one by Rep. Dan Severson (R-Sauk Rapids) that would add all veteran-owned businesses to those able to obtain preference in bidding for state contracts. The amendment would allow those who became veterans before Sept. 11 to bid on the excess percentage of contracts set aside for preferential groups. Currently, only those who became veterans after that date are included in veterans preference.

Rep. Tom Hackbarth (R-Cedar) offered an amendment that would have added gambling machines at horse racing facilities in the state. Profits would assist agricultural and rural development, research and development of bioscience and medical technology business and employment opportunities and provide stadium funding for the Minnesota Vikings and St. Paul Saints. It was ruled out of order.

The Senate did not concur with the changes April 28. A conference committee is expected to work out the differences.

— P. OSTBERG



PHOTO BY TOM OLMSCHEID

Minnesota Management & Budget Commissioner Tom Hanson, right, tells the LCPFP Subcommittee on a Balanced Budget April 27 that the \$408 million Medicaid payment to the state will likely arrive after the Legislature adjourns. Legislative leaders and Gov. Tim Pawlenty have included the money in their budget-balancing plans. State Budget Director Kristin Dybdal, left, also testified.

BUDGET

About that \$408 million ...

A state official told a legislative panel April 27 that \$408 million in federal funding that lawmakers and Gov. Tim Pawlenty are counting on as part of their budget fix is stuck in congressional limbo.

Minnesota Management & Budget Commissioner Tom Hanson said it may be several more weeks before Congress passes an expected \$408 million extension of enhanced Medicaid match funding. Both the Legislature and the governor have included the money as part of their respective budget-balancing plans.

Hanson said he and other officials learned the information during a conference call with staff from the National Governors Association. Although NGA staff are “80 percent” sure that the money will eventually be appropriated, Hanson said it is “significantly unlikely” to happen before May 17. That’s the day the Legislature is constitutionally required to adjourn this year.

“I think we’re faced with a fluid situation in Washington, D.C.,” Hanson said.

Congress is expected to go into recess May 29, and it is possible the legislation may be acted on before that date, Hanson said; however, he suggested lawmakers and the governor develop a backup plan.

“We need to begin a dialogue back and forth about the level of risk we want to take going forward as we prepare our budget in the last few weeks,” he said.

Hanson said the state budget is expected to be short \$536 million in the current biennium, which ends June 30, 2011. Assuming the state will eventually get the \$408 million in federal funding, he suggested lawmakers deal with the remaining \$128 million problem first. After that, the state will need some kind of plan to “manage the risk of that money not coming,” he said.

Hanson made his remarks to members of the Legislative Commission on Planning and Fiscal Policy’s Subcommittee on a Balanced Budget. No action was taken.

Senate Majority Leader Larry Pogemiller (DFL-Mpls), co-chairman of the subcommittee, challenged Hanson to develop a backup plan for solving the budget deficit without the \$408 million. Hanson likewise challenged legislative leaders to come up with their own plan.

“I think it’s important that ... we all talk about contingency and put our proposals on the table,” Hanson said.

— N. BUSSE

BUSINESS

Minnesota vs. Wisconsin

Lawmakers sometimes hear complaints from business owners who say it’s harder to start a company in Minnesota than it is in Wisconsin. Rep. Kim Norton (DFL-Rochester) intends to find out for sure whether it’s true.

Norton sponsors HF2849, which would initiate a study comparing Minnesota’s small

business climate to that of its neighbor to the east. Norton hopes the study will shed some objective light on how to improve Minnesota’s economic competitiveness.

No money would be appropriated for the study; instead, the bill would ask the Legislative Coordinating Commission to apply to the University of Minnesota’s Carlson School of Management to fund and/or conduct it themselves.

“We want them to look at it from beginning to end,” Norton said. “Formation, financing, licensing, permits, reporting requirements and employment laws and state and local taxes.”

The House Taxes Committee approved the bill April 27 and sent it to the House floor.

The bill specifies that the study should include information on the comparative state regulatory effects on three different types of business startups: small services businesses, small retail businesses and small manufacturing businesses.

Some committee members were skeptical of the bill’s purpose. Rep. Paul Kohls (R-Victoria) asked whether it was “just trying to make people feel good.”

“We want to say we’re doing something when we’re really not doing anything,” he said.

Along similar lines, Rep. Laura Brod (R-New Prague) said she doubted whether the Legislature had “the political will” to do anything with the results of the study.

Norton defended the rationale behind the study, and said the business community supports the idea.

"I'm not here just for fun; I'm here because 3M and many other corporations said this would be really helpful," she said.

A written report would be due to the LCC by Dec. 1, 2011; however, if the LCC cannot get funding from the Carlson School or another institution to conduct the study, the study may be canceled.

A companion, SF2310, sponsored by Sen. Kathy Saltzman (DFL-Woodbury), awaits action by the Senate. It is also included in SF2510, the omnibus economic development policy bill, sponsored by Sen. David Tomassoni (DFL-Chisholm). That bill was passed 45-21 by the Senate on April 26.

— N. BUSSE

CONSUMERS

PIN numbers for debit cards?

Minnesotans would have to enter a personal identification number (PIN) instead of signing a receipt when using a debit or check card, under a bill sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights).

Retailers say it could save consumers money.

"There is a cost to processing credit cards and debit cards," said Randy Thompson, general counsel for the Minnesota Service Station Association.

Thompson said banks charge retailers "tens of billions of dollars" every year to process credit and debit card transactions; retailers, in turn, recoup those costs by charging higher prices to consumers.

HF3623 would switch Minnesota from a system that requires debit card users to sign receipts — as with a credit card — to one that requires them to enter their PIN numbers into a keypad. Thompson and other supporters say the PIN-based debit card system would cost retailers less money, because processing PIN-based transactions is cheaper.

The House Commerce and Labor Committee held an informational hearing on the bill April 27. Atkins said he doesn't expect action on the issue this year, but he expects more attention will be paid to it in the future.

Banks and other financial institutions oppose the bill, arguing the current system is more secure. They point to a provision in the bill that would exempt Minnesota retailers from having to comply with security standards for credit and debit cards.

Joe Witt, president and CEO of the Minnesota Bankers Association, argues the bill could expose consumers to increased risk of identity theft or fraud.

"These standards are in place for a very good reason. We've seen a lot of data breaches; we've

seen the damage that can happen from it. A lot of those data breaches were at retailers," Witt said.

He added that the higher costs in the current system go to pay for technologies that increase security and reliability in processing transactions.

A companion, SF3213, sponsored by Sen. Dan Sparks (DFL-Austin), awaits action by the Senate Commerce and Consumer Protection Committee.

— N. BUSSE

Keeping up with tobacco

Minnesota's tobacco laws are not keeping up with the creativity and marketing of new tobacco products.

From strips that melt in your mouth to orbs that look like Tic-Tacs, users can get a nicotine bump anytime, anywhere and undetected. Supporters of new regulations fear these products could lure in a whole new generation of tobacco users.

Rep. Jim Davnie (DFL-Mpls) sponsors HF3467, the Tobacco Modernization and Compliance Act of 2010, that would close the loophole on products that supporters say target the younger generation.

The bill would regulate these products similar to the way cigarettes and cigars now are. It would also apply to electronic cigarettes and candy- or fruit-flavored "little cigars" that are similar in size to cigarettes, but because of their design are not as regulated and cost less.

The bill was held over by the House

Taxes Committee for possible omnibus bill inclusion.

A companion, SF3055, sponsored by Sen. D. Scott Dibble (DFL-Mpls), was passed 63-4 by the Senate Wednesday.

— L. SCHUTZ

Ticket troubles debated

If you've ever been miffed about how hard — and expensive — it is to get tickets to a popular concert or event, you're not alone. Members of the House Commerce and Labor Committee held an informational hearing on the subject April 27.

Committee Chairman Rep. Joe Atkins (DFL-Inver Grove Heights) said consumer frustration over the problem has been growing. Though he doesn't expect legislative action this year, he advocates legislation that would require ticket companies to disclose how many tickets are available to the general public versus those reserved for special pre-sales and other promotions.

"If I was a consumer, and I know my odds of getting a ticket are really very minimal ... then my expectation level is appropriate, and my disappointment level is lessened," Atkins said.

At the hearing, lobbyists presented competing views of the problem.

Daniel Pullium, director of government relations for ticket reseller site TicketNetwork, said consumers don't realize how few tickets are actually made available to the general public in some cases. He cited a recent Taylor Swift concert in which only 11 percent of the



PHOTO BY TOM OLMSCHIED

Holding a pack of what is known as "little cigars," Thomas Briant, executive director of the Minnesota Wholesale Marketers Association, tells the House Taxes Committee April 28 that a bill to change excise taxation and the regulation of tobacco products could cost the state revenue. Rep. Jim Davnie, right, sponsors the bill. Listening to the testimony are Rep. Debra Hilstrom and Rep. Loren Solberg.



PHOTO BY TOM OLSCHIED

Lance Lanciault, right, director of legal affairs for StubHub, tells the House Commerce and Labor Committee about the demand for tickets to athletic and music venues during an April 27 hearing. Other ticket broker representatives to testify are Daniel Pullium, center, director of government relations for TicketNetwork, and Cortney Storsved, director of operations for TicketKing.

more than 14,000 tickets sold were available to the general public. The rest were distributed through pre-sales available only to select groups of people.

Pullium said ticket resellers provide a vital service to fans who may not otherwise be able to acquire event tickets. He said legislation that provides transparency in the market would help assuage consumer angst.

"We believe that information is crucial — that if consumers have access to that information, that they will be able to decide how best... to obtain tickets," Pullium said.

Meanwhile, representatives from event venues and ticket companies blame sketchy practices by ticket resellers for raising consumers' ire.

David Balcer, director of ticketing for the Target Center, said he frequently hears complaints about how and why tickets for events show up on re-sellers' websites — oftentimes before tickets even go on sale.

"It leads a lot of customers to believe that the venues themselves are somehow in cahoots with a lot of these brokers," he said.

Balcer said re-sellers often sell "speculative tickets" — tickets that are not yet available — and promise to find similar seats if the ones they want aren't available.

— N. BUSSE

If you will be visiting the Capitol in the near future, call the Capitol Historic Site Program at 651-296-2881 to schedule a tour.

EDUCATION

Early childhood bill to floor

Child care providers who want to improve their facilities, train staff or buy early learning curricula could benefit from \$500,000 appropriated in the omnibus early childhood bill approved by the House Finance Committee April 27. The federal funds are intended to support providers to prepare for evaluation through a statewide Quality Rating and Improvement System.

Approved the next day by the House Ways and Means Committee, the bill's policy provisions will go to the House floor, independently or as part of the omnibus K-12 education bill, said Rep. Nora Slawik (DFL-Maplewood), who sponsors HF2760/SF2505* with Sen. Terri Bonoff (DFL-Minnetonka).

The bill would also direct the governor's early childhood advisory council to take up several tasks including:

- creation of an early care and education report card;
- a recommendation on how to screen and assess whether young children are developmentally ready for school;
- strategies to address the developmental needs of those children who may not be school-ready; and
- creation of an office of early learning.

The bill also incorporates HF3220, sponsored by Rep. Gail Kulick Jackson (DFL-Milaca), which would make it easier for teen parents to get child care funds re-authorized on the

school calendar schedule. That change would help the young parents retain consistent child care so they can stay in school.

A provision that would cut \$7.5 million in unexpended funds from the basic sliding fee child care program is expected to be included in the omnibus health and human services bill. The funds unused by counties to subsidize child care for income-eligible working families would ordinarily go to other counties with waiting lists for child care subsidies; however, this year they will be used to offset the General Fund deficit, Slawik said.

The Senate passed its version 53-12 April 19.

— K. BERGGREN

ENVIRONMENT

Composting gets OK ranking

Signed by the governor

After reducing, recycling or reusing waste materials, composting of source-separated compostable materials falls into the hierarchy of preferred waste management practices, according to a new law signed by Gov. Tim Pawlenty April 26.

The revised policy lists composting of yard and food waste as being preferred to other forms of disposal, such as incineration and landfills. Minneapolis DFLers Rep. Frank Hornstein and Sen. D. Scott Dibble sponsor the law, which is effective April 27, 2010.

HF3061*/SF2991/CH272

— S. HEGARTY

FAMILY

Ten-day abuse allegation required

Signed by the governor

Parents never want to learn their child may be a victim of maltreatment or abuse at school, but if that is the case, they deserve to know quickly. A new law ensures that will happen.

Signed by Gov. Tim Pawlenty April 26, the law requires the education commissioner to notify parents or legal guardians of a child who may have been a victim of maltreatment or abuse at a school facility within 10 days of having received the report orally or in writing.

The issue came to light because of a Spring Lake Park case in which 6-year-old Kyle Herman, who has Down syndrome, was physically and emotionally abused by his kindergarten teacher over several months in 2006. Because the teacher had requested an arbitration hearing, details of the case

were not made public by the Education Department, even to the boy's parents, until May 2008, after that hearing was completed.

The commissioner also must notify parents or legal guardians of a child alleged to be a victim of maltreatment in writing within 10 days of the completion of the department's investigation into an abuse or maltreatment allegation, and may notify parents or guardians of other students who witnessed alleged maltreatment.

The new law, sponsored by Rep. Tim Mahoney (DFL-St. Paul) and Senate Minority Leader David Senjem (R-Rochester), takes effect Aug. 1, 2010.

HF3157*/SF3087/CH276

— K. BERGGREN

Clarifying child protection, services

**Signed
by
the
governor**

Provisions related to judicial proceedings for children in need of protection or services will be modified.

Representing the work of the Juvenile Law Committee of the Minnesota County Attorneys Association, the new law adds a basis for finding a child in need of protection or services. It adds cases where a child has a parent whose parental rights to another child have been involuntarily terminated or whose custodial rights have been involuntarily transferred to a relative, but there are compelling reasons why it is in the child's best interest not to have parental rights terminated.

The law also clarifies that if a petition is filed for transferring custody of a child to a named relative, the relative has a right to be a party to the permanency proceeding "on the issues of the relative's suitability to be a legal and physical custodian for the child, whether the transfer is in the child's best interests, and the needs of the child."

Further, local law enforcement is permitted to take a runaway to a shelter, if possible, instead of back to their parent's residence. The problem was that runaways would sometimes be returned home by the authorities and leave again right away.

Rep. Dave Olin (DFL-Thief River Falls) and Sen. Mary Olson (DFL-Bemidji) sponsor the law that takes effect Aug. 1, 2010. It was signed April 26 by Gov. Tim Pawlenty.

HF3391*/SF2999/CH281

— M. COOK

HEALTH

Access to medical claims data

Health plan sponsors, including some employers, would have access to employees'

medical claims data, under a bill sponsored by Rep. Jim Abeler (R-Anoka).

HF3396 would require health plan companies and managers of preferred provider networks to annually submit medical claims data to health plan sponsors. For example, a union health care plan would have access to information on union members' medical claims.

The House Commerce and Labor Committee held an informational hearing on the bill April 27. No action was taken. There is no Senate companion.

Supporters say access to this data is an important tool that will help health plan sponsors monitor and improve the quality of their members' health and wellness plans.

"Without access to our data, we are at a disadvantage, and we as a health plan are unable to perform its due diligence in evaluating the effectiveness of its wellness programs," said Martha LaFave, health fund coordinator for International Union of Operating Engineers Local 49.

LaFave said access to claims data would allow the health plan to reach out to union members with certain conditions, help them select a quality health care provider and identify diseases early. It would also help plan sponsors figure out what changes are needed to best serve members' needs.

Some committee members are concerned the bill raises data privacy issues, however. Rep. Tim Sanders (R-Blaine) said some employees may be getting tested for conditions they don't want their employer to know about.

Rep. Sarah Anderson (R-Plymouth) raised similar doubts, asking whether an employee who is pregnant and doesn't want her employer to know would be forced into disclosing that information.

"I think we're going down a slippery slope that will cause more problems than it will solve," Anderson said.

Committee Chairman Rep. Joe Atkins (DFL-Inver Grove Heights) said the committee would not act on the bill this year, but he thought it worthwhile to "tee the issue up" in anticipation of future debates.

— N. BUSSE

Licensing of health professionals

**Signed
by
the
governor**

A handful of health professions can expect technical changes to licensing requirements, under a new law signed by Gov. Tim Pawlenty April 26.

Sponsored by Rep. Maria Ruud (DFL-Minnetonka) and Sen. Ann Lynch (DFL-Rochester), the law makes the following changes to professions licensed under the

Department of Health:

- amends requirements for audiologists and speech-language pathologists turning in documentation of continuing education completion;
- removes a requirement that speech-language pathologists and audiologists respond to a request from the department or advisory council by certified mail;
- specifies that an occupational therapist or occupational therapy assistant applying for licensure four or more years after completing credentialing requirements must complete 480 hours of supervised experience within six months and may do so at their place of work; and
- amends requirements for temporary licensure as an occupational therapist or occupational therapy assistant.

Effective Aug. 1, 2010, the law also allows outpatient surgical centers to be accredited by any group recognized as an accreditation organization by the Centers for Medicare and Medicaid Services.

HF2969/SF2851*/CH274

— L. RADOMSKI

INDUSTRY

Construction codes and licensing

**Signed
by
the
governor**

A host of technical and clarifying changes to the state's construction code and licensing statutes are made by a new law.

Sponsored by Rep. Kim Norton (DFL-Rochester) and Sen. Kathy Saltzman (DFL-Woodbury), the law includes changes requested by the Department of Labor and Industry. Gov. Tim Pawlenty signed it April 26.

Selected changes made by the law include:

- clarifying that people may receive state agency rulemaking notices either electronically or by regular mail;
- modifying statutes dealing with apprenticeship training to conform to changes in federal law;
- deleting outdated statutory language;
- removing a requirement that hard copies of construction code and licensing rulemaking changes be filed with the Office of the Secretary of State;
- clarifying that municipalities that fail to comply with reporting requirements on the collection of development-related fees are subject to enforcement actions;
- clarifying that DOLI may not pay compensation from the contractor recovery fund in an amount greater than \$75,000 per licensee;

- clarifying requirements for having an application for compensation from the contractor recovery fund verified; and
 - changing from 30 days to 45 days the time in which an administrative hearing must be conducted unless the parties agree to a later date, and requiring that notice be given at least 15 days before the hearing;
- Most of the law takes effect Aug. 1, 2010.
HF3048*/SF2928/CH280

— N. BUSSE

INSURANCE

Auto insurance for minors

**Signed
by
the
governor**

Under certain conditions, Minnesotans under the age of 18 can own their own cars. Effective April 27, 2010, they can buy their own insurance policies, too.

A new law, signed April 26 by Gov. Tim Pawlenty, allows minors to purchase automobile insurance, provided they meet the state requirements to own their own automobile. Previously, statutes were unclear as to whether minors could have their own insurance policies.

Rep. Karla Bigham (DFL-Cottage Grove), who sponsors the law with Sen. Katie Sieben (DFL-Newport), said the change will close a “loophole” discovered by one of her constituents.

In order to own a car and/or buy their own insurance, a minor must meet one of the following qualifications:

- complete an approved driver training course and be 17 years old;
 - be a high school graduate and be 17 years old;
 - be an employed, emancipated minor who holds a Minnesota driver’s license; or
 - have become the owner of the passenger automobile or truck which the person seeks to register in Minnesota while a resident of a foreign state, district, territory or country, and which passenger automobile or truck is duly registered in the person’s name in such foreign state, district, territory or country.
- HF2879*/SF2592/CH278

— N. BUSSE

SAFETY

Public plowing on private roads

**Signed
by
the
governor**

For the next three years, local road authorities can remove snow from private roads where a developer, because of insolvency or pending

foreclosure, is unable to maintain the road. Effective April 27, 2010, the law sunsets May 2, 2013.

Unplowed roads are a safety hazard for school buses and emergency vehicles, said Rep. Mike Nelson (DFL-Brooklyn Park), who sponsors the law with Sen. Ken Kelash (DFL-Mpls).

Signed April 26 by Gov. Tim Pawlenty, the law will require a local road authority to adopt an annual resolution finding that a developer has failed to maintain the road. The city or local government may impose a reasonable and proportionate charge on all properties within the subdivision for the plowing services provided.

HF2231*/SF2004/CH279

— S. HEGARTY

Conferees agree on window tint bill

A conference committee agreed April 27 to accept the House language on a bill that would make selling or applying illegal window tints on motor vehicles a misdemeanor.

Current law makes it illegal to drive a vehicle with too dark tints, but does not extend to making the application of dark tints illegal.

Minnesota law prohibits applying tints to a vehicle’s front windshield and less than a 50 percent visible light transmission on side and rear windows. Some exceptions apply to rear windows of hearses, police vehicles, limousines, vans and pickup trucks.

State Patrol Maj. Mike Asleson said dark tints present a safety threat to officers when approaching a vehicle and make it more difficult for drivers to see out of, especially at night. Last year, 5,600 tickets were issued for illegal window tints and more than 16,000 drivers received warnings, Asleson said.

Sponsored by Rep. Carlos Mariani (DFL-St. Paul) and Sen. Sandy Pappas (DFL-St. Paul), HF2914/SF2370* was first approved by the Senate with a provision to prohibit car dealers from selling or leasing vehicles with illegal window tints unless the vehicle is transported without being driven on Minnesota roadways.

Alyssa Schlander, government affairs director for the Minnesota Automobile Dealers Association, told conferees the Senate provision would add to the cost of handling used vehicles and that those costs would be passed onto consumers. Conferees removed the provision.

Mark Gjerde of Gjerde’s Solar Shield said benefits of tinted windows include privacy and protection for single occupants and personal belongings, protection from damaging ultraviolet rays to vehicle interiors and their occupants, cooler interiors and less likelihood

that a treated window would shatter when struck.

— S. HEGARTY

STATE GOVERNMENT

Sentencing error turns to claim

William Howard Heins spent an extra 389 days in prison due to a sentencing error, which was corrected only after a decision by the state Court of Appeals.

He could receive \$34,049 from the state for payment of lost wages. However, he would be required to pay off fines and restitution amounts owed, and agree not to seek credit against any future sentence for the time mistakenly served.

The provision is part of the claims bill (HF3660), sponsored by Rep. Lyle Koenen (DFL-Clara City). Approved by the House Finance Committee April 27 the bill awaits action in the House Ways and Means Committee.

The bill contains payment recommendations from the Joint House/Senate Subcommittee on Claims including:

- \$53,700 for seven claims by prisoners who suffered permanent partial disabilities while performing assigned duties in prison, and two claims by people who suffered permanent partial disabilities while performing sentence to service work; and
- \$3,700 to reimburse the department for sentence to service and community work service claims under \$500 and claims already paid.

According to its website, “The Joint House/Senate Subcommittee on Claims was established in 1976 to hear and recommend to the legislature whether or not to pay claims against the state by various persons who cannot proceed against the state under the State Tort Claims Act.”

The bill’s companion, SF3246, sponsored by Sen. Ron Latz (DFL-St. Louis Park), awaits action by the full Senate.

— L. SCHUTZ

Documents must be accessible

**Signed
by
the
governor**

All public documents in the state must be stored in a format that is accessible to people with disabilities beginning Jan. 1, 2013.

Sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. David Tomassoni (DFL-Chisholm), the law will require all public records created by public entities to be available to persons with disabilities in a format that is accessible to them. This includes state and local government agencies, public colleges

and universities, school districts and all other government entities.

As an example, an electronic document will have to be stored in a format compatible with screen-reader technologies that blind people can use to have a computer or other device read the document to them.

The law will also apply the same standards to any documents pertaining to a continuing education or professional development course offered by government entities or public colleges and universities.

Those who violate the law will be subject to a penalty of \$500 per violation, plus attorney's fees and other costs payable to a disabled person who brings a lawsuit against the public entity.

The law also requires rehabilitation counselors who work with blind people to complete certain training requirements. Beginning Jan. 1, 2011, these include:

- at least six weeks of intensive training at an adjustment-to-blindness center;
- any additional training requirements specified by State Services for the Blind;
- any continuing education requirements specified by SSB.

Counselors who meet all the requirements will be certified by the state.

HF737/SF1246*/CH271

— N. BUSSE

TAXES

Two contribution checkoffs proposed

Two bills that would provide donation checkoff boxes on the state's income tax form, similar to the current Nongame Wildlife Fund contribution checkoff, were held over April 27 by the House Taxes Committee for possible omnibus bill inclusion.

Rep. Peggy Scott (R-Andover) sponsors HF3566, the "I'm Not Taxed Enough Already Checkoff," which would provide taxpayers the chance to make a voluntary contribution of at least \$1 to the General Fund. A companion, SF3197, sponsored by Sen. Amy Koch (R-Buffalo), awaits action by the Senate Taxes Committee.

Sponsored by Rep. John Lesch (DFL-St. Paul), HF3344 would also provide a minimum \$1 checkoff opportunity with money equally split between grants for emergency shelter and services for the homeless and to Hunger Solutions, a nonprofit statewide association of food shelves.

Dan Kennedy, a school guidance counselor at Johnson Senior High School in St. Paul, and his students brought the idea to Lesch. Last summer they raised approximately \$23,000 to help the state's food shelves. Their



PHOTO BY TOM OLMSCHIED

Johnson Senior High School junior Arthur Nguyen, right, and Dan Kennedy, center, a guidance counselor at the St. Paul school, listen to Assistant Revenue Commissioner Beth Kadoun answer a question during an April 26 meeting of the House Taxes Committee. Nguyen and Kennedy worked together on a potential homeless checkoff to be added to state income tax forms.

experience raised their awareness to the number of homeless and the growing use of food shelves.

"A lot of people are hurting and the demand is increasing; this is a way for people to give," said Arthur Nguyen, a junior at the school.

However, the request opened a conversation over whether tax returns should be used to raise money for causes.

"They (donations) are the right thing to do on a personal level, but from a state perspective, it does become an issue," said Rep. Ann Lenczewski (DFL-Bloomington), chairwoman of the committee. She said the tax form is already full, and according to the Revenue Department, this would be cause for an additional form. She said the committee has historically discouraged checkoffs because "everyone has a cause" they think would merit a checkoff.

Rep. Paul Kohls (R-Victoria) said there is a cost to the state's General Fund for administering the checkoff.

Kennedy said, "You may view it as, 'This will open the flood gates,' ... but as legislators you can draw the line at the DNR and the food shelf. We're asking you to draw the line here. It is a good bill, and I think you should vote yes."

A companion, SF2688, sponsored by Sen. Ellen Anderson (DFL-St. Paul), has been included in the omnibus tax bill, SF3327, sponsored by Sen. Tom Bakk (DFL-Cook). It awaits action by the full Senate.

— L. SCHUTZ

TECHNOLOGY

Broadband for everyone

Signed
by
the
governor

It's official: Minnesota intends to provide every resident the ability to access high-speed broadband Internet service by 2015.

A new law makes high-speed broadband Internet for every home and business an official state goal. In addition, it calls for a boost in broadband speeds: 10 to 20 megabits per second for downloads and five to 10 megabits per second for uploads.

Sponsored by Rep. Sheldon Johnson (DFL-St. Paul) and Sen. Yvonne Prettner Solon (DFL-Duluth), the law also specifies three other goals for Minnesota's broadband access. It states that Minnesota should be in:

- "the top five states of the United States for broadband speed universally accessible to residents and businesses";
- "the top five states for broadband access"; and
- "the top 15 when compared to countries globally for broadband penetration."

The law stems from the work of the Minnesota Ultra High-Speed Broadband Task Force, which spent two years researching a strategy for deploying broadband Internet service throughout the state. The task force's final report is available online.

Also included in the law is a provision requiring the Department of Commerce to report annually to the Legislature on progress

made toward meeting the state's broadband goals.

Signed April 26 by Gov. Tim Pawlenty, the law takes effect Aug. 1, 2010.

HF2907*/SF2254/CH277

— N. BUSSE

TRANSPORTATION

Impound notice date exclusions

**Signed
by
the
governor**

Government workers and impound lot operators won't have to count Saturdays, Sunday, and legal holidays among the five days they have to notify a registered vehicle owner and lienholders of a vehicle that their vehicle has been impounded.

Current law includes those days in the five-day notice period.

Sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Michelle Fischbach (R-Paynesville), the law was signed April 22 by Gov. Tim Pawlenty. It takes effect Aug. 1, 2010.

HF3016/SF2572*/CH257

— S. HEGARTY

Procurement for transit vehicles

**Signed
by
the
governor**

The Metropolitan Council is now able to use the same procurement processes that the Department of Transportation uses for the purchase of buses, motor coaches, light rail and commuter rail cars and other transit vehicles.

In addition to price, the new law allows the council to include environmental considerations, quality and contract performance when choosing a vendor.

Prior to the law, the council was subject to the Uniform Municipal Contracting Law, and had to use sealed bids for larger purchases.

Sponsored by Rep. Frank Hornstein (DFL-Mpls) and Sen. Tarryl Clark (DFL-St. Cloud), and signed April 26 by Gov. Tim Pawlenty, the law only applies to the seven-county Twin Cities metropolitan area. The law is effective April 27, 2010, and is retroactive to include requests for proposals issued since Sept. 1, 2009.

HF3286*/SF3005/CH273

— S. HEGARTY

Roadways given to local jurisdictions

**Signed
by
the
governor**

Two state roadways will be turned over to their respective local governments: Trunk Highway 297 that runs around the grounds of the Fergus Falls Regional Treatment Center and

a segment of Trunk Highway 332 that runs southeasterly around International Falls.

Each year, the Department of Transportation reviews the state's highway system to assure that each road still serves specific statewide purposes. As a result, the department recommends that some roads be turned back to local communities.

Sponsored by Rep. Bud Nornes (R-Fergus

Falls) and Sen. Dan Skogen (DFL-Hewitt), each portion of the law is effective the day after MnDOT provides notice to the revisor's office that the conditions required to transfer the route have been satisfied. Gov. Tim Pawlenty signed the law April 22.

HF2851*/SF2662/CH265

— S. HEGARTY

BIG HUG

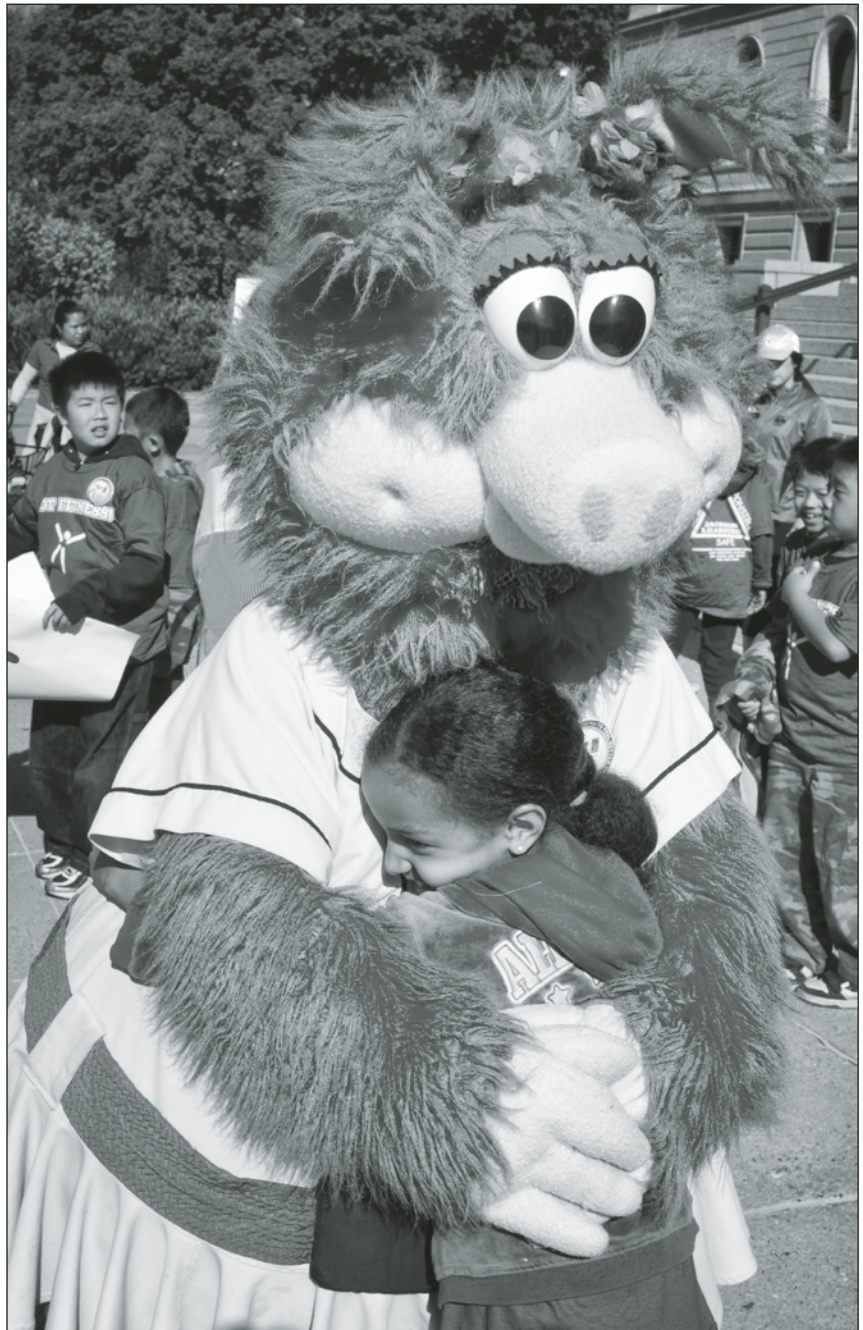


PHOTO BY TOM OLMSCHIED

Mileteework Mihretu, a first-grader at Jackson Preparatory Magnet Elementary School, gets a hug from Mudonna T Pig, the St. Paul Saints mascot, following the kickoff of the Exercise Your Right to Feel Better St. Paul campaign on the front steps of the Capitol April 27.

K-12 education bill moves forward

Measures would activate reforms, stabilize school funding

By KRIS BERGGREN

Minnesota lawmakers can “sit and wait” for education reform to be imposed from outside or “shape our expectations of ourselves,” said Rep. Carlos Mariani (DFL-St. Paul).

He has championed key reforms even under opposition from some members of his own party, who tend to support teachers’ union positions on such issues as alternative teacher licensure pathways and linking teacher evaluations with ongoing contract decisions. Both reforms are included in the omnibus K-12 education bill approved April 28 by the House K-12 Education Finance Division.

Rep. Pat Garofalo (R-Farmington) thanked Mariani, chairman of the House K-12 Education Policy and Oversight Committee,

for taking positions based on research, not interest group advocacy. “I know it’s hard to stand up to constituency groups that line up on your side of the aisle.”

Mariani was the lone DFLer to join division Republicans on an amendment unsuccessfully offered by Garofalo that would have included the governor’s even tougher reforms, including five-year tenure renewal.

Nevertheless, the bill will “demonstrate to the public our intent to push on the frontiers of education reform,” Mariani said.

Sponsored by House K-12 Education Finance Division Chairwoman Rep. Mindy Greiling (DFL-Roseville), HF2431 now goes to the House Finance Committee.

The competitive Race to the Top grant is an impetus for the proposed reforms but the tide of change is ongoing, Mariani said. He expects the anticipated reauthorization of the Elementary and Secondary Education Act, also known as No Child Left Behind, to maintain the trend of changing longstanding education practices.

The bill includes an alternative teacher licensure pathway, HF3093, sponsored by Mariani. It would allow candidates, such as Teach for America members, a limited two-year license if they have at least a bachelor’s degree, pass basic skills tests and complete at least 200 hours of instruction including student teaching. They could later apply for a continuing license.

However, Rep. Will Morgan (DFL-Burnsville) successfully offered an amendment proposing a similar alternative licensure plan. It would define much more narrowly the conditions where candidates for alternative licensure could be placed and delink the alternative process from the opportunity to move into a continuing license.

Alternative licensure pathways are intended to get teachers into certain high-need areas. Mariani’s bill would allow them to fill needs in shortage areas such as districts where too few qualified teachers have applied; or where racial and cultural diversity is sought to reflect the student population. The Morgan amendment would require all three conditions to be present in order to hire alternatively licensed teachers.

Mariani said the Morgan amendment, which he did not support, would cloud the issue in ongoing bill negotiations, and severely hamper a high-quality alternative licensure program from developing in Minnesota.

Another key reform would be annual teacher evaluations, as proposed in an amendment



PHOTO BY TOM OLMSCHEID

Tom Deans, an attorney with the Minnesota School Boards Association, follows along April 26 as the House K-12 Education Finance Division listens to a walk-through of the omnibus K-12 finance and policy bill.

K-12 Education continued on page 22



The State Capitol viewed from the World War II memorial garden.



A groundskeeper mows the grass around the south



Spring

The manicured parkland on the Capitol Complex, which includes numerous sculptures and monuments, is some of the finest in St. Paul. The land that comprises the Capitol Mall quickly turns green by the end of April in Minnesota. These photographs capture some of the greenery on the Capitol Mall with the use of a Wratten no. 87 infrared filter, capturing light in the invisible infrared spectrum that can give images an otherworldly and dreamlike appearance. Spring foliage and greenery is accentuated by the infrared effect. 🌱



theast side of the Capitol



Somber light fills the space at the Korean War Veterans memorial



Morning shadows near the Vietnam War memorial

green in infrared

Photos by Andrew VonBank



The morning sun silhouettes the Charles Lindbergh memorial



Young spring foliage seems to cascade around the Capitol

Supplant or supplement?

Some think constitutionally dedicated funds may be filling traditional funding void

By LEE ANN SCHUTZ

Most state agencies, local governments and schools relying on the state's General Fund are facing cuts, but the same can't be said for many outdoor and clean water projects.

Thanks to a 2008 voter-approved constitutional amendment raising the state's sales tax, about \$60 million is expected to be available in fiscal year 2011 for outdoor heritage and clean water projects.

However, now in the second year of making appropriations, the new constitutional amendment is going through some growing pains — aggravated by the current biennium's deficit — that may end up needing a court resolution.

The omnibus heritage and clean water fund bill contains recommendations from the Lessard-Sams Outdoor Heritage Council, the group responsible for providing annual input to the Legislature on how funds generated by the dedicated sales tax should be spent.

Approved April 27 by the House Ways and Means Committee, HF3790, sponsored by Rep. Mary Murphy (DFL-Hermantown), awaits action on the House floor. It has no Senate companion.

Council recommendations contained originally in HF2882, sponsored by Rep. Rick Hansen (DFL-South St. Paul), see most of the spending. But two other bills are included: HF3502, sponsored by Rep. Jean Wagenius (DFL-Mpls), and HF3258, sponsored by Rep. Mike Beard (R-Shakopee).

When the House Cultural and Outdoor Resources Finance Division approved the bill April 15, Murphy, the division chairwoman, said project priorities include maximizing non-state funding matches and statewide significance.

The bill would allocate:

- \$18 million in projects for prairie restoration and acquisition of certain land and

easements to enhance prairie and prairie wetland habitat;

- \$17.5 million for projects related to aquatic habitat;
- \$16.9 million for several land restoration projects; and
- \$5.6 million for forest-related projects, including \$1.55 million for Pheasants Forever to acquire land for sharp-tailed grouse habitat in certain northern Minnesota counties.

The bill also appropriates supplemental funds from the clean water fund, establishes a metropolitan area groundwater monitoring fee and an account to provide matching funds for costs of establishing a groundwater monitoring program in the 11-county Twin Cities metropolitan area.

Other provisions call for the Office of the Legislative Auditor to conduct restoration audits. According to the nonpartisan House Research Department, these are scientific evaluations of restored land to determine whether the restoration meets the requirements of the dedicated funds received. Audit costs would be paid by the funds.

The bill permits dedicated funds not spent in 2010 to be carried over for use in fiscal year 2011, and for land acquisitions through fiscal year 2012.

At the end of fiscal year 2011, the outdoor heritage fund balance is estimated to be \$9.7 million and the clean water fund \$2.7 million, Murphy said.

Issues raised during the committee process are expected to be aired when the bill is

considered by the full House, Murphy said.

The main problem is that the constitutional amendment calls for the dedicated funds to supplement, not supplant, traditional funding. Amendment supporters wanted to ensure the priorities supported by the dedicated funds would continue to be enhanced. Murphy said that ultimately the supplement/supplant language may only be resolved by the courts.

"I'll go forth with the idea that this discussion has to take place with the whole body and then with the Senate, who will become part of the conference committee, because it still isn't clear enough in my mind," Murphy said.

Reinvest in Minnesota Reserve funding points to the confusion.

Historically, RIM has received funding through the capital investment law. This year, the governor's line-item veto, took away its \$25 million, which also translated to a federal match loss of \$35 million. The council funding recommendation of nearly \$7 million was intended to act as a supplement.

Rep. Will Morgan (DFL-Burnsville) questioned whether this could now be considered supplanting the budget, since bonding is RIM's traditional funding source.

"This is the add-on," said Michael Kilgore, council chairman. "The amount we are recommending is above our recommendations brought to you in January, before the capital investment bill was put together, and before the governor's veto. ... This is above and beyond the traditional funding."

Murphy countered, "If this committee takes your recommendation for RIM, how can we say we are not supplanting? ... This is turning into 'not above and beyond,' but 'instead of.'"

"Your intentions were correct; the Legislature's intentions were correct; but it was interfered with by the governor's veto," said Rep. Phyllis Kahn (DFL-Mpls). "This is one of the textbook cases we looked at when we said we didn't want supplanting to happen."



Erring on the side of openness

Open meeting law could include advisory board actions

BY PATTY OSTBERG

When a school board or city council directs a group of volunteer citizens to discuss an issue as a side group, should those meetings be open to the public?

Rep. Michael Paymar (DFL-St. Paul) believes they should.

He successfully offered an amendment to HF2958, sponsored by Rep. Gene Pelowski, Jr. (DFL-Winona) that would change the state's open meeting law by redefining "a meeting of a public body" to include advisory groups to formal councils and boards.

The bill would also clarify timelines for when special meetings should be posted, and reiterate that public meetings can be recorded and photographed by the public.

Approved April 27 by the House State and Local Government Operations Reform, Technology and Elections Committee, it now goes to the House Rules and Legislative

Administration Committee. A companion, SF2518, sponsored by Sen. Ann Rest (DFL-New Hope), awaits action by the full Senate.

Advisory groups included

Laurie Beyer-Kropuenske, director of the Department of Administration's Information Policy Analysis Division, said the open meeting law is supposed to balance efficient government with transparency by allowing the public to monitor meetings. "So much of the open meeting law has been changed in the subject of case law and commissioner and attorney general's advisory opinions, the answers aren't that easy, and there's a lot of public confusion about this law," she said.

Paymar served on a city council for eight years and has been a House member since 1997. "We should shine as much light on the meetings and activities of government as we possibly can."

Under the bill, a public body would be defined as "a governmental multimember state, regional, or local appointed or elected body with governmental powers; a committee, subcommittee, board, commission, or other subset of a body with governmental powers." The definition would further clarify that an advisory group is one established by a public body or subset of a body that uses public resources for the group's work.

Tom Deans, attorney for the Minnesota School Boards Association, said advisory volunteers are often parents who are busy and work in informal settings through phone calls, meeting in people's homes or even riding together in a car. They might make a few copies of materials using public resources, he said, but subjecting them to open meeting law requirements could be severely limiting.

Rep. Ryan Winkler (DFL-Golden Valley)

Government continued on page 22



PHOTO BY ANDREW VONBANK

Members of the House State and Local Government Operations Reform, Technology and Elections Committee listen April 27 to testimony on a bill that would make several changes to the open meeting law.

Turn your key and breathe

House approves ignition interlock bill that would let DWI offenders drive sooner

By Mike Cook

The Department of Public Safety estimates that one of every eight licensed drivers in the state has a DWI on their record; and one of every 18 drivers has two or more.

There were 163 alcohol-related fatalities in Minnesota in 2008, about 36 percent of all traffic fatalities, a percentage that has stayed consistent over the years. That same year, there were 35,736 DWI arrests in Minnesota, with about an equal split between the Twin Cities metropolitan area and Greater Minnesota.

Drunken drivers might be able to get their driving privilege back sooner if they are willing to breathe into a tube.

Sponsored by Rep. Karla Bigham (DFL-Cottage Grove) and Sen. Steve Murphy (DFL-Red Wing), HF3106 makes changes

to the state's DWI laws, such as including felony DWI convictions in other states when determining enhanced DWI penalties in Minnesota, and increasing and restructuring the license revocation period for refusing a chemical test based on number of infractions in a specified number of years.

However, its highlight might be decreasing the no-driving period if the person agrees to use an ignition interlock device. It is an initiative of Gov. Tim Pawlenty.

Approved 131-0 by the House April 26, the bill awaits action by the Senate Rules and

Administration Committee. Bigham expects a conference committee will be needed to agree on all provisions.

The device is installed in motor vehicles to prevent them from being started if a driver's breath exceeds a preset breath-alcohol content limit, which would initially be 0.02 percent, but increase to 0.05 percent in 2013. The vehicle will not start if the limit is exceeded. A driver would also have to breathe into the device at certain times once the vehicle is started. If a driver fails a test, the vehicle would shut down. A driver with a BAC of 0.08 or greater is considered legally drunk.

"You get your driving privilege earlier if you use this," said Cheri Marti, director of the state's Office of Traffic Safety. Currently, full driving privileges are canceled for between three months and six years for a DWI offense, depending on number of offenses.

Under the plan, a first-time offender would have no driving provisions for 15 days and a three-month revocation of driving privileges (one year if the offender's blood-alcohol concentration is 0.20 percent or greater). However, full driving privileges would be granted for the remainder of the revocation period after the no-driving period if the offender agrees to the ignition interlock restrictions.

For multiple DWI offenders, the no-license period is increased to 30 days before full driving privileges are reinstated with an interlock ignition device. Time using the ignition interlock is increased by the number of offenses, from one or two years for a second time offender, based on BAC level, up to six years for five or more offenses no matter the BAC level.

It's a very good tool at reducing repeat drunken drivers, said Rep. Steve Drazkowski (R-Mazeppa). "It's reducing repeat drunk drivers by over 90 percent in the states it's been used. This allows us ... to focus on people's behavior while they're in the vehicle."

"This is one of the most effective tools to



PHOTO BY ANDREW VONBANK

A driver uses the ignition interlock device to start her vehicle. The vehicle will not start if a driver exceeds a preset breath-alcohol content limit.

Safety continued on page 23

Demmer winds down fourth, final term

Former corn farmer plans to keep lending an ear to constituents

Editor's Note: As the 2010 session winds down, several members have announced their intentions to leave the Minnesota House of Representatives for new adventures. They leave a legacy of service that will remain part of legislative history.

By SUE HEGARTY

Whoever wins Rep. Randy Demmer's House seat this fall will likely face a similar state budget deficit as when Demmer first took office in 2002.

"It was a great challenge, and I remember that," said the four-term legislator.

Demmer (R-Hayfield) is stepping down from one seat, but not out of the political arena. He's the 2010 Republican-endorsed candidate for Congress from southern Minnesota's 1st Congressional District.

Growing up in Hayfield, Demmer worked on his family's corn and soybean farm. After a year at Colorado College, he returned to earn a business degree from the University of Minnesota. His entrepreneurial spirit inspired him to develop an accounting software program to help farmers manage their bookkeeping.

Demmer served on the school board, was active in several community organizations and converted his father's vacated farm implement dealership into an auto parts store while continuing to farm. All of the enterprises grew, acre by acre, store by store.

That's when former Republican House Speaker Steve Sviggum took notice and wooed the him to run for state office.

"I didn't know that much about politics at all. He convinced me it wasn't about politics; it was about representing people. ... He was right," Demmer said.

As a freshman legislator, he sponsored a bill to change the name of the Department of Children, Families and Learning back to the Department of Education. Although the bill was non-controversial, his elder statesmen couldn't let him get off that easy. "A few people had to ask questions. They had to come up with something to see if I could speak for myself at the podium."

Much more contentious was a bill that would have required school districts to complete contract negotiations with bargaining units prior to the start of the school year so that teachers could focus on teaching. If a contract couldn't be reached in the fall, they would have to suspend negotiations until the school

year concluded in the spring.

"It just removes an adversarial situation with adults while kids are present, because it should be about the kids," Demmer said. The bill didn't become law.

He became assistant minority leader in 2009. Duties included recruiting candidates, making committee assignments, managing Republican Caucus staff and creating harmony among members.

"We're all here for the same reasons. Sometimes we have differences of opinion about how to get there, but we have similar goals: No. 1 as legislators and people working for the good of the state of Minnesota, and No. 2 as conservatives who have a certain idea of how we'd like to see things done. Keeping that in mind has been helpful."

Regardless of his political future, Demmer said it's time to move on and let someone else contribute. "I think some turnover is good. It's a citizen Legislature and other citizens can come in and do this if you're willing to put in the time, and you come in with the right attitude of listening and remembering who you're here for."

Demmer has the support of his wife, Kathy and their three grown daughters as he moves into a new political arena. "It is public service. We both understand that. And this is something we can do. Her parents are there; my parents were there ... she had that support there and it's been a great thing for us."



PHOTO BY ANDREW VONBANK

Randy Demmer is the Republican-endorsed candidate for the 1st Congressional District.

STEPPING DOWN

Rep. Randy Demmer
Republican
District 29A - Hayfield
Terms: 4 (elected 2002)
Advice to successor: "Listen to all sides of arguments. Don't go with whims because you're going to get advice on all sides of an issue. Go with the principles and values you have."

Sinking the law on sunken timber

DNR intends to let sleeping logs lie

By SUE HEGARTY

Every now and then, a floating log becomes snagged — bobbing on the surface where it neither sinks nor moves with the current.

The same could be said for a nondescript law that was effective for just a few months between 2000 and 2001. The law required the Department of Natural Resources to issue permits to divers for the removal of sunken logs — also known as bobbers, deadheads or sinkers — from the bottom of Minnesota lakes and inland rivers. However, during a 2001 special session, a permanent moratorium was placed on the “Removal of Sunken Logs,” so the law sat in limbo from then until now.

Unlike today’s fast-growth timber stands, deadhead logs are revered for their tight grain and splendid colors. Sunken pine is used to make furniture and flooring. Guitars and violins made with sunken hardwood logs are said to produce musical sounds that cannot be replicated.

The DNR publicly opposed the law since its inception because removing the logs could have negative biological and environmental impacts on the lakes and shore land, said DNR Waters Director Kent Lokkesmoe.

Embedded in the current House omnibus environment finance bill is a section to delete the “Removal of Sunken Logs” law and replace it with: “The commissioner of natural resources must not issue leases to remove sunken logs or issue permits for the removal of sunken logs from public waters.”

The proposed about-face originated with the DNR this year when it submitted its annual “technical bill” to the chairman of the Environment Policy and Oversight Committee. Typically, such bills are designed to clean up noncontroversial legislation, said committee chairman Rep. Kent Eken (DFL-Twin Valley). After the committee approved the policy bill, it was folded into HF3702,

sponsored by Rep. Jean Wagenius (DFL-Mpls).

“I know that the impetus behind it was the disruption of the bottom of the water beds, not only that, but also some of the damage that’s done when removing the logs on the shoreland if you’re dragging them across the land,” Eken said. “I think that we should

evaluate it further. ... We don’t want to be so rigid and strict that we can’t do things that are of historical significance, for instance.”

To understand the sunken log’s nemesis, take a look back 200 years and revisit Minnesota’s historic logging era.

Logging’s rich heritage

Two of Minnesota’s mythical icons are a sturdy lumberjack named Paul Bunyan and his trusty blue ox, Babe. The folklore is reflective of the immigrants who moved west across America, contributing to an economic boon in the lumber industry, which provided jobs and materials to build their homes and furniture.

Before modern transportation, lumberjacks cut and dumped timber into Minnesota lakes



Lumbermen from Elias Moses’ logging camp driving logs on the Rum River.

Photographer: Whitney
Photograph Collection 1864
Photo courtesy of the Minnesota Historical Society

where it was stored during the winter. After the spring thaw, the logs were steered toward rivers where they floated downstream to burgeoning saw mills.

In the mid-1800s, loggers sent timber down the Mississippi and St. Croix rivers from the northern pine and hardwood forests to saw mills in Minneapolis and Stillwater. Each camp stamped its logs with a distinctive marking before dumping them into the water with the other logs. The rivers became so full one could literally walk across the river.

Some logs sank in the lake bottoms in the midst of their downstream journey. Thousands are presumed abandoned in river bottoms and lake beds to this day.

Whose log is it?

When the logs arrived at the mills, they were sorted by their owner's stamp and handled accordingly. Without the invention of SCUBA gear, the sunken logs were abandoned and have rested in the cold dark waters 20 to hundreds of feet below the surface for the past 200 years. The lack of oxygen and light, combined with cold water temperatures, preserves the old logs as if they were freshly cut.

The State of Minnesota v. Bollenbach court case in 1954 established that soil under navigable bodies of water rightfully belongs to the state. Underwater logging applications were reviewed by the State Historic Preservation Office. The Department of Administration handled the requests and issued permits because abandoned logs were considered state property.

The SHPO required underwater loggers to gain permission from the state, to document log recovery locations, to turn over tools and artifacts to the state, and to photograph an owner's stamp on the logs.

Then in 2000, Craig Waddell of Remer talked with Rep. Larry Howes (R-Walker), who sponsored a bill on Waddell's behalf that required the DNR to design the lease program for underwater logging. Gov. Jesse Ventura signed the law April 6, 2000, and it became effective June 1, 2000.

Three leases were awarded by the DNR for a three-year period.

Divers such as Waddell and his cousin Dan Winger, also of Remer, received one of the leases. However, public pressure arose from lake associations and the moratorium was passed. The DNR was required to cancel the leases and refund the application fees.

"Lake association people thought they were going to see cranes and barges," Waddell said, even though the lease terms stated that the only acceptable method of recovery was winching



Magnuson and Lindell Logging Camp.

Photographer: Burkhart
Photograph Collection ca. 1890
Photo courtesy of the Minnesota Historical Society

to minimize sediment disturbance.

Waddell said he did a test pull of a log and an anchor, and the anchor disturbed the sediment as much or more than the log.

Howes said the issue was thoroughly vetted and there was no opposition in committee. The House voted 129-3 to approve the bill.

"I believe the DNR completely messed up the process from the beginning," Howes said. "If done right it would be very valuable to the state."

For example, the wood could be sold and a percentage of the revenue could be turned over to the state to help fund education, similar to the way forestry activities supplement public education today, Howes said.

Economics vs. environmental damage

One of those who voted against underwater logging in 2000 was Rep. Alice Hausman (DFL-St. Paul). Hausman said when choosing between the valuable timber and water quality, she voted to protect the water quality.

Divers have discovered cultural and historic relics that predate statehood in Minnesota lakes.

"There's artifacts from the beginning of time," said Waddell, who was interested in deadhead logs to make souvenir jewelry boxes, gumball machines and other trinkets from the high-grade timber.

His sonar found Native American canoes from fur-trading days, along with less appealing modern debris such as barrels he suspects were dumped during the industrial revolution. Howes agrees there are more than

logs at the bottom of Minnesota lakes. During the 1960s, residents would park a car on the ice and take bets on what date the vehicle would sink, he said.

Other states have faced similar debate between water quality and underwater logging activity. California and Florida also have allowed deadhead logging for periods of time. In Michigan, an entire wagon load of deadhead timber and the horse harnesses were found at the bottom of a lake. The antique value was estimated at more than \$1 million, Howes said.

With no interest in lifting the moratorium to commence underwater logging, the DNR, which still receives requests for leases, is asking the Legislature to change the law.

In the Senate, where Sen. Ellen Anderson (DFL-St. Paul) is the sponsor, the language is part of SF3275, which was passed 63-4 on April 28. House action could be soon because the Legislature must constitutionally adjourn by May 17.

"I don't think that we should completely close the door on it. I'm not one who believes that we'll say that we'll never do this again because you never know, and we could develop some new technologies and there's some real value there," Eken said.

Sources: "History of the White Pine Industry in Minnesota" by Agnes M. Larson; Department of Natural Resources; Minnesota Statute 103G.650; "Beneath Minnesota Waters: Minnesota Submerged Cultural Resources Preservation Plan"; Cass County Historical Society's Cass County Clippings.

K-12 Education continued from page 13

successfully offered by Mariani. They're not required now, though some schools conduct them regularly.

Developing the evaluation process would be negotiated as part of a district's collective bargaining agreement, but it would have to include multiple measures of teacher performance assessment, such as a portfolio of work, peer evaluation and the use of longitudinal data on student academic growth. While the proposal calls for strong supports, including professional development opportunities and peer and mentor coaching, the evaluations could be used to dismiss teachers who do not measure up.

Other policy provisions include tighter licensing rules for teachers and administrators; certain data sharing that could help the Board of Teaching, the Board of School Administrators and the Education Department to track educators' performance; a new, end-of-course algebra assessment that creates a new model for accountability; and two different approaches to alternative teacher licensure pathways.

The bill proposes task forces in three areas:

- to encourage districts with fewer than 5,000 students to explore ways to share administrative, instructional and extracurricular activities;
- to follow-through on last year's pledge to recommend alternative routes to graduation for students most at-risk or off-track to graduate from high school, after backing

off on a high-stakes math test as a condition of graduation; and

- to recommend changes and legislation to the \$114.5 million integration and desegregation revenue program, which a 2005 report by the Office of the Legislative Auditor said lacks a clear purpose, is too loosely monitored by the Education Department and sometimes funds activities of "questionable" value.

The bill also incorporates the intent of HF3475, sponsored by Rep. Denise Ditttrich (DFL-Champlin), which would establish an independent agency to monitor the permanent school trust land management.

Ditttrich's bill awaits action by the House Rules and Legislative Administration Committee. Sen. Chuck Wiger (DFL-Maplewood) sponsors a companion, SF3042, which awaits action by the Senate Environment and Natural Resources Committee.

The bill would also require school districts to adopt statewide physical education standards based on existing national standards, and would encourage them to participate in a Healthy Kids Award program and to implement quality recess practices. It would also encourage, but not mandate, districts to promote mental health instruction and would provide resources on age-appropriate curricula.

An early graduation program introduced last year by Garofalo, HF1177, would award eligible 12th grade students scholarships up to \$7,500, which could be used at any accredited higher education institution. Districts' resulting per pupil savings could be applied to

an optional all-day kindergarten program.

Education advocates praised the bill's financial relief proposals.

The bill would codify \$1.7 billion of state aid and property tax payment shifts authorized by the governor last year, ensuring they will be repaid; allow school boards to extend an expiring operating referendum by a written resolution instead of a ballot question; and facilitate third-party billing of health care plans so school districts could more easily recoup special education costs from insurance companies or Medicaid.

"This is a real tough time for us in schools," said Roger Aronson, legal and legislative counsel for the Minnesota Elementary School Principals' Association. "These are some things we really need."

Education advocates also praised the "new Minnesota miracle" funding reform plan included in the bill. It would simplify the funding formula, increase the per pupil allocation from \$5,124 to \$7,500 and remove formula components that end up funding some districts at a greater rate than others. It would take effect in 2014, but the changes and their costs could be phased in over time as new revenue is generated.

The bill will eventually go to the House floor, then to a conference committee with Senate members, who will have to work out a compromise between their different versions of the bill.

The Senate omnibus bill, SF3028, sponsored by Sen. LeRoy Stumpf (DFL-Plummer), awaits action by the Senate Finance Committee. 🗽

Government continued from page 17

said, "If the school board takes a formal action to request a group, appoints a group to give them advice ... Why would you not have a presumption that the public gets to have input?"

"These people are not trained in open meeting law compliance," Deans countered, adding that people might be reluctant to volunteer.

Consider the scenario where a school board meets with a select group of parents about closing schools and they bring information back to an official board meeting and make the decision with little public input, said Paymar. "I'm not saying that all of these meetings have to be recorded or televised. ... I'm just saying that the public should be notified where they are and give dates."

This tries to get at those exact advisory groups that come to an agreement and bring

it to the official board or council for "rubber stamp" approval, Winkler said.

Ann Higgins, intergovernmental relations representative for the League of Minnesota Cities, said many cities rely on citizen input, especially during hard budget times. At a time most cities are reducing staff, the advisory groups would most likely need assistance from city staff if they were required to comply with open meeting law standards, she said.

Legislative responsibility

Including advisory groups in the open meeting law is something House and Senate members should consider, Paymar said. "The Legislature really needs to take a look at its own process. If the public knew how some decision-making occurred around here I think they would be aghast."

Working under a different set of guidelines, the Legislature creates a lot of working

groups that the public and press never know about, said Paymar. While the decisions that are made in them are brought to formal committees, they are only seeing half the truth, he added.

Keith Carlson, executive director of Minnesota Inter-County Association, said the changes aren't practical at the Capitol and they aren't for cities. "Think about if you impose those same requirements on yourselves."

"If we really want to be advocates of open meeting, we ought to look at ourselves first," said Rep. Morrie Lanning (R-Moorhead). If local governments conducted business the same as the Legislature, "they'd be in jail," he said, referencing decisions made in closed caucuses and meetings.

"I could not agree with you more," Paymar responded. "Government works better when the public is fully informed." 🗽

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keep people from driving while impaired,” said Susan McKinney, who directs the Breath Alcohol Ignition Interlock Device Program in Illinois.

All but three states have some type of ignition interlock law. According to the National Conference of State Legislatures, about 146,000 ignition interlock devices are in use nationwide.

This is not a new program; rather it is an expansion of pilot programs in Beltrami and Hennepin counties that began in 2007. Last year, the pilot project was expanded statewide, with about 700 participants now taking part. According to Bob Roeglin, a Hennepin County corrections unit supervisor, none of the 100 or so Hennepin County participants has reoffended.

McKinney said about 9,000 people took part in Illinois’ BAIID program last year, and about 1,300 tried, but could not, start their vehicle with a BAC above the state’s prescribed limit of 0.05 percent. “We obviously cannot count those that didn’t even try, but would have if not for the BAIID on their car.”

Officials have little concern that someone else could provide the initial sample to start the vehicle and to do so throughout the ride.


“There is some learning involved in how to blow into that tube properly,” Marti said. “There might be some humming, some short intake with breathing into that tube, so those that are not familiar with breathing into the tube would fail.” Some devices also have a small camera attached.

Bigham said it would cost an offender about \$100 monthly for the device and monitoring; \$50 for indigent people, as determined using

the same standards as public assistance. A judge could not force the state to cover an offender’s cost. “The costs are about one or two beers a day,” McKinney said. “From my experience, if they want to drive they’ll find the money.”

Concerns have been raised throughout the bill’s journey of friends or other family members wanting to drive the vehicle, but cannot because of the ignition interlock device.

“Offenders have said there is a bit of a stigma, but it’s worth it if I get to drive,” Roeglin said.

Other supporters note that a restricted license limits where one can drive, such as only to work or the grocery store, while using ignition interlock gives an offender full driving privileges, thereby being more family friendly. 

BILL INTRODUCTIONS

APRIL 26 - 28, 2010

HOUSE FILES 3795 - 3817

Monday, April 26

HF3795-Eken (DFL)

Finance

FEMA Public Assistance Program money appropriated.

HF3796-Lanning (R)

Finance

FEMA Public Assistance Program money appropriated.

HF3797-Mullery (DFL)

Public Safety Policy & Oversight

Law enforcement agencies required to adopt policies for maintaining gang investigative and evidence databases.

HF3798-Poppe (DFL)

Health Care & Human Services Policy & Oversight

Long-term care insurance premiums increases on existing policies prohibited without advance notice to policyholders and approval of the commissioner.

HF3799-Garofalo (R)

K-12 Education Policy & Oversight

Teacher and principal licensure provisions modified, commissioner granted authority in low-achieving schools and rulemaking authorized.

HF3800-Winkler (DFL)

Health Care & Human Services Policy & Oversight

Commissioner of human services required to conduct an assessment of

the placement of children under the guardianship of the commissioner.

HF3801-Dean (R)

Finance

MinnesotaCare program financial management procedures modified.

HF3802-Carlson (DFL)

Taxes

Mortgage interest credit allowed in lieu of the mortgage interest deduction for itemizers and non-itemizers.

HF3803-Welti (DFL)

Taxes

Property used for growing agricultural products used in the production of wine allowed to be eligible for the green acres program.

HF3804-Marquart (DFL)

Taxes

Levy limits; adjustment for inflation modified.

HF3805-Liebling (DFL)

Taxes

Drugs and medical devices sales and use tax treatment changes made.

HF3806-Obermueller (DFL)

Taxes

Spouses of deceased disabled veterans or service members who die while in active military service allowed to qualify for the senior deferral program.

HF3807-Marquart (DFL)

Taxes

Limitation extended on seeking authorization.

HF3808-Jackson (DFL)

Taxes

Property tax due dates provisions modified.

HF3809-Murphy, E. (DFL)

Taxes

Surcharge on managed care plans increased and managed care payment rates increased.

Tuesday, April 27

HF3810-Howes (R)

Transportation & Transit Policy & Oversight Division

School bus crossing control arms required.

HF3811-Drazkowski (R)

K-12 Education Policy & Oversight

School district mandates reduced and moratorium created on unfunded mandates.

HF3812-Downey (R)

Finance

School district contract deadline aid payment waived.

HF3813-Simon (DFL)

State & Local Government

Operations Reform, Technology & Elections

Ballot requirement designating certain judicial candidates as incumbents eliminated.

Wednesday, April 28

HF3814-Hilty (DFL)

Energy Finance & Policy Division

Electricity generated from anaerobic digester system provisions modified.

HF3815-Olin (DFL)

Environment Policy & Oversight

Commissioner of natural resources required to implement management strategies for deer in the bovine tuberculosis management zone.

HF3816-Olin (DFL)

Environment Policy & Oversight

Commissioner of natural resources prohibited from surveying and adjusting boundaries of certain lands.

HF3817-Johnson (DFL)

Commerce & Labor

Switched access services regulation modified.

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MINNESOTA INDEX

Gulp: The cost of alcohol use

Minnesota cities with municipal liquor operations	225
Estimated total annual sales; profits, in millions	\$250; \$20
Minnesota wineries in business in 1975	2
In 2007	26
Economic impact of Minnesota grape and winery industry, 2007, in millions	\$36.2
Tax revenues collected on alcohol sales, FY2002, in millions	\$234
Percent of high school students reporting alcohol use within past 30 days, 2007	23
In 1998	31
Percent of 12th grade males who reported driving impaired, 1998; 2007	40; 28
Percent of 12th grade females reporting driving impaired, 1998; 2007	30; 22
Students obtaining alcohol from others, as percent	89
Percent who stole it; bought it	27; 11
Percent of U.S. college students who consume alcohol at least monthly	68
Percent of Minnesota college students consuming alcohol in past 30 days, 2007	70.5
Percent reporting high-risk drinking within the past two weeks, 2007	37.5
Percent of Minnesota adults reporting alcohol use, 2008	60.8
Percent of men, women reporting alcohol use	70.4; 56.4
Percent of men, women reporting binge drinking	26.8; 13.1
Percent of men, women, reporting drinking and driving	6; 1.3
Minnesota DWI incidents, 2008	35,736
Fatalities from alcohol-related crashes, 2008	163
In 1998	273
Cost per capita of alcohol-related crashes, 2008	\$50
In 1998	\$75
Percent of Minnesota drivers with a DWI on their record	12.5
Percent of DWI arrests who are drivers under age 21	8.33
Percent of 2008 alcohol-related crashes that occurred Friday through Sunday	60
Percent of those occurring between 9 p.m. and 3 a.m.	50
Cost of alcohol related crashes in Minnesota, in millions	\$261
Year Alcoholics Anonymous started	1935
Number of AA groups worldwide, 2004	100,000
Members in those groups, in millions	2
Basic cost for primary residential rehab at Hazelden in Center City, 28-day stay	\$27,700
Abstinence rate one year after formal treatment, as percentage	20.6
Rate with treatment and AA attendance	42.4
Abstinence rate three years after formal treatment; treatment plus AA	25.9; 50.9

— K. BERGGREN

Sources: Butler Center for Research, Hazelden; Department of Health; Substance Use in Minnesota surveys, Department of Human Services; Boynton Health Service, University of Minnesota; Minnesota Municipal Beverage Association; Minnesota Grape Growers Association; Minnesota Office of Traffic Safety; National Institute on Alcohol Abuse and Alcoholism.

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