

SESSION WEEKLY

IDENTIFICATION, PLEASE?
THE CUSTODY 'BATTLE'
STATE OF THE STATE

HF365 - HF474

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Flashback to 1991 - 2001

Earning tax-exempt status

Are nonprofit hospitals providing enough charity care to earn their tax-exempt status?

Rep. Howard Orenstein (DFL-St. Paul) proposes a measure that would require hospitals to publicly file community service plans with the commissioner of health. The Department of Revenue estimates that the state would have collected \$97.4 million in sales and property taxes in 1990 from hospitals, if the institutions were not classified as tax exempt.

His idea, however, met stiff opposition in the Standards and Regulations Subcommittee of the Health and Human Services Committee.

"In some areas of Greater Minnesota, the issue is not the amount of charity that they provide; the issue is 'Will they be there to provide any health care?'" said Rep. Gene Pelowski (DFL-Winona).

"Quite frankly, we can't afford to lose any more hospitals," he said.

— Session Weekly Feb. 8, 1991

Saving the state's wetlands

Although the Environment and Natural Resources Committee is expected to pass Rep. Willard Munger's (DFL-Duluth) wetlands bill, the sweeping legislation has a long way to go before the House considers it.

HF1, which proposes the Wetland Enhancement, Preservation and Protection Act of 1991, calls for rules that would ensure "no net loss" of wetlands in Minnesota.

The bill has bipartisan support, but funding the package from a tight state budget will be the critical issue.

— Session Weekly Feb. 8, 1991

Double-digit tuition increases

University of Minnesota President Mark Yudof said students could face double-digit tuition increases, jobs could be lost and all Minnesotans could suffer, if Gov. Jesse Ventura's budget proposal for higher education stands.

Those are just some of the consequences Yudof warned of in a Jan. 26 presentation to the House Higher Education Finance Committee.

— Session Weekly Feb. 2, 2001

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SESSION WEEKLY

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On the cover: Gov. Mark Dayton gives his State of the State address to a joint session of the Legislature Feb. 9 in the House Chamber.

Identification, please?

Lawmakers weigh photo ID requirement for voters

By Nick Busse

Minnesotans need to have photo identification: to drive a car, order a drink, buy cigarettes or write a check.

But should we need a photo ID in order to vote?

Those who would answer “yes” are making headway in the Legislature.

Twice in one week, members of a House committee voted to require all Minnesotans to present a valid, government-issued photo ID before voting.

On Feb. 8, the House Government Operations and Elections Committee approved HF210, sponsored by Rep. Mary Kiffmeyer (R-Big Lake). The next day, it approved HF89, sponsored by Rep. Mike

Benson (R-Rochester). Both would establish a photo ID requirement and provide a way for voters with the proper documentation to obtain an ID card free of charge.

The votes marked the first time since 2006 that a photo ID measure has cleared a House or Senate committee. Republicans have long sought such a requirement, arguing it is needed to protect the integrity of Minnesota’s elections. DFLers have consistently opposed it on the grounds that it could disenfranchise certain groups like poor people and senior citizens.

The controversial nature of the issue is reflected in the committee’s vote tallies: all nine Republican committee members voted in favor of the bills and all six DFL members voted against them. Despite this, supporters say the issue is simple.

“Letting people vote without a photo ID creates the ideal conditions for fraud — undetectable fraud,” Benson said at a Feb. 3 hearing.

Registered voters in Minnesota currently don’t have to show a photo ID when they check in at their polling place. Instead, they sign their name on a printed roster. Benson and others argue that unless voters are required to show a current ID, there’s no guarantee they’re not voting illegally.

“I was stunned by this procedure that we would not verify who people are, even if they are pre-registered,” said Laura Norlander, who testified Feb. 3 in support of Benson and Kiffmeyer’s bills.

Norlander, who served as an election judge for the first time in 2010, said she was surprised by “how many opportunities there are for fraud” at the polling place. Not only do voters not have to show a photo ID before receiving their ballot; they can also register on the day of the election without any form of identification just by having someone vouch for their identity.

Proponents of voter ID argue that, in theory, someone could spend an entire Election Day going from one polling place to the next, casting illegal votes. All they would have to do is give the name of a registered voter in that precinct and sign the roster.

But does it ever happen?

“I’d be hard pressed to name the last time I became aware of somebody impersonating another voter,” said Ramsey County Elections Manager Joe Mansky.

An oft-cited authority on elections, Mansky said he knows of not a single instance of voter impersonation fraud — the kind of fraud the bills would address — occurring at a polling place. Moreover, he argues it would be difficult to pull off.

“Many of the judges know the voters by sight,” Mansky said. “You run the risk that someone is going to catch on that you’re doing something improper, at which point



PHOTO BY ANDREW VONBANK

Rep. Mary Kiffmeyer shows members of the House Government Operations and Elections Committee a demonstration of the electronic polling machine and new voter ID during Feb. 8 discussion of a bill that would require voters to show a picture identification before receiving a ballot.

First Reading continued on page 4

we report you to the county attorney.”

A voter fraud conviction, which is an automatic felony, is arguably a hefty price to pay for casting a few extra votes, which is why Secretary of State Mark Ritchie says voter fraud is so rare in the state.

“County attorneys are the ones who prosecute illegal voting in our state,” Ritchie said. “Generally, in each major election year, they report that it’s a handful of people prosecuted — almost all of whom are felons who voted before their sentence expired.”

The issue of felons voting illegal is relatively small — 38 cases were prosecuted in 2008 — and would not likely be addressed by a photo ID requirement. But supporters of photo ID say that misses the point: we would never know if someone did impersonate another voter.

“We presently don’t have a system to deter or detect when someone decides to lie about their identity and vote,” Benson said Feb. 9.

Whether there is evidence of fraud, opponents of photo ID legislation argue it would fence some legitimate voters out of the process.

Mary Lou Hill, a 94-year-old resident and member of the League of Women Voters, said many senior citizens lack the mobility and the financial means to track down and purchase birth certificates and other documents that may be required to obtain one of the free photo IDs provided for in the bills.

“There’s no question that these bills will disenfranchise thousands of senior citizens,” Hill said Feb. 3.

The vouching process, which both bills would do away with, is commonly used by people like seniors in assisted living facilities, college students,

and people who move frequently and don’t make a habit of updating their driver’s licenses or state IDs. “Putting obstacles in their path to the voting booth,” in Hill’s words, might endanger those voters’ fundamental constitutional right.

The fear among many DFLers is that a photo ID requirement would suppress voter turnout among these key demographic groups by making voting more difficult for them. But Benson said experience shows it



PHOTO BY ANDREW VONBANK

Ramsey County Elections Manager Joe Mansky testifies before the House Government Operations and Elections Committee Feb. 8 on a bill that would require voters to show a picture identification before receiving a ballot.

isn’t true. In Indiana, where a similar law was enacted, he said voter turnout actually increased — ironically, in counties with a higher percentage of Democratic voters relative to other counties.

“There is no consistent evidence that counties that have higher percentages of minority, poor, elderly or a less educated population suffer any reduction in voter turnout,” Benson said, quoting from a

University of Missouri study.

Many other controversies surround Benson and Kiffmeyer’s voter ID proposals. Critics have voiced concern about the provisional ballot system provided for in both bills, and Kiffmeyer’s bill proposes a much broader overhaul of the state’s election laws that several groups have expressed concern about. Both bills are also projected to cost the state in the tens of millions of dollars.

But ultimately, supporters of photo ID

“I’d be hard pressed to name the last time I became aware of somebody impersonating another voter.”

— Joe Mansky
Ramsey County Elections Manager

believe it’s an idea that has broad public support and whose time has come.

“The perception of the vast majority of Minnesotans is that we have enough wrong with our current system that photo ID is needed,” Benson said.

Both bills now go to the House State Government Finance Committee. There are no Senate companions. 🗽

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“We presently don’t have a system to deter or detect when someone decides to lie about their identity and vote.”

— Rep. Mike Benson
R-Rochester

HIGHLIGHTS

FEBRUARY 3 - 10, 2011

Editor's note: The following Highlights are coverage of select information heard in House committees and other House activities held Feb. 3-10. 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

Committee modifies Green Acres

Clearer rules and a more defined purpose for the Green Acres farm tax program will hopefully aid county assessors and help to preserve farmland for agricultural use, according to modifications approved by the House Agriculture and Rural Development Policy and Finance Committee Feb. 8.

Sponsored by Rep. Mike LeMieur (R-Little Falls), HF12 states that: "The legislature finds that it is in the interest of the state to encourage and preserve farms by mitigating the property tax impact of increasing land values due to nonagricultural economic forces."

Perhaps more plainly put, land speculators need not apply, just so they can pay fewer taxes on farmland they intend to sell in a few years for a profit to non-agricultural developers, and then reinvest those profits in purchasing more farmland for the same reason in more rural areas of the state, said Committee Chairman Rod Hamilton (R-Mountain Lake).

Farmers voluntarily enroll in Green Acres to avoid paying higher property tax rates when untilled farmland (classified as rural preserve farmland) is assessed at a higher rate due to rising land values. Once enrolled, it cuts property taxes in half, or more in some cases. A minimum of 10 acres must be productive agricultural land used to grow an agricultural product for sale. Currently, when the land is transferred or sold, three years of the tax savings must be paid back.

Under the proposed changes, past enrollees or new applicants would be grandfathered in or have until May 1, 2012, to enroll under the condition that three years of tax savings must be paid back if they sell the land. Anyone who enrolls after that date would be required to pay back five years of tax savings when they sell or transfer the land.



PHOTO BY TOM OLMSCHIED

Alan Teich, who has a herd of 90 beef cattle near Pine City, joined other Minnesota Farmers Union members in looking at a Green Acres proposal during the Feb. 8 House Agriculture and Rural Development Policy and Finance Committee meeting. The Farmers Union was holding its annual "Day at the Capitol."

Also, the requirement for a conservation assessment plan and a covenant agreement would go away, saving new enrollees money, but possibly costing existing participants about \$50 if they want a "release of covenant" by their assessor.

Representatives of the Minnesota Farmers Union and the county assessors support the bill, which next goes to the House Taxes Committee next.

A companion, SF37, sponsored by Sen. Paul Gazelka (R-Brainerd), awaits action by the Senate Taxes Committee.

— S. HEGARTY

Budget

Dayton vetoes budget bill

The first bill passed by the House and Senate this year became Gov. Mark Dayton's first veto Feb. 10.

The so-called "phase one" budget bill would have cut more than \$901 million in state spending. Republican lawmakers hoped the bill would take an early bite out of the state's projected \$6.2 billion biennial budget deficit.

The bill would have asked Dayton to cut \$100 million in unencumbered state

spending between now and June 30. It further required \$824.3 million in reductions in the next two-year budget cycle, including:

- \$594.5 million to various tax aids and credits (primarily city and county aid and the renter's credit);
- \$185.1 million to higher education; and
- \$47.5 million to health and human services programs.

The reductions would have extended cuts that were made during last year's May special session. The House passed the bill 68-61 on Feb. 9 and the Senate passed it 37-28 on Feb. 10.

In his veto message, Dayton cited a Revenue Department estimate that the bill would drive up property taxes by \$428 million in the next biennium. He also said legislators were wrong to make him allocate the \$100 million in cuts rather than doing it themselves.

"(Y)ou would abdicate your responsibility to make those difficult spending choices and your power to determine those cuts to an appointed official of the Executive Department. That is both inappropriate and unconstitutional," Dayton wrote.

In addition to the \$100 million in executive branch cuts, the bill would have made the following reductions in the current fiscal year:

- \$500,000 to the Office of the Attorney General;
- \$127,000 to the Office of the Secretary of State;
- \$96,000 to the House of Representatives;
- \$72,000 to the Senate; and
- \$41,000 to the Office of the State Auditor.

It also included a number of expenditures related to federal tax conformity. The provisions would cost the state \$24 million in fiscal year 2011 and \$2.6 million in the next fiscal biennium. Dayton requested lawmakers work with the Revenue Department to quickly draft a new bill to address the tax conformity issues.

HF130*/SF60/CH1

— N. BUSSEE

Civil Law

Curbing class action lawsuits

Our litigious culture combined with zealous attorneys has put businesses at a disadvantage. That is the premise behind HF211, sponsored by Rep. Doug Wardlow (R-Eagan).

He told the House Civil Law Committee Feb. 7 that his bill is not only about tort reform and reining in class action lawsuits, but “it’s about jobs and economic development.”

Many times these cases are without merit, but he said that businesses are left in limbo when a class action suit is filed waiting to know if the courts are even going to take up the case.

“Businesses choose to settle rather than face unknown risks of a trial and perhaps crippling financial losses,” Wardlow said.

The bill, held over for further consideration, would require a consumer to show real out-of-pocket damages, and that actions were deceptive, false or misleading in violation of certain consumer fraud, deceptive trade practice or false advertising laws.

It would also make appealable a court order regarding the future of a class action lawsuit. While an appeal is pending, all previous court actions on the suit would be halted.

Ten states have enacted this type of legislation. “Minnesota should not be left behind and become a haven for lawsuits. This protects Minnesota’s business climate,” Wardlow said.

While the bill is supported by many state business groups, there may be unintended consequences for the consumer, said Prentiss Cox, a professor at the University of Minnesota Law School.

“If you do this, class actions will be severely curtailed and it will be almost impossible to bring a class action under the statutory fraud laws,” he said. As an example, he pointed to the recent mortgage fraud. Had there been an out-of-pocket damage rule, cases against these companies wouldn’t have gone forward because the kind of harm would have been difficult to quantify.

Its companion, SF149, sponsored by Sen. Julianne Ortman (R-Chanhassen), awaits action by the Senate Judiciary and Public Safety Committee.

— L. SCHUTZ

Parenting plans voluntary to required

Parenting plans help divorcing parents define how they are going to raise children in separate households and continue the parenting relationship.

It’s voluntary now in Minnesota, but laying out the logistics of the parenting role would be required under HF292, sponsored by Rep. Diane Anderson (R-Eagan).

“The goal is to encourage the involvement of both parents in the child’s life. ... We want them to be working out the issues, rather than going through a long litigation process,” she told the House Civil Law Committee Feb. 7. As amended, the bill was approved and sent to the House Judiciary Policy and Finance Committee. It has no Senate companion.

“Folks do divorce each other, but folks don’t divorce their children,” and a well-

defined parenting plan allows for both parents to maintain that important role, said Andy Dawkins, a former House member who practices family law.

An advocate for the plan while serving in the Legislature, he said the parenting plan does not address legal or physical custody of the child. Under the bill, parents could choose to complete a parenting plan or leave it up to the court.

Rep. Debra Hilstrom (DFL-Brooklyn Center) questioned if those unable to afford a good attorney may not end up with the best plan, and is concerned that, depending upon available services, some residents may not end up with “quality.”

Melinda Hugdahl, Legal Services Advocacy Project staff attorney, said the bill’s goal is admirable, but her concern “lies with the folks who don’t agree or don’t have resources to develop a parenting plan and don’t understand the ramifications.” She is working with Anderson to address these issues before the bill receives its next hearing.

— L. SCHUTZ

Education

Parents may apply to state academies

Parents of students with hearing or visual disabilities have several options for services based on the recommendation of a school district’s individual education planning team. What they can’t do without IEP



PHOTO BY ANDREW VONBANK

Attorney Michael McNabb, from left, Marilyn McKnight, director and co-founder of the Erickson Mediation Institute and attorney Andy Dawkins, testify before the House Civil Law Committee Feb. 7 in support of a bill that would require parenting plans by both parents in dealing with child custody.

authorization is request that their child be placed at the Minnesota State Academies for the Deaf or Blind.

Rep. Patti Fritz (DFL-Faribault) sponsors HF133, which would allow parents of children with visual or hearing disabilities to apply for a 60- to 90-day trial placement at the residential academies. The House Education Reform Committee approved the bill Feb. 10, to be heard next by the House Education Finance Committee. It has no Senate companion.

Linda Mitchell, the academies' superintendent, said part of the problem is that special education guidelines are fairly rigid when it comes to placement, which is perceived as the most restrictive option. Also, IEP planning may require students to use district facilities or personnel first. For example, some large districts may have staff with expertise in the specific disabilities, or an intermediate district that would offer special education classrooms.

However, some students could benefit from academy placement even if for a few months, to learn Braille or for mobility services orientation, after which they can go back to be successful in their school districts, said Mitchell.

"We would prefer a continuum of services. You don't have to stay at the academies for 12 years," Mitchell said. "We just want parents to have a little bit more say about the programming that's provided for their kids."

The academies serve children from birth through age 21. At the young end of the spectrum, placements have increased because newborn and early childhood screening has identified more who are eligible for services. There is also an increase in students from 18 to 21 years old who may have completed high school but need help to develop independent living skills such as cooking and doing laundry.

— K. BERGGREN

School trust advisors could expand

Rep. Denise Dittrich (DFL-Champlin) hopes those with the biggest responsibility for school funding have the biggest say in how one of its biggest assets is managed.

Dittrich sponsors HF206, which would add a minority party member from the House and Senate and one person with expertise on school finance to the Permanent School Fund Advisory Committee, which advises the Department of Natural Resources on the management of 3.5 million acres of school trust lands.

Approved Feb. 8 by the House Education Reform Committee, it now goes to the House

Government Operations and Elections Committee. It has no Senate companion.

School trust lands generate income intended to be deposited into the Permanent School Fund. Income has come mainly from mineral rights and mining, according to Dan Roark, an attorney with the DNR's Lands and Minerals Division. Forestry activities, leases and land sales also generate income. The \$700 million trust is managed by the State Board of Investment.

Dittrich said land management and fund distribution haven't been monitored to the best advantage of K-12 schools. For example, the Legislature has allowed the DNR to be reimbursed for many expenses from school trust revenues. Also, until last year school trust revenue generated no net gain to school districts, instead being subtracted from the General Fund, she said.

The fund generated \$26 million in fiscal year 2010. "That was the first year we sent that money to schools and it stayed in schools," Dittrich said.

There's potential for even more income, said Grace Keliher, governmental relations director for the Minnesota School Boards Association. A proposed land sale and swap of nearby federal lands with school trust lands that lay within the Boundary Waters Canoe and Wilderness Area could generate \$100 million cash and 32,000 new acres of school lands.

The advisory committee members include six citizen experts in forestry, minerals and mining, real estate development, renewable energy, natural resource conservation and finance and land management; two school superintendents; the education commissioner; and the chairs or their designees of legislative committees on education, K-12 education budget, environment and natural resources policy and budget, the Senate Finance Committee and House Ways and Means Committee.

— K. BERGGREN

Employment

Government employment reforms

A House committee approved a plan to bring state employee salaries in line with their counterparts in the private sector.

Sponsored by Rep. Keith Downey (R-Edina), HF192 would freeze state employee salaries and initiate a compensation study comparing government salaries to those in the private sector. Upon completion

of the study, the state would initiate a new employee pay structure based on the study's findings.

In addition, the bill would require state agencies to contract out state services to private companies if they can do it at a lower cost to the state.

Members of the House Government Operations and Elections Committee voted 9-6 to approve the measure Feb. 10. It now goes to the House State Government Finance Committee. There is no Senate companion.

"The intent of this bill is to create a new and dynamic employment model for state workers," Downey said, adding that the bill would "empower" state workers to help improve and transform government services.

The bill, which would apply only to executive and legislative-branch employees, would also establish a "gain-sharing system." Employees who invent ways to reduce the cost of government services would be awarded a one-time bonus of up to 10 percent of the documented cost-savings to the state.

Opponents said many public-sector jobs don't exist in the private sector, and doubted whether a salary comparison would be possible, let alone appropriate.

"How do you compare the salary of a state trooper to the private sector? Probably you're not going to use the Southdale mall cops as a comparison," said Rep. Ryan Winkler (DFL-Golden Valley).

Lobbyists from various public employee unions argued the bill would violate their collective bargaining rights.

"We shouldn't use the current budget crisis to undermine our public employee unions. They didn't cause the problem, and we should be working together to solve it," said Russ Stanton, director of government relations for the Inter Faculty Organization.

— N. BUSSE

Energy

OLA report raises RDF questions

More than \$165 million has been collected from Xcel Energy ratepayers and deposited into the utility's Renewable Energy Development account since the fund was mandated by the Legislature in 1994. Its intent was to help generate renewable sources of electricity through solar, wind, hydro and biomass methods.

At the time, the fund's creation was a condition that allowed Xcel Energy (then Northern States Power) to store spent nuclear

fuel at its Prairie Island facility near Red Wing. The Legislature designated how much was collected per storage cask and the Public Utilities Commission would decide what projects would be funded with the help of an advisory board.

But an October 2010 report by the Office of the Legislative Auditor shows just how far astray the funds have gone.

For example, \$10 million paid for preconstruction work on the proposed Excelsior Mesaba Energy Project, a state-of-the-art coal facility using Integrated Gasification Combined Cycle technology to generate electricity in northern Minnesota. The project is still in the permitting stages and there is a state moratorium on coal-generated power plants.

"The largest project funded by the RDF was something that the Legislature authorized — a coal-based power plant for clean coal energy that did not involve a form of renewable energy," said Joel Alter, a program evaluator who worked on the report.

Lawmakers are pausing to consider what the return on investment has been and if legislative changes are needed in the process and policies associated with the fund.

The report was discussed Feb. 8 by the

House Environment, Energy and Natural Resources Policy and Finance Committee. No action was taken.

In 2002, the Department of Commerce and the University of Minnesota Initiative for Renewable Energy & the Environment also began allocating part of the funds, especially to research and development projects. Legislative Auditor James Nobles said the fund migrated over the years because legislators saw a pot of money and diverted funds when other sources of funding were not available.

The report raises questions for lawmakers to consider for possible action this session, among them:

- Who should administer the funds?
- Can administrative costs be recouped through the RDF?
- Should the private fund held by Xcel Energy be brought under state coffers?
- How can administrators provide better fund accountability and transparency?

Committee Chairman Denny McNamara (R-Hastings) said the policies have "serious shortcomings in a rather large fund" and he anticipates a bill being introduced this session as a result.

— S. HEGARTY

Nuclear power ban heads to floor

Debate over lifting the 17-year moratorium on new nuclear power plants could land on the House floor as early as next week.

HF9/SF4*, sponsored by Rep. Joyce Peppin (R-Rogers) and Senate Majority Leader Amy Koch (R-Buffalo), was approved 16-6 Feb. 9 by the House Commerce and Regulatory Reform Committee after the House language was inserted into the Senate file. The Senate passed it 50-14 Feb. 2.

The bill would allow the Public Utilities Commission to issue a certificate of need for the construction or expansion of nuclear power facilities.

Peppin said nuclear power needs to be one of the options on the table for addressing the state's future baseload energy needs. Renewable energy alone will not meet anticipated demand in 20 years and current facilities are aging and will need to be replaced, she added.

Rep. Joe Atkins (DFL-Inver Grove Heights), who supported the repeal but said the bill doesn't go far enough, failed to amend the bill.

In 1982 the federal government promised a national repository for nuclear waste by 1998 and began collecting money for a national

nuclear waste fund. Minnesota has paid more than \$600 million into the fund. Yet, the federal government recently abandoned plans to open a repository in Nevada. His amendment would have had the state stop making the federal payments and hold the money in escrow in Minnesota instead, until such time as a national storage facility opens.

"Until they keep their end of the bargain, it's basic breach of contract law. As long as we continue to pay them, I don't think that they have any motivation to ever get anything done," Atkins said.

But Terry Pickens, director of nuclear regulatory policy for Xcel Energy, said withholding payment would put the state in breach of its contract with the federal government and could cause the government to deny nuclear waste from Minnesota if and when a national repository opens.

Rep. Denise Ditttrich (DFL-Champlin) said repealing the ban could send a message to the federal government that Minnesota supports nuclear power and make the state a target for a national repository after it abandoned Yucca Mountain in Nevada.

Sarah Mancell, policy and regulatory representative for Westinghouse Electric Company in Shoreview and Hutchinson, said the company is designing and building third-generation nuclear power plants in China, Georgia and South Carolina. She said the construction and management of plants provide high-paying jobs and that nuclear waste can be safely managed.

— S. HEGARTY

Game & Fish

Deer collision bill laid over

A provision to allow a motorist who kills a deer with a vehicle to have the first right to keep the carcass was held over for possible inclusion in an omnibus game and fish bill by the House Environment, Energy and Natural Resources Policy and Finance Committee Feb. 9.

Sponsored by Rep. David Dill (DFL-Crane Lake), HF31 is similar to a provision in a bill vetoed last year.

Permits to keep a deer killed in a vehicle collision are issued in about half of the 30,000 annual accidents, according to Maj. Rod Smith, an enforcement officer for the Department of Natural Resources. In some cases, local law enforcement has lists of people to call who are interested in taking possession of the carcass. Antlers can have enormous value on the open market and



PHOTO BY ANDREW VONBANK

Joel Alter, left, a program evaluator with the Office of the Legislative Auditor, and Legislative Auditor James Nobles testify before the House Environment, Energy and Natural Resources Policy and Finance Committee Feb. 8 during a discussion of an evaluation report about the state's Renewable Energy Development Fund.



PHOTO BY ANDREW VONBANK

With Rep. David Dill listening, Maj. Rod Smith, right, an enforcement officer with the Department of Natural Resources, testifies before the House Environment, Energy and Natural Resources Policy and Finance Committee Feb. 9 about a bill to allow a motorist who kills a deer with a vehicle to have the first right to keep the carcass. Dill is the bill's sponsor.

others simply want to process the deer meat.

Dill said language may need to be added to address motorists who might hit and kill a deer where chronic wasting disease has been found in the deer population. The disease — a deadly brain and nervous system disorder — was recently found in a wild deer in Pine Island near Rochester.

The bill has no Senate companion.

— S. HEGARTY

Two-line fishing

For nearly a decade, bills have been introduced to allow anglers to fish with two lines. After gaining approval from both the House and Senate last year, the provision was part of a bill vetoed by former Gov. Tim Pawlenty.

Rep. Tom Hackbarth (R-Cedar) hopes the 10th time is the charm. He sponsors HF16 that would allow anglers to fish with two lines all year on all fishing lakes. The bill has no Senate companion.

Currently, people can fish with two lines through the ice in the winter but not on open water during the warmer months in Minnesota. They also can fish with two lines on public waters along bordering states.

The provision continues to draw opposition from Department of Natural Resources' officials who say allowing people to fish with two lines all the time would increase

harvesting of fish and the mortality rate from those being caught and released. It could result in the DNR reducing limits on fish or increase slot limits.

The bill was laid over for possible inclusion in an omnibus game and fish bill by the House Environment, Energy and Natural Resources Policy and Finance Committee Feb. 10.

Hackbarth said neighboring states allow two-line fishing and that it would add to Minnesota's tourism economy if adopted.

— S. HEGARTY

Public Safety

Expanding location of criminal arrests

Part of Hanover is in Hennepin County, and part is in Wright County.

Because it doesn't have its own police department, the city contracts with the sheriff's department of each county. However, while each department can patrol the entire city, officers cannot issue citations throughout.

A bill sponsored by Rep. Joyce Peppin (R-Rogers) seeks to change that.

Approved Feb. 9 by the House Public Safety and Crime Prevention Policy and Finance Committee, HF180 next goes to the House Judiciary Policy and Finance Committee. It has no Senate companion.

The bill would allow an officer from either

county to issue a citation in the community as if it happened in the officer's home county.

"We feel the current system is inefficient," said Hanover City Administrator Daniel Buchholtz.

Currently, law enforcement personnel from either county can issue a citation in another jurisdiction if it is within 1,500 feet of the boundary line between the two counties. This becomes problematic in towns like Hanover when an officer from Hennepin County, for example, responds to an incident further into parts of the city that are in Wright County.

"Right now if a Hennepin County deputy responds to a domestic dispute in Wright County portion of Hanover outside of that buffer they can intervene, but then they can't make the arrest," Buchholtz said. "They have to call the Wright County dispatch center and have a Wright County deputy come out and actually write the citation."

Additionally, current law requires a municipality to charge the offense in the county where the offense occurred. Charging in multiple county seats can cause extra expense and inconvenience to multi-county municipalities. The bill would permit the charging to occur in either the county of the offense or the home county of the arresting law enforcement agency.

Buchholtz said the bill could also reduce law enforcement costs in cities like Hanover, because the city could bid its law enforcement contract against the two sheriff's departments.

— M. COOK

Penalties for possessing or selling IDs

Worthington Police Sgt. Kevin Flynn said too often he has someone try to pass off fake identification documents as authentic.

Rep. Tony Cornish (R-Good Thunder) sponsors a bill to help.

"There's absolutely no functional purpose for Tony Cornish to have a driver's license, a Social Security number and a birth certificate showing him to be Kevin Flynn," Flynn said.

"We hope to be a deterrent to document vendors."

HF152 would criminalize knowingly possessing multiple identification documents issued or purported to be issued by a local, state or federal government without permission or lawful authority, or knowingly selling or transferring multiple identification documents knowing the recipient is not entitled to obtain or possess the documents. The penalty would be a gross misdemeanor

if the crime involves two IDs; if it's three or more the crime would be a felony.

For a federal possession crime, additional circumstances must apply.

"This gives local tools to take care of things locally if the violation is state law," Cornish said.

The bill aims to address certain limitations in current law. The penalty for identity theft is currently based on the amount of loss to the victim, and current statutes may only address certain types of documents. For example, some crimes only refer to fraudulent, but not authentic, identification documents.

Approved Feb. 3 by the House Public Safety and Crime Prevention Policy and Finance Committee on a split-voice vote, the bill awaits action by the House Judiciary Policy and Finance Committee.

Flynn said some people he's encountered with fake identifications are in this country illegally.

Rep. Kerry Gauthier (DFL-Duluth) expressed concern it could appear the bill targets immigrants.

"We are kind of making it a little messy linking into enforcing immigration law, which is clearly a federal jurisdiction. I'm very uncomfortable with both of those situations," he said.

Cornish said the bill is simply about going after people using documents illegally, not to "target a certain group of people."

A companion, SF108, sponsored by Sen. Gretchen Hoffman (R-Vergas), awaits action by the Senate Judiciary and Public Safety Committee.

— M. COOK

State Government

Curbing expensive rules

State agencies might have to seek legislative approval before implementing administrative rules that cost businesses or individuals \$10,000 or more, under a bill approved Feb. 9 by a House committee.

Sponsored by Rep. Torrey Westrom (R-Elbow Lake), HF203 would set limits on agencies' rulemaking authority. Under its provisions, agencies would have to determine whether compliance with a proposed rule would cost an individual, business or other entity more than \$10,000.

An administrative law judge would review the determination. If a rule is determined to exceed the \$10,000 cost threshold, it would not go into effect unless enacted into statute

EGYPT RALLY



PHOTO BY TOM OLMSCHIED

Marwa Mohamed of Woodbury can be seen through a sheer red, white and black Egyptian flag as she and other supporters gathered on the Capitol steps Feb. 4 in solidarity with the pro-democracy demonstrators to oust Egyptian President Hosni Mubarak.

by the Legislature; however, portions of the rule that do not exceed the threshold could be implemented.

The House Government Operations and Elections Committee approved the bill and sent it to the House floor.

As an example of rule changes that might be prohibited, Westrom cited animal feedlot rules established by the Pollution Control Agency that he said cost farmers tens of thousands of dollars to comply with.

He said a nearly identical bill was passed in 2003 with bipartisan support in both the House and Senate, but was vetoed by Gov. Tim Pawlenty, who was concerned about "giving up executive branch authority."

PCA Assistant Commissioner J. David Thornton said the bill had "broad implications" for how agencies conduct business. He suggested the bill should be changed to include different thresholds for individuals and businesses.

"While a \$10,000 threshold is a lot of money for an individual, it's not for a Fortune 500 corporation," Thornton said.

Rep. Ryan Winkler (DFL-Golden Valley) spoke in opposition to the bill, arguing lawmakers justifiably delegate rulemaking authority to agencies because they don't always have time to deal with policy issues themselves.

"With a part-time, citizen Legislature, we do by necessity delegate authority to agencies," he said.

Sen. David Senjem (R-Rochester) sponsors the companion, SF261, which awaits action by the Senate State Government Innovation and Veterans Committee.

— N. BUSSE

Sizing up the workforce

There are 71 state workers for every 10,000 Minnesotans.

That was one fact members of the House State Government Finance Committee learned about the state's executive branch employees Feb. 9.

Committee members were presented with Minnesota Management & Budget's 2010 workforce report, which includes statistics on the numbers, demographics and compensation of state agency employees. No action was taken.

The size of Minnesota's executive-branch workforce ranks 39th in the nation per capita, said Judy Plante, MMB's assistant commissioner for state human resources and benefits. In July 2010, the state employed 38,339 workers. Of those, 89 percent worked in the executive branch, 10 percent in the judicial branch and 0.3 percent in the legislative branch. The remaining 0.7 percent work for the state's retirement agencies.

Other facts in the report include:

- the average age of executive branch employees is 46.17 years;
- 49.6 percent of executive branch employees are women;



PHOTO BY TOM OLMSCHIED

Rep. Dean Urdahl, center, chairman of the House Legacy Funding Division, takes a look at Jake the Red Tail Hawk perched on the gloved hand of the Minnesota Zoo's Zoomobile Naturalist Kevin Wier. Zoo Director Lee Ehmke and Chief Financial Officer Peggy Adelman spoke before the division Feb. 8 about how the zoo has used its Legacy funding.

- the largest state agency, the Human Services Department, accounts for more than 20 percent of the state's workforce (6,883 people);
- the smallest agency, the Podiatric Medicine Board, employs one person; and
- the state spent more than \$2.3 billion to compensate executive branch employees in fiscal year 2010.

Committee Chairman Morrie Lanning (R-Moorhead) said he was surprised to learn that state worker salaries have been rising and the number of employees has been flat over the last 10 years. He said the number and compensation of state employees stood in contrast to the state's recurring fiscal problems.

"The numbers are about the same, in spite of the fact that we've had budget shortfalls going back the last eight to 10 years," Lanning said. "I think most people would find this very surprising."

The full report can be found online at MMB's website: www.mmb.state.mn.us.

— N. BUSSE

Taxes

Checkoff for MS

It may be a good cause, but should good causes use the state's tax form as a conduit for fundraising?

Rep. Steve Gottwalt (R-St. Cloud) raised the question Feb. 8 as the House Taxes Committee discussed HF108, sponsored by Rep. Mike Nelson (DFL-Brooklyn Park).

The bill, held over for possible omnibus bill inclusion, would give taxpayers the chance to make a contribution to the Minnesota Chapter of the National Multiple Sclerosis Society through a checkoff on their state income tax form.

Karen Dobson, who brought the idea to Nelson, has MS and said the money raised would be used for research and providing service and financial assistance to those with MS. While some other states provide the checkoff, she isn't hopeful that Minnesota would join those numbers this year.

"I was told it is highly unlikely the committee would agree to this. But, I

decided, 'Why not?' We already have the checkoff for conservation," she said.

The current "chickadee checkoff" as it's known, raises money for Department of Natural Resources' wildlife preservation efforts. That precedent annually spawns requests to the Legislature from various organizations for a checkoff.

"Where does this go? Do we end up with two or three more pages on the tax form?" Gottwalt asked.

Nelson said this bill would provide for an annual appropriation to the state for administering the checkoff, which could cost around \$88,000.

According to the Revenue Department, in 2009, about 60,500 state taxpayers contributed to the nongame wildlife fund via the income tax return. If the MS checkoff were made available, it is assumed that 15,000 Minnesotans would donate an average of \$12 for a total of \$180,000 in tax year 2011.

The bill has no Senate companion.

— L. SCHUTZ

Taxing water used to fight fires

A city pays no sales tax on the purchase of a new fire truck used to fight a fire, but the same can't be said for the water it uses to extinguish the flames.

The City of Freeport was unaware of the sales tax charge on water used for public safety purposes, and was hit in 2010 with an \$8,217 bill for three year's worth of back sales taxes on water it used for firefighting, hydrant flushing and cleaning of water towers.

Although a similar bill was not acted on last year, Rep. Paul Anderson (R-Starbuck) is trying again with HF106. Heard by the House Taxes Committee Feb. 9, the bill was laid over for possible inclusion in a committee omnibus bill. It has no Senate companion.

His bill would expand the sales tax exemption for certain goods and services to local governments to include water used for public safety purposes. It would be retroactive to June 30, 2007; however, no refunds would be made for taxes paid before Jan. 30, 2010.

"This is a fairness issue," and there needs to be clarification as to what is and isn't exempt, he said.

According to the Revenue Department, the bill carries with it a \$137,000 cost in fiscal year 2012.

— L. SCHUTZ

Thursday's Floor Action

Yes vote on alternative licensure

Alternative pathways to teacher licensure moved a step closer to becoming law Feb. 10, when the House passed HF63/SF40* 72-59.

The bill's sponsor, House Education Finance Committee Chairman Pat Garofalo (R-Farmington), successfully offered an amendment to substitute the House language for the Senate version. A conference committee is expected to work out the differences between the bills.

Garofalo said he felt "proud" of the bipartisan recognition that the education system isn't working and must evolve, and "a little sorrow and sadness that alternative licensure is considered controversial. There is a nationwide, bipartisan consensus that alternative licensure works."

That controversy was reflected in various amendments offered by members of both parties sparking debate about details of how the alternative licensure would take shape;

including whether such pathways must be in partnership with a college or university or would be targeted to certain shortage areas. The bill would streamline a process for certain teachers trained out of state to become licensed in Minnesota.

Several DFL members objected to that provision, saying it doesn't do enough to assure quality of their preparation by Minnesota standards.

"I think is going to be one of the most important pieces of legislation we will have before us this year. I hope we take the time to really look at it and evaluate the product that is in the final bill," said Rep. John Ward (DFL-Brainerd).

Rep. Jenifer Loon (R-Eden Prairie) said, "I am very encouraged by the tone of these conversations. I think we are moving in a direction that is going to be very good for Minnesota's children."

The measure would make it easier for schools to employ teachers without traditional education training who meet other criteria. Candidate requirements include a bachelor's degree with a 3.0 grade point average, unless waived by the Board of Teaching; passing three tests including basic skills, pedagogy and content; participation in at least 200 hours of training; and ongoing professional development and supervision, including by a school site team.

Rep. Carlos Mariani (DFL-St. Paul) sponsored a different alternative pathway bill, but said he would vote for Garofalo's bill.

"I'm actually very encouraged because I think we are, like 90 percent there," he said.

— K. BERGGREN

Contractors seek more time to comply

Residential remodelers, building contractors and other construction specialists could have more time to post their lead certification qualifications on a website as required by the Environmental Protection Agency.

The House passed HF166/SF139* as amended Feb. 10 on a 119-0 vote. Sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. Ted Lillie (R-Lake Elmo), it now returns to the Senate, where the original measure passed 63-0 on Feb. 7.

Rep. Steve Drazkowski (R-Mazeppa) successfully amended the bill to ensure that the state government does not develop a certification process or fee. This would not affect local governments.

The bill amends the effective date of last year's law that brought the state

Committee deadlines set

The February Forecast is expected to be given sometime during the week of Feb. 28. That would leave legislators a little more than three weeks until the first committee deadline.

The House approved a resolution Feb. 10 designating three committee deadlines for the 2011 session:

- March 25, all finance bills must be out of their committees and sent to the House Ways and Means Committee;
- April 29, first policy; and
- May 6, second policy.

This is different than in years past, but House Republicans want the deadlines to reflect the commitment to getting the state's budget shortfall resolved before policy issues are addressed.

The House is also planning for a Spring Break from April 19-25.

Because Passover begins at sundown April 18, there will be no House business conducted after 3 p.m. that day. Official business will resume at 8:15 a.m. April 26. House offices will be closed April 22.

— M. COOK

building code into compliance with the EPA requirements regarding lead removal certification reporting. The new effective date would be Aug. 1, 2011, instead of Feb. 1, 2011.

Some licensed contractors need more time to post their lead certification on the EPA website, said Lisa Frenette, government affairs director the Builders Association of Minnesota. She said the association needs more time to get the word out to its members that the posting is required, and for them to comply.

— K. BERGGREN

House approves streamlining bill

The bill to streamline the environmental permit process within two state agencies was approved 82-42 as amended on the House floor Feb. 10. It now moves to the Senate where Sen. Bill Ingebrigtsen (R-Alexandria) is the sponsor.

Most of the bill had bipartisan support and mirrored an executive order issued earlier by Gov. Mark Dayton to make the permit application process more efficient within the Department of Natural Resources and the Pollution Control Agency.

Sponsored by Rep. Dan Fabian (R-Roseau), HF1 would require the DNR and MPCA to issue or deny environmental and resource management permits within 150 days of a submitted application.

However, the bill also contains two

provisions that some DFL legislators objected to. One would allow the proposer of a project to prepare a draft environmental impact statement and submit it to the appropriate state agency, rather than the state agency that requires it conducting the research. DFLers said the provision poses a temptation for project proposers to hide information.

"The bad ones would take advantage of this," Rep. Joe Atkins (DFL-Inver Grove Heights) said.

An amendment successfully offered by Rep. Mary Liz Holberg (R-Lakeville) would require that an environmental impact statement prepared by a project proposer contain all data collected, created, maintained, received or disseminated for its preparation, except for data that constitutes a trade secret, is proprietary in nature, or otherwise is protected by law.

The second provision that makes the bill differ from the executive order would allow decisions regarding the need for an environmental impact statement to be reviewed in the Court of Appeals, rather than a district court. Rep. Melissa Hortman (DFL-Brooklyn Park), who sponsored similar legislation last year, said an unintended consequence revealed that local zoning issues are heard in district courts, perhaps setting up a scenario where an application must be heard in both district court and the appeals court. She successfully amended the bill so that when a permit from a local unit of government is required, the proposed action may be heard in either court and that the Court of Appeals shall, whenever possible, conduct its proceedings near where the project has been proposed.

The legislative auditor is scheduled to issue a report later this month on the permitting process. Rep. Bill Hilty (DFL-Finlayson), who serves on the Legislative Audit Commission, said the permitting process was the highest vote getter for choosing OLA studies last year.

"This is not a matter of such great urgency that we need to rush ... before we hear any of their conclusions," Hilty said. His motion to re-refer the bill to the House Commerce and Regulatory Reform Committee until the study is released later this month failed.

— S. HEGARTY

Lands bill passed by House

The Department of Natural Resources' "lands bill" that was vetoed last year by former Gov. Tim Pawlenty was reintroduced this session and passed 90-29 on the House floor Feb. 10, minus the game and fish provisions from last year.

Sponsored by Rep. Tom Hackbarth (R-Cedar), HF 55 would allow the DNR to sell, buy and exchange surplus land in state

forests and parks. The bill now moves to the Senate where Sen. John Carlson (R-Bemidji) is its sponsor.

Each year, the DNR develops a recommended list of property that it wishes to buy, sell or exchange and the properties are packaged into the lands bill. Several tax-forfeited properties in many counties are included in the bill.

— SUE HEGARTY

DISABILITY RALLY



PHOTO BY TOM OLMSCHIED

Amanda Wilson, left, and Ann Dodge, staff caregivers at the Phoenix Residence in St. Paul accompanied resident, Barb Deeney, to an Association of Residential Resources in Minnesota rally in the Rotunda Feb. 8. About 1,000 people with disabilities, their caregivers and family members rallied to urged legislators to make people with disabilities a priority this session and to preserve core services for Minnesota's most vulnerable citizens.

If you have Internet access, visit the Legislature's
Web page at: www.leg.mn

The custody 'battle'

Fathers seek more face time with their kids

BY LEE ANN SCHUTZ

Daniel Probst was 11 years old when his parents began the divorce process.

When it came to deciding with which parent to live, he and his two sisters said they wanted an alternate schedule — one week with mom and then next with dad. However that's not what the judge granted. At first his mother got sole custody and his father only visiting rights. After more court proceedings, time between parents was split.

"I spend Monday and Tuesday with my mother, and Wednesday and Thursday with my father, and we alternate weekends," Probst, now 17, told the House Civil Law Committee Feb. 8.

"I'm currently packing up two or three times a week to change houses." Their lives have been in turmoil, he said.

Probst and his father, Marty, testified that in divorce proceedings, fathers, for the most part, are getting the short shrift when it comes to parenting time.

Rep. Peggy Scott (R-Andover) sponsors HF322 that addresses the "battle" over child custody. "It's become a contest to determine who is the better parent, with the grand prize being the custodial parent," she said. The goal of the bill is to equalize the amount of time a child has with both parents.

But, after three hours of testimony, enough committee members agreed

with Rep. Mary Liz Holberg (R-Lakeville) that there are some major flaws in the bill that could have unintended consequences and that it needs more work. Committee Chairman Torrey Westrom (R-Elbow Lake) held it over to see if the issues could be worked through. It has no Senate companion.



PHOTO BY ANDREW VONBANK

Daniel Probst, 17, and his father, Marty, testify Feb. 8 before the House Civil Law Committee in support of a bill that would create the Children's Equal and Shared Parenting Act and establish joint physical custody presumption.

Bill supporters say the provisions continue the state down the path of modernizing custody and support issues.

It would change current law in divorces where a parent is entitled to receive at least 25 percent of parenting time, to a presumption of joint legal and joint physical custody with a minimum of 45.1 percent of parenting time for each parent. The provisions would be extended to parents who are not married, but where parentage has been established.

A parent who chooses to challenge the joint terms would need to meet a clear and convincing evidence standard that the custody agreement would be unworkable, and not in the best interest of the child.

Molly Olson, founder of the Center for Parental Responsibility, said problems in the legal system are creating "court-forced fatherlessness. ... We want to take away the fight and the win-lose model that exists in current law. With this bill we want to reduce litigation for families that are being financially pulverized." Plus, she said children deserve the time and influence of both parents.

Holberg likes the idea of joint custody, but said the bill's language related to standards for challenge is problematic.

Addressing the largely male audience, she said: "As I ask the questions I have, you may want to put yourself on the other side of the fence. If you had sole custody of your children, would these standards be high enough for you to go into a shared custody model?"

She said, for instance, if a parent is chemically dependent, it would be hard to prove because of the privacy law. Most likely the only way they would not have joint custody is if that parent was civilly committed. Additionally, the bill would allow for a parent absent from a child's life for many years to come forward and the court would have to honor joint custody.

"Do I want kids to have a relationship with both parents? You bet I do, but kids need to be safe, and we need to make sure these standards are workable, and have meaning," she said.

Scott said the bill's intent is not to put anyone in harm's way, and agreed to keep working on the language. 🐼

Address is a snapshot of hard times

Governor pledges funding for education, all-day kindergarten

By KRIS BERGGREN

In his inaugural State of the State address, Gov. Mark Dayton invoked icons of Minnesota's glory days and markers of its current economic slide. He implored lawmakers to help him avoid a government shutdown by pursuing bipartisan solutions to a "horrendous fiscal mess" he and the Legislature inherited.

Invoking the state's proud history of prosperity and quality of life, he welcomed his father, businessman Bruce Dayton, and former Gov. Wendell Anderson as icons of the "Minnesota Miracle," and noted Minnesota is home to more Fortune 500 companies per capita than any other state.

House Speaker Kurt Zellers (R-Maple Grove) said he appreciated Dayton's efforts to engage private sector leaders, and his interest in recruiting employers and jobs to build or expand in the state. However, he said the governor spent too much time looking at past successes and not enough outlining the state's future.

"You don't make an organization stronger by looking backwards; you look forward," Zellers said.

Dayton revealed a bit of his plan to resolve the state's projected \$6.2 billion budget shortfall, which he must submit to the Legislature by Feb. 15.

He said he'll propose increased funding for education, which he said has decreased by 14 percent in the past eight years once inflation is included. The governor said he'll propose to expand all-day kindergarten. Such a program targeted to the most at-risk children could cost between \$120 million and \$190 million a year, depending on how it's calculated, according to nonpartisan House Fiscal Analyst Greg Crowe.

"It's really exciting," said Rep. Nora Slawik

(DFL-Maplewood). "We know investment in early learning pays off," she added, noting that all-day kindergarten could prevent later costs in special education, remedial education and could help close the achievement gap.

She called the plan "brave" in the current budget climate because "it's going to have to be funded one of two ways: new revenue or shifting costs from somewhere else."

House Education Finance Committee Chairman Pat Garofalo (R-Farmington) said he is not opposed to either a phase-in of all-day kindergarten or to "modest, but strategic, investments in early childhood education."

Lawmakers know their work will begin in earnest next week after the governor releases his budget and legislators can begin to balance priorities in response.

"The governor clearly stated we have a very difficult challenge in front of us," Garofalo said.

Dayton described that challenge by listing signs of the state's economic slide. They include a 9 percent decline in real median income from 1999 to 2008; employment growth in the bottom 10 nationwide in the past decade; college tuition among the highest in the nation at public two- and four-year colleges; and a slide from eighth to 27th in national rankings of road conditions.

"Minnesota wants a better future," he said.

To help fund that future, Dayton said he will ask wealthy Minnesotans "for their forbearance during this fiscal crisis" by

paying higher taxes. In doing so, he quoted his father's favorite Bible passage: "To whomsoever much has been given, of him shall much be required."

Zellers said raising taxes during tough economic times would be detrimental.

"We agree with Governors Cuomo and Brown," he said, referring to Democratic governors of New York and California who have pledged not to raise income taxes. "Let that sink in."


Dayton invited lawmakers, business leaders and the public to invest in Minnesota, specifically in five ways he said would build future prosperity: more jobs; better education; improved transportation; the health of citizens, communities and the environment; and the transformation of government services.

"Investments require faith and trust," he said, urging bipartisan cooperation and the collaboration of business leaders and the private sector to work toward those goals.

"Take away the fancy words 'invest' and 'reinvestment' and it's tax and spend," Zellers said. He was disappointed Dayton didn't put job creation front and center in the speech. Instead of pushing bonding projects as a job creation strategy, Zellers said, what's needed is competitive tax rates to promote "long-term, sustained economic growth" that stems from the private sector.

"No legacy Minnesota business is looking at expansion here," he said.

Rep. Debra Hilstrom (DFL-Brooklyn Center) disagreed with the claim the governor hasn't done enough to create jobs.

"The governor has led on jobs, taking action to streamline and put Minnesotans back to work," she said. "It's time to be honest with the people of Minnesota and do the real work of creating jobs. In fact if there is a lesson to be learned from today it is to listen carefully, to be thoughtful and to keep our promises to Minnesotans." 

2011 State of the State Address



PHOTO BY TOM OLMSCHIED

After greeting Senate President Michelle Fischbach, Gov. Mark Dayton greets House Speaker Kurt Zellers upon entering the House Chamber to present his first State of the State address Feb. 9 to a joint convention of the Legislature.



PHOTO BY ANDREW VONBANK

Applause is directed at Ryan Vernosh, center, the 2010 Minnesota Teacher of the Year, who was recognized by Gov. Mark Dayton during the Feb. 9 State of the State address.



PHOTO BY ANDREW VONBANK

Ten-year-old Alice Lesch, daughter of Rep. John Lesch, gets a warm handshake from Gov. Mark Dayton after the State of the State address Feb 9.

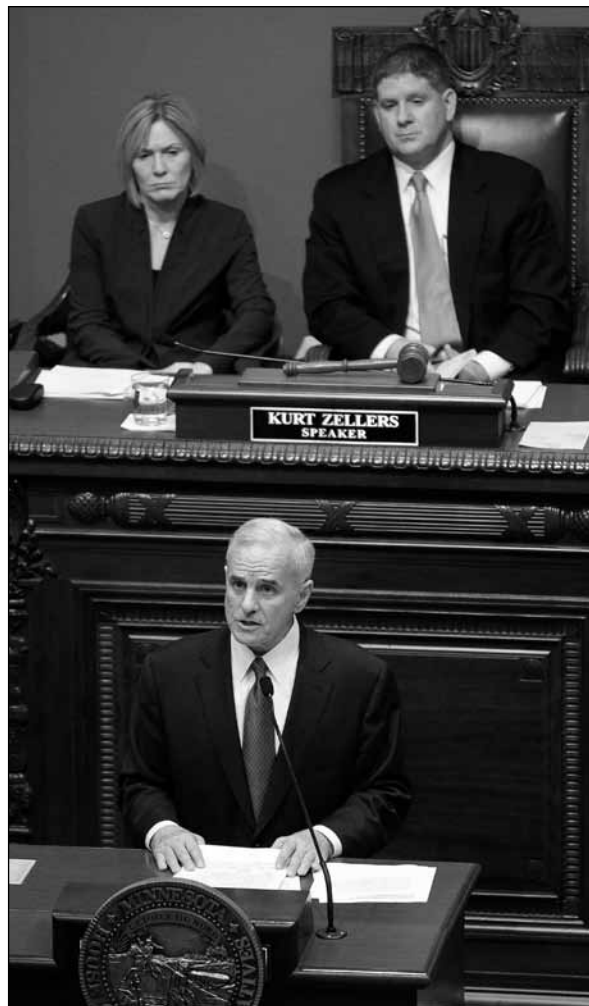


PHOTO BY ANDREW VONBANK

House Speaker Kurt Zellers, *right*, and Senate President Michelle Fischbach listen in the House Chamber as Gov. Mark Dayton delivers his State of the State address Feb 9.



PHOTO BY TOM OLMSCHIED

1st Sgt. Gary Wenzel of Hastings, *left to right standing*, his wife, Cathy, and their 18-year-old son, Pfc. Todd Wenzel, were recognized by Gov. Mark Dayton during his Feb. 9 State of the State address. Inspired by Gary's service — including two deployments — Cathy founded Project Backpack, which provides backpacks for military kids. She also started the nonprofit Minnesota Veteran Family Support, a clearinghouse for providing families with available services before, during and after a military deployment. Their oldest child, Andrew, is an Army specialist heading to Afghanistan, and Todd, who finished Basic Training in October, is scheduled to deploy as an infantry soldier with the 1st Brigade Combat Team this spring. Their other children include Devin, 15, Makalia, 13, and Kelsie, 6.

Reading, writing, arithmetic redo

Growing academic remediation rate troubles lawmakers

By KRIS BERGGREN

Minnesota's colleges and universities enroll a growing number of the state's high school graduates, but more of them need remedial classes once they get there, according to the 2010 "Getting Prepared" report by the University of Minnesota and Minnesota State Colleges and Universities system.

Of public high school graduates in 2008 53 percent attended two- or four-year public colleges or universities and 40 percent of those took at least one remedial class, up from 49 percent and 38 percent respectively two years ago.

Remediation rates vary by type of institution, said Scott Olson, MnSCU vice chancellor for academic and student affairs. Students at two-year technical and community colleges accounted for nearly two-thirds of those enrolled in public higher education, and they had a higher remedial rate, 54 percent, compared to 22 percent at state universities and just 2 percent of university students.

The university has become more selective in the admission process, while MnSCU continues its "access and opportunity" mission, Olson said.

At the Jan. 27 House Education Reform Committee meeting, Rep. John Benson (DFL-Minnetonka) wondered why colleges accept students who aren't prepared for college-level work.

"I am not convinced we can make the reforms we need in K-12 unless there is a more clear understanding on the part of parents and students they need to buckle down in the K-12 system and not just be given a pass," he said.

The need to redo the basics also affects students' wallets.

Students footed half the \$11.6 million

bill for remediation, in fiscal year 2009, said Craig Schoenecker, MnSCU system director for research. Remedial instruction costs are 2.3 percent of the \$627.8 million spent on all instruction system-wide.

"We need to improve accountability to the state," said Rep. Connie Doepke (R-Orono), who serves on the House Education Reform and Higher Education Policy and Finance committees. "We need to improve accountability to these students."

Math facts

Lawmakers might boost accountability by resolving recent issues around math assessment, suggested Joe Nathan, director of the Center for School Change at Macalester College.

"We work with districts and charters all over the state, and one of the things I hear constantly from the faculty is, 'Well, the kids know they don't have to pass a math test in order to graduate,'" he said.

Math standards were upgraded in 2007, but high school curriculum alignment and testing is still catching up. A math test required for graduation was postponed until 2014.

Meanwhile, math counts for 50 percent of all remediation, writing 23 percent and 22 percent reading. At state universities, 90 percent of developmental courses are for math; at the university, it's 98 percent. At two-year colleges, it's 47 percent.

Of math remedial classes, 35 percent are for elementary algebra, 32 percent for intermediate algebra and 26 percent for arithmetic or basic math.


Yet, math competence is the best predictor of college success, according to Kent Pekel, executive director of the College Readiness Consortium at the University of Minnesota. "We know that the tipping point for finishing a four-year-degree is Algebra II or above," he told the House Higher Education Policy and Finance Committee Feb. 1.

Bucking the trend

Some schools are bucking the trend, Nathan said, even with significant numbers of students who could be considered academically at risk because of poverty or other factors.

One example is Washburn High School in Minneapolis, where 62 percent of students are free or reduced-price lunch eligible, 19 percent have limited English proficiency and 74 percent are students of color or American Indian. Graduates' public college enrollment jumped from 67 percent in 2008 to 79 percent in 2010, while their remediation rate decreased from 58 percent to 57 percent.

Principal Carol Markham-Cousins can't directly correlate the report results and a school restructuring three years ago. But she's sought to create "intentional equity" by boosting quality and expectations. Among other reforms, she ended the tracking of students by middle school performance. Instead, all ninth graders take honors English, and eventually all juniors and seniors will take international baccalaureate classes.

"We're taking the whole concept of high expectations and not leaving that to parents or chance or how a student perceives themselves, but taking it to another level," Markham-Cousins said. 

A farmer with wings

Green acres is Daudt's place to be

By SUE HEGARTY

Rep. Kurt Daudt (R-Crown) has more in common with Rep. Sondra Erickson (R-Princeton) than just being new members.



Rep. Kurt Daudt

Erickson was Daudt's high school English teacher.

After graduation, Daudt attended college in North Dakota to become a pilot. Now the 37-year-old legislator has a private pilot's license and

dreams of owning a plane.

He lives with his brother on their grandparents' farm in Crown, where he enjoys deer hunting. He also spends time at his lake cabin and working as a business manager.

Daudt's introduction into politics began

as Stanford Township supervisor, followed by election as Isanti County commissioner. When former Rep. Rob Eastlund did not seek reelection, Daudt was persuaded to run.

Repeal of the 2008 changes to the Green Acres tax program is one thing he hopes to accomplish in St. Paul. One farmer in his district clear-cut 100 acres of wooded property to return it to tillable acreage so he would still qualify for Green Acres.

"It's pulled a lot of those properties in my area out of the Green Acres program, which in turn increased their property taxes," Daudt said. "There was no more revenue created because of the changes. All it does is shift that burden," he said.

Daudt said farmers are generally good stewards of the land.

"They use their entire property. If there's a windfall in the wooded portion of their

DISTRICT 17A

Population: (2009 est.) 47,187

Largest city: Cambridge

Counties: Anoka, Chisago, Isanti

Top Concern: Repeal of Green Acres

property, they'll cut that up to heat their home. This is how we operate. We live off the land."

From a class of 31 first-time GOP lawmakers, he was chosen as a caucus assistant majority leader.

He serves on the House Commerce and Regulatory Reform, Higher Education Policy and Finance, Redistricting, Rules and Legislative Administration committees.

But what he's most proud of is being co-founder of Project 24, a non-profit organization with a goal to raise enough funds to build 24 orphanages in Kenya. Six orphanages have been built so far.

From daycare mom to legislator

Franson commits to practicing kindness, likes to see others follow

By PATTY OSTBERG

Rep. Mary Franson's (R-Alexandria) office decor reflects her daycare background and passion for children. The wall behind her desk is top to bottom Transformer decals; soon Batman and Spiderman will follow the Star Wars decals on the wall exiting her office, she said.



Rep. Mary Franson

Her daycare's motto was "We Practice Kindness," which

Franson hopes legislators will practice when debating issues on the House floor. "We all need to be role models to our children, and how can we tell them not to bully and be kind to one another if you can't even discuss these issues without being kind. You may not like their idea, but at least respect their opinion."

Franson had thought about running for office as early as high school, but never had

time. Her strong opinions eventually led her to help form the Seventh District Young Republicans where she became secretary. She was also state coordinator for Mike Huckabee's 2010 presidential campaign. During these activities someone asked her if she'd be interested in running for state representative.

She ran with the message, "Our government was getting too big, and our rights were being taken away from us ... I was concerned about our children's future," she said.

A joke on the campaign trail was she could always put politicians in a time out if they misbehave. "I wish it was that easy," she said. "If you put adults in a time out, it just gives them more time to think about what they can do."

Her top concern is creating jobs. She said when families in her community growing up faced unemployment challenges, people came together to help support them with groceries or pitching in. "Now, it's so

DISTRICT 11B

Population (2009 est.): 35,924

Largest City: Alexandria

Counties: Douglas, Todd

Top Concern: Job creation

common to know who's unemployed ... you can't help everybody out that you know," she said.

Other issues important to her district include reducing the size of government, being pro-life and defining marriage between a man and a woman. "A lot of them at the door, they didn't even care about your message they just wanted to know if you were pro-life," Franson said.

Most importantly, she said, it all comes down to her children. "I want them to have a better future than what we are looking at today."

Rural Republican's challenge

Hancock says government's role important in supporting small communities

By **LEE ANN SCHUTZ**

Here's the dilemma for Rep. David Hancock (R-Bemidji). He's all for putting the brakes on government expansion; but he



Rep. David Hancock

recognizes that without these jobs, many small towns in his district would wither away.

"That's the challenge for any outstate Republican," he said. Greater Minnesota's economic health, in many ways, is based on

the services that government provides — certainly the education, health care community and the government offices, he said.

As a legislator, he wants to work toward preserving the rural way of life.

"We still have relatively vibrant small towns, cities. I am a limited government person, and we need to streamline our

delivery systems. With that said, we still need good government providing infrastructure and systems so that the private sector can thrive. It's all about balance," he said.

He and his wife, Pat, have lived in Beltrami County for more than 30 years. Now retired, he owned a tire business in Bemidji for most of that time. They have two sons and five grandchildren. He credits his young granddaughter for his decision to run for office. As an alternate delegate at the Republican state convention, he explained to her that he was there "to help make Minnesota a place to live. I decided then that I'd better mean what I say."

Hancock's style is quiet and relaxed. He attributes some of that to the harmonica that he plays.

"It's relaxing. It's almost an instrument of prayer for me," he said. He appreciates it now even more because the early hectic pace of session came somewhat unexpected.

DISTRICT 2B

Population (2009 est.): 34,629

Largest City: Park Rapids

Counties: Beltrami, Clearwater, Hubbard, Pennington, Polk

Top Concerns: Employment, access to services

At 4,359 square miles, Hancock represents one of the largest geographic areas in the state. Although the district is home to several manufacturing companies, he said unemployment historically runs higher than the rest of the state, and that is a concern.

He serves on the House Environment, Energy and Natural Resources Policy and Finance, Government Operations and Elections, and the Higher Education Policy and Finance committees.

Runbeck the reformer

New members' senior has her eye on property tax reform

By **LEE ANN SCHUTZ**

You really can't consider Rep. Linda Runbeck (R-Circle Pines) a new member. She's got a long history in the Legislature —



Rep. Linda Runbeck

serving in the House from 1989-1992 and in the Senate from 1993-2000. Because she's been away from the statehouse in recent years, doesn't mean she's been away from the issues, however.

Runbeck, whose mindset of self determination is molded from a family history of small business, served as president of the Taxpayers League of Minnesota and also development director at the Minnesota Free Market Institute in the past decade. Additionally, she was active in forming a property rights group. "I

have a passion and a real point of view that government is here to serve us, not the other way around," she said.

A no-nonsense person, Runbeck wants to get to the facts and move to quickly get the job done. Intuitively she's a reformer, she said, and she's all about protecting the taxpayers' interests. Because of her experience, she was named chairwoman of the House Property and Local Tax Division.

She and her husband own a small business, and running for office again wasn't foremost on her mind. But people in the district encouraged her to run, and she had reached a point where she "couldn't bear all the ways that government has morphed and expanded its burden on the taxpayer."

As a stalwart protector of taxpayer's interests, she felt the time was right for reform, and she could no longer sit on the sidelines.

DISTRICT 53A

Population (2009 est.): 40,642

Largest City: Shoreview

Counties: Anoka, Ramsey

Top Concerns: Property taxes, government reform

"When I was here in the 90s, I focused on reform, but there was no appetite at that time." She sensed that now, however, times had changed. Now, she's got an eye on property tax reform.

"Minnesota has the most incomprehensible, ridiculous property tax system in the country," she said.

Runbeck also serves on the House Taxes and House Civil Law committees.

BILL INTRODUCTIONS

FEBRUARY 7 - 10, 2011

HOUSE FILES 365 - 474

Monday, February 7

HF365-Peterson, S. (DFL)

Education Reform

Education of young children through age 5 provided and constitutional amendment proposed.

HF366-Kahn (DFL)

Health & Human Services Reform

Health record privacy provisions modified.

HF367-Banaian (R)

Health & Human Services Reform

Municipal laboratories certification exempted.

HF368-Banaian (R)

Environment, Energy & Natural Resources Policy & Finance

Lake Pepin; coordination with Wisconsin required in phosphorous standard establishment.

HF369-Banaian (R)

Capital Investment

Capital investment return determination information required.

HF370-Smith (R)

Public Safety & Crime Prevention Policy & Finance

Youth intervention program grants modified.

HF371-Hoppe (R)

Government Operations & Elections

Local government employees required to approve participation in or withdrawal from the public employees insurance program.

HF372-Moran (DFL)

Jobs & Economic Development Finance

Ramsey County; workforce development funding provided for adjudicated youth reentering the community and at-risk youth.

HF373-Moran (DFL)

Health & Human Services Reform

Child care assistance program income definition modified.

HF374-Kahn (DFL)

Education Reform

Early high school graduation with a standard diploma allowed.

HF375-Kahn (DFL)

Commerce & Regulatory Reform

Off-sale intoxicating liquor sales modified.

HF376-Anderson, P. (R)

Education Reform

High school freshmen and sophomores allowed to enroll in college classes.

HF377-Shimanski (R)

Taxes

Hutchinson; sales and use tax authorized.

HF378-Scott (R)

Higher Education Policy & Finance

Graduate education study required in for-profit sector.

HF379-Torkelson (R)

Legacy Funding Division

County agricultural society grant funding provided from the arts and cultural heritage fund.

HF380-Lenczewski (DFL)

Government Operations & Elections

Twenty-four-hour waiting period required before consideration of conference committee reports.

HF381-Drazkowski (R)

Education Reform

School district budget relief provided.

HF382-Hoppe (R)

Civil Law

Statutes amended regarding receiverships and assignments for the benefit of creditors.

HF383-Hamilton (R)

Health & Human Services Reform

Radiation therapy facility construction moratorium extended.

HF384-Dettmer (R)

Veterans Services Division

Campus veterans representative program sunset repealed.

HF385-Dettmer (R)

Taxes

Market value growth limited.

HF386-Dettmer (R)

Higher Education Policy & Finance

Athletic scholarship conditions set.

HF387-Kelly (R)

Public Safety & Crime Prevention Policy & Finance

Counties allowed to participate in driver's license reinstatement diversion pilot program, and diversion pilot program extended.

HF388-Benson, J. (DFL)

Agriculture & Rural Development Policy & Finance

Dog and cat breeder standards of care provided, fees established, rulemaking authorized and criminal penalties provided.

HF389-Beard (R)

Government Operations & Elections

Interim planning ordinances provided, and municipal development contracts provided.

HF390-Hoppe (R)

Commerce & Regulatory Reform

Building and construction contracts and indemnification agreements regulated.

HF391-Scott (R)

Health & Human Services Reform

State-sponsored health program abortion funding limited.

HF392-Howes (R)

Transportation Policy & Finance

School bus crossing control arms required.

HF393-Howes (R)

Taxes

Vendor remittance schedule modified.

HF394-Howes (R)

Taxes

Public safety radio systems exemption expanded.

HF395-Wardlow (R)

Commerce & Regulatory Reform

Deeds clarified to correct title and certain acknowledgments, cancellation of residential purchase agreements provided, and redemption period clarified for foreclosure of certain mortgages.

HF396-Wardlow (R)

Civil Law

Minnesota Common Interest Ownership Act; clarifying, technical, and conforming changes made.

HF397-Lenczewski (DFL)

Taxes

Individual income and corporate franchise taxes conformed to federal law provisions, corporate franchise tax rate reduced, foreign source income preferences eliminated, subtraction for foreign royalties repealed and foreign operating corporations repealed.

HF398-Lenczewski (DFL)

Taxes

Property tax aid and credit programs except those paid directly to the taxpayer eliminated; homeowner property tax refund program enhanced; all maintenance of effort requirements terminated; prohibition against local sales taxes eliminated; metro and Iron Range fiscal disparities programs eliminated; levy limits repealed; and green acres, rural preserves and metropolitan agricultural preserves repealed.

HF399-Lenczewski (DFL)

Taxes

Foreign source income preferences eliminated, foreign royalties subtraction repealed, certain development subsidies taxed, domestic corporations definition expanded to include foreign corporations incorporated or doing business in tax havens, JOBZ and biotechnology and health science industry zones modified, international economic development zones repealed, corporate franchise tax rates reduced, research credit repealed, foreign operating corporations repealed, and special apportionment formula for certain mail-order businesses repealed.

HF400-Howes (R)

Environment, Energy & Natural Resources Policy & Finance

Environment and natural resources money appropriated.

HF401-Rukavina (DFL)

Jobs & Economic Development Finance

Giants Ridge Recreation Area lands administrative procedures modified.

HF402-Erickson (R)**Civil Law**

U.S. Senate urged to oppose ratification of the United Nations Convention on the Rights of the Child.

HF403-Erickson (R)**Environment, Energy & Natural Resources Policy & Finance**

White deer taking prohibited.

HF404-Erickson (R)**Education Reform**

School districts required to pool active and retired employees separately for health coverage.

HF405-Clark (DFL)**Jobs & Economic Development Finance**

Youthbuild work experience requirements modified and money appropriated.

HF406-Simon (DFL)**Redistricting**

Districting principles for legislative and congressional plans established, appointment of a commission to recommend the boundaries of legislative and congressional districts provided and money appropriated.

HF407-Kriesel (R)**Education Finance**

Reduction of state short-term borrowing through school district payment modifications repealed.

HF408-Torkelson (R)**Environment, Energy & Natural Resources Policy & Finance**

Building materials burial provided on land used for farming, and livestock mortality disposal oversight responsibility clarified.

Wednesday, February 9

HF409-Poppe (DFL)**Government Operations & Elections**

Minnesota State Colleges and Universities employee retirement coverage specified, and employer required to provide certain notices.

HF410-Lohmer (R)**Taxes**

Social Security benefits income tax subtraction allowed.

HF411-Morrow (DFL)**Transportation Policy & Finance**

Minnesota Valley Regional Rail Authority funding provided, bonds issued and money appropriated.

HF412-Gruenhagen (R)**Health & Human Services Finance**

Managed care and county-based purchasing plans provider rate increases and use of generally accepted accounting principles required.

HF413-Gruenhagen (R)**Environment, Energy & Natural Resources Policy & Finance**

State greenhouse gas emission reduction goals repealed.

HF414-Hoppe (R)**Commerce & Regulatory Reform**

Access stimulation charges prohibited.

HF415-Kath (DFL)**Transportation Policy & Finance**

Trunk Highway 14 construction funds appropriated.

HF416-Kath (DFL)**Transportation Policy & Finance**

Trunk Highway 14 construction requirements established.

HF417-Smith (R)**Health & Human Services Reform**

Commercial breeders regulation established to protect public health and animal welfare, registration and rule-making required, fees established, penalties provided and money appropriated.

HF418-Downey (R)**Government Operations & Elections**

Back Office Consolidation Act proposed; accounting, financial reporting, procurement, fleet services, human resources and payroll functions centralized in the Department of Administration.

HF419-Downey (R)**Government Operations & Elections**

Executive branch departments number reduced.

HF420-Woodard (R)**Education Finance**

Health and safety revenue program streamlined.

HF421-Rukavina (DFL)**Transportation Policy & Finance**

Retired firefighter special plates established.

HF422-Rukavina (DFL)**Transportation Policy & Finance**

Special license plate standards provided.

HF423-Dill (DFL)**Environment, Energy & Natural Resources Policy & Finance**

Lake County; all-terrain vehicle trail funding provided and money appropriated.

HF424-Scott (R)**Civil Law**

Incapacitated and vulnerable adults; remedies provided for neglect and abuse.

HF425-Peppin (R)**Health & Human Services Reform**

MFIP work activities modified.

HF426-Peppin (R)**Health & Human Services Reform**

Mandated health benefit moratorium established.

HF427-Cornish (R)**Legacy Funding Division**

Minnesota Agricultural Interpretive Center funding provided and money appropriated.

HF428-Anderson, P. (R)**Taxes**

Marriage penalty relief federal extension conformed in the standard deduction.

HF429-Dettmer (R)**Government Operations & Elections**

Anoka County; countywide public safety improvement finance cost authority expanded.

HF430-McElfattrick (R)**Public Safety & Crime Prevention****Policy & Finance**

Right of individuals to keep and bear arms provided, and constitutional amendment proposed.

HF431-Beard (R)**Environment, Energy & Natural Resources Policy & Finance**

Magnification restriction eliminated for scopes on muzzleloaders used by visually impaired hunters.

HF432-Smith (R)**Public Safety & Crime Prevention****Policy & Finance**

Local correctional officers disciplinary interview rights established.

HF433-Smith (R)**Public Safety & Crime Prevention****Policy & Finance**

Sheriffs required to report injuries to jailers to the Bureau of Criminal Apprehension.

HF434-Hackbarth (R)**Commerce & Regulatory Reform**

Petroleum tank release cleanup fund eligibility modified and sunset date extended.

HF435-Dittrich (DFL)**Education Reform**

Minnesota's permanent school trust land independent authority created for management, supervision and administration.

HF436-Smith (R)**Judiciary Policy & Finance**

Collaborative law process available evidence limited.

HF437-Rukavina (DFL)**Higher Education Policy & Finance**

Iron Range engineering program at Mesabi Range Community and Technical College facility funding provided, bonds issued and money appropriated.

Thursday, February 10

HF438-Smith (R)**Public Safety & Crime Prevention****Policy & Finance**

State and local jail and prison inmates required to be housed in publicly owned and operated jails and prisons, state and counties prohibited from contracting with private prisons, and Prairie Correctional Facility contract renewal prohibited.

HF439-Smith (R)**Judiciary Policy & Finance**

Consecutive sentences for assaults committed by state prison inmates provision clarified.

HF440-Smith (R)**Judiciary Policy & Finance**

Placement of vehicle license plates clarified, failure to provide vehicle insurance for drivers and owners modified, service of petition for election errors modified, corrections agent required to provide form regarding predatory offender duty to register, certain hearings concerning parents and children opened, fees and surcharges clarified, notary provisions modified, lien filing and records modified, service procedures and documents for domestic abuse modified, and document copies for probate records clarified.

HF441-Loon (R)**Commerce & Regulatory Reform**

Collection of 911 fees from prepaid wireless telecommunications services provided.

HF442-Loon (R)**Education Finance**

Professional development 2 percent set-aside repealed.

HF443-Mack (R)**Transportation Policy & Finance**

Dakota and Hennepin counties; Cedar Avenue Bus Rapid Transitway funding provided, bonds issued and money appropriated.

HF444-Mazorol (R)**Commerce & Regulatory Reform**

Uniform Commercial Code Article 9 amendments adopted by the National Conference of Commissioners on Uniform State Laws enacted, and conforming changes made.

HF445-Davids (R)**Taxes**

Pooled tax increments for development of market rate housing authorized.

HF446-Abeler (R)**Taxes**

Jobs credit for increasing employment allowed.

HF447-Kelly (R)**Health & Human Services Reform**

Investigation, review and hearing governing provisions modified, crime of criminal abuse of a vulnerable adult made a registrable offense under the predatory offender registration law, terminology changed, criminal penalty increased for assaulting a vulnerable adult, and criminal penalties provided.

HF448-Simon (DFL)**Commerce & Regulatory Reform**

Liquor store clothing and memorabilia sales allowed.

HF449-Runbeck (R)**Taxes**

Contractor 2 percent withholding repealed.

HF450-Cornish (R)**Legacy Funding Division**

Dodd Ford Bridge rehabilitation funding provided and money appropriated.

HF451-Davids (R)**Taxes**

Federal tax treatment conformed.

HF452-Howes (R)**Commerce & Regulatory Reform**

Display and consumer fireworks provided.

HF453-Kath (DFL)**Education Reform**

Board of Teaching directed to incorporate professional reflection and growth in best teaching practices into its renewal requirements for a continuing teaching license.

HF454-Kath (DFL)**Health & Human Services Reform**

Ethics training required from home health aides, and commissioner of health instructed to amend rules.

HF455-Kath (DFL)**Public Safety & Crime Prevention****Policy & Finance**

Fourth-degree assault crime and the assaulting a police horse crime expanded to provide more protection to law enforcement assistants.

HF456-Kath (DFL)**Health & Human Services Reform**

Nursing home bed layaway permitted in emergency circumstances, and mutual aid agreement process recommendations by commissioner of health required.

HF457-Kath (DFL)**Education Reform**

School districts and charter schools electronic publication of public information allowed and superintendent expenditure identification requirement eliminated.

HF458-Poppe (DFL)**Environment, Energy & Natural Resources****Policy & Finance**

Austin; Turtle Creek flood mitigation project funding provided, bonds issued and money appropriated.

HF459-Fritz (DFL)**Transportation Policy & Finance**

Deputy John W. Liebenstein Memorial Highway designated.

HF460-Peppin (R)**Commerce & Regulatory Reform**

Sprinkler requirements in single-family homes prohibited.

HF461-Dittrich (DFL)**Environment, Energy & Natural Resources****Policy & Finance**

Hennepin County; Schmidt Wildlife Management Area surplus state land conveyance required.

HF462-Norton (DFL)**Health & Human Services Reform**

Nurse Licensure Compact and appointments provided.

HF463-Norton (DFL)**Education Reform**

Teacher collective bargaining agreement deadline and penalty changed.

HF464-Norton (DFL)**Education Reform**

Teacher collective bargaining agreement deadline and process changed.

HF465-Smith (R)**Civil Law**

Safe at home program provision added, and protective orders provided.

HF466-Morrow (DFL)**State Government Finance**

Minnesota Assistance Council for Veterans grant funding provided for continued outreach to homeless veterans in Minnesota, and money appropriated.

HF467-Gruenhagen (R)**Public Safety & Crime Prevention****Policy & Finance**

Commissioner of corrections directed to implement a gardening program at state correctional facilities.

HF468-Gruenhagen (R)**Health & Human Services Finance**

Expenditure of state funds prohibited to comply with federal health care laws.

HF469-Gruenhagen (R)**Public Safety & Crime Prevention****Policy & Finance**

Harassment restraining order jurisdiction for petitions provided.

HF470-Gauthier (DFL)**Education Finance**

K-12 special education third-party billing process provided to be more cost effective.

HF471-McNamara (R)**Environment, Energy & Natural Resources****Policy & Finance**

Outdoor heritage funding provided, outdoor heritage provisions modified and money appropriated.

HF472-Nornes (R)**Transportation Policy & Finance**

Biennial inspection and filing fee charges established for limited use farm trucks, and technical corrections made.

HF473-Smith (R)**Civil Law**

Child support; calculation of maintenance after child support provided.

HF474-Smith (R)**Public Safety & Crime Prevention****Policy & Finance**

Fire safety account funds allocated.

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— M. Cook

Sources: Minnesota Coalition for Battered Women, including the 2010 Femicide Report; Rape, Abuse & Incest National Network; The National Center for Victims of Crime, including 2011 National Crime Victims' Rights Week Resource Guide; Prevent Child Abuse Minnesota; Department of Human Services, including Minnesota's Child Welfare Report 2009, July 2010.