

SESSION WEEKLY

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SESSION WEEKLY

Session Weekly is a nonpartisan publication of Minnesota House of Representatives Public Information Services. During the 2009-2010 Legislative Session, each issue reports House action between Thursdays of each week, lists bill introductions and provides other information. No fee.

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On the cover: House Speaker Margaret Anderson Kelliher and House Majority Leader Tony Sertich, followed by Legislative Director to the Speaker Sean Rahn, make their way down the Capitol's west wing grand stairway to the governor's office May 16 to continue negotiations to balance the state's budget.

— Photo by: Tom Olmscheid



Never a dull moment

Surprises, challenges mark unusual
2010 legislative session

When the House and Senate came to order Feb. 4 for the 2010 legislative session, the state faced a \$1.2 billion budget deficit (later revised to \$994 million), and an unprecedented cash flow crisis. The economy was in a slump, unemployment was high, and funding for General Assistance Medical Care was set to expire, potentially leaving thousands without health care.

Promising a fix to all these problems, lawmakers hit the ground running. By late March, several key pieces of legislation were already in the bag, including a \$680 million bonding law, a package of tax incentives for businesses and a compromise plan to restore partial funding to GAMC. They also passed a bill that solved roughly one-third of the deficit through spending cuts.

By April, the Legislature appeared to be on track for an early finish. Then, officials received word that \$408 million in expected federal funding might not arrive in time for lawmakers to use it in the budget. Eight days later, the

Minnesota Supreme Court threw out the governor's \$2.7 billion in unallotments from 2009, turning the entire session on its head.

The sudden ballooning of the state's deficit in the final days of session nearly derailed four months of hard work, but a last-minute deal between legislative leaders and the governor was eventually reached. After gaveling the regular session sine die just before midnight May 16, minutes later at 12:01 a.m., on May 17, the state's first special session in three years was called to let the House and Senate pass one final budget-balancing bill.

The House and Senate will reconvene Jan. 4, 2011, when legislators will begin work on erasing a \$5.8 billion deficit projected in Fiscal Years 2012-13. In the meantime, an election will determine who controls the House and Senate as well as the governor's office next year. The winners have a lot of work ahead of them.

— N. BUSSE

A done deal

Budget fix makes the best of bad times for the state

By KRIS BERGGREN, NICK BUSSE
AND LAUREN RADOMSKI

It took some late-night twisting and turning, but lawmakers concluded a tough legislative session May 16 and a short special session May 17 by successfully balancing the state's budget.

After a week of tense negotiations, legislative leaders announced shortly before midnight May 16 they had reached a deal with Gov. Tim Pawlenty. Under the agreement, they would erase the state's projected \$3 billion shortfall

mostly through spending cuts, but would soften the blow for schools and seniors and revamp certain health care spending.

In legislative terms, it's a classic compromise — nobody is very happy with it.

"We found where we needed to compromise and we got the job done," said House Majority Leader Tony Sertich (DFL-Chisholm). "We didn't agree with every solution in here, but that is the true definition of compromise."

House Minority Leader Kurt Zellers (R-Maple Grove) offered a similar assessment.

"It's not a perfect product, it's not a pretty product, but it is what it is," Zellers said.

The process was challenging enough to force lawmakers into overtime. The budget deal was announced literally minutes before the Legislature's deadline to pass bills. To let legislators finish their work, Pawlenty called a special session at 12:01 a.m. May 17.

Eleven hours later, the House and Senate passed SSHF1*/SSSF1. Sponsored by Rep. Lyndon Carlson Sr. (DFL-Crystal) and Sen. Richard Cohen (DFL-St. Paul), the budget-balancing bill was signed by Pawlenty May 21.

In the brief floor debate on the bill, sleep-weary House members touted the benefits and lamented the faults of the legislation.



PHOTO BY TOM OLMSCHEID

After Senate Majority Leader Larry Pogemiller, *left*, and House Speaker Margaret Anderson Kelliher, *right*, outlined the budget balancing agreement with the governor, House Majority Leader Tony Sertich announced that the House would adjourn sine die shortly before midnight May 16 and reconvene at 12:01 a.m. May 17 in special session to pass a budget-balancing bill.



PHOTO BY TOM OLMSCHIED

House Speaker Margaret Anderson Kelliher talks with House Minority Leader Kurt Zellers prior to the House taking up a budget-balancing bill during a one-day special session May 17.

Supporters said the legislation balanced the state's budget while minimizing the harm done to vulnerable Minnesotans.

"In House File 1, we do have a balanced budget, and we are standing up for Minnesota families, the middle class, the sick and the elderly," Carlson said.

Many House members criticized the budget agreement for doing little to resolve the state's long-term structural imbalance. Rep. Paul Kohls (R-Victoria) noted the budget agreement left a gaping hole in the 2012-13 biennial budget. He said permanent spending reductions are needed to provide true fiscal stability.

"For those of you who will be here, you're going to have an even bigger challenge to deal with in the next biennium," Kohls said.

A shift, cuts and ratification

The plan essentially ratifies the governor's controversial 2009 unallotments for the current biennium, including a \$1.8 billion delay in state payments to K-12 school districts. It does not make the unallotments

permanent, however, as the governor wanted. Also, the school payment shift will begin to be repaid in the next biennium — something that was not required under Pawlenty's unilateral cuts.

The agreement also includes a provision that will allow Pawlenty or the next governor to choose whether to have Minnesota opt in to an early expansion of Medicaid. DFL majority leaders in the House and Senate hope to take advantage of the program, which would cost the state \$188 million but would bring in an additional \$1.4 billion in federal funding. Pawlenty and legislative Republicans oppose it.

The budget compromise also cuts a variety of health and human services programs, and authorizes delayed sales and corporate tax refunds as a way to help manage the state's cash flow. It's not all bad news for health care programs, however: General Assistance Medical Care will also receive a \$10 million boost to help rural hospitals care for low-income adults.

At a May 17 press conference, Pawlenty said

he considers the compromise a success overall because it balances the budget without raising taxes.

"All in all, even though the process was challenging, the outcome from my perspective is a very good one," he said.

House members on both sides of the aisle repeated what became a familiar refrain in the 2010 session: that the state's leaders were "kicking the can down the road," leaving a huge fiscal problem for the next governor and the next Legislature to deal with.

"I, too, share a disappointment that I've heard bipartisanly that the can gets kicked down the road," Sertich said.

One week earlier, the House and Senate passed a DFL-backed budget bill that would have raised \$443 million in new tax revenues in addition to making \$2.5 billion in cuts. Democrats argued their proposed new income tax tier on the wealthiest Minnesotans would help reduce the deficit in the next biennium. Republicans opposed it, saying it would harm small business owners. Pawlenty vetoed the bill.

Health and human services

Like other areas of the budget, some decisions on health and human services spending were left to future leaders.

The most prominent is an option to enroll more Minnesotans in the state's Medicaid program, which receives federal funding. Under the budget-balancing law, Pawlenty and his successor may choose to broaden Medicaid coverage to include certain adults making less than \$8,000 annually. Many of these people are already enrolled in state health care programs like GAMC and MinnesotaCare.

Rep. Thomas Huntley (DFL-Duluth), chairman of the House Health Care and Human Services Finance Division, called the proposal "a good deal for Minnesota taxpayers."

"This will allow us to capture certainly a bigger chunk of what we send to Washington," he said.

Minnesota would receive an estimated \$1.4 billion in federal funding over the next three years to help pay for the larger Medicaid program. Lawmakers would pay for a required state match with \$188 million from the General Fund, as well as money that otherwise would have gone to GAMC and MinnesotaCare.

Democrats like the idea because it would

move people from programs that are solely state-funded to one that receives federal dollars. The federal contribution will grow in 2014 as a result of the health care reform law.

Republicans peg the early Medicaid option as too expensive and too reliant on the federal government. Rep. Laura Brod (R-New Prague) compared it to taking out a zero-interest loan on an unaffordable home.

During negotiations, lawmakers removed controversial surcharges on hospitals and HMOs that would have been used to capture federal funding.

Nevertheless, Pawlenty has said he will not authorize Minnesota's participation in the early option. In the final days of the session, he indicated Republicans could support the use of federal money for existing state programs, a path some states are pursuing instead of early Medicaid enrollment.

The budget-balancing law also includes several provisions from the omnibus health and human services budget bill vetoed by the governor May 13. The law appropriates funding for some of the State Operated Services facilities that were slated for closure, including five dental clinics serving people with developmental disabilities. It also creates a task force that's charged with making

recommendations on how to improve State Operated Services programs in the future.

Another notable piece of the law: a \$10 million funding increase for hospitals serving GAMC patients. The money is available to hospitals that have chosen not to participate in a new GAMC care model, many of which are in Greater Minnesota. The additional funding will go into an "uncompensated care pool" that will reimburse hospitals for GAMC services through February 2011.

The law finds some savings by cutting or delaying state payments to health care providers. Nursing homes are largely spared, while payments to hospitals will be reduced beginning next summer. Certain non-primary care physicians will have their payment rates reduced starting in July and managed care plans will have a higher percentage of their payments withheld.

House members from both parties were generally supportive of the compromise during the May 17 special session. Others said it will do little to reduce health care spending in the long-term.

"I don't think it's the golden lining that you might think it is," said Rep. Jim Abeler (R-Anoka). "It's great politics. But it also would work to undo the nice reform we've had in the General Assistance Medical Care program."



PHOTO BY TOM OLMSCHIED

Senate Minority Leader David Senjem, *left*, waits as Gov. Tim Pawlenty turns back to answer one more reporter's question May 16 after explaining his position on negotiations with the Legislature to balance the state's budget.

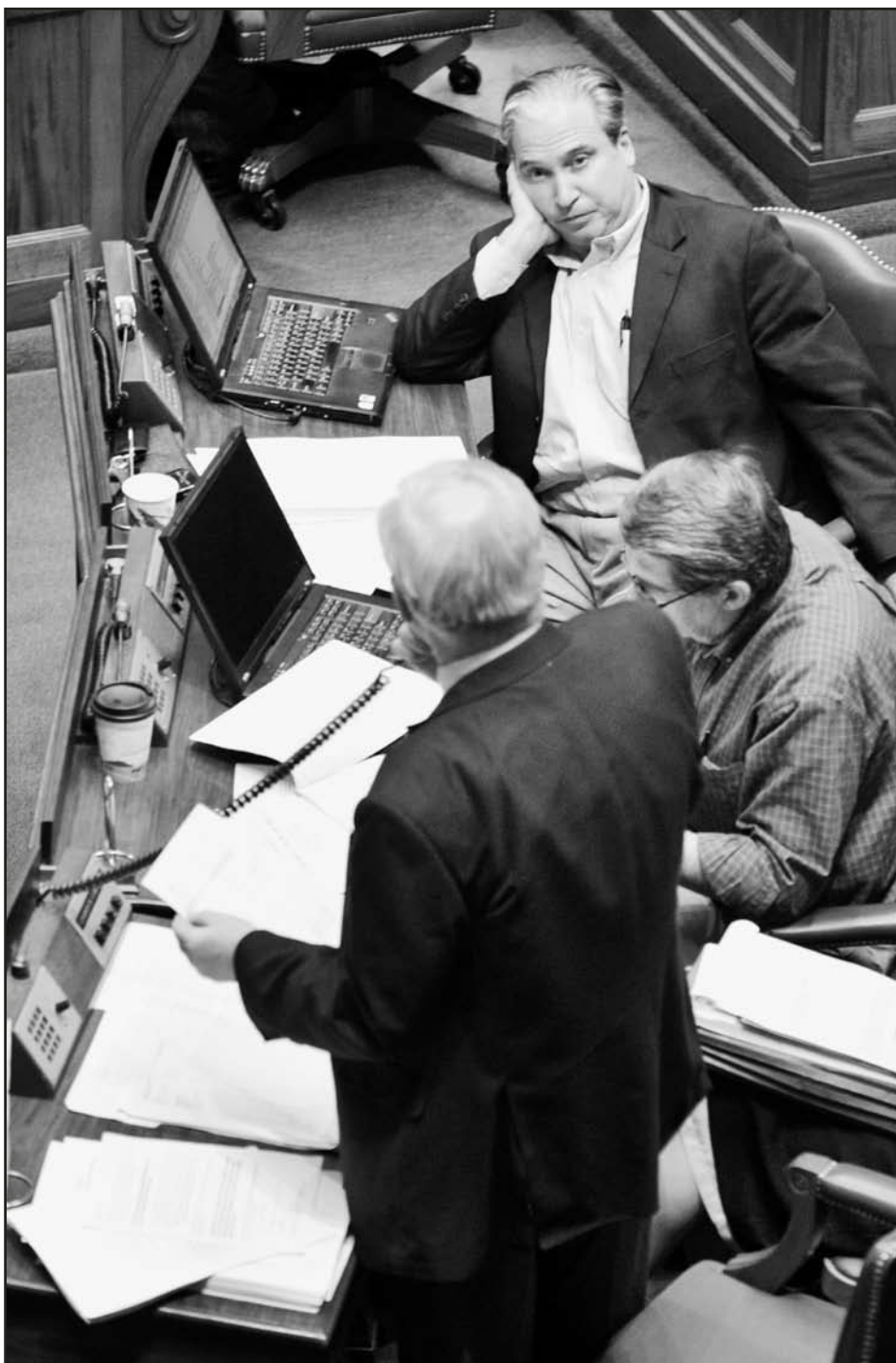


PHOTO BY TOM OLMSCHIED

Rep. Michael Paymar listens and Rep. Jerry Newton reads the budget-balancing bill while Rep. Lyndon Carlson Sr., chairman of the House Finance Committee, presents the proposal to the House May 17.

Abeler and others would prefer to work out the kinks in GAMC, as opposed to ending the program once enrollees were moved to Medicaid.

Legislative leaders and the governor chose not to make use of \$408 million the state is expecting to receive from the federal government for enhanced Medicaid match funding. Both the Legislature and the governor had included the money in their original budget plans; however, the legislation

authorizing the funds is currently stuck in Congress. Should the money eventually be appropriated, it will simply fall to the state's bottom line and cushion its cash flow account, under the agreement.

IOU, K-12

The \$1.8 billion in school shifts includes delays of regularly scheduled state aid payments to districts and early recognition of June property tax receipts from counties

in lieu of receiving some late spring state aid payments, with an IOU to repay starting July 1, 2011.

The plan ratifies current year delayed state aid payments of 27 percent, raises the proportion to 30 percent in 2011, returning to a typical 90/10 percent schedule in 2012.

The state regularly issues a K-12 IOU. The practice usually works without much harm because the state uses cash flow accounting, while school districts use the accrual method, which allows them to record all allocated revenue even if the cash isn't received yet. But districts still need adequate cash flow to pay salaries, utilities and other bills, so the larger-than-usual shifts mean many districts will have to borrow money to make ends meet.

How shifts work: The state withholds a percentage of regularly scheduled payments to school districts for a given fiscal year, with repayment promised the following fiscal year. Typically, 90 percent of the total aid entitlement is paid out over the year in metered payments about twice a month. A "cleanup payment" of 10 percent is made the following fiscal year. The total is based on enrollment projections; the actual payment is adjusted depending on whether more or fewer students actually enrolled. Exceptions are made for certain districts in statutory operating debt.

The property tax early recognition mechanism was enacted in 1982, and has been in and out of statute since. Again, to help the state's cash flow, school districts are required to "borrow," or recognize early, a portion of June property tax receipts from the county instead of receiving the state aid payment, which is eventually repaid.

This year, the state borrowed even more heavily from districts with a certain level of cash reserves, because of a statute requiring them to do so if the state would otherwise have to borrow or issue short-term bonds to meet cash flow needs. The statute now allows but does not require the state to tap schools first.

The problem with the IOU lies with the projected deficit in the next biennium, which could be between \$4 billion and \$6 billion.

"Contrary to what's put in statute," said Rep. Pat Garofalo (R-Farmington), "regardless of who wins the (gubernatorial) election, they're not going to be able to pay them back until the economy gets better."

Shifts of 83/17 in 2003, 80/20 in 2004 and 84.3/15.7 in 2005 were repaid by the end of 2007, according to Tim Strom from the nonpartisan House Fiscal Analysis department. However, shifts made in the early 1980s were not fully repaid until 1998.

Editor's note: The following are governor's actions on bills through May 27. Designations used in New Laws and Vetoes 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

Agriculture omnibus bill

Restrictions on those who can own easements for wind power, along with increased late filing fees for pesticide dealers and tree trimmer registry businesses are included in the omnibus agriculture, rural economies and veterans affairs finance law.

Sponsored by Rep. Al Juhnke (DFL-Willmar) and Sen. Dan Skogen (DFL-Hewitt), the law will:

- add a university extension agent, an official from the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture, a peace officer from the county sheriff's office or a licensed veterinarian to those who are able to make a personal inspection of a farmer's livestock loss due to a gray wolf;
- require the Department of Agriculture to make it a goal to issue or deny environmental and resource management permits within 150 days;
- consider horses raised for riding, driving, farm or ranch work, competition, racing recreation, sale, or as breeding as livestock for the purposes of financial transactions and collateral;
- make it unlawful for someone to advertise tree care or tree trimming services without being registered;
- permit the agriculture commissioner to waive certain review fees for businesses that sell prepackaged foods, such as video stores;
- repeal the loan incentive program for Native Grasses and Wildflower Seed Production;
- allow nonprofit farms less than 40 acres in size, and those less than 160 acres prior to Aug. 1, 2010, to use profits for educational purposes and be exempt from corporate farm land requirements;
- add easements taken by individuals or businesses for the use of wind rights to restrictions on owning agricultural lands;
- permit cities and towns to charge fees and spend money for county extension work, such as 4-H programs;
- require certain conditions to be met before Minnesota will be granted a federal waiver in regards to Ethanol-15, including that all cars could use the ethanol mixture, and giving the Department of Commerce the ability to specify how long it could take gas stations to set up for the ability to deliver E-15;
- require banks to extend credit to feed mills for 45 days at the beginning of the mediation process, resulting in mills being paid for that feed;
- require the agriculture commissioner to identify and analyze industrial hemp laws in Canada and 30 other nations and report to law enforcement how to differentiate between industrial hemp and marijuana growing in fields;
- detail procedures on the proper way to fold and present the state flag; and
- permit the veterans affairs commissioner to determine a suitable site and plan for three new state veterans cemeteries in northeastern, southeastern and southwestern Minnesota.

The law has various effective dates.
HF2678/ SF2737*/CH333

— P. OSTBERG

BONDING

Funding technical changes made

A new bonding law spends nothing.

Sponsored by Rep. Alice Hausman (DFL-St. Paul) and Sen. Keith Langseth (DFL-Glyndon), the law makes only language changes to some existing appropriations.

Under the law, effective May 26, 2010:

- the date for which bond proceeds authorized in 2005 and 2006, respectively, can be used for the Blazing Star Trail and the Mesabi Trail are extended to June 30, 2014;
 - money appropriated in 2008 to construct a family center in Brooklyn Center can also be used for an attached parking facility;
 - in addition to predesign and design, Hennepin County Medical Center can use a 2008 appropriation to "construct, furnish, and equip" an outpatient clinic and health education facility;
 - a 2010 appropriation for an emergency vehicle operator's course at Camp Ripley may also be used for project predesign;
 - any money left over from a 2009 appropriation for a steam pipeline in Olmsted County can be used "to convert heating and cooling systems within existing Rochester Community and Technical College buildings from electrical energy to steam-derived energy"; and
 - the scope of a 2010 appropriation for a buildings project at the Minneapolis Veterans Home is clarified.
- HF3492*/SF3222/CH399

— M. COOK

Dear Readers:

This final issue of Session Weekly provides a wrap-up of all action during the last days of the 2010 session, as well as an opportunity to renew your Session Weekly subscription for the following two years.

At the end of every biennium, postal regulations require us to purge our mailing list and start over. In the center of this magazine, you will find a pullout containing information about renewing your complimentary Session Weekly subscription. Rather than returning the form to our office, you can renew your subscription online at www.house.leg.state.mn.us/hinfo/subscribesw.asp#bymail or by calling our office at

651-296-2146 or 800-657-3550.

The insert also contains a survey that we hope you will take time to complete, and information about an opportunity to help defray Session Weekly production costs through a voluntary donation.

Of course, legislative activity does not come to a standstill during the interim, and updates will be available through a number of resources:

- Session Daily, a nonpartisan electronic news source, will be updated as necessary during the interim at www.house.mn/hinfo/sdaily.asp;

- follow us on Twitter at twitter.com/MNHouseInfo;
- House committee and legislative commission schedules will be updated at www.house.mn/hinfo/hinfosched.asp; and
- some meetings will be broadcast live on the Web. Information is available at www.house.mn/hvtv/schedule.asp.

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— Session Weekly staff

LONG HAUL

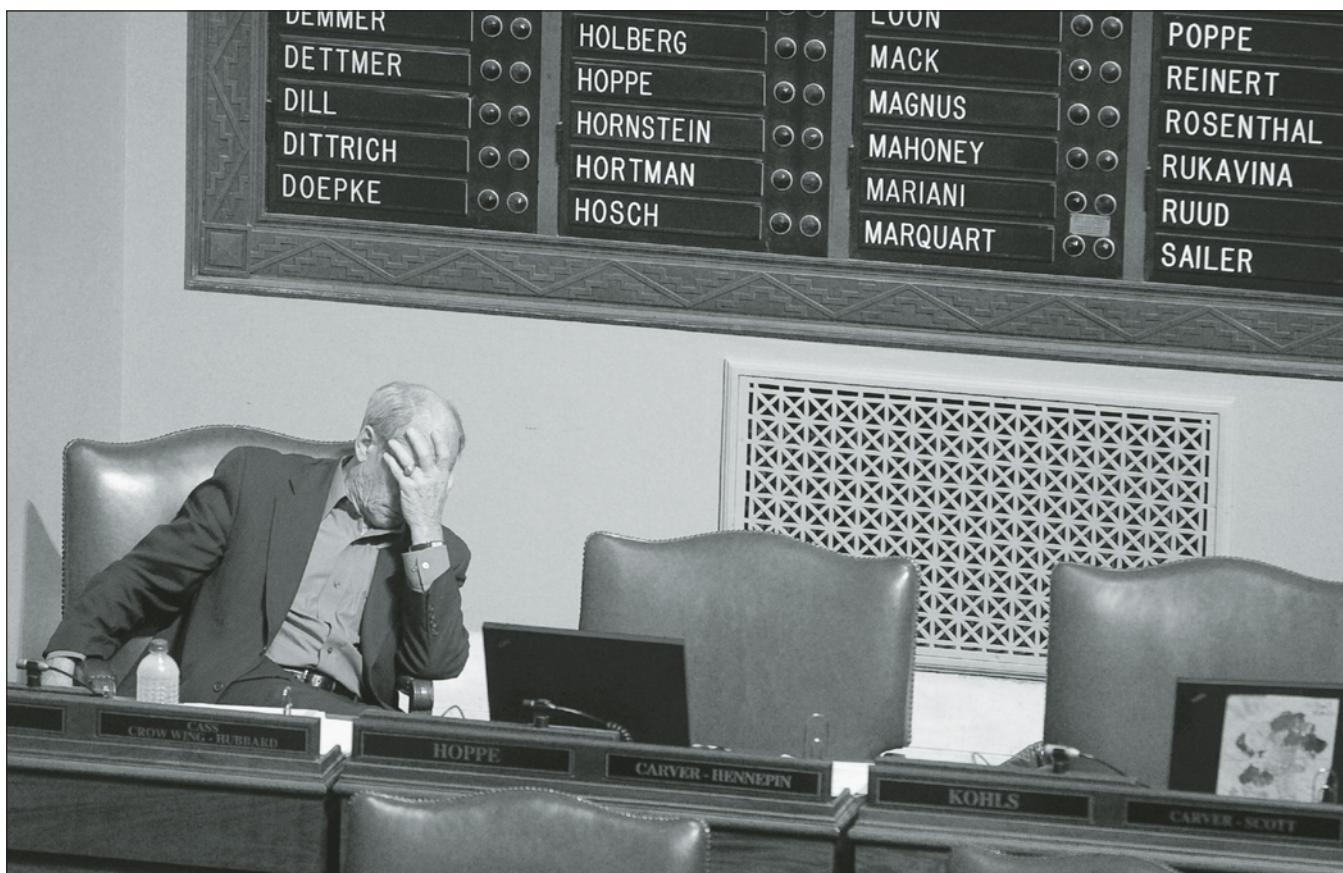


PHOTO BY ANDREW VONBANK

Rep. Larry Howes rests his eyes during a recess of an all-night floor session May 17.

BUSINESS

Protecting auto dealers

Preventing auto dealerships from being unfairly shut down by auto manufacturers is the goal of a new law.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Linda Scheid (DFL-Brooklyn Park), the law is a response to conditions that led to the closure of some 60 car dealerships in Minnesota last year. Chrysler and General Motors terminated the dealers' franchise agreements after they went bankrupt. The companies were allowed to do so because their bankruptcy deals allowed them to bypass state franchise laws.

"Whether you care about the dealers themselves or the 3,600 employees that work there, this is a big deal," Atkins said.

Generally, the law will limit the type of requirements that manufacturers can place on dealers, and also add to the list of unfair practices manufacturers are prohibited from using. One provision will require manufacturers who terminate a dealer's franchise agreement and then open

a new dealership in the same area to give the previous dealer the opportunity to run the new dealership.

Rep. Greg Davids (R-Preston), expressing support for the bill, called the auto manufacturers' actions "unconscionable." Their decision to close down otherwise profitable dealerships cost many hard-working business owners their life's savings, he said.

The law is effective May 14, 2010
HF2902/SF2663*/CH339

— N. BUSSE

CRIME

State's forfeiture laws updated

A few rogue cops led the state to make a change to its forfeiture laws.

The law comes in the wake of the Metro Gang Strike Force problems, when issues raised in a pair of 2009 reports indicated that officers illegally took some property from people with no gang connections, but who were searched and interrogated anyway; poor recordkeeping; and officers or their family members were permitted to purchase items

from the evidence room at low prices.

Sponsored by Rep. Joe Mullery (DFL-Mpls) and Sen. Mee Moua (DFL-St. Paul), the law requires the Board of Peace Officer Standards & Training and Minnesota County Attorneys Association to develop policies for best practices in forfeiture law to promote uniform application across the state. A copy of the policies is due the Legislature by Dec. 1, 2010.

By March 1, 2011, "the chief law enforcement office of every state and local law enforcement agency and every prosecution office in the state shall adopt and implement a written policy on forfeiture that is identical or substantially similar to the model policies developed."

This section is effective July 1, 2010.

Other provisions in the law, each effective Aug. 1, 2010, include:

- an officer must give a forfeiture receipt when seizing property;
- the implementation of timelines for forfeiture notice and hearings;
- county attorneys can remit or mitigate the forfeiture if "the forfeiture was incurred without willful negligence or without any intention on the part of the petitioner to

violate the law,” or there are extenuating circumstances;

- a cap of \$50,000 is placed on the value of property that can be administratively forfeited;
- a contested controlled substance administrative forfeiture hearing must be held within 180 days of the claimant’s filing of the demand, unless a criminal proceeding is possible;
- law enforcement agencies cannot sell forfeited property to its employees or their family members; and
- before seized property can be forfeited administratively, a county attorney will need to review the file and ensure that everything has been done legally.

HF2610/SF2634*/CH391

— M. Cook

Keeping track of juvenile offenders

Minnesota is becoming part of an interstate operation for transferring youth who are part of the corrections system.

A new law, effective Aug. 1, 2010, adopts the revised Interstate Compact for Juveniles. As of April 2010, Minnesota was one of eight states yet to enact the compact.

According to Donna Bonner, chair of the Interstate Commission for Juveniles, “This important interstate agreement is the only legally authorized method available to the state to transfer juvenile delinquents and return of runaways across state lines so that they are properly placed into custody or care in the appropriate jurisdiction.” It is designed to help ensure the safety of the public and the juvenile.

Rep. Joe Mullery (DFL-Mpls), who sponsors the law with Sen. Mee Moua (DFL-St. Paul), said by not being part of the compact, at-risk juveniles could enter Minnesota without the knowledge of public safety officials.

The Department of Corrections will absorb compact costs within its existing budget.

Minnesota is already part of a similar compact for adults.

HF3131/SF2891*/CH378

— M. Cook

Clarifying pay to stay law

A new law clarifies the intent of legislation enacted in 2002.

Effective Aug. 1, 2010, all the time a person is in a county jail, workhouse or correctional or work farm, on any sentence is subject to the pay to stay law.

A sheriff is permitted to charge an inmate the cost of room, board, clothing and other correctional services; however, the state Supreme Court ruled in December 2009 that the pay to stay provision does not extend

to days spent in jail pre-conviction because statute used the term “offender,” rather than “person.”

The law also requires local corrections agencies to waive payment of the costs “if the officer or sheriff determines that person does not have the ability to pay the costs, payment of the costs would create undue hardship for the person or the person’s immediate family, the prospects for payment are poor, or there are extenuating circumstances justifying waiver of the costs.”

Some counties do not require inmates to pay for staying; rather they want the offender’s money to go toward other things like child support or restitution.

Rep. Dave Olin (DFL-Thief River Falls) and Sen. Pat Pariseau (R-Farmington) are the sponsors.

As a way to fill their jails, the law also allows a county or regional jail to enter into agreements to house offenders from other states. Extradition rules will not apply to those prisoners, and the sheriff or regional jail superintendent “has the express authority to return the offender to the offender’s state of origin upon request from the appropriate authority in the offender’s state of origin.” This comes from HF3410/SF2973, sponsored by Rep. Tim Kelly (R-Red Wing) and Sen. Steve Murphy (DFL-Red Wing). This section is effective May 14, 2010.

HF3038/SF2709*/CH318

— M. Cook

EDUCATION

School’s payments accelerated

A charter school serving deaf and hard of hearing students will be spared from having to close for lack of cash flow.

Sponsored by Rep. Mindy Greiling (DFL-Roseville) and taken up by House and Senate on the last full day of the session after the rules were suspended, the law is effective May 26, 2010.

Metro Deaf School-Minnesota North Star Academy requested an acceleration of its cash flow payments from the state, which otherwise could be delayed because of the special education billing process.

Although unintentional, the consequences of a 2006 law affect the school more than any other in the state. The new law makes an exception to the normal requirement that the Education Department reimburse school districts and charter schools for special education services rendered rather than pay them forward.

The school, with 100 percent of its students qualifying for special education, does not have

a fund balance or cash reserve.

The accelerated payments to the charter school mean that special education reimbursement payments to other school districts and charters will be slightly reduced.

The law also appropriates \$16.9 million in fiscal year 2012 and \$19.18 million in fiscal year 2013 and beyond from the General Fund to the education commissioner for payment of debt service equalization aid.

HF3329*/SFnone/CH395

— K. BERGGREN

Office of early learning study

Gov. Tim Pawlenty signed an omnibus early childhood education law that includes authorization of a task force to study and makes recommendations about creating an Office of Early Learning.

The task force will consider objectives related to how state agencies and other providers deliver early childhood services and measure their impact, and how quality can be improved. If established, the office could streamline oversight of education and child care services now administered by three departments: education, health and human services.

The new law directs the State Advisory Council on Early Childhood Education and Care, sometimes referred to as the governor’s early childhood advisory council, to appoint the task force, which is to include representatives of state agencies serving young children, nonprofit organizers in the early childhood area, members of the council and representatives from the early childhood legislative caucus.

Sponsored by Rep. Nora Slawik (DFL-Maplewood) and Sen. Terri Bonoff (DFL-Minnetonka), the law also adds the commissioner of health or a designated representative to the council. Other members include state agency representatives, parents, Head Start and early childhood educators, representatives of school districts and higher education and legislators.

Already in statute is a goal that all eligible children will be ready for kindergarten by 2020. By March 1, 2011, the council will make recommendations on creating a statewide school readiness report card to monitor progress toward that goal.

Beginning in fiscal year 2012, the council will study and make recommendations on a plan to screen and assess 3 year olds and entering kindergarteners for school-readiness, and report to the Legislature by 2013. Screening children is meant to assess developmental characteristics that could indicate being on track for school-readiness

EDUCATION MEETING



PHOTO BY TOM OLMSCHIED

Rep. Robin Brown signs on as a sponsor of an omnibus K-12 education bill prior to the May 17 House special session. Rep. Karla Bigham, from bottom left, Rep. Bev Scalze, Rep. Brita Sailer, Rep. Mindy Greiling, Rep. Sandra Peterson and Rep. Denise Dittrich confer as members await their turn to become co-sponsors of the bill. The House failed to suspend the rules to hear the bill during the special session. The Senate passed an identical bill 66-0.

or the need for interventions in the case of developmental delays.

Slawik said the law is backed by the commitment of private foundations and community funders to support most of its proposals.

It directs \$500,000 in federal funds to help child care providers receive training and improve the quality of their facilities in preparation for a statewide quality rating system. Providers may apply for grants through regional offices of the Child Care Resource and Referral Network.

HF2760/SF2505*/CH346

— K. BERGGREN

ELECTIONS

Campaign finance reform

Gov. Tim Pawlenty signed administrative changes to laws governing the Campaign Finance and Public Disclosure Board.

Provisions in the law, sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Ann Rest (DFL-New Hope), include: removing election laws that have since been ruled unconstitutional; no longer requiring necessary food utensils and supplies or an individual's personal use of an automobile owned by the individual and to be used while volunteering personal time to be reported as campaign expenditures; setting a value of \$5 or less on informational material given

to an official in connection to legislation; requiring lobbyists to provide an e-mail address and, if applicable, the website of any entity the lobbyist represents when registering; and setting contribution limits for judicial candidates.

The law allows a first-time candidate for judicial office to accept up to \$2,000 in an election year from any individual, political committee or political fund and up to \$500 in other years.

Secretary of state and state auditor candidates can accept up to \$1,000 in an election year and \$200 in others. Previously the amounts were \$500 and \$100, respectively.

Technical changes are made to how the board handles late filing fees by lobbyists. The law eliminates the sending of a certified letter before the \$100 late fee is imposed.

An eligible candidate for public subsidy payments who has not filed the report of receipts and expenditures will have their subsidy withheld until they have provided the information, withstanding the board having sufficient time to review or audit the report.

Under the law, certain financial reports by the two major state party political units will not be released until the reports of each party unit have been filed with the finance board.

The law has various effective dates.

HF1206/SF80*/CH327

— P. OSTBERG

Disclosure of political spending

In the wake of a U.S. Supreme Court ruling that will allow corporations to spend freely to advocate for or against political candidates, a new law will require better disclosure of political expenditures in Minnesota.

Sponsored by Rep. Ryan Winkler (DFL-Golden Valley) and Sen. Ann Rest (DFL-New Hope), the law is a response to the case of *Citizens United v. Federal Election Commission*. In January, the court ruled that independent expenditures — political spending by private entities — could not be limited, under the U.S. Constitution. Rather than attempting to limit independent political expenditures, the law would create disclosure requirements.

Expenditures of greater than \$100 by corporations or other associations must be made through independent expenditure political committees or funds, under the law. All such expenditures must be reported to the Campaign Finance and Public Disclosure Board. Those who violate the provision will be subject to a fine of four times the amount of the expenditure, up to a maximum of \$25,000.

Independent expenditures do not include direct spending on a candidate's political campaign, or any expenditures authorized by a candidate. Doing so would be a violation of the law.

Associations that make independent political expenditures from membership dues or fees must provide information on the association's members, including names, addresses and how much of the expenditure is attributable to each member of the association. This will only apply to associations that make expenditures of greater than \$5,000, and only when \$1,000 or more of that expenditure is from membership dues or fees. Again, a fine of up to \$25,000 or four times the amount of the expenditure applies for those who violate the provisions.

The law also includes a provision banning public utility companies from recovering political expenditure costs by charging their customers.

The provisions requiring corporations to make their political expenditures under the state's independent expenditure laws are effective May 28, 2010. Unless otherwise noted, the rest of the law takes effect June 1, 2010.

HF2754/SF2471*/CH397

— N. BUSSE

Voting equipment grants

Grants to counties for voting and vote-counting equipment are included in a new law.

Sponsored by Rep. Marsha Swails (DFL-

Woodbury) and Sen. Katie Sieben (DFL-Newport), the law updates the options for counties to replace voting equipment with assistive voting, vote-counting and optical scan equipment. This is effective May 28, 2010.

Two grants totaling \$2.4 million from the Help America Vote Act account are included in the law to help counties defray costs.

The law includes technical language for claiming interest or liens on lands and raises the filing fee from "15 cents for each folio" to \$50. This section is effective Aug. 1, 2010.

HF2755/SF2629*/CH379

— P. OSTBERG

ENERGY

Lower emission deadline extended

Minnesota Power will have more time to reach its statutory goal of reducing its mercury emissions.

The Duluth-based utility will have until July 1, 2015, to file mercury emissions reduction plans for its Boswell 4 generating facility and until Dec. 31, 2018, to implement those plans. The extension is needed because the economic downturn, coupled with a pending rate increase request for capital investment dollars to install mercury reduction technology, have slowed the company's ability to comply with state law, according to Margaret Hodnik, Minnesota Power vice president of regulatory and legal affairs. Also, Minnesota Power would prefer to delay the completion of emission controls until pending federal regulations are known that could impact compliance standards, Hodnik said.

Sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Yvonne Prettnier Solon (DFL-Duluth), the law requires Minnesota Power to submit annual reports to the Legislature beginning July 1, 2011.

Reports must contain mercury control plans, including how the plan may affect the performance and cost-effectiveness of emission controls for pollutants other than mercury. Reports must also assess the impact of proposed federal laws regulating air pollution emitted by coal-fired power plants and how the utility plans to react to those laws, such as installing pollution control equipment, using pollution allowances to achieve regulatory compliance and retiring or repowering a plant with cleaner fuels. Impact on ratepayers must be analyzed and included in the report, as well.

The law is effective May 14, 2010.

HF3667/SF3080*/CH325

— S. HEGARTY

Utilities must report expenses

The Public Utilities Commission may not allow, as operating expenses, a public utility's travel, entertainment, and similar employee expenses that the commission deems are unreasonable and unnecessary for providing utility service.

To help the PUC determine an acceptable expense, a public utility filing a general rate case petition must include an itemized schedule of all travel and lodging, food and beverage, recreational, gifts and lobbying expenses requested by the commission.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Ellen Anderson (DFL-St. Paul), the law is aimed at protecting ratepayers by preventing excessive utility expenses. It is effective Aug. 1, 2010.

HF2798/SF2519*/CH328

— S. HEGARTY

C-BED wind projects modified

Community-based wind energy development laws are modified under a new law aimed at reducing ambiguity in the 2008 statute.

The goal is to create local green energy jobs and self-reliance to meet a community's energy needs, but too often the capital needed to construct a C-BED project isn't available locally.

Recognizing that a developer may have to include partners outside the "community-based" service area, the Office of Energy Security has a requirement that 51 percent of those who benefit from a C-BED project must come from the service area or be Minnesota-based companies. Effective May 18, 2010, the new law clarifies who those "beneficiaries" can be in order to meet the 51 percent threshold. Examples include landowners where the turbines will be located, Minnesota manufacturers and construction workers who build the project, and banks that may finance the wind energy development.

Also, the new law requires a developer to demonstrate to the Office of Energy Security how the 51 percent threshold is met prior to construction on a C-BED project.

Rep. Tim Kelly (R-Red Wing) and Rep. Steve Drazkowski (R-Mazeppa) said the modifications don't go far enough. In Goodhue County, two large wind projects are underway involving thousands of acres and hundreds of landowners who agreed to lease land for wind turbines. The project is being financed through a Texas-based company, according to Drazkowski.

Any current project moving through the Midwest Independent Transmission System Operator network or that has a letter from OES that they are going to qualify for C-BED status would be grandfathered in.



**See you in the Education
Building at the State Fair
Aug. 26 - Sept. 6**

"As we move forward with C-BED there are probably going to have to be further discussions in the next session to look at the C-BED statute, but I believe the changes we are making are good changes," said Rep. Andy Welti (DFL-Plainview), who sponsors the law with Sen. Yvonne Prettnier Solon (DFL-Duluth).

HF3641/SF3081*/CH358

— S. HEGARTY

Solar energy goals adjusted

Dairyland Power, which serves Southeast Minnesota, is given authority to count the electricity it plans to buy from a proposed solar power plant north of Rochester toward its required energy conservation improvement goals.

The solar plant proposed on a closed landfill in Olmsted County would be the Upper Midwest's largest solar farm. Dairyland Power plans to enter into a long-term power purchase agreement with Westwood Renewables, the project developer and manager.

The new law allows the Public Utilities Commission to use a different standard for Dairyland Power than for other energy conservation improvements if the commissioner deems it is in the public interest. The kilowatt hours of solar energy purchased by Dairyland Power may count for about a third of its savings goal as required by law.

The law, sponsored by Rep. Andy Welti (DFL-Plainview) and Sen. Dan Sparks (DFL-Austin), is effective May 20, 2010.

HF3429/SF3046*/CH372

— S. HEGARTY

Utilities may seek advance prudence

A utility may seek an advance determination of prudence from the Public Utilities Commission prior to making upgrades required to comply with state and federal air quality standards. In essence, the advance determination from the PUC tells lenders that the utility has the commission's blessing to proceed with the mandated upgrades.

"This prudence (goes) a long way towards

ELVIS HAS LEFT THE BUILDING



PHOTO BY TOM OLMSCHIED

Elvis impersonator Todd Anderson leaves the Capitol May 19 after posing for photos in various locations and with building visitors. Anderson is running for lieutenant governor with gubernatorial candidate Ole Savior.

easing concerns and allowing them to get the loans necessary to make these upgrades,” said Rep. Kent Eken (DFL-Twin Valley), who sponsors the law with Sen. Dan Skogen (DFL-Hewitt).

Without it, utilities might be denied a loan or be required to pay a higher interest rate, leading to higher costs, resulting in higher rates to consumers.

Effective May 20, 2010, advance determination of prudence may be requested from the PUC until Dec. 31, 2015, for projects with an anticipated minimum cost of \$10 million. When petitioning for advance prudence, a utility must provide the PUC with a description of the project, an implementation schedule, a cost estimate and a description of the utility’s efforts to ensure the lowest reasonable costs. The utility may begin recovering the upgrade costs in the next approved rate case after the advance determination of prudence.

HF3640/SF3126*/CH373

— S. HEGARTY

ENVIRONMENT

Conditional land use allowed

A zoning snafu in the city of Bayport is resolved by a new law that makes a former non-conforming real estate office into an approved conditional use along protected riverfront property.

When the city annexed a section of land within the Lower St. Croix River area in 1982,

there was a real estate property operating in the rural zone, even though such uses are prohibited under the federal Lower St. Croix Wild and Scenic River Act. Under this act, the Department of Natural Resources developed rules for standard lot size, setback from water and bluff lines, and regulated land uses. The DNR discovered that the Bayport ordinance was not in compliance with the federal act and state statute. Also, the non-conforming status could negatively affect the office’s property value should the realtor decide to sell the property.

To rectify the disparity, Rep. Julie Bunn (DFL-Lake Elmo) and Sen. Kathy Saltzman (DFL-Woodbury) sponsor a law that changes the rural status from non-conforming to a conditional land use if the property is similar in scope to the use that existed on May 1, 1974, and on Jan. 1, 2010.

The law, effective Aug. 1, 2010, also fixes a similar problem with property in Scandia, according to the DNR.

HF3152/SF2752*/CH338

— S. HEGARTY

LCCMR projects pass, except one

Environmental projects totaling approximately \$22.5 million will begin thanks to the appropriation of state lottery proceeds in a new law.

However, a proposed \$143,000 appropriation to the University of Minnesota for a life cycle analysis of available low carbon energy technologies was line-item vetoed again by Gov. Tim Pawlenty, even though the proposal

was reworked after he vetoed it last year.

“This project has a similar objective to the project vetoed last year and although the study focus has been amended, it remains vague and focused largely on existing research,” he wrote in his veto letter.

The remaining projects are the recommendations of the Legislative-Citizen Commission on Minnesota Resources. The Environment and Natural Resources Trust Fund account was approved by voters in 1988 and must be spent for the purpose of “protection, conservation, preservation and enhancement of the state’s air, water, land, fish, wildlife and other natural resources.”

Rep. Jean Wagenius (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul) sponsor the law, which will pay for several state park improvements, in addition to acquiring land purchased on behalf of the Department of Natural Resources.

The law also will provide for new scientific and natural areas; combating aquatic and terrestrial invasive species; and for renewable energy research, development and education projects, including several environmental learning centers.

A combination of projects to train teachers and educate students about the environment will also be funded, such as Project Get Outdoors operated by the DNR and Get Outside-Urban Woodland for Kids outdoor classroom at Como Regional Park in St. Paul.

The new law has various effective dates.

HF2624*/SF2462/CH362

— S. HEGARTY

Resolution seeks intl. approach

Lake of the Woods is a boundary between the U.S. and Canada, so at the request of the Lake of the Woods Water Sustainability Foundation, the Legislature is asking by resolution that the International Joint Commission take the lead in protecting and restoring water quality in the lake. The Pollution Control Agency has the lake on its list of impaired waters.

Previously, the commission monitored Rainy River water quality, a major tributary to Lake of the Woods. The commission also brought concerns about potentially deteriorating water quality in Lake of the Woods to the attention of the United States and Canadian governments and has recommended an investigation in cooperation with appropriate agencies, including those from Minnesota, Ontario and Manitoba.

Rep. Dave Olin (DFL-Thief River Falls) and Sen. LeRoy Stumpf (DFL-Plummer) sponsor the resolution.

HF353/SF445*/R2

— S. HEGARTY

FAMILY

'Ladder Out of Poverty'

A hand up — not a handout — is the goal of a new law that supporters hope will help fight poverty in Minnesota.

Effective May 20, 2010, it establishes a "Ladder Out of Poverty Task Force" to help Minnesotans who are struggling economically. The task force will make recommendations on policies that would increase Minnesotans' financial literacy, reduce predatory lending practices and encourage the accumulation of personal wealth.

Rep. Morrie Lanning (R-Moorhead) and Sen. Michael Jungbauer (R-East Bethel) sponsor the law, which will leverage the Family Assets for Independence in Minnesota program. FAIM helps Minnesotans gain financial self-sufficiency through education and matched savings incentive programs. It is run by local community action partnerships.

The idea for the task force stems from the key findings of the Legislative Commission to End Poverty in Minnesota by 2020's final report, which is available online. The commission, of which Lanning and Jungbauer were members, studied poverty in the state for more than a year and a half beginning in 2007.

The task force will comprise four senators, four House members, three Commerce Department appointees and the attorney general or their appointee. Task force members are directed to consult with a wide range of interests ranging from financial institutions to community groups in developing their recommendations.

Appointments and designations are to be completed by Aug. 15, 2010. The task force will sunset on June 1, 2012, and must provide its recommendations to the Legislature by that date.

HF2062/SF1770*/CH374

— N. BUSSE

HEALTH

Rules on chemo co-pays

A new law has implications for people undergoing chemotherapy.

Sponsored by Rep. Patti Fritz (DFL-Faribault) and Sen. Linda Scheid (DFL-Brooklyn Park), the law prohibits health plan companies from charging higher co-pays or deductibles for oral chemotherapy drugs versus those that are injected or infused. Nothing in the law prohibits a company from "requiring prior authorization or imposing other appropriate utilization controls" in approving chemotherapy coverage.

Most of the law takes effect Aug. 1, 2010, and applies to health plans offered, issued, sold, renewed or continued on or after that date. A provision that prohibits companies from increasing co-pays for injected or infused drugs to comply with the law takes effect May 14, 2010.

HF1847/SF1761*/CH326

— L. RADOMSKI

Reporting substance abuse

Current law requires health care and social services professionals to report suspected alcohol or controlled substance abuse by pregnant women who they care for. Rep. Maria Ruud (DFL-Minnetonka) says sometimes that policy backfires.

She and Sen. Kathy Sheran (DFL-Mankato) sponsor a new law that will create an exemption from the reporting requirement. According to Ruud, a pregnant woman who uses drugs or alcohol may be less likely to obtain prenatal or other health care if she believes it will lead to action by law enforcement or a welfare agency. During committee testimony, some Minneapolis providers said they are aware of pregnant women in their area who have chosen not to seek prenatal care for this reason.

The new law will exempt health care and social services professionals from reporting alcohol and marijuana use as long as they are providing the woman prenatal care or other health care services. Prenatal care refers to comprehensive physical and psychological care received throughout the pregnancy.

The law takes effect Aug. 1, 2010.

HF3059/SF2695*/CH348

— L. RADOMSKI

Records oversight established

As part of the American Recovery and Reinvestment Act of 2009, Congress passed a law that offers Medicaid incentives to health care providers who demonstrate "meaningful use" of electronic health records. A new law positions Minnesota providers to take part.

Sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Tony Lourey (DFL-Kerrick), the law establishes state oversight of the organizations that facilitate the transfer of electronic medical records from one hospital or clinic to another. In essence, these organizations provide the technology infrastructure that allows patients' medical information to easily and securely follow them as they visit health professionals in different locations.

Under the law, "health data intermediaries" must be certified by the Department of Health, which is also charged with ongoing monitoring and compliance enforcement.

According to Huntley, nothing in the law changes Minnesota's health privacy standards, which he called among the strictest in the nation. Patients may already demand that their records not be shared with other providers, he said.

The law takes effect July 1, 2010.

HF3279/SF2974*/CH336

— L. RADOMSKI

Changes to MCHA

The Minnesota Comprehensive Health Association is a health care safety net that offers insurance to people who are otherwise unable to access coverage due to pre-existing conditions. Its policies will undergo a handful of changes under a new law.

Sponsored by Rep. Greg Davids (R-Preston) and Sen. Dan Sparks (DFL-Austin), the law removes a requirement that the association must hold a public meeting before filing a rate increase or benefit change with the Department of Commerce. Instead, a requirement to "provide notice and solicit public comment" on the proposed change may be satisfied through a meeting, written notice or electronic means. This provision is effective May 19, 2010, as is a language change related to people whose employers offer some health care coverage.

Effective Aug. 1, 2010, charges for out-of-state inpatient treatment for a mental or nervous disorder are not covered by MCHA, except when certain conditions are met.

HF3210/SF2879*/CH363

— L. RADOMSKI

Contracts between providers, plans

A new law modifying rules on contracts between health plan companies and providers also has implications for patients.

Sponsored by Rep. Erin Murphy (DFL-St. Paul) and Sen. Yvonne Prettner Solon (DFL-Duluth), the law specifies that health plan companies may not prohibit providers from collecting deductibles and co-insurance from patients at or prior to the time of service. It also prohibits providers from withholding services from a health plan enrollee based on failure to pay within the same timeframe.

The law also modifies language related to claims adjustment timelines and the termination of a contract between a company and a provider. One provision prohibits companies from communicating with enrollees about the possible termination of a contract before receiving final notice from a provider.

Most of the law takes effect Jan. 1, 2011, and applies to contracts entered into, renewed or amended on or after that date.

HF3042/SF2700*/CH331

— L. RADOMSKI

ROTUNDA RETREAT



PHOTO BY TOM OLMSCHIED

Jerry Schoenfeld, a lobbyist for agricultural interests, talks on his phone May 14 in front of one of the French doors on the second floor of the Capitol as a visitor passes a third-floor window.

Provider grouping modified

Provider peer grouping is an initiative under the 2008 health care reform law that's intended to promote quality and transparency in the health care market. Under development by the Department of Health, the system will use a combined measure of risk-adjusted cost and quality to compare health care providers to each other.

A new law makes changes to the statute on provider peer grouping. Sponsored by Rep. Kim Norton (DFL-Rochester) and Sen. Tony Lourey (DFL-Kerrick), the law changes the deadline for when the department must give providers data on their facilities' total cost of care, resource use, quality of care and care results. By next year, providers must receive similar data related to care of patients with specific conditions.

Among other provisions, the law changes the timeframe for when Minnesota Management & Budget must use the data to establish a system that rewards high-quality, low-cost providers.

The law takes effect July 1, 2010.

HF3056*/SF2815/CH344

— L. RADOMSKI

HIGHER EDUCATION

Higher education policy changes

A cash cushion for the state's largest student financial aid program, a pilot project for depositing cash into local banks, and easier credit transfers are among provisions of a new law.

Sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Sandy Pappas (DFL-St. Paul), the law comprises a variety of mostly small changes to higher education policies. Unless otherwise noted, it takes effect Aug. 1, 2010.

The law will allow the Office of Higher Education to hold back 5 percent of state grant funds to manage uncertainty in the level of demand based on possible enrollment or income changes among applicants. Student demand for state grant money has greatly exceeded available funds in the last year, and the office asked for the language to help avoid running out of money.

After grant awards are made for fiscal year 2011, the remaining funds will be distributed to increase the living and miscellaneous expense allowance for students, under the provision.

The law will also establish a pilot project whereby MnSCU schools can choose to deposit some of their cash reserves in small, local community banks. The goal of the project is to facilitate increased small-business

lending by moving some of MnSCU's money out of large financial institutions and into local banks. Up to eight colleges and universities may be selected for the project, if they apply.

Another provision directs MnSCU to improve its credit transfer system to make it easier for students to carry credits with them from one institution to another.

Other selected changes in the law include:

- changing MnSCU's stated base funding level for the 2012-2013 biennium to line up with the official forecast;
- authorizing a surgical technologist training and employment pilot project and report to the Legislature;
- directing MnSCU's central office to streamline its services and expenditures where possible;
- a study on possible changes to technical education programs that could put students to work quicker;
- requiring MnSCU schools to make a "reasonable attempt" to identify and purchase Minnesota foods;
- requiring the University of Minnesota to study ethical issues involved in nanotechnology research; and
- directing the university's area health education centers to conduct public education on the potential impacts of federal health care reform.

HF871/SF184*/CH364

— N. BUSSE

Liquor for Gophers fans?

Alcoholic beverages would be available, with restrictions, at University of Minnesota sports events — if the university agrees.

Effective May 26, 2010, a new law will give the university greater discretion to sell alcoholic beverages at its sports arenas, including the TCF Bank Stadium. It states that alcoholic beverages may be sold in premium seating areas as long as they are also sold in at least one-third of the general seating areas too.

The law is meant to resolve an ongoing dispute between the university's administration and the Legislature. The university wants to allow liquor sales only in the club seats of its facilities and argues other Big Ten schools have the same policy. Some lawmakers consider this "elitist," and last year the House voted overwhelmingly to require the university to either sell liquor in all seating areas or not at all.

In response, the university doesn't sell liquor at the stadium or Mariucci and Williams arenas, and claims that as a result, it has lost more than \$1 million in revenue. Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Linda Scheid (DFL-Brooklyn Park), the new law is intended to, in Atkins' words, "extend an olive branch" to the university in

an attempt to find common ground on the issue.

The law gives the university's Board of Regents discretion on how to achieve the one-third requirement for the general seating areas. At least 75 percent of the revenue generated from liquor sales would go to student scholarships, under the provisions.

The law also provides for technical changes affecting the Department of Commerce's market assurance and consumer protection activities. Many of the provisions merely conform to changes made in other laws; others include eliminating redundancies in statutes. Atkins added the language on university liquor sales as an amendment on the House floor.

A separate provision, also added as an amendment by Rep. Jenifer Loon (R-Eden Prairie) on the House floor, will allow health plans to offer flexible benefits to individuals and small businesses with up to 100 employees. Currently, only businesses with up to 50 employees are allowed to offer flexible benefits. The change is effective Jan. 1, 2012.

HF2942/SF2839*/CH384

— N. BUSSE

HOUSING

Getting the lead out

State laws will conform to new federal rules designed to keep Minnesotans safe from the hazards of lead-based paint in old homes.

Sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. Ken Kelash (DFL-Mpls), a new law will incorporate the new Environmental Protection Agency rules into the state's building code and contractor licensing requirements. It takes effect Feb. 1, 2011.

The EPA adopted rules requiring contractors who work on homes built prior to 1978 to receive special training on how to keep themselves and the homeowners safe from dust particles of lead-based paint. The law will require contractors to be certified in lead safety procedures, and also require that cities issuing permits for work on pre-1978 homes verify that contractors are certified.

Clark said the goal of the law is partially to raise awareness of the new federal rule, which went into effect April 22, 2010, and encourage contractors to complete the required training. The law does not add any additional requirements above and beyond what is already in the EPA rule.

HF3292/SF3128*/CH321

— N. BUSSE

Solving home warranty disputes

Saving homeowners from a legal and financial nightmare is the goal of a new law dealing with home warranty disputes.

Sponsored by Rep. Marsha Swails (DFL-Woodbury) and Sen. Kathy Saltzman (DFL-Woodbury), the new law is designed to help homeowners avoid costly court battles with builders and home improvement contractors. It takes effect Jan. 1, 2011.

Under Minnesota law, homeowners have the right to make builders or contractors repair major damage that occurs in their homes as a result of faulty workmanship performed within the last 10 years. When a builder or contractor denies fault, homeowners often sue, and the resulting lawsuits can drag out for years and cost both sides tens of thousands of dollars in legal fees.

To help avoid such predicaments, the new law will establish a dispute resolution process through the Department of Labor and Industry. Under the provisions, the department will maintain a list of qualified "neutrals" who can evaluate home warranty claims. Homeowners and builders will have the opportunity to have their cases evaluated by the neutral party before a lawsuit could be filed.

The neutral party would issue a nonbinding decision that could not be used as evidence in a court case. The goal is simply to give both parties a better idea of the real cost of the damages involved and the likely outcome of a lawsuit. Supporters say the measure will have the effect of eliminating cases where one side is obviously being unreasonable.

The law also states that another, alternative dispute resolution process can be used to process claims, if both sides agree to it. In addition, it clarifies a builder or contractor's rights and obligations to inspect building defects and offer to make the necessary repairs.

HF3386*/SF2832/CH343

— N. BUSSE

Mortgage, foreclosure updates

A new law changes provisions relating to the fallout of the foreclosure crisis.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Linda Scheid (DFL-Brooklyn Park), it includes clarifying notification to persons when their property has been foreclosed.

Under the law, effective Aug. 1, 2010, a person attempting to acquire title to the mortgagor's property following the sheriff's sale and prior to the end of the redemption period, must provide to the mortgagor, by personal delivery three days prior to entering into an agreement to acquire title, notice of

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

GOVERNOR'S PRESS CONFERENCE



PHOTO BY TOM OLMSCHIED

During a May 17 press conference after the Legislature adjourned sine die, Gov. Tim Pawlenty tells reporters that state spending cannot continue to increase when state revenues do not.

the foreclosure results, including the sale date, identity of the purchaser and the sheriff's sale price. The information will also spell out things a mortgagor must know once their house has been auctioned, including how many months the mortgagor has to pay the winning bidder the sale price plus interest and costs to keep their home. It also spells out that the price may be less than the amount owed prior to the sheriff's sale.

It also tries to address an emerging equity stripping scam where people observe the bidding process at a sale and see that there is a low bid and a potentially high profit to be made. They then seek to acquire title from the homeowner before the homeowner knows the redemption price. Some homeowners have turned over their title for as little as \$200 for a quick-claim deed only to later find they had the ability to get the needed money for the redemption price some other way.

Other provisions include:

- clarifying that before a lender accepts a reverse mortgage application or assesses any fees, the lender must refer the borrower to an independent housing counseling agency for reverse mortgage counseling and receive proof the applicant has received counseling;
- a borrower shall not be bound for seven days after acceptance of the lender's written commitment to make a reverse mortgage loan and cannot be required to close or proceed with the loan during that time; and

- no lender, mortgage broker or residential mortgage originator can require the purchase of an annuity, investment life insurance or long-term care insurance product to obtain a reverse mortgage loan.

The law is supported by the banking and realty industries.

HF2699/SF2430*/CH375

— M. COOK

New rules for roofers

A growing number of roofing contractors are trying to convince homeowners to replace roofs that don't necessarily need replacement. Critics say their aggressive marketing tactics are driving up insurance costs, and a new law is designed to stop them.

Sponsored by Rep. Phil Sterner (DFL-Rosemount) and Sen. Kathy Saltzman (DFL-Woodbury), the law prohibits a residential roofer from advertising to consumers that they will pay part or all of a homeowner's insurance deductible in a roofing claim. Roofers who violate the provision can be sued for damages by either the homeowner or their insurer.

The law also states that homeowners have the right to cancel a contract with a roofer within 72 hours of being notified that their insurance claim has been denied. Roofing contractors must provide consumers with written notification of their right to cancel a contract, and must refund any payments to the homeowner within 10 days of cancellation.

Contractors are entitled to any payments for performing emergency services, however.

The law takes effect Aug. 1, 2010.

HF2060/SF1886*/CH324

— N. BUSSE

HUMAN SERVICES

Apology resolution for commitment

A resolution apologizes to Minnesotans with mental illness, developmental and other disabilities who were "wrongly committed" to state hospitals.

Sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. John Marty (DFL-Roseville), the resolution acknowledges the thousands of people who were moved from their communities to state institutions beginning in the late-1800s. According to the resolution, some people were subjected to medical experiments and procedures without their consent, and lived in institutions for their entire lives before being buried in unmarked graves. In some cases, they were portrayed by members of the public as "subhuman organisms, as deviant individuals to be feared by society."

The resolution says that while institutionalization was once considered to be acceptable, the state recognizes it was wrong and commits to helping people with disabilities in the "least restrictive manner" in the future.

HF1680*/SF1135/R4

— L. RADOMSKI

Pilot projects authorized

A new law is aimed at reforming the way the state provides chemical dependency treatment.

Sponsored by Rep. Tina Liebling (DFL-Rochester) and Sen. Julie Rosen (R-Fairmont), the law authorizes the Department of Human Services to implement pilot projects intended to improve the delivery of chemical health services. The department may enter into agreements to execute the projects as soon as July. The law takes effect July 1, 2010.

The law specifies that the pilot projects must fall within the department's forecasted expenditures. Any savings must go into a separate account for use toward future projects. Participating counties are responsible for any excess costs.

DHS officials are charged with evaluating the projects and issuing a report to the Legislature by January 2013.

The law's language is also included in SSHF1*/SSSF1, the budget-balancing law.

HF3246/SF2937*/CH376

— L. RADOMSKI

Changes to continuing care

Policy and technical changes to continuing care are included in a new law.

Sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Tony Lourey (DFL-Kerrick), the law includes the following provisions:

- adds to the list of criteria used to determine Medical Assistance payment for long-term care services;
 - establishes criteria for a relative to provide licensed supported living services to a loved one and allows Medicaid reimbursement under certain conditions;
 - specifies the responsibilities of home care services providers when they decide to discontinue services to someone;
 - sets criteria for a personal care assistant who wishes to enroll with a different provider agency;
 - modifies requirements for reporting alleged or suspected maltreatment of vulnerable adults;
 - allows seniors with a certain home care rating to be eligible for the elderly waiver program;
 - makes an exception to a limitation on personal care services for children on Medical Assistance; and
 - modifies requirements on how personal care assistants are trained and evaluated.
- The law has various effective dates.
HF3234/SF2933*/CH352

— L. RADOMSKI

DHS licensing modified

Policies on licensing and fair hearings under the Department of Human Services are modified in a new law.

Sponsored by Rep. Jim Abeler (R-Anoka) and Sen. Tony Lourey (DFL-Kerrick), the law makes the following selected changes:

- adds to the exemptions from the nursing home moratorium to allow the construction of a new facility in Goodhue County that will consolidate and relocate beds from existing facilities;
- allows DHS to sell all or part of the property at the Brainerd Regional Human Services Center to an American Indian tribe;
- allows Medicaid reimbursement for the provision of supported living services when certain conditions are met;
- requires DHS and the Department of Commerce to prepare an annual report to the governor and legislative leaders on the calls to their consumer help lines;
- directs licensed child care centers to develop risk reduction plans that assess the general risks to children in their facilities;
- modifies rules for how a facility may continue to operate when the suspension or revocation of its license is under appeal; and

- establishes criteria for a relative to provide licensed supported living services to a loved one.

The law has various effective dates.
HF3239/SF2935*/CH329

— L. RADOMSKI

Funding nursing homes

The information used by the Department of Human Services to determine payments to nursing facilities will be modified under a new law.

Under the law, when DHS is making statistical comparisons of nursing facility payment rates to determine future adjustments, it must exclude adjustments for raw food costs related to residents with special diets based on religious beliefs.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Richard Cohen (DFL-St. Paul), the law takes effect July 1, 2010.
HF2859*/SF2567/CH394

— L. RADOMSKI

Civil commitment confusion clarified

Eliminating confusion in the civil commitment statute is the goal of a new law.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Don Betzold (DFL-Fridley), the law clarifies which county is primarily responsible for the pre-petition screening and is to bring forth the commitment petition. It is not intended to change existing practice; rather, it aims to clarify so that the courts and the county attorneys are all on the same page.

Furthermore, the county of financial responsibility is primarily responsible for completing the pre-petition screening and filing the commitment petition. The county where the patient is presently located could do the petition as a last resort.

A definition is also provided for “county of financial responsibility,” to reference a person’s county of residence for purposes of establishing the proper venue in a civil commitment hearing.

The law takes effect Aug. 1, 2010.
HF2612*/SF2186/CH357

— M. COOK

Changes for nursing homes, schools

A new law will affect how some nursing home payment rates are established, while also modifying the state’s K-12 physical education standards.

Sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. John Doll (DFL-Burnsville), the law will allow publicly owned nursing facilities to apply for a higher payment rate from the state if the local government entity agrees to pay a higher share of

nonfederal Medical Assistance costs.

The bill will also make the following changes to physical education policies:

- designate health and physical education as two different subject areas;
- ask school districts to post their wellness policies on their websites;
- encourage the Department of Education to develop guidelines that promote “quality recess practices,” as well as a physical education course catalogue;
- require the department to adopt the most recent standards developed by the National Association for Sport and Physical Education; and
- establish a “Healthy Kids Awards” program to reward schools that encourage students to be physically active and make healthy food choices.

HF3055/SF2908*/CH396

— L. RADOMSKI

INDUSTRY

Body art licensure

Body art technicians and the places where they work will need to be licensed by the Department of Health beginning next year.

A new law sets licensing standards for tattoo artists and body piercers, as well as body art establishments. It also specifies health and safety rules for sites, equipment and procedures, including requiring the use of single-use needles and ink. The law sets grounds for granting temporary licensure, denying licensure and conducting an emergency closure of an establishment.

In a change from current law, no tattoos may be provided to people under age 18, regardless of parental consent. Most piercings are allowed.

Sponsored by Rep. Julie Bunn (DFL-Lake Elmo) and Sen. Yvonne Prettnner Solon (DFL-Duluth), the law does not supersede municipal policies that meet or exceed the law’s standards. It takes effect July 1, 2010.

HF677/SF525*/CH317

— L. RADOMSKI

Revoking health-related licenses

Chiropractors convicted of criminal sexual conduct will lose their licenses under a new law.

The law also prohibits the state Board of Chiropractic Examiners from granting or renewing a license for anyone convicted of criminal sexual conduct after Aug. 1, 2010. However, the board may establish criteria for someone who has been convicted to become licensed, including requiring that at least 10 years have passed since the person was

released from incarceration or supervisory jurisdiction. Someone whose victim was a client or patient is ineligible.

Sponsored by Rep. Gail Kulick Jackson (DFL-Milaca) and Sen. Sharon Erickson Ropes (DFL-Winona), the law requires the Council of Health Boards to review the chiropractic provision and report to the Legislature on how a similar law would impact other health-related licensing boards. This section is effective May 16, while the chiropractic-specific sections are effective for new licenses issued on or after Aug. 1, 2010.

HF3634/SF3147*/CH349

— L. RADOMSKI

Contractor continuing education

Continuing education requirements for residential building contractors are modified by a new law.

Sponsored by Rep. Mike Nelson (DFL-Brooklyn Park) and Sen. David Tomassoni (DFL-Chisholm), the law represents an attempt by the Department of Labor and Industry to make course standards more transparent. Provisions include:

- setting clear standards for course content;
- allowing contractors to fulfill education requirements through approved online courses; and
- raising fees for approval and renewal of courses.

The law takes effect Aug. 1, 2010.

HF3360/SF2944*/CH260

— N. BUSSE

INSURANCE

Small-employer health insurance

A state-level working group will explore the possibility of increasing the employee cap on the small-employer health insurance market from 50 to 100 employees.

Sponsored by Rep. Diane Loeffler (DFL-Mpls) and Sen. Linda Scheid (DFL-Brooklyn Park), a new law establishes the working group under the Department of Commerce. The group will study and analyze the implications of expanding the small-employer market to 100 employees, and report on the options available “to increase rate predictability and stability.”

The 20-member group will include lawmakers, representatives of business and insurance lobbying groups, and representatives of small businesses. Among the topics to be addressed in the report, which is to be submitted to the Legislative Commission on Health Care Access, include:

- cost for employers, employees, brokers and health plans;

PEACE OFFICERS REMEMBERED



PHOTO BY ANDREW VONBANK

Members of Minnesota law enforcement stand watch May 15 at the Peace Officers Memorial on the Capitol grounds during the annual Standing of the Memorial Guard.

- underwriting concerns and rating requirements; and
- creating a uniform application form.

As originally drafted, the language would have actually increased the size of the small-group health insurance market from 50 to 100 employees. The conference committee removed the provision, opting to include only the study.

The law takes effect Aug. 1, 2010, and the

working group is to disband by June 30, 2011.

HF2163/SF1905*/CH370

— N. BUSSE

No federal insurance regulation

The Minnesota House and Senate have a message for Congress: leave the business of regulating insurance to the states.

On May 15, the House and Senate passed a resolution memorializing Congress to oppose legislation that would create a national insurance charter. The resolution, passed 94-0 in the House and 65-0 in the Senate, argues that states are better regulators than the federal government.

As an example, it cites the failure of federal regulators to prevent the collapse of American International Group. While the part of AIG regulated by the federal government eventually had to be bailed out, the resolution notes, none of AIG's 170 state-regulated insurance subsidiaries failed.

The text of the resolution further argues that setting up a national insurance regulating entity could lead to weaker regulations and could compromise consumer protections.

Rep. Joe Atkins (DFL-Inver Grove Heights), who sponsors the resolution with Sen. Linda Scheid (DFL-Brooklyn Park), said many industry groups have "expressed disinterest" in having the federal government regulate insurance.

"What is going on right now in Washington, D.C. is they want to take over regulation of the insurance law," Atkins said, adding that the resolution has broad support from state legislatures and insurance regulators.

Some House members chose not to vote on the resolution. In general, some members view resolutions as being pointless or ineffective.

Among those not voting was Rep. Mark Buesgens (R-Jordan), who said he agreed with the underlying message of the resolution, but he doubted whether it would have an impact.

HF2112/SF1778*/R3

— N. BUSSE

Miscellaneous insurance changes

Several technical changes to the state's insurance statutes are made by a new law.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Dan Sparks (DFL-Austin), the law addresses a miscellany of policy issues with regard to several areas of insurance law. Unless otherwise noted, its provisions take effect Aug. 1, 2010.

Effective April 27, 2010, the law modifies the Insurers Rehabilitation and Liquidation Act by clarifying rights and obligations with regard to parties involved in a netting agreement or qualified financial contract. Also effective on that date, it spells out requirements for group life insurance for groups other than ones already defined in statute.

The law also modifies the Minnesota Life and Health Insurance Guaranty Association Act in several ways, including limitations of benefits and notice requirements.

The law also includes a number of provisions dealing with fraternal benefit societies. It

establishes requirements for risk-based capital reports submitted to the Commerce Department, and spells out the department's duties in cases where corrective measures are required.

HF3146/SF2825*/CH275

— N. BUSSE

LAW

Probate trust law changes

Certain provisions of probate and trust law are the crux of a new law.

Effective Aug. 1, 2010, unless otherwise noted, the law clarifies the inheritance rights when a person dies without a will. It provides that a parent is barred from inheriting from or through a child of the parent if the parent's parental rights were terminated and the parent-child relationship was not judicially reestablished. The same holds true if the child died before age 18 and there is "clear and convincing evidence" before the death that parental rights could have been terminated immediately before the child's death for nonsupport, abandonment, abuse, neglect or other action or inaction.

Other clarifying provisions in the law include:

- a parent's marital status does not affect the parent-child relationship for purposes of succession;
- a parent-child relationship exists between an adopted child and the adopting parents for purposes of intestate succession;
- a person in the process of being adopted by a married couple when one of the spouses dies is treated as adopted by the deceased spouse if the adoption is subsequently granted to the surviving spouse;
- unless otherwise decreed, a parent-child relationship does not exist between an adoptee and the adoptee's genetic parents;
- a parent-child relationship does not exist between a child of assisted reproduction and a third-party donor; and
- standards are provided for the appointment of an emergency and temporary conservator. This section is effective May 14, 2010. Similar standards currently

exist for appointment of an emergency guardian.

The law does not affect state law regarding gestational agreements; nor does it affect the doctrine of equitable adoption.

Brought by the Uniform Laws Commission via the Minnesota State Bar Association, the law also makes clarifying comments about how wills and trusts will be interpreted now that certain tax provisions have expired.

Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Don Betzold (DFL-Fridley) sponsor the law.

HF2825/SF2427*/CH334

— M. COOK

No private transfer fees

The imposition of private transfer fees is prohibited when conveying land from one person to another.

Rep. Gail Kulick Jackson (DFL-Milaca), who sponsors a new law with Sen. Linda Scheid (DFL-Brooklyn Park), said private transfer fees are "a future stream of income created by developers in restrictive covenants." The covenants usually dictate that a percentage of every future sale of the property for up to 99 years be paid back to the original developer. She said these are being sold as securitized instruments in other states where such fees have popped up.

Without the change, there would be additional expenses with private transfer fees included in each successive sale. Jackson is aware of one case in Minnesota, and said that 43 other states are addressing the issue.

Jackson said the builders, land title, realtor and state bar associations support this, as does the U.S. Department of Housing and Urban Development. The law is effective May 20, 2010.

The law also changes an effective date contained in Chapter 238 enacted earlier in the session from Jan. 1, 2011, to July 1, 2011. It applies to a provision that would provide for a 20-year period during which an action to collect a child support judgment could be maintained, rather than the existing 10-year period provided in law. This change is for technical real estate search reasons.

HF3786/SF3361*/CH371

— M. COOK

LOCAL GOVERNMENT

County assessors' duties clarified

A new law is intended to help clear a bottleneck of appeals cases in property tax court.

Sponsored by Rep. Gail Kulick Jackson (DFL-Milaca) and Sen. Lisa Fobbe (DFL-

New laws online

A complete review of all new laws passed this year is expected to be available after July 1 at the New Laws 2010 Web page, www.house.leg.state.mn.us/hinfo/NewLaws/NewLawsmain.asp. To receive an electronic notification when the New Laws have been posted, go to www.house.leg.state.mn.us/hinfo/subscribe.asp#bymail

Zimmerman), the new law clarifies the original intent of a 1993 law by specifically authorizing county assessors to perform property appraisals, prepare reports and testify before any court as an expert within the jurisdiction.

The law is mostly effective May 15, 2010, for testimony offered and opinions or reports prepared in cases or proceedings that have not been finally resolved.

Jackson said that a strict reading of the earlier law in a 2009 appeals case, *Shoppes of Woodbury v. Washington County*, has prevented courts from accepting county assessors' expert testimony regarding property appraisals. Hiring outside appraisers is a costly alternative, adding an estimated \$25,000 to the county's cost.

A section takes effect Aug. 1, 2010 that amends the division of duties between local and county assessors to provide that, if directed by the county assessor, the local assessor shall perform certain duties, such as performing appraisals, reviewing the original assessment and determining its accuracy or preparing an appraisal or report.

HF3147/SF2885*/CH354

— K. BERGGREN

Flood relief fund assistance

The 2010 spring floods have receded, but cleanup costs remain for local communities in the Red River Valley and along the Minnesota and Mississippi rivers.

A new law sponsored by Rep. Kent Eken (DFL-Twin Valley) and Sen. Keith Langseth (DFL-Glyndon) should help.

Effective May 26, 2010, it calls for a \$3.69 million General Fund appropriation to help with cleanup efforts in 24 counties declared federal disaster areas. However, the price tag could be closer to \$4 million once all assessments are complete.

The federal government will pick up 75 percent of flood damage costs, and the state has traditionally picked up the remaining 25 percent. Bonding dollars cannot be used because the money is for repair, not construction.

Rep. Morrie Lanning (R-Moorhead), who sponsored an identical bill (HF3796) said his city has spent \$10 million of its own money for flood mitigation projects in recent years and the state has provided significant money for statewide flood mitigation as well. He warned that work needs to continue.

HF3795/SF3379*/CH377

— M. COOK

Firefighters may collect for charity

Since 2000 in Minnesota, and since 1955 in other states and Canada, firefighters have

raised money for the Muscular Dystrophy Association by collecting spare change from motorists stopped at red lights. A new law gives them the green light to continue to use the "Fill the Boot" strategy to raise funds for charity.

A new law, effective Aug. 1, 2010, will allow a municipality to permit firefighters to use this technique for up to three days a year to benefit one registered nonprofit organization qualified under section 501(c)(3) of the Internal Revenue Code. It is sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Ann Rest (DFL-New Hope).

Minneapolis and Duluth had expressed concerns about liability and requested statutory permission to permit them to allow such charitable solicitation, said Atkins, though they have no reservations about the cause. According to the law, the charitable organization must have general liability insurance against certain kinds of claims, with a limit of no less than \$1.5 million per occurrence.

HF3017*/SF2413/CH227

— K. BERGGREN

MILITARY

Designating American Legion Day

American Legion Day is designated as Sept. 16, under a new law.

Sponsored by Rep. Jerry Newton (DFL-Coon Rapids) and Sen. Sharon Erickson Ropes (DFL-Winona), the law recognizes "the millions of American Legion veterans who have dedicated and continue to dedicate themselves to service of community, state, and nation."

Sept. 16 commemorates the date in 1919 that Congress chartered the American Legion.

The law is effective Aug. 1, 2010.

HF2538/SF2373*/CH185

— P. OSTBERG

RETIREMENT

State employee and teacher pensions

Employer and employee pension contributions will be adjusted in an attempt to help state employee and teacher pension funds reach financial sustainability, under a new law.

Sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Don Betzold (DFL-Fridley), the law makes adjustments to several retirement accounts, including the Minnesota State Retirement System plan that covers more than 50,000 active employees and currently pays monthly benefits to over 20,000 retirees,

survivors and disabled employees.

Other affected plans include: General Employees Retirement Plan for the Public Employees Retirement Association, Teachers Retirement Association, Duluth Teachers' Retirement Fund Association, St. Paul Teachers' Retirement Fund Association, Minneapolis Employees Retirement Fund and the State Patrol Plan.

The law adjusts the inflow and outflow of money by using various strategies, including reducing cost-of-living adjustments, reducing interest on deferred benefits and eliminating interest on re-employed retiree accounts. Administrative functions of MERF and PERA are merged in the law.

Murphy said the state made a promise to public employees in their pension plans and it should be kept.

The law has various effective dates.

HF3281/SF2918*/CH359

— P. OSTBERG

Early retirement incentive

Eligible state employees can have two years of health and dental insurance coverage deposited into their health care savings plan as an early retirement incentive, under a new law.

Sponsored by Rep. Loren Solberg (DFL-Grand Rapids) and Sen. Tom Bakk (DFL-Cook), the law is applicable for an employee with at least 15 years of contributions in certain retirement funds; who accepts the incentive no later than Dec. 31, 2010; retires no later than June 30, 2011, and is not in receipt of certain state retirement plans during the month preceding the termination of qualified employment.

The employee can use the funds for health care expenses.

The employee's appointed authority has the discretion whether to offer the retirement incentive. Employees who accept the incentive may not be reemployed or hired as a consultant by any agency or entity that participates in the State Employee Group Insurance Program for three years.

The Minnesota Management & Budget commissioner must report to the Legislature by April 2, 2011, the number of employees accepting the incentive.

The law is effective May 14, 2010.

HF2038/SF1481*/CH337

— P. OSTBERG

SAFETY

Kelsey Smith Act

The death of a Kansas teenager three years ago is the impetus behind a new law that will let

law enforcement agencies track down missing persons by using their cell phone data.

Sponsored by Rep. Sheldon Johnson (DFL-St. Paul) and Sen. Yvonne Prettner Solon (DFL-Duluth), the law is named after Kelsey Smith, who was abducted and murdered in Kansas in 2007. Her body was found after her parents compelled her cell phone company to track down her phone's location. Federal law allows — but does not require — that the companies provide that information.

The Kelsey Smith Act will require cell phone service providers to disclose their customers' call location information in emergency situations. Using cell site towers, a cell phone company can triangulate the location of a cell phone or other wireless device to within close proximity. The law, effective Aug. 1, 2010, will require cell phone companies to reveal call location data in cases where an individual is missing and at risk of "death or serious physical harm."

The new statute will mandate that the companies provide the data, under certain conditions. The law enforcement agency seeking the data must submit a written request, and service providers must establish protocols that allow them to respond to such requests.

HF2639*/SF2470/CH342

— N. BUSSE

Ignition interlock enacted

With the goal of keeping people who drink and drive off state roadways, a new law requires use of an ignition interlock device in some instances. It also provides a way for people with a B-Card license to get the restriction removed.

Effective July 1, 2011, repeat DWI offenders and first-time offenders whose alcohol concentration is at least double the legal limit will have to use an ignition interlock device to legally drive in the state. The law is a statewide expansion of a successful pilot program in Hennepin and Beltrami counties.

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

Under the law, first-time offenders whose alcohol concentration is below twice the legal limit will have a choice of getting a restricted license, as is in current law, or getting full driving privileges provided they use the ignition interlock device.

The waiting period before issuance of a

TIME TO READ



PHOTO BY TOM OLMSCHIED

Rep. Roger Reinert makes time to read a book while waiting for the House to reconvene May 16.

limited license to multiple DWI offenders is eliminated; however, time using the ignition interlock is increased by the number of offenses up to six years for five or more offenses no matter the BAC level.

DWI offenders whose alcohol concentration is 0.16 percent or greater who choose not to use ignition interlock will lose driving privileges for up to six years depending on the offense level. Repeat offenders under 0.16 percent also must go on ignition interlock or they cannot drive legally.

Ignition interlock users would lease the device for an estimated \$100 a month for the device and monitoring; although the Department of Public Safety will look for ways to lower the cost for indigent people.

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

The law also permits a holder of a B-Card to apply to have the no-alcohol restriction removed if the person has not violated the abstinence condition for the past 10 years. A B-Card is issued to a multiple-DWI offender who wants to keep driving and pledges not to drink any alcohol. The no-alcohol restriction is on the card.

Rep. Karla Bigham (DFL-Cottage Grove) and Sen. Steve Murphy (DFL-Red Wing) are the law's sponsors.

HF3106*/SF2741/CH366

— M. COOK

Detention placement

Clarification of detention placement options for extended jurisdiction juveniles pending revocation hearings is the goal of a new law.

Sponsored by Rep. Joe Mullery (DFL-Mpls) and Sen. Ron Latz (DFL-St. Louis Park), the law is in reaction to new federal legislation. Most of the changes were already in rules, but they are being codified in statute to comply so the state can keep receiving some federal money.

Extended jurisdiction juvenile is designed to give a serious youth offender one last chance. It is used when there is some hope that the youth can be helped in the juvenile justice system, but recognition that this may not happen. A juvenile sentence is imposed on the offender with the caveat that if that sentence is violated, a stayed adult sentence would be imposed. The juvenile court has control of such cases until the offender turns 21.

Under the law, a person convicted as an extended jurisdiction juvenile who has violated conditions of the stayed sentence and is taken into custody pending a revocation hearing must be held in a secure juvenile detention facility. If there is no available facility, the juvenile can be held in an adult confinement facility "up to 24 hours, excluding Saturdays, Sundays, and holidays, or for up to six hours in a standard metropolitan statistical area" provided he or she is kept away from any adults, including "complete sight and sound separation."

It takes effect Aug. 1, 2010.

HF2607/SF2755*/CH330

— M. COOK

No salvia divinorum possession

A drug that is becoming more popular with teenagers and 20-somethings will be illegal.

Sponsored by Rep. Morrie Lanning (R-Moorhead) and Sen. Bill Ingebrigtsen (R-Alexandria), a new law creates a misdemeanor for possession of salvia divinorum and a gross misdemeanor for its sale.

The law takes effect Aug. 1, 2010.

Derived from an herb from Mexico and known for its hallucinogenic effects that are often compared to LSD, salvia divinorum is either chewed or smoked. Its psychic effects include perceptions of bright lights and vivid colors, uncontrolled laughter and hallucinations. Harmful physical effects may include lack of coordination, dizziness and slurred speech.

Twenty states have made this illegal, including North Dakota, South Dakota and Wisconsin.

Salvia divinorum is sold by head shops on a retail basis, making it problematic, especially in towns bordering other states.

A 2009 national survey indicated 5.9 percent of high school seniors had used salvia divinorum, more than have used the drug ecstasy.

HF2975/ SF2773*/CH368

— M. Cook

Violent crime council creation

Most law enforcement officers are professional in their duties, but the troubles of the Metro Gang Strike Force gave a black eye to criminal enforcement teams.

A new law aims to ensure what happened with that unit doesn't happen again.

Effective Aug. 1, 2010, unless otherwise noted, the law creates a Violent Crime Coordinating Council to offer guidance on gang and drug crime investigation and prosecution. Its duties will include development of an operating procedures and policies manual, recommending a candidate for statewide coordinator and developing policies "that prohibit the improper use of characteristics such as race, color, national origin, gender, or religion to target individuals for law enforcement action, prosecution, or forfeiture action."

Two reports from last summer indicated that 10 or 12 gang strike force officers may have illegally taken cash or property from people with no gang connections. The reports indicate that cash was missing from strike force storage areas and officers allegedly took some property for personal use. Other property was sold to officers or family members for pennies on the dollar.

The law dissolves the Metro Gang Strike Force, effective July 1, 2011, but all current and

future obligations and liabilities of the force stay with the parties that created the joint powers agreement that created the force.

A big change would be authority given the public safety commissioner.

When the commissioner became aware of the gang strike force problem, all he could do was shut off funding, but the force's advisory board continued to exist. Under the law, the commissioner will have to certify the multijurisdictional entities and their designated fiscal agent. This way if it is determined there were any problems with a gang and drug strike force the commissioner could close it down.

The list of purposes for which law enforcement may access data in the Comprehensive Incident-Based Reporting System is expanded to include: serving process in a criminal case, informing law enforcement officers of possible safety issues before service of process, enforcing no contact orders, locating missing persons and when conducting background investigations on prospective licensed peace officers.

The superintendent of the Bureau of Criminal Apprehension is to create a working group to discuss laws and issues related to criminal intelligence databases. An executive summary document is due to the Legislature by Feb. 1, 2011. In looking at public safety and privacy issues, the group is to "make recommendations on proposed legislative changes for the classification, storage, dissemination, and use of criminal investigative data, including data from other states, and for guidelines governing usage and collection of criminal investigative data held by law enforcement agencies."

Rep. Michael Paymar (DFL-St. Paul) and Sen. Mee Moua (DFL-St. Paul) sponsor the law.

HF2965/SF2725*/CH383

— M. Cook

STATE GOVERNMENT

Sentencing error turns to claim

William Howard Heins will receive \$34,049 from the state for payment of lost wages due to a sentencing error that left him incarcerated an extra 389 days. The situation was corrected only after a decision by the state Court of Appeals. As part of the settlement, he will be required to pay off fines and restitution amounts owed, and agree not to seek credit against any future sentence for the time mistakenly served.

The provision is part of the nearly \$91,500 claims law sponsored by Rep. Lyle Koenen (DFL-Clara City) and Sen. Ron Latz (DFL-St. Louis Park). The law, effective July 1, 2010, contains recommendations from the Joint

House/Senate Subcommittee on Claims and also includes:

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

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

The appropriation is available until June 30, 2011.

HF3660*/SF3246/CH332

L. SCHUTZ

State labor contracts ratified

State labor and compensation contracts negotiated between the executive branch and various bargaining units are ratified under a new law.

Sponsored by Rep. Leon Lillie (DFL-North St. Paul) and Senate President James Metzen (DFL-South St. Paul), the law solidifies agreements for Minnesota State College Faculty; Minnesota State University Association of Administrative and Service Faculty; American Federation of State, County, and Municipal Employees Council 5; AFSCME, Council 5, Unit 8; AFSCME, Council 5, Unit 225; Minnesota Association of Professional Employees; Middle Management Association; Office of Higher Education; Minnesota State Colleges and Universities Administrators; unrepresented employees of Minnesota Management & Budget; Minnesota Government Engineers Council; Minnesota Law Enforcement Association; Minnesota Nurses Association; and State Residential Schools Education Association.

The annualized costs granted during the biennium to salaries, step increases, insurance and pension range from 0.39 percent to 2.9 percent.

The law is effective May 14, 2010.

HF2758/SF2386*/CH323

— P. OSTBERG

Data practices changed by law

Terms and conditions of an employment relationship for current and former employees, volunteers and independent contractors of a government entity will become public data, as will work-related continuing education.

These are part of the omnibus data practices law, effective Aug. 1, 2010, unless otherwise noted.

Among the items already considered public data by a government entity are: the person's name, job title and bargaining unit, dates of employment, work location and payroll time sheets to account for the employee's work time for payroll purposes.

Other provisions in the law, sponsored by Rep. Joe Mullery (DFL-Mpls) and Sen. Mary Olson (DFL-Bemidji), include:

- making data related to a disciplinary action nonpublic in cases where a current or former employee, volunteer or independent contractor of a government entity is completely exonerated of disciplinary action by an arbitrator;
- rewriting language relating to informed consent requirements for the release of data for insurance purposes;
- making nonpublic the security features of building plans and building specifications and drawings for state-owned and state-leased facilities when maintained by the Department of Administration; however, this information "may be shared with anyone as needed to perform duties of the commissioner";
- allowing parole and county probation authorities to access private firearms permit data on an applicant or permit holder subject to the authority's supervision; and
- classifying certain private donor gift data maintained by the Regional Parks Foundation of the Twin Cities and State Services for the Blind as private. This is effective May 19, 2010.

The identity of complainants to the Administration Department's Office of Grants Management is made private. However, it permits the agency to share information with the executive agency that is the subject of the comments. This will give citizen complaints the same protection received by employee whistleblowers.

HF1083/SF863*/CH365

— M. COOK

Energy improvement program

Technical changes to the Department of Administration's energy improvement financing program are included in a new law.

Sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. D. Scott Dibble (DFL-Mpls), the law adds technical language to allow the commissioner to solicit proposals from private financial institutions on an individual project or line-of-credit basis.

Kalin said the law allows the department to add a line-of-credit so they can cost effectively

RELAXING MOMENT

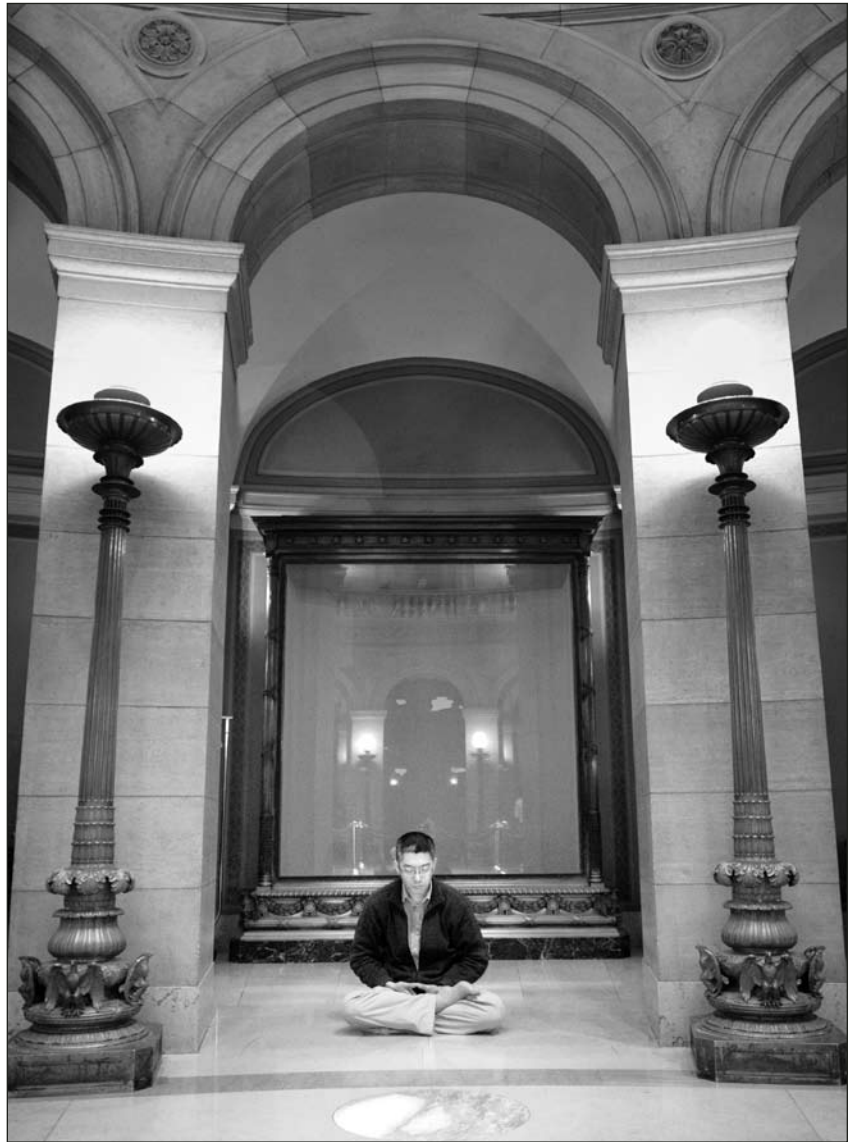


PHOTO BY TOM OLMSCHIED

Jie Zhang of Shoreview practices Falun Dafa between the columns in the Rotunda May 13 as the Legislature worked during the last stressful week of the session to reach a budget agreement with the governor.

manage multiple projects that involve varying pieces of equipment, rather than just one.

With commissioner approval, an agency head with control of a state-owned building with an estimated market value of less than \$50,000, may sell, demolish or otherwise dispose of the building. If sold, the building's proceeds must be placed in the account from which the building was built or the General Fund.

The technical change is effective May 19, 2010. The sale of buildings takes effect Aug. 1, 2010.

HF3682/SF3318*/CH369

— P. OSTBERG

Government collaboration

A new law aims to increase collaboration between all levels of government.

Sponsored by Rep. Marsha Swails (DFL-Woodbury) and Sen. Ann Rest (DFL-New Hope), the law will create a nine-member council chaired by the state auditor to develop recommendations to increase collaboration such as:

- improving delivery of governmental services;
- connecting entities and sharing information through the use of technology;
- facilitating credit and debit card transactions and electronic data interchanges; and

- creating model forms for joint powers agreements.

The council will submit its recommendations by Feb. 1 of each year to the Legislature and governor. The council expires on June 30, 2015.

Council members will include the League of Minnesota Cities; Minnesota Association of Townships, Association of Minnesota Counties, Minnesota School Boards Association; American Federation of State, County, and Municipal Employees Council 5; Service Employees International Union; Education Minnesota and the Minnesota Chamber of Commerce.

Swails said the law is based on meetings she and Rep. Carol McFarlane (R-White Bear Lake) had as they traveled the state meeting with local officials and several service cooperatives that work with school districts in Greater Minnesota and asked, "What are the obstacles that keep schools, counties, cities and towns from sharing services or collaborating?"

The law is effective June 1, 2010.
HF2840/SF2511*/CH319

— P. OSTBERG

Notary stamp and fee changes

Changes are made to notaries public, such as requiring all notaries to obtain an official stamp, under a new law.

The law is effective Aug. 1, 2010, unless otherwise noted.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Don Betzold (DFL-Fridley), the new law reduces the fee of recording a notary commission that may be charged by a court administrator from \$100 to \$20. To offset the lost revenue, the fee submitted to the Office of the Secretary of State when filing an application for a notary commission is increased from \$40 to \$120.

Other changes include:

- the notary's name on the stamp must be identical to the certificate of acknowledgement and in the notary's commission;
- references to an "official seal" are changed to "notarial stamp";
- effective July 31, 2011, extends from 60 days to six months prior to expiration the period during which a notary may apply for renewal of a commission; and
- a notary public may certify an individual's signature "when it appears that the individual has a physical limitation that restricts the individual's ability to sign by writing or making a mark."

HF910*/SF214/CH380

— P. OSTBERG

State government policy provisions

The Office of Enterprise Technology's chief information officer may appoint a webmaster to supervise and develop state websites, under the omnibus state government finance law.

Sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Don Betzold (DFL-Fridley), the law will make policy changes to various departments of state government, including:

- the Council on Black Minnesotans is permitted to solicit and accept payments for advertising, use of exhibition space, media productions and informational programs sponsored by the council;
- the Legislative Coordinating Commission may map data from the appropriations made by the Legislative Citizen Commission on Minnesota Resources for the public to access;
- the LCC may also request more information on obtaining business intelligence and information analytics software to improve access to public data on state executive branch accounting, procurement and budget systems;
- any agency with deposits totaling \$1,000 or more must deposit them daily, the previous amount was \$250;
- the chief information officer, along with the Information Policy Analysis Division of the Department of Administration shall develop standards to enhance public access to certain state government data maintained by the state;
- data collected by the clean water partnership program and agencies monitoring groundwater shall maintain databases using standards by the Office of Enterprise Technology and the Minnesota Geospatial Information Office;
- the chief information officer, in consultation with the Minnesota Management & Budget commissioner, must study and report to the Legislature by Jan. 15, 2011, the feasibility of entering into a lease agreement with a private nonprofit, involving a private sector developer, to develop a centralized data system for state agencies; and
- a Commission on Service Innovation is established to provide the Legislature with a plan to reengineer delivery of state and local government services.

The law takes effect July 1, 2010, except for the innovation commission, which takes effect May 26, 2010.

HF3449/SF3134*/CH392

— P. OSTBERG

Revising and updating statutes

The yearly version of what is commonly referred to as the Revisor's Law makes technical changes to statutes. This can

include correcting cross-references; striking references and language to repealed sections, and when appropriate, inserting the correct references; fixing miscellaneous drafting errors, such as typos or grammatical errors; and making any other necessary changes that need to be made to state statutes.

Sponsored by Rep. Gail Kulick Jackson (DFL-Milaca) and Sen. Mee Moua (DFL-St. Paul), most of the law takes effect Aug. 1, 2010.

During the interim between sessions, substantial editing and proofreading is done to the Laws of Minnesota and Minnesota Statutes. These changes, together with requests for additional clarifying changes from other state agencies, make up the law.

HF2970/SF2642*/CH382

— M. COOK

Service contracts changed

Technical changes will be made to state law as it relates to organizations that employ people who are severely disabled, and who contract with the state for services.

Sponsored by Rep. Gene Pelowski Jr. (DFL-Winona) and Sen. Ann Rest (DFL-New Hope), the law will ensure that 19 percent of contracts are awarded to organizations that employ workers who are severely disabled for janitorial services, document imaging and shredding, mailing, collating and sorting services.

"For the 19 percent requirement to be applicable in any given year, the contract amounts proposed by eligible providers must be within six percent of the estimated fair market price for at least 19 percent of the contracts awarded for the corresponding service area," according to the law.

The administration commissioner is to track each service area and each contract entered into and report to the Legislature each Feb. 15.

It takes effect Aug. 1, 2010.

HF3096*/SF2735/CH266

— P. OSTBERG

Corrections to new laws

Before some of this year's new laws are even enacted, their authors are catching small mistakes that could lead to oversights, inconsistencies, ambiguities or unintended results.

A new law makes the necessary corrections to a variety of laws, most of them passed this year. The law's effective dates correspond to the laws to which it refers.

Sponsored by Rep. Gail Kulick Jackson (DFL-Milaca) and Sen. Mee Moua (DFL-St. Paul), the law makes changes to the omnibus capital investment law and, the omnibus agriculture and veterans' policy law. It also

addresses laws regarding municipalities' securities lending agreements; business screening services regulation and criminal record modification; snow removal in some subdivisions; civil commitment of sex offenders; exemption for certain increased interest rates on certain monetary judgments; human services training and licensing; and the ignition interlock law.

HF3787*/SF3323/CH385

— K. BERGGREN

TRANSPORTATION

Bridge inspection enhancement

After the Interstate 35W bridge collapse in 2007, there were three separate management reviews of the Department of Transportation, with emphasis on its bridge inspection role.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. D. Scott Dibble (DFL-Mpls), a new law reflects some recommendations generated from the reviews.

The law, mostly effective May 16, 2010, will enhance the state's bridge inspection program by designating funds for innovations in bridge monitoring and inspection technology to help address outdated bridge inspection techniques. It also requires a report to the Legislature on Feb. 1 of each odd-numbered year on bridge inspections and quality assurance, including a summary of inspection reviews. The estimated \$12,000 report cost would come from the Trunk Highway Fund.

An Office of the Legislative Auditor recommendation that the department develop a debt management plan is also part of the law. Hortman said this will help assure that, "when we fund transportation projects, we are aware of the debt, and that we don't dedicate a whole bunch of our future revenues to paying down debt when we know we are going to have continuing maintenance costs."

The law also requires that either the department commissioner or a deputy commissioner be a professional engineer.

HF605/SF1060*/CH350

— L. SCHUTZ

Updates to truck regulations

Trucks, trucks transporting other trucks, truck weights and lengths are addressed in state law; however, some changes are needed to conform the state's regulations to those of the federal government.

A new law, sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Rod Skoe (DFL-Clearbrook), cleans up statute that, in some cases, goes back to 1980. With the increase in truck weight and length, some permitting and fee adjustments are also

needed. The changes laid out in the law could have a positive impact of \$22,000 to the state's Trunk Highway Fund.

The law, effective Aug. 1, 2010, also addresses how new trucks are hauled to dealerships. It establishes a maximum length of 97 feet for saddle mount combinations where one truck-tractor tows other truck-tractors in a series.

HF3029/SF2846*/CH320

— L. SCHUTZ

Escort driver certification ahead

The Department of Public Safety will establish a training and certification program for those who drive the escort car in front of a vehicle transporting a wide load.

To qualify as an over-dimensional load escort driver, a person will have to be at least age 18, have a valid license for the vehicle being driven and successfully complete the certification course and any other requirements specified by the public safety commissioner, who is directed under the new law to write rules and establish a certification/training fee.

Other drivers will be required to obey traffic-control instructions given by the escort drivers, who may direct traffic with a flag and stop or hold vehicles in place until it is safe to proceed.

Rep. Mike Nelson (DFL-Brooklyn Park) sponsors the law with Sen. Ken Kelash (DFL-Mpls). Most of the law becomes effective one year after rulemaking is published in the State Register. The DPS rulemaking authority is effective May 12, 2010.

HF3168/SF2756*/CH311

— S. HEGARTY

Traffic lanes, speeds adjusted

When speed limits on rural two-lane state highways increased from 55 mph to 60 mph, highway work zone speeds increased too, because the law only allowed work zone speeds to be reduced by 15 mph. Effective Aug. 1, 2010, a new law will allow the Department of Transportation to reduce speeds in work zones by 20 mph.

Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Joe Gimse (R-Willmar) sponsor the law, which also includes a requirement that, beginning Aug. 1, 2010, driver's manuals will be updated to instruct slow-moving vehicles to use the far-right lane on multi-lane roads. Effective May 18, 2010, the law exempts school bus drivers from wearing seat belts.

HF3263*/SF3106/CH356

— S. HEGARTY

Fee compliance, funds for road work

Through the lawmaking process, a bill can substantially change by the time it hits the

governor's desk. That's the case with a new law sponsored by Rep. Mike Obermueller (DFL-Eagan) and Sen. Steve Murphy (DFL-Red Wing).

Originally passed by the House and Senate as a "complete streets" concept, it would have moved the state toward a policy where any state-aid funded road project must consider the impact the roadway would have on the people who use it and the surrounding area. However, a conference committee deleted that language and agreed to a bill that will establish a new specialty license plate, appropriate money for transportation tax compliance, and authorize the sale of state bonds for transportation needs. The complete streets language was instead included in the transportation policy omnibus. Laws 2010, CH 351.

The new law allows for the sale of \$100.1 million in trunk highway bonds for state road construction and reconstruction in fiscal year 2011.

- \$70 million is to be equally split between the Twin Cities metropolitan area and Greater Minnesota for trunk highway interchange improvements that will promote economic development, increase employment, relieve traffic congestion and promote traffic safety;
- \$30 million is for construction, reconstruction and improvement of trunk highways, including design-build contracts for right-of-way acquisitions and relocation expenses; and
- \$100,000 for bond sale expenses.

The bonding provision is effective May 28, 2010.

Since 1998, the Vehicle Crimes Unit of the Minnesota State Patrol has investigated unpaid motor vehicle taxes and dealer fraud as it relates to registration fees and taxes, and residents who register their vehicles in another state because the fees are less expensive. Staffing for the unit has decreased over time.

The new law reallocates \$191,000 in State Patrol funding (by shifting fund sources) and makes an additional \$50,000 appropriation in fiscal year 2011 for beefed up tax compliance. The efforts could bring an estimated \$202,000 over the remainder of the biennium to the state. It also sets base appropriations for the program amounting to \$743,000 in each of fiscal years 2012 and 2013, reflecting increased State Patrol staffing for the program. The unit's work is expected to yield an additional \$807,000 per year in 2012 and 2013. A report on generated revenues is due the Legislature by Feb. 1, 2015. This provision is effective July 1, 2010.

The law also establishes a new Remembering Victims of Impaired Drivers license plate that along with the words, will display an image of

a broken heart. The \$10 fee for the specialty plate will be credited to the vehicle services operating account in the special revenue fund. This is effective Aug. 1, 2013.

HF2801*/SF2461/CH388

— L. SCHUTZZ

Enhanced driver's license created

A new law could make it easier and cheaper for people to drive into Canada for a weeklong fishing trip or for a couple that wants to cruise to the Bahamas.

Sponsored by Rep. Roger Reinert (DFL-Duluth) and Sen. Tom Saxhaug (DFL-Grand Rapids), the law will create enhanced state driver's licenses and state identification cards that have security features approved by the U.S. Department of Homeland Security, including additional identifier technology to prove the holder is an American citizen. The cards will be acceptable for entry into the United States, and no personal information will be included in the tag embedded in the card, which is optional to attain.

Reinert said that federal legislation — the Western Hemisphere Travel Initiative — requires a passport or other federally approved form of identification to prove one's citizenship. The card will allow people to travel anywhere within the travel initiative.

According to the U.S. State Department, "The Western Hemisphere Travel Initiative is a result of the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA), requiring all travelers to present a passport or other document that denotes identity and citizenship when entering the United States. ... The goal of WHTI is to strengthen U.S. border security while facilitating entry for U.S. citizens and legitimate foreign visitors by providing standardized documentation that enables the Department of Homeland Security to quickly and reliably identify a traveler."

Reinert said the cards carry the same privileges as current driver's licenses and state identification cards. It would cost \$15, far less than a passport, which costs \$100 and is expected to increase this summer.

Other states or Canadian provinces that have a similar card include: Michigan, New York, Washington, Vermont, British Columbia, Manitoba, Ontario and Quebec.

Those who depend on the economic activity of people going to and from Canada say travel is way down, said Rep. Morrie Lanning (R-Moorhead), adding that the card will allow people to cross the border at less cost.

Most of the bill takes effect June 1, 2012, for every enhanced driver's license and enhanced identification card issued beginning Jan. 1, 2013.

Effective May 14, 2010, the public safety

MEMBERS VOTE



PHOTO BY TOM OLMSCHIED

House members vote 97-32 to pass a budget-balancing bill during a one-day special session May 17.

commissioner is to enter into agreement with the U.S. Department of Homeland Security to develop an enhanced state driver's license and identification card.

HF1005/SF345*/CH316

— M. COOK

New law paves way for new policies

In New York City, it's called "Blocking the Box," and if you do so, you'll end up with a

hefty fine. Effective Jan. 1, 2011, in Minnesota, those that block an intersection controlled by a traffic-control signal and impede movement of cross traffic could be subject to a ticket.

This is one of the mixed-bag of provisions contained in the omnibus transportation policy law.

The law, effective Aug. 1, 2010, unless otherwise noted, also addresses a concern that the increase in transit options for the Twin Cities metropolitan area translates to fewer

transit options for Greater Minnesota. This law tries to address this inequity by calling for a Greater Minnesota transit investment plan that will have as a goal to meet at least 80 percent total transit service needs in Greater Minnesota by July 1, 2015, and meeting at least 90 percent by July 1, 2025.

To that end, a Minnesota Council on Transportation Access is established to study, evaluate, oversee and make recommendations to improve the coordination, availability, accessibility, efficiency, cost-effectiveness and safety of transportation services to those who utilize public transit. The governor had objected to a similar provision last year because members would have been eligible for per diem; the new language states that members will only be reimbursed for expenses.

Rep. Frank Hornstein (DFL-Mpls) and Sen. Steve Murphy (DFL-Red Wing) sponsor the law. It contains several modified provisions from last year's vetoed omnibus transportation policy bill, including one that would have prohibited several activities at rest areas, including sleeping overnight in vehicles or pitching a tent. This year's law no longer carries the prohibitions, except one relating to improper disposal of trash and rubbish at rest areas.

The law also sets a new fee of \$100 for a vertical motorcycle plate, criteria for issuing special license plates and a process for mothballing plates that have few takers. For example, eligibility for the Combat Wounded license plate is expanded to a Purple Heart recipient who is still serving in the military, rather than just veterans.

Other new veteran-related specialty plates will be available for recipients of the Korean Defense Service Medal, the Bronze Star medal and the Silver Star medal.

The law designates two highway sections as memorials to veterans: the "Becker County Veterans Memorial Highway" will be along segments of Trunk Highways 34 and 87, and a portion of Trunk Highway 200 from the North Dakota border to Mahanomen is designated as the "Veterans Memorial Highway." It also clarifies the description in a 2009 law creating the Clearwater County Veterans Memorial Highway along Trunk Highway 200.

Imagine streets that take into account the needs of motorists, cyclists, pedestrians and people with special needs. The law pushes the state toward a policy that would, during the design phase of any state-aid funded road project, take into consideration the impact the roadway would have on the people who use it, and the impact on the areas that it passes through.

Beginning in 2011, the Department of Transportation is to implement a policy with a goal of developing a balanced transportation system that takes into consideration all modes of transportation.

All bridge projects in the trunk highway bridge improvement program funded in fiscal year 2012 or later must include bicycle and pedestrian accommodations if both sides of

the bridge are located in a city or the bridge links a pedestrian way, shared-use path, trail, or scenic bikeway. These accommodations will not be required if there is a reasonable alternative bicycle and pedestrian crossing within one-quarter mile of the bridge project. This takes effect July 1, 2010.

HF2807/SF2540*/CH351

— L. SCHUTZ

LAST LOOK



PHOTO BY TOM OLMSCHIED

Rep. Paul Kohls, who is not seeking re-election, takes time during the early morning of May 17 to look at the sayings around the Capitol's west wing while waiting for the House to reconvene in special session. The Edward Everett saying he's looking at reads, "Education is a better safeguard of liberty than a standing army."

CRIME

'Mixture' definition gets vetoed

A weighty issue can mean dissimilar penalties for people using the same amount of drugs.

The weight of an entire mixture can now be used when charging decisions are made regarding illegal use of a controlled substance, even if the drug residue is only a small part of the mixture.

Sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Sandy Pappas (DFL-St. Paul), a bill sought to amend the definition of "mixture" in first- through third-degree controlled substance crimes. It would have established that "the weight of fluid used in a water pipe may not be considered in measuring the weight of a mixture, except in cases where the mixture contains four or more fluid ounces of fluid."

It was vetoed by Gov. Tim Pawlenty, who in his veto letter, said the bill "waters down current criminal justice practices and standards related to the weight of controlled substances found in water pipes."

The problem came to light in 2008 when a defendant was charged with a first-degree controlled substance offense because they possessed bong water that contained a residue of methamphetamine. Even though the bong water had just a small amount of residue, the mixture's total weight was used to charge the person with the more serious drug offense. The Minnesota Supreme Court ruled last year the charge was appropriate under the current definition of mixture.

Supporters said current law allows small-time drug users to be punished as major dealers.

HF2757/SF3145*/CH367

— M. COOK

No expunging offender records

Rep. Bobby Joe Champion (DFL-Mpls) and Sen. Ron Latz (DFL-St. Louis Park) sponsored a bill that would have let a prosecutor evaluate a first-time, low-level property or drug offender to determine if they should be presented an opportunity to participate in a diversion program that would lead to a record expungement.

If the offender were to complete terms of a diversion program or stay of adjudication agreed to by the prosecutor, and was not charged with a new crime for at least one year after completing the diversion program or stay of adjudication, he or she would have had their case dismissed. The bill would not have

applied to felony-level crimes of violence.

However, Gov. Tim Pawlenty vetoed it, saying expungement of a criminal record should only be an "extraordinary remedy."

"Perhaps the most fundamental obligation of state government is the safeguarding of its citizens, especially against the harm posed by criminal predation," he wrote in his veto letter. "Our criminal justice system rightly imposes punishment on those who wrongfully harm others, while also recognizing the value of individual redemption."

The record could have been sealed by the court without filing a petition "unless it determines that the interests of the public and public safety in keeping the record public outweigh the disadvantages to the subject of the record in not sealing it." A prosecutor would have had to make a good-faith effort to inform victims of the crime about the agreement and give them an opportunity to object.

For sentencing purposes of a future crime, prosecutors or probation officers would have had access to the expunged record without a court order.

Supporters said the bill would help offenders who commit an innocuous crime find a road back to becoming positive, responsible residents of the community.

Champion said the bill was the result of two years of work by the Minnesota county attorneys and defense attorneys associations, Hennepin and Ramsey counties, the Council on Crime and Justice and "a number of other key stakeholders." He said law enforcement officials were neutral on the bill.

HF891/SF560*/CH381

— M. COOK

ENVIRONMENT

Aquifer restrictions vetoed

Businesses or industries that consume large amounts of water would have been restricted from tapping into the Mt. Simon-Hinckley aquifer unless there were no feasible alternative.

Gov. Tim Pawlenty said in his veto letter, "The enhanced water use restrictions ... are a significant obstacle to business expansion within the area served by the aquifer and are unnecessary given the current regulatory scheme, which is sufficient."

Sponsored by Rep. Jeremy Kalin (DFL-North Branch) and Sen. Rick Olseen (DFL-Harris), the bill also would have allowed the state to issue a permit for a biofuel or agricultural processing facility to use the

aquifer for nondomestic use if there is no feasible or practical alternatives.

HF2634/SF2185*/CH341

— S. HEGARTY

GAME & FISH

Big fish law — One that got away

After nine years of attempts, the House and Senate passed a provision to allow anglers to fish using two lines during the open water period, but a veto of the omnibus game and fish bill means the big fish law got away, again.

Anglers would have been required to purchase a \$10 stamp and agree to take half the limit of fish. Rep. David Dill (DFL-Crane Lake) said the provision was a "huge conservation move." The new stamp was expected to bring in \$700,000 in new revenue in fiscal year 2011 and \$2.3 million in the next biennium, but Gov. Tim Pawlenty said there was no "evidence to support this belief."

Pawlenty called the bill "legislative overreach" and contrary to the Department of Natural Resources recommendations. He pointed to an example of special fishing regulations proposed on the Rum and Mississippi rivers as "legislative carve-out" and unsound rationale for restricting fishing on Lake Florida. Additional fishing restrictions for Fish Lake Reservoir, inserted at the request of Sen. Satveer Chaudhary (DFL-Fridley), may have been improper, according to Pawlenty.

The governor directed the DNR commissioner to seek federal funding for a proposed public walk-in hunting access program that would have used up to \$1.4 million from the game and fish fund to pay farmers for hunting access to their properties.

"One of the things that we hear from our constituents, our hunters, is that they are continually finding access, particularly in the agricultural zones, more difficult to obtain from landowners," Dill said prior to the veto.

In lieu of the vetoed law, the DNR was instructed by Pawlenty to use its administrative powers to sell several parcels of public land.

Other provisions in the vetoed law would have allowed free fishing for children under age 18, free daily entrance for veterans to state parks and would have allowed counties to adopt a bounty on the taking of coyotes.

HF3124/SF2900*/CH390

— S. HEGARTY

HEALTH

Domestic partner provision vetoed

Gov. Tim Pawlenty vetoed a bill that would have given partners in same-sex relationships authority over each other's remains after death.

Sponsored by Rep. Erin Murphy (DFL-St. Paul) and Sen. Yvonne Prettner Solon (DFL-Duluth), the bill would have also defined "domestic partners" and allowed them to file wrongful death claims in the same way as heterosexual couples.

In his veto message, Pawlenty said the bill addressed "a non-existent problem," as current law allows someone to draft a will to dictate who may control his or her remains and estate.

The governor also opposed the bill's positioning of domestic partnerships as the equivalent of marriage.

"Marriage — defined as between a man and woman — should remain elevated in our society at a special level, as it traditionally has been," he wrote.

HF454/SF341*/CH355

— L. RADOMSKI

HUMAN SERVICES

HHS budget bill vetoed

Gov. Tim Pawlenty vetoed the omnibus health and human services budget bill less than a week before agreeing to some of its provisions in another law.

Sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Linda Berglin (DFL-Mpls), the vetoed bill would have reduced General Fund health and human services spending by \$114 million in the current biennium through a combination of cuts, transfers and new revenue. It contained a proposal to broaden eligibility for the state's Medicaid program, a move heavily favored by DFL leadership. They said low-income adults could be better served on the Medicaid program than on General Assistance Medical Care, which will operate at a lower funding level beginning this summer.

The bill also included rate cuts to some health care providers, reductions in mental health spending and appropriations for some State Operated Services facilities slated for closure.

In his veto letter, Pawlenty voiced his opposition to proposed surcharges that would have been used to help capture federal dollars.

"The surcharges on hospitals, insurance companies and group homes will increase health care costs," he wrote. "I will not sign a bill that moves in that misguided direction."

Pawlenty was also critical of the bill's deficit

A LITTLE SUNSHINE



PHOTO BY ANDREW VONBANK

Lobbyists Elizabeth Wefel, left, and Wendy Underwood enjoy a ray of sunshine under the Capitol dome May 16.

reduction targets, saying they may not go far enough to help address the current deficit or the projected shortfall in fiscal years 2012-2013.

He also rejected claims that the new GAMC program is destined for failure. Recent negotiations with four Twin Cities hospitals about their participation in GAMC "proves that this program can and will work," Pawlenty wrote.

Much of the health and human services

budget bill was later included in SSHF1*/SSSF1, which excludes the surcharges and gives Pawlenty and his successor the option of modifying the Medicaid program.

HF2614*/SF2337/CH360

— L. RADOMSKI

PACE funding, rate increase vetoed

Gov. Tim Pawlenty vetoed a bill that would have increased funding for some nursing

homes and senior services, saying a balanced budget needed to come first.

Sponsored by Rep. Lyle Koenen (DFL-Clara City) and Sen. Gary Kubly (DFL-Granite Falls), the bill would have allowed publicly owned nursing homes to apply for higher operating payment rates from the state if the local government entity agreed to pay a specified portion of the nonfederal share of Medical Assistance costs.

It would have also removed a provision in current law that requires the Department of Human Services to wait until receiving grant money to implement Program of All-inclusive Care for the Elderly, services designed to keep seniors in their homes. A PACE appropriation from the General Fund would have been accompanied by cuts to community service development grants.

In his veto message, Pawlenty said that while he was “mindful of the underlying value” of the PACE program, he was hesitant to free up money that might be needed for non-transferrable cuts before the end of the legislative session.

A modified PACE provision later passed as part of SSHF1*/SSSF1, the budget balancing bill.

HF3571/SF3019*/CH353

— L. RADOMSKI

SAFETY

No juvenile records reform

Gov. Tim Pawlenty vetoed a plan to expunge certain juvenile records and potentially waive certain juvenile criminal histories that can be barriers to employment as an adult.

One provision of the bill would have permitted a petition to be brought forth to seal “any type of delinquency or criminal record relating to a juvenile matter” if the person had

successfully completed terms of a diversion program or stay of adjudication agreed to by a prosecutor and had not been charged with a new crime for at least a year. It would not have applied if the youth was certified as an adult for his or her criminal action.

“Expungements should remain an extraordinary remedy,” Pawlenty wrote in his veto letter. “These changes to the expungement law would allow persons to receive expungements for very serious crimes (such as crimes requiring registration under the predatory offender registration statute).”

Also under the bill, the Department of Human Services commissioner would have to consider granting a set-aside or variance to someone at least age 21 who is disqualified from working in the human services area for specific crimes they committed while the person was under age 18.

Rep. John Lesch (DFL-St. Paul), who sponsors the bill with Sen. Mee Moua (DFL-St. Paul), said it would help people who did “a dumb thing” as a youth, and want to work in a field where DHS licensure is required. Opponents said juveniles who committed violent crimes shouldn’t get the chance to care for others most in need.

“Changing these provisions takes the state backwards, by permitting people with the most serious criminal histories to work directly with children and vulnerable adults in licensed settings and unlicensed personal care attendant situations,” Pawlenty wrote.

The bill also would have required a court to order a chemical health screening when a child is found to be delinquent. A referral would have been required in consultation with the child’s family if the screening indicated a need for a chemical use assessment.

HF3382/SF2790*/CH335

— M. COOK

STATE GOVERNMENT

Whistleblower protection rejected

Some state employees would have been protected by whistleblower protection laws under a bill vetoed by the governor.

Sponsored by Rep. Diane Loeffler (DFL-Mpls) and Sen. Mary Olson (DFL-Bemidji), the bill would have given state employees protection for providing timely, objective information while maintaining “confidentiality of budget or policy discussions with a member of the legislature or the member’s staff person.”

The bill would have added protection for a classified employee who “communicates information that the employee, in good faith, believes to be truthful and accurate,” to legislators, the legislative auditor or a constitutional officer.

In his veto letter, Gov. Tim Pawlenty said the bill “may violate separation of powers between the Legislative and Executive branches,” and is “in direct conflict with the ability of an agency to direct and manage its employees.”

Loeffler said there has been a growing perception that “a member of the state agency is a member of the ‘executive team,’ as opposed to the ‘legislative team,’ and there is some act of disloyalty in helping us with our information.”

Loeffler said she’s called for information and had state agency staff tell her, “I’m not allowed to talk to legislators.” Sometimes it has taken weeks to get information that would have been relevant weeks earlier for a committee hearing, she added.

HF1531/SF271*/CH345

— P. OSTBERG

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TAX PROTEST



PHOTO BY ANDREW VONBANK

Members of Minnesota’s faith, labor and nonprofit organizations rally for fair taxes May 13 in front of the House Chamber.

Group would have examined expenses

A new commission, council and task force would have been charged with ensuring the state gets the most bang for every public dollar spent, but Gov. Tim Pawlenty vetoed the bill.

Sponsored by Rep. Paul Marquart (DFL-Dilworth) and Senate President James Metzen (DFL-South St. Paul), the bill would have created a charter commission for Benton, Stearns and Sherburne counties, the Minnovation Council and a Task Force for Policy Innovation and Research. A Commission on Service Innovation, included in the bill, was included in the omnibus state government finance law (HF3449/3134*/CH392).

Marquart said the state is expected to continue facing budget deficits and the two "usual suspects" for solving budget dilemmas — raising taxes or cutting spending — will not fix all of the problems.

The Minnovation Council would have accepted waivers from local government units and nonprofit organizations, accepted applications for grants to local units of government for consolidation plans, made legislative recommendations for the authorization of pilot projects and the elimination of state mandates that inhibit efficiency. The council was to make an effort to "obtain \$3 in savings and show increased value to the taxpayer for each net state dollar spent by the council."

"The Minnovation Council's composition and duties are troubling and raise constitutional and practical concerns," Pawlenty wrote in his veto letter, adding that the ability of appointed non-governmental members to grant waivers would be unaccountable to state residents. "The process improperly outsources power

delegated to the executive and legislative branches."

Additionally, only one member of the council would have been from the private sector, which Pawlenty considers "the core of innovation."

Upon approval by at least two of the three counties, a county home rule charter commission for Benton, Stearns and Sherburne counties would have been created and held at least one public hearing on reports considering various methods of consolidating county government functions and departments. The final charter decision would have gone to the counties for voter approval at a general election.

The 15-member Task Force for Policy Innovation and Research would have considered methods to best provide the Legislature with "high quality, rigorous public policy research regarding issues and topics of concern." A process for the topic selection, methods for conducting research and for funding the policy innovation initiative would have been submitted to the Legislature.

HF2227*/SF1880/CH398

— P. OSTBERG

TRANSPORTATION

Indemnification clause vetoed

The Minnesota Trucking Association supported a bill to prohibit one-way indemnification clauses in contracts, but Gov. Tim Pawlenty vetoed the bill.

The association asked for the legislation because shippers are increasingly requiring carriers to sign freight-hauling contracts that include total indemnification clauses that relieve the shipper of all liability, even in cases of the shipper's own negligence.

In his veto letter, Pawlenty wrote, "Private parties should be able to negotiate contracts free from governmental interference, especially where the parties are sophisticated and the bargaining power between them is not egregiously tilted in favor of one."

Rep. Terry Morrow (DFL-St. Peter) and Sen. Steve Murphy (DFL-Red Wing) sponsor the bill.

HF3117/SF2469*/CH387

— S. HEGARTY

Vehicle definition change

Gov. Tim Pawlenty vetoed legislation that would have clarified the statutory definition of "motor vehicle."

Sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Don Betzold (DFL-Fridley), the bill would have added a cross-reference to a statute that deals with accidents involving vehicles being driven by someone other than the owner. Such an individual is called an "agent of the owner."

Under the provisions, the definition of "motor vehicle" in regard to an agent of the owner would have been identical to the definition in the state's no-fault automobile insurance law.

In his veto message, Pawlenty wrote that the revised definition would have included the trailer in a semi-tractor trailer as a "motor vehicle." This would have made the owner of the trailer liable for the driver's negligence in case of an accident. The governor argued that trailer owners "have little or no control over the driver and therefore should not be held responsible for their negligent acts."

HF127/SF251*/CH386

— N. BUSSE

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RIP: Bills that didn't make it

Some die quietly, others go out with a bang

By KRIS BERGGREN

Some bills die a quiet death in a committee; others do not go gently into the night, instead prompting one-vote defeats or rousing floor debate. The following dead bills may rest in peace forever — or may be resurrected in the years to come.

Amendment on judicial elections

HF224, sponsored by Rep. Steve Simon (DFL-St. Louis Park), would have changed how judges retain their seats on the bench, through an amendment to the state constitution. Judges would have initially been appointed by the governor, then subject to a vote after one term.

Fate: Passed as amended by the House State and Local Government Operations Reform, Technology and Elections Committee, but did not receive a hearing in the House Civil Justice Committee.

Companion: SF70, sponsored by Sen. Ann Rest (DFL-New Hope), did not receive a vote by the full Senate.

School board authority to extend levy

HF3063, sponsored by Rep. Jerry Newton (DFL-Coon Rapids), would have provided school boards limited authority to extend expiring operating levy referendum by written resolution without voter approval. Education groups supported the measure that could have stabilized local funding and saved school districts the cost of running a referendum campaign.

Fate: Included in K-12 omnibus bill that died.

Companion: SF2769, sponsored by Sen. Don Betzold (DFL-Fridley), was laid over by the Senate E-12 Education Budget and Policy Division for possible omnibus bill inclusion.

Alternative teacher licensure

HF3093, sponsored by Rep. Carlos Mariani (DFL-St. Paul), would have allowed a limited two-year teaching license for candidates such as Teach for America members who have a bachelor's degree and meet other criteria. TFA members now must seek an annual license waiver from the Board of Teaching.

Fate: Voted down on the House floor as an amendment to K-12 omnibus bill.

Companion: SF2811, sponsored by Sen. Terri Bonoff (DFL-Minnetonka), was included in SF2757, which was recommended to pass by the Senate Education Committee, but was not acted upon by the Senate E-12 Education Budget and Policy Division.

Lifting nuclear power plant ban

HF3009/SF2971*, sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Yvonne Prettner Solon (DFL-Duluth), would have lifted the moratorium on building new nuclear power plants. It would have allowed the Public Utilities Commission to issue a certificate of need, but the provision would come with strings attached that had nuclear power supporters opposing the bill.

Fate: Died in conference committee.

Gun shows background checks

HF2960, sponsored by Rep. Michael Paymar (DFL-St. Paul), would have prohibited the sale

of a firearm at a gun show without conducting a background check on the buyer.

Fate: Was defeated 5-3 by the House Crime Victims/Criminal Records Division.

Companion: SF2659, sponsored by Sen. D. Scott Dibble (DFL-Mpls), was not acted upon by the Senate Judiciary Committee.

Vikings stadium funding

HF3825, sponsored by Rep. Loren Solberg (DFL-Grand Rapids), offered a plan to help fund a new Minnesota Vikings stadium, including Metropolitan Council revenue bonds backed by a team contribution; Minneapolis hospitality tax revenues paying off the city's convention center debt until 2020 then going toward a stadium; a lottery game; and sales taxes on team jerseys and hotel stays.

Fate: House State and Local Government Operations Reform, Technology and Elections Committee voted no, 10-9.

Companion: SF3399, sponsored by Sen. Tom Bakk (DFL-Cook), was approved by the Senate State and Local Government Operations and Oversight Committee, but was awaiting action by the Senate Finance Committee.

Healthier ice rink air quality

HF3512, sponsored by Rep. Rick Hansen (DFL-South St. Paul), would have encouraged the Minnesota Amateur Sports Commission to consider how to improve air quality in indoor ice arenas, and directed the Health Department to boost rulemaking and legislative reporting on air quality inspections, violations and enforcement.

Fate: Made it to the House floor, but was not voted upon.

Companion: SF3175, sponsored by Sen. Ellen Anderson (DFL-St. Paul), was recommended to pass by two committees, but was not heard by the Senate Finance Committee. 

Art of compromise is the heart of politics

Bipartisan teamwork builds better bills

BY KRIS BERGGREN, SUE HEGARTY,
PATTY OSTBERG AND LAUREN RADOMSKI

The House chamber can be a stage for public displays of disaffection as end-of-session pressure builds — grandstanding, sniping at opponents, making accusations, shouting, telling heart-wrenching stories, even tearing up from fatigue, emotion or both.

What happens in the public eye, however, doesn't tell the whole story of how laws are created. Behind the scenes, lawmakers tend to ease up on the posturing. They know the

art of compromise is the heart of politics.

Whether they're political "frenemies" or real friends with divergent approaches to solving the state's problems, finding common

ground is key to making laws that work, say lawmakers, and so is having personalities that click despite political differences.

During a meeting over coffee and muffins after the 2009 session, Rep. Matt Dean (R-Dellwood) and Rep. Erin Murphy (DFL-St. Paul) began to chip away at resolving the huge problem of funding health care for the poor, particularly the 34,000 covered by General Assistance Medical Care.

"He's funny, so we didn't talk a lot of politics. We just got to know each other," Murphy said.

Murphy, a nurse, learned Dean's wife is a doctor. They also discovered they had both lived in St. Paul's Macalester-Groveland neighborhood.

Dean and Murphy, who had not collaborated



PHOTO BY ANDREW VONBANK

In a bi-partisan gesture, Rep. Marsha Swails, *left*, and Rep. Carol McFarlane, *right*, give each other a "high five" after the conclusion of a May 3 conference committee that meant the completion of a bill the two co-authored that would establish a collaborative governance council.

before on legislation, agreed their work would be policy-focused, nonpartisan and geared toward a bill the governor would sign. Both knew neither person would be entirely happy with the outcome.

Dean believes people are tired of one party pushing through legislation that prompts overrides, lawsuits or unallotments.

"I think they like divided government that doesn't necessarily work great for either side," he said.

Less controversial bills also benefit from bipartisan support. Rep. Kim Norton (DFL-Rochester) teamed up with Rep. Bob Dettmer (R-Forest Lake) to promote statewide

K-12 physical education standards they say are a win-win for schools, students and even the state's long-term health. They say research links participation in fitness activities with better standardized test performance and fewer behavioral problems.

HF3115, sponsored by Norton, would require the state to adopt such standards. Dettmer sponsored a similar bill three years ago when Republicans were in the majority. "When both of us can come to the table and work our own caucuses, that ultimately benefits the kids," said Norton.

"We both have a real interest in promoting fitness," said Dettmer, a physical education teacher and U.S. Army fitness trainer, adding that having the standards will help the state qualify for some federal grants it's now leaving on the table.

The two put in some sweat equity last summer, co-chairing a task force on childhood obesity with Sen. Terri Bonoff (DFL-Minnetonka), who sponsors the companion, SF2753. The bill was amended May 16 into a health care law signed May 25 by Gov. Tim Pawlenty, HF3055/SF2908*, sponsored by Rep. Paul Thissen (DFL-Mpls) and Sen. John Doll (DFL-Burnsville).

Sharing common ground

Another pair of lawmakers may be politically polarized but they're linked quite literally by common ground.

Rep. Frank Hornstein (DFL-Mpls) and Rep. Mary Liz Holberg (R-Lakeville) collaborated on a bus rapid transit bill for Interstate 35W, the roadway connecting their communities, at the start of his legislative career in 2003.

Holberg gave Hornstein a tour of her district and convinced him to dust off copies of transit studies rather than seek to spend thousands of dollars on a new study. After a series of successful meetings, the pair put together a plan

to deal with traffic congestion along the corridor.

"Rep. Holberg and I disagree on fundamental issues, but we're able to maintain a very friendly and respectful relationship,"

"Rep. Holberg and I disagree on fundamental issues, but we're able to maintain a very friendly and respectful relationship."

— Rep. Frank Hornstein
DFL-Minneapolis



Hornstein said.

Holberg credits their success to focusing on getting things done for the common good. "It's more about personalities, not what party you're from. We can agree to disagree on a lot of issues," Holberg said. "He was willing to look at cost-effective options."

"There are so many different divides here — fault-lines in the Legislature that need to be overcome. I think it's as old as the state itself. It's not going to simply go away. But, I think we can temper the polarization by investing in some intentional relationship building,"

Hornstein said.

However, the relationships themselves occasionally cause concern, say Reps. Marsha Swails

(DFL-Woodbury) and Carol McFarlane (R-White Bear Lake). Although each is a proud member of her party, they say some in their caucuses are skeptical they're so chummy.

"We like being seen together because we know it drives everyone a bit crazy," said Swails, who grew up in a Republican family, before switching to the DFL party later in life. "But I also know that there's lots more that unites us than divides us."

The two made several trips around the

state to visit shared service cooperatives doing the work they're promoting in HF2840/SF2511*/CH319, sponsored by Swails and Sen. Ann Rest (DFL-New Hope). Signed by Gov. Tim Pawlenty, it establishes a collaborative governance council to recommend ways local government units can combine administrative services, purchasing, programs and technology in order to save money and maintain access to resources.

Former Senate Majority Leader Roger Moe, now a lobbyist, lauds the pair as a model of the kind of collaborative governance they advocate.

"They recognize that both of them bring something to this effort. They basically capture the best ideas of everybody in what is a more collaborative style and a more inclusive style (which) generally gives a longer standing to policy that's worked out," he said. "The more fingerprints on the results, the longer lasting they are."

The women agree the road trips cemented a friendship that began when they sat next to each other during new member orientation in 2006. Along the way they shared stories of their grandchildren (Swails has two, McFarlane four); saw new parts of the state; and even played bingo at a motel restaurant they chose over an expensive resort where a conference was being held.

McFarlane says some people are surprised "a pair of grandmas" put together a bill that

has united unions and management groups in support.

"Marsha and I have been able to allow conversation that sometimes doesn't happen in this environment," said McFarlane.

"It's more about personalities, not what party you're from. We can agree to disagree on a lot of issues."

— Rep. Mary Liz Holberg
R-Lakeville



She said that's partly because they see what's good for the whole state, not just the party or some groups.

That attitude could help in the coming years, when bipartisanship may be needed most, Dean said, as the state's mounting deficit forces future lawmakers to consider reforms to service delivery across all areas.

"The decisions aren't going to get easier. They're going to get harder," he said. 🐾

Members sa

Photos by Tom Olmscheid



Rep. Cy Thao, right.



Rep. Dan Severson, right.



Rep. Jeremy Kalin, right.



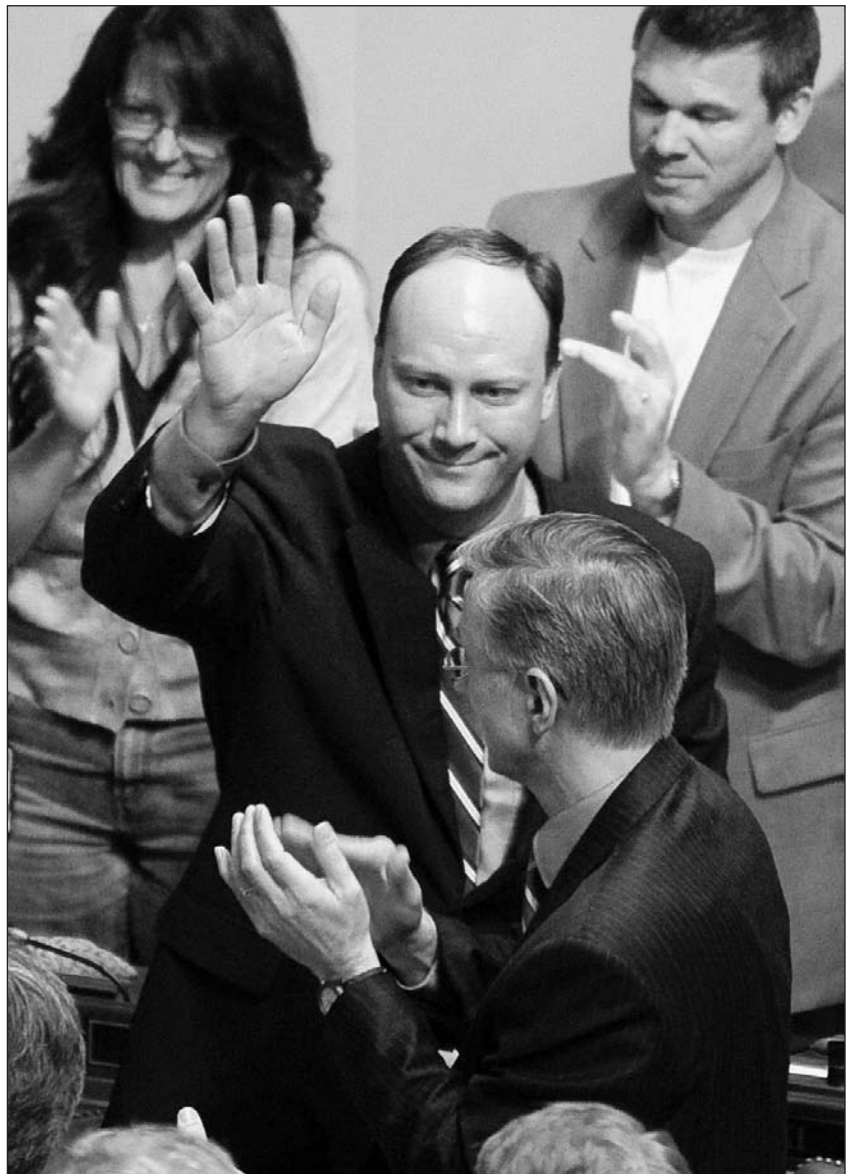
Rep. Karla Bigham.



Rep. Randy Demmer.

ay farewell

and Andrew VonBank



Rep. Marty Seifert, center.

Throughout the closing weeks of session, Session Weekly has provided "Stepping Down" profiles of the members pictured. On the following pages are profiles of more members who have announced their intentions not to seek their House seat.

As filings for the various state constitutional spots and legislative seats closed June 1, others announced their political intentions. Rep. Roger Reinert (DFL-Duluth) will not seek his House seat, but will run for the Senate seat vacated by Sen. Yvonne Prettner Solon (DFL-Duluth). She has been picked for the lieutenant governor spot, filling out the ticket for former U.S. Sen. Mark Dayton's bid for governor.



Rep. Rob Eastlund, left.

Reformer at heart

Brod walking away from the Legislature, but will keep putting out new ideas

By PATTY OSTBERG

Rep. Laura Brod's (R-New Prague) stepping down speech in the last hours of session wasn't a tearful goodbye, but more of a light-hearted "See ya' around." While Brod hasn't said specifically what her future plans entail, it's clear she'll still be working on government issues.

"I keep telling people I came into the Legislature to make a difference, but I'm leaving the Legislature to make a difference," she said. "I'm not retiring. I'm just not running for my seat again."

The time has come for her to reposition her career and move in a different direction, she said. "I'll be planning to stay involved in public policy. I'm planning on being involved on a variety of levels."

During her eight years in the House, she wouldn't back away from heated debate on controversial legislation. She calls herself a reformer at heart. "I've put new ideas on the table. I've tried to find ways to do things differently. I've asked the question, 'Why?' Why do we do what we do in government? Could we do it better? I think asking the question and looking at things from a different lens is something I've added to the process."

She's walking away from being an elected official with a real sense of challenge and hope. Too often the Legislature looks at things with the lens of "this is what we do and this is how we do it," she said. "I think that need to

reform has become crystal clear to me, and the path to reform is just that there's way too many people tied into the status quo and we've gotta start breaking down those doors."

Government as a whole needs a fundamental change on how it operates, she said. "I think the time is absolutely right for the Legislature on a bipartisan basis to move forward with some strong and meaningful reform."

The Republican lead on the House Taxes Committee, Brod says substantive, issue-based, policy reforms, like the state's tax code, need an overhaul. "We have a tax code that is based on the economy of the past and we need a tax code that's based on the economy of the future. ...

There is not a need to nibble around the edges, there is a need to fundamentally restructure."

Health care is another reform issue where she still sees work needing to be done. Brod served on both the health policy and finance committees this year.

"We focus so much on who pays, but we don't really look at how we can deliver health care in a different way," she said, adding that the country and state's overall demographic trends are going to drive the need to focus spending and force government to do things differently.

Too often the legislative process focuses "in two-year snippets of time that align with the budget cycle or election cycle, and we need to think bigger than that," she said. "Ideas matter a lot, but beyond ideas, results matter too."

One of the biggest changes she's noticed since first being elected in 2002 is the "sense of a means to an end — that it's OK to do 'X' if it means we get 'Y.'"

"Rules matter; and they matter because they protect the minority," Brod said. "We need to make sure that we're always keeping the rules and the process such that it protects the voices of the people who are not necessarily wielding the gavel."

Overall, Brod has enjoyed her time as a legislator whether it was agreeing or disagreeing with people. "It has been a remarkable privilege for me and I don't regret one moment of it. And I look forward to continuing to be involved in public policy and I keep telling everybody, I'm not gone for good."



PHOTO BY KRISTIN SCHUE

Rep. Laura Brod plans to stay involved in public policy, but not as a member of the House.

STEPPING DOWN

Rep. Laura Brod
Republican
District 25A - New Prague
Terms: 4 (elected 2002)
Advice to successor: "Don't assume you know. Ask lots of questions and don't accept 'because' as an answer."

One more goal in his playbook

Emmer leaving House in hopes of scoring the state's top job

By SUE HEGARTY

After scoring a hat trick — a skilled hockey player, family man and state representative — Rep. Tom Emmer (R-Delano) is chasing one more goal: he's vacating his House seat to run for governor.

Emmer views his legislative career as a team effort and a familiar play taken from life's playbook.

"I'm probably just like every other person who's born and raised in Minnesota. You're just trained to give back, you know. People who gave

to you set the example, and one day you find yourself coaching your kids' T-ball teams, and the next day you're sitting on a church finance council, and before you know it, you're on a city council and then somebody says, 'You know, you should run for the Minnesota House of Representatives,' and you're dumb enough to think it's a part-time job."

He shares another Minnesota virtue — a passion for hockey. He played a year of U.S. Junior Olympic hockey in Boston before returning home to help with the family lumber business. That's when he met his wife, Jacquie. The couple has raised one daughter and six sons, currently between the ages of 8 and 20, in Delano, a community he describes as "on the cusp of the metro."

When he was first elected to represent District 19B in 2004, Republicans held the majority in the House. He said it was a period of fewer committee hearings and "family-friendly" hours that enabled him to arrive at the Capitol around 5:30 a.m. and leave at 7 p.m. so he could coach hockey until 10:30 p.m. almost every night through March.

"You decide what level of involvement you want to have. For me, you're either all in or you're all out, so I've pretty much been all in."

One of the first bills he sponsored was a county border issue. The City of Rockford, largely in Wright County, had an isolated neighborhood in Hennepin County. To increase response times for emergency services such as

fire and police, the county border was moved so that the neighborhood could receive Wright County services.

He has sponsored many bills since then, including judicial topics. "I did learn very quickly that it's territorial around here. I was told privately that the judicial branch will take care of its own stuff."

Working at the Legislature is not that different from working in the private sector, he said. "It's all about relationships. You need to know the rules; you need to understand the process; then you just need to apply your interpersonal communications skills to building relationships so you can get things done."

There isn't one piece of legislation that defines his work; rather, it was being consistent and keeping his word.

"What I'm most proud of is that I've been true to what I've told my constituents that I would do; I have voted the way they expect me to.

He makes no apologies for his sometimes rigorous stance on the issues.

"We're supposed to be allowed to debate aggressively."

But like the end of a hotly contested game, "You need to be willing to walk across the aisle and shake somebody's hand and get them to recognize that, 'You know what, I'm just a human being like you.' It's up to you to take the initiative, to go and get to know someone and understand what drives them, what motivates them," he said. 🏒



PHOTO BY TOM OLMSCHIED

Rep. Tom Emmer is vacating his House seat and running for governor.

STEPPING DOWN

Rep. Tom Emmer
Republican
District 19B - Delano
Terms: 3 (elected 2004)

Advice to successor: "Just remember, it's all about serving. Learn the rules, read the bills, answer your constituents and when it's time, go home."

Retiring from public service — again

After helping others for 48 years, Haws to focus on family needs

By LAUREN RADOMSKI

When Rep. Larry Haws (DFL-St. Cloud) took to the House floor May 16, he offered an explanation as to why he'd waited until the last night of session to announce he would not seek re-election.

"One of the reasons that I would do it this way is I have no resistance to my friends trying to talk me out of things," he said.

Haws, a former Stearns County commissioner who was elected to the House in 2005, said his family is going through "some serious health challenges."

"This is an honorable place to serve, but when your family has a need, that's God's work and I'm going to do God's work," he said. "Thanks for allowing me to serve with you."

A former teacher and longtime coach, Haws has served the St. Cloud area in different capacities for most of his life. He spent 32 years in the St. Cloud Park Department — including 17 as director — an experience that put him in touch with many different community groups. Over the years he recruited 2,000 volunteers annually and garnered \$8.4 million in donations, resources that were particularly helpful in difficult budget years.

Haws was approached by the DFL, Republican and Independence parties to run for a House seat when former Rep. Joe Opatz stepped down. He decided the policies of the DFL were the best fit with his views, which he's never kept secret.

"Everybody in town knows me and they already know my opinions," he said.

Haws said he is proud of his collaboration with Gov. Tim Pawlenty and Rep. Dan Severson (R-Sauk Rapids) in 2007 to pass a major veterans benefits bill. Haws had committed to working

on behalf of veterans after coaching children who later served in Vietnam as adults. He'd also worked on veterans issues during his eight years as a county commissioner.

As was the case with the veterans bill, Haws has worked closely with lawmakers who hold very different opinions from him on many topics. The key to success has been to focus on a shared goal.

"That policy or project or program is much more important than the area in which you conflict," he said.

Haws is also proud of his sponsorship of parks legislation that benefitted rural regional parks and earned him recognition from The Trust for Public Land, a national land conservation organization. He's also

been recognized by fellow lawmakers, who nominated him for "Legislator of the Year" three times.

Haws has observed that it takes much longer for constituents to feel the effects of legislation than it does a decision by a city council or county board. At the local level, a decision can be made on Monday, with feedback to decision-makers by Wednesday, and a change to the policy on Friday, Haws said. On the other hand, it may take months to correct a law that was poorly thought out or has an unintended consequence.

That makes communication with constituents especially important, Haws said. He's been diligent in that respect.

"It would not be unusual for me to have 100 contacts (with constituents) in a given week," he said.

Haws said he's thankful for the friendship of fellow lawmakers and the guidance of House staff. A member of two-dozen St. Cloud area boards, he expects to stay busy serving his community — he just won't be doing it at the Capitol.

"I don't think my life is going to change a lot," he said, adding his calendar is already pretty full.

Haws is also looking forward to working on his family's organic farmers market and coaching his grandchildren in soccer and running.

"I've been a public servant for 48 years, I've retired three times and every one of them was terrific," he said. 🙏



PHOTO BY TOM OLMSCHEID

Rep. Larry Haws is proud of his collaboration to pass a major veterans benefit bill.

STEPPING DOWN

Rep. Larry Haws
DFL
District 15B - St. Cloud
Terms: 3 (elected 2005 special election)
Advice to successor: "Try to vote on what you think is right and do research on the bills you're voting on."

Fulfilling her 'deal'

Kelliher leaving House after a dozen years, maybe not the Capitol

By LAUREN RADOMSKI

House Speaker Margaret Anderson Kelliher (DFL-Mpls) still remembers the looks she got while door knocking in her district in the late-1990s. Kelliher, then 29 and the mother of two young children, was seeking the seat held by retiring Rep. Dee Long, the first female Speaker of the House.

"How in the world are you ever going to fill her shoes?" Kelliher recalls being asked. "And so I would say, 'I'm going to bring my own pair of shoes.' And that's exactly what I've done."

After a dozen years in the House, four of them as speaker, Kelliher is ready to end her legislative career. She says she made a "deal" of sorts with her husband around the start of her first term in 1998: she would re-evaluate what she was doing after 10 years. Her election to the position of speaker prompted her to stay a bit longer than she'd originally anticipated.

"I, more or less, decided after the last election that this would be my last two years," Kelliher said. She says it was a choice she made before deciding to run for governor.

A Mankato-area native and former legislative aide, Kelliher said she ran for office because she was interested in "helping people through the maze of government when they get stuck." Named "Freshman Legislator of the Year," Kelliher initially served on transportation and environmental policy committees. In 2000, she led the effort to override then-Gov. Jesse Ventura's veto of funding for a new Guthrie Theater in Minneapolis. After their first attempt failed, Kelliher and Rep. Greg Davids (R-Preston) made a second, successful attempt

later the same day. Kelliher said the experience was "a lesson in coalition-building."

She is also proud of her involvement in overriding Gov. Tim Pawlenty's veto of transportation spending in 2008. The law legislators passed raised the state's gas tax to pay for millions of dollars in road and bridge projects. It came in the wake of the Interstate 35W bridge collapse, what Kelliher calls "the visible sign of disinvestment in our state."

Kelliher also lists the passage of renewable

energy standards and the outdoors/arts constitutional amendment as highlights of her legislative career. Both, she said, will have a generational impact.

Other memorable experiences have been more personal. Kelliher and Rep. Ann Lenczewski (DFL-Bloomington) have had a long-standing tradition of meeting for dinner one night near the end of session.

Another of Kelliher's end-of-session traditions: bringing her children to visit during the final night, sometimes even to last-minute meetings.

When Kelliher isn't at home, she says she's fortunate her family has the help of her 86-year-old mother, Elaine, who has come to stay with them every legislative session since Kelliher was elected.

"She has been the secret weapon in being able to be here and stay here," Kelliher said.

Kelliher says one of the biggest changes she's seen at the Legislature over the past 12 years is in the way constituents communicate with lawmakers. She gets fewer phone calls than she once did, with most people contacting her by e-mail. Others opt for newer vehicles like Facebook and Twitter.

To the person who serves as the next Speaker of the House, Kelliher offers the same advice that was given to her.

"Make friends with everyone: legislators, Democrats, Republicans, staff members, people who come to advocate," she said. "The second thing is to know the budget. If you know the budget, you can do just about anything for your constituents."



PHOTO BY TOM OLMSCHIED

House Speaker Margaret Anderson Kelliher lists the passage of renewable energy standards and the outdoors/arts constitutional amendment as highlights of her legislative career.

STEPPING DOWN

House Speaker
Margaret Anderson Kelliher
DFL
District 60A - Minneapolis
Terms: 6 (elected 1998)
Advice to successor: "Make friends with everyone."

Excited for a new opportunity

Kohls leaves the House with fond memories, optimism about future

By Nick Busse

On the day Rep. Paul Kohls (R-Victoria) first arrived at the House of Representatives, he remembers feeling a sense of awe at the tremendous responsibility he had been given. Eight years later, the feeling hasn't gone away.

"I still do get a sense of awe when I walk into the chamber, and I'm glad that hasn't left me," he said.

Kohls' emotions are more mixed as he bids that chamber farewell. The four-term lawmaker and one-time gubernatorial candidate announced May 3 that he would not seek re-election. Having recently accepted a position at a financial services company, he said his new job won't accommodate continued service in the Legislature.

"I'm disappointed that I'm not going to be able to run for reelection, which I was planning to do, but I'm really excited about this new opportunity," Kohls said.

His departure marks the exit of a prominent voice in the House's Republican minority. Kohls, who admits to being one of the more vocal conservatives in the body, said he has a passion for both policy and politics. Over the years, he said it's been rewarding to be able to contribute to many of the important policy debates in the House.

"I've been a relatively outspoken member in terms of limiting the size and scope of government, and getting in control on spending," he said.

Kohls said he's been lucky to represent one of the state's most heavily Republican-leaning districts. That said, he's never

taken his constituents for granted. And despite his conservative roots and beliefs, Kohls has made many friends on both sides of the aisle, and said he's come to respect even those with whom he completely disagrees on major issues.

"What I appreciate now maybe more than the day I walked in is that we generally have the same goals," he said.

Kohls said the House is full of "first-rate" people from both parties, all of whom want a better future for Minnesota. His time in the

House has given him a deeper appreciation of the fact that each member is here representing approximately 38,000 people, he said.

"Over the years, I've often sat on the floor and looked around the chamber — looked at the governor give a State of the State, listened to an impassioned debate on the floor — and recognized that I've had the opportunity to be a part of something special," he said.

Kohls is proud of a number of local projects he was able to accomplish for his district, including an expansion of Ridgeview Medical Center, a pedestrian path around Lake Benton and various transportation projects. He's also been successful in passing legislation on statewide issues such as tort reform and identity theft.

As his legislative career winds down, Kohls said he is looking forward to spending more time at home. He feels especially indebted to his wife, Kelly, for supporting his service. The couple has two children, Stanley and Caroline. Kohls said raising a family while serving in the Legislature has been challenging — although no more so than for anyone else with a time-consuming career.

Though he isn't sure whether he'll run for office again someday, Kohls said he knows enough to "never say never." For now, he plans to make the most of his new job opportunity and see where it takes him.

"I leave with really fond memories of the institution and people, and I leave with an enormous amount of gratitude for having had the opportunity," Kohls said, adding, "This is such a special place." 🏛️



PHOTO BY TOM OLMSCHEID

Rep. Paul Kohls, an "outspoken" Republican, said lawmakers from both parties have the same goals.

STEPPING DOWN

Rep. Paul Kohls
Republican
District 34A - Victoria
Terms: 4 (elected 2002)
Advice to successor: "Don't forget where you come from."

Agriculture advocate bids adieu

Otremba stepping down after 13 years to focus on family, friends

By LAUREN RADOMSKI

Rep. Mary Ellen Otremba (DFL-Long Prairie) is proud of her reputation as a people-person. The seven-term legislator says she has among the highest number of constituent contacts of anyone in the House.

"That was my job and I was really good with one-on-ones," she said.

Otremba says she will miss those conversations with her constituents and colleagues when she leaves office at the end of her term. She's looking forward, however, to spending more time with her friends and family, particularly her grandchildren.

Otremba was elected to the House in a 1997 special election following the death of her husband, former Rep. Ken Otremba. She remembers a conversation they had shortly before his death in which he asked her "to continue doing what we were doing together."

When Otremba came to St. Paul, one of her daughters, then in grade school, came too. As Otremba homeschooled her daughter, she sought the help of other legislators who had expertise in various fields.

"She had to go to all these people, whether they were Republicans or Democrats," Otremba said.

Rural education and health care have been among her top priorities. In her first term, Otremba sponsored a law that created a program enabling rural hospitals to receive funding to provide public health services. A daughter of a farm family, Otremba is passionate about agriculture issues and served as chair of the House Agriculture, Rural Economies and Veterans Affairs Committee.

She's also been an advocate for children and families, sponsoring bills that would assist low-income households in need of affordable housing and health care. She's also sponsored several bills related to her pro-life stance on abortion.



PHOTO BY ANDREW VONBANK

Rep. Mary Ellen Otremba, a seven term legislator, says she will miss conversations with her constituents when she leaves office.

Otremba says a lot has changed since she took office, including an increase in the degree of partisanship. "I was there to take care of the people, not to bash them" — and she predicts the tone may grow worse in light of future budget pressures.

It may be more difficult for legislators to work on behalf of Greater Minnesota, Otremba said, as the Twin Cities metropolitan area grows and rural communities lose residents. Amidst all the challenges, she encourages her successor to remember what the job is about.

"It's really all about people and that's very important," she said.

Otremba said she's looking forward to assisting constituents from Long Prairie over the next several months. She's also using a favorite hobby to instill an appreciation of farm life in

younger generations. Together with a friend, Otremba has sewn more than 20 books for kids, all of them with cotton pages containing text and farm scenes. It's a project that's kept evolving since Otremba made one for her first grandchild about three years ago. 🧵

STEPPING DOWN

Rep. Mary Ellen Otremba
DFL
District 11B - Long Prairie
Terms: 7 (elected 1997 special election)
Advice to successor: "It's really all about people."

A little bit of everything

Omnibus economic development law touches on a wide range of topics

By Nick Busse

The omnibus employment and economic development policy law covers a lot of ground — everything from changes to unemployment insurance benefits to new safety rules at inflatable play parks for children.

Sponsored by Rep. Mike Obermueller (DFL-Eagan) and Sen. David Tomassoni (DFL-Chisholm), the law addresses a range of policies under the jurisdiction of primarily three agencies: the Department of Commerce, the Department of Employment and Economic Development, and the Department of Labor and Industry. Unless otherwise noted, it takes effect Aug. 1, 2010.

Gov. Tim Pawlenty line-item vetoed a pair of provisions dealing with projects in the Iron Range: a \$2 million grant for renewable energy projects and an appropriation for operating room equipment and renovations at the Virginia Regional Medical Center. In his veto message, Pawlenty stated that such provisions need to be vetted and approved by Iron Range Resources.

HF2781/SF2510*/CH347

Inflatable play park safety

Indoor amusement parks with inflatable rides can be fun places to take children, but critics say they're dangerous when not properly supervised. The law will boost safety requirements for the facilities. Supporters cite a rash of serious injuries sustained by children who were not being supervised while using the rides.

The law requires that a "trained supervisor" be in close proximity and actively supervising each inflatable ride when in use. Indoor play parks will have to register and be subject to inspection by the Department of Labor and

Industry. The provisions do not apply to companies that rent out inflatable rides for use at parties, carnivals or events.

Business loans for veterans

Veterans who have served actively in the military since Sept. 11, 2001, will be eligible to apply for an interest-free loan to start a business, under the law. Veterans may apply to DEED for a loan of up to \$20,000. Funding for the loans will come from an existing but underutilized loan program for businesses that suffer economic injury as a result of having an essential employee called to active military service.

Science authority created

To help boost high-tech business in the state, the law establishes a Minnesota Science and Technology Authority. The job of the state-level group will be to coordinate public and private efforts to fund high-tech research and development initiatives, and develop a "comprehensive science and technology economic development plan" for the state.

The authority will consist of the commissioners of five state agencies, and will be aided by an advisory commission comprised of individuals representing the higher education, business, labor and investment communities. To help kick-start the authority, the law appropriates \$107,000 from money previously appropriated to DEED for other purposes.

Unemployment changes

The law includes a special extension of unemployment insurance benefits for up to 13 weeks, effective from June 30, 2010, to March 26, 2011. It replaces a special emergency unemployment compensation program from 2009.

Also included are provisions that will guarantee that people who return to work after being on unemployment, only to get laid off a second time, receive a similar level of benefits to what they had before. The law will also extend eligibility for unemployment insurance benefits to some temporary staffing agency workers who choose not to keep taking temp jobs.

Contractor licensing fees

Many of the licensing fees that plumbers, electricians and dozens of other types of contractors have to pay the state will change, under the new law. In an effort to make the state's licensing system simpler and more transparent, the law reorganizes the fees so that they are tied more closely to the four trade skill levels — entry-level, journey-level, master-level and business-level — and also to the cost the state actually incurs to license them. Some fees will go up, while others will go down; however, there will be no net change in total fee revenues to the state.

Miscellaneous

- Other provisions included in the law are:
- banning the sale or manufacture of children's jewelry containing cadmium;
 - authorizing a study on the feasibility and impacts of transferring the state's reserves to accounts in small community banks;
 - authorizing a comparative study of state laws regulating small businesses in Minnesota and neighboring states; and
 - regulating appraisal management companies.



Revenue raiser raises none

Tax reprieve for flood victims, spouses of deceased veterans

By LEE ANN SCHUTZ

Tax bills have had a slim-to-none chance of escaping Gov. Tim Pawlenty's veto pen over the years. Void of revenue-raising proposals, this session's omnibus tax law mostly falls into the slim category. All provisions were OK'd, except for three appropriations for local project appropriations which were vetoed.

Among the provisions in the law, sponsored by Rep. Ann Lenczewski (DFL-Bloomington) and Sen. Tom Bakk (DFL-Cook), are tax breaks to those trying to rebuild from flooding and other natural disasters experienced in the last few years.

Otter Tail County will see \$200,000 to compensate for the cost of road and infrastructure repair due to flooding, and the City of St. Charles will see additional state aid for its loss of tax base due to a fire at the city's largest employer.

Most provisions in the law are effective for assessment year 2010, for taxes payable in 2011.

Property taxes

The new law provides a valuation exclusion for a home where the value has been reduced by at least \$15,000 after a natural disaster; has been restored or rebuilt by the end of the year after the disaster; and has an estimated market value after reconstruction that exceeds its pre-disaster value by at least \$25,000.

Recent laws relating to land assessments of family farms, especially the 2008 Green Acres law, are controversial. At the very least, opponents seek clarification of some of the provisions.

The new law asks the commissioner of revenue to develop a fair and uniform method of determining the average value of

agricultural land in each county to be used for property enrolled in the Green Acres program.

Other provisions include:

- effective for taxes payable in 2011 and thereafter, the market value exclusion will be extended to five years for spouses of deceased veterans and military service members who die while in active service; and spouses of deceased disabled veterans or military service members who die while in active service will qualify for the senior deferral program for the rest of their lives, regardless of age;
- in response to a portion of the tax court's decision in *Sommerdorf v. Sherburne County*, the law broadens eligibility for property used for commercial boarding of horses to qualify for agricultural classification; and
- a 13-member property tax working group is established to investigate ways to simplify the property tax system, to reexamine the property tax calendar and to determine the cost-benefit ratio of the various property tax components. Recommendations are due to the Legislature by Feb. 1, 2012.

Local authority extended

One way for local units of government to bring in new revenue is through local food and beverage and/or lodging taxes, and also by asking the Legislature for permission to have their residents decide whether bonds should

be let for certain projects.

Local taxing authority approved in the law includes:

- Rochester can issue up to \$43.5 million in general obligation bonds to pay for the Mayo Civic Center Complex project;
- Proctor can increase its bonding authority to pay for a street and community center project from \$3.6 million to \$10 million; and
- Detroit Lakes, Marshall and Biwabik can impose local sales taxes.

Vetoed items

The governor vetoed three projects, funded at \$100,000 each: development of a carbon-neutral industrial park in Chisago County; preliminary engineering and design for a biomass facility and industrial park improvements for renewable energy development in Princeton; and facility and parking improvements at the Revenue Department's Ely facility.

In his veto letter, Pawlenty said the appropriations were rejected "because the local projects they fund were never vetted through the committee process where the merits of each could be publicly and properly evaluated."

Other provisions

Tax Increment Financing regulations are somewhat eased by providing local units of government more ability to use the tool for redevelopment purposes. The law also expands short-term borrowing authority for larger watershed districts and authorizes the Metropolitan Council to issue \$34.6 million in bond revenues to fund its transit capital improvement plan.

There are some steps laid out that could lead to tax reform, including a required report of the state tax expenditures. By Feb. 15, 2011, the Revenue Department is to suggest to the Legislature a process for periodic review and a sunset for extension of tax expenditures. The law appropriates \$60,000 in fiscal year 2011 to fund the review.

The Minnesota and Wisconsin revenue departments are to conduct a study of individuals who live in one state and work in the other to develop fair tax reciprocity guidelines. An initial report is due to the Legislature by July 15, 2011.

HF3729*/SF3327/CH389 

The year without a K-12 law

School funding is flat, no reforms enacted

By KRIS BERGGREN

Discord over an alternative teacher licensure pathway endorsed by the governor, many Republicans and some DFLers helped kill an omnibus K-12 bill, as well as the possibility of a federal grant that could have brought scarce new funds to Minnesota schools.

Of four omnibus education bills compiled this year, none landed on the governor's desk, each dead-ended for various procedural and political reasons.

The House passed one of them, HF3833, May 11 after voting down an amendment that would have included the controversial licensure provision.

The provision, originally sponsored by Rep. Carlos Mariani (DFL-St. Paul), chairman of the House K-12 Education Policy and Oversight Committee, would have allowed limited two-year licensure for Teach for America members and others who meet certain criteria. They could have been placed in certain school districts to meet specific needs. However, other DFLers and the state teachers' union, Education Minnesota, said it lacked requirements for adequate student teaching experience and close supervision by a licensed teacher.

"Unfortunately, it was the teachers' union who threw the sand in the gears and blocked reform from happening," said Rep. Pat Garofalo (R-Farmington), by "bullying" enough DFL members into voting no.

Garofalo praised Mariani and Rep. Mindy Greiling (DFL-Roseville), chairwoman of the House K-12 Education Finance Division, for their leadership on policy reforms. He said that if the proposal and other reforms had passed, he could have asked his colleagues to support "a reasonable compromise" on a proposed temporary extension on school operating levies, also in the bill.

The proposal would have given school boards authority through June 30, 2016, to renew expiring levy referendum without putting the question to voters. It included a reverse referendum.

Greiling said that proposal was supported by most education groups, who saw it as a needed strategy to maintain fiscal stability as the state dips further into school revenue to help balance its budget.

Because the Senate did not take up HF3833, or sponsor a companion, it died.

Race to the Top hopes over

Greiling called this "the worst year we've ever had for education." While schools were spared cuts, policy reforms that could have helped Minnesota win a federal Race to the Top grant and others offering budget relief for school districts were left on the table, as was the funding reform plan Greiling proposed, known as the "New Minnesota Miracle."

Reforms in the bill included annual teacher and principal evaluations, alternative licensure for mid-career changers, stronger teacher licensing requirements and an end-of-course algebra examination that could lead to new accountability measures.

Without policy reforms in place, Gov. Tim Pawlenty announced May 19 he won't re-apply for the grant, which could have been worth as much as \$175 million.

Losing out on the grant is one thing, but schools' problems are going to get worse before

they get better. Accounting shifts delaying state aid payments to schools up to 30 percent in the next biennium became law.

What got left behind

Left behind were several strategies Greiling hoped would give school districts strategies to maintain fiscal stability.

One proposal would have smoothed bureaucratic snags that left \$8 million of special education reimbursement by Medicaid and Medicare uncollected by school districts last year. It would have made it easier to bill the third-party payers by streamlining required consent forms.

School districts would have gained easier access to health and safety revenue through reductions in red tape involved in applying for the revenue.

An idea to hire a quasi-independent analyst to monitor school trust lands activities, based on a successful model that has grown Utah's school fund to \$1 billion, won't happen this year.

A few accomplishments made

A few provisions survived as parts of other laws or stand-alone laws:

- Metro Deaf School-Minnesota North Star Academy, a St. Paul charter school, likely would have folded without legislative authorization in HF3329, sponsored by Greiling, for the Education Department to accelerate its reimbursement for special education services;
- statewide physical education standards, plus other voluntary measures promoting children's health and fitness, are part of a health care law signed May 25 by the governor; and
- a proposed repeal of the statute that led to \$416 million of short-term lending by school districts to the state this spring was modified, becoming a provision in the supplemental budget law. The state may now tap those schools for cash flow help, but no longer must do so before seeking other loans.

Doling out resources

Omnibus environment and natural resources law also contains energy provisions

BY SUE HEGARTY

New recreation laws and the Outdoor Heritage Fund appropriations comprise a large part of the omnibus environment and natural resources law.

Most provisions are effective Aug. 1, 2010, including a requirement that boaters must drain boating-related equipment by removing drain plugs to prevent the spread of invasive species. Other provisions include: veterans with any service-connected disability will receive free daily entry permits to visit state parks, and horse riders on state land will be required to have a horse pass, a provision that was broadened after some riders claimed they didn't need a horse trail pass because they were riding off or beside the trail.

During winter months, owners of collector snowmobiles can qualify for exempted registration status. Cross-country skiers will face higher trail pass fees, but students and teachers on school-sanctioned cross-country ski outings will be exempt from the fees.

Funds from the Outdoor Heritage Fund, a sales tax dedicated to environmental and natural resources projects, will be used to acquire and/or restore prairie grassland, to protect shoreline and forest habitat, and to protect shallow lakes and wetlands.

The law contains nearly \$6.9 million of outdoor heritage appropriations for a wetlands acquisition and restoration program known as Reinvest in Minnesota. The RIM money stayed in the law despite the governor's previous line-item veto of \$25 million for RIM in the capital investment law he signed March 14. Outdoor heritage funds can only be used to supplement, not replace, traditional sources of funding.

A number of studies are required under the new law. A technical evaluation panel must

convene by July 1, 2011, to annually study whether conservation efforts funded by outdoor heritage money are achieving the goals set forth.

In light of a legislative auditor's report that the Department of Natural Resources has more land than it can manage, the new law requires a report to the Legislature by Jan. 15, 2011, that will contain recommendations on ways to accomplish the reasonable care of state land acquired in fee title or easement. Also by that date, the DNR must provide an analysis of the advantages and disadvantages of compensating the permanent school trust fund for state-owned lands.

Clean Water Fund appropriations will help pay to continue implementing total maximum daily load studies for impaired waters, an ongoing project of the Pollution Control Agency.

Energy-related provisions

The new law also contains a number of energy-related provisions, including a change to the formula used for funding the Renewable Development Fund.

What's in the law

The following are selected bills that have been incorporated, in part or in whole, into the omnibus environment and natural resources finance law:

HF2954 Dill
HF3079 Hortman
HF3094 Eken
HF3190 Hackbarth
HF3207 Sailer
HF3790 Murphy

Xcel Energy pays into the fund based on the number of spent nuclear fuel dry casks it stores at its two power plants. Rather than a flat fee, Xcel will begin paying \$500,000 each year for each stored dry cask, which will increase the fund's bottom line. Development funds are appropriated as grants for research and development to find alternatives to nuclear energy. However, a provision in the law will redirect \$21 million of those funds for a solar module rebate program.

Line-item vetoes

Three line-item vetoes were handed out by Gov. Tim Pawlenty.

A request for \$800,000 for supplemental staffing at the Public Utilities Commission was deemed inappropriate. In his veto letter, Pawlenty wrote, "In a time of when the state must live within its means, adding additional staff at the expense of Minnesota ratepayers sends the wrong message."

For the second straight year, the Board of Water and Soil Resources will not receive a \$100,000 appropriation from the Clean Water Fund to establish a pilot grant program to engage volunteers and to match private resources to complete water quality restoration and protection projects for lakes and rivers.

The City of Minneapolis will not receive \$90,000 for a grant to an organization that would study energy conservation and energy planning in lieu of a proposed high-voltage transmission line along the Midtown Greenway neighborhood. "Projects of this type normally do not receive funds from the renewable development fund for localized studies and I am concerned about the precedence that this would set," wrote Pawlenty.

HF3702/SF3275*/CH361 

Friday, May 14

HF3850-Atkins (DFL)

Public Safety Policy & Oversight

Enforcement capability enhanced for identity theft and other fraudulent activities conducted electronically.

HF3851-Morrow (DFL)

K-12 Education Policy & Oversight

Teacher performance assessments established.

HF3852-Reinert (DFL)

State & Local Government Operations Reform, Technology & Elections

Commissioner of administration required to provide plans and specifications relating to building and construction contracts.

HF3853-Laine (DFL)

Finance

Medical Assistance provisions changed.

HF3854-Hansen (DFL)

State & Local Government Operations Reform, Technology & Elections

Senate and House of Representatives member number reduced.

HF3855-Clark (DFL)

Health Care & Human Services Policy & Oversight

Commissioner of health required to research and report on autism, Department of Human Services required to train autism service providers and notification of autism service options required for Medical Assistance and MinnesotaCare recipients.

Saturday, May 15

HF3856-Bly (DFL)

Health Care & Human Services Policy & Oversight

Expanded health care practices authorized for health care professionals.

HF3857-Lillie (DFL)

Taxes

Wage subtraction provided for public safety officers killed in the line of duty.

HF3858-Zellers (R)

K-12 Education Policy & Oversight

School bus fire report required.

HF3859-Shimanski (R)

Public Safety Policy & Oversight

Local law enforcement agency grants provided for training officers regarding immigration and surcharge provided.

HF3860-Scalze (DFL)

Health Care & Human Services Policy & Oversight

Public assistance reporting information system use expanded.

HF3861-Rukavina (DFL)

Finance

Applied learning initiative established in the Minnesota State Colleges and Universities for technical education.

Sunday, May 16

HF3862-Marquart (DFL)

State & Local Government Operations Reform, Technology & Elections

Minnesota Civic Compact, Civic Agency, Minnesota Youth Council, Volunteer Capacity Building Partnership, and Civic Innovation fund created; state strategic plan, public policy goals and performance measures established; evaluation process established; and office ombudsman created.

HF3863-Loon (R)

Civil Justice

Child protection; guardian ad litem authority added.

HF3864-Dill (DFL)

K-12 Education Policy & Oversight

Open enrollment transportation provisions modified.

Monday, May 17

SSH1-Carlson (DFL)

Omnibus state budget bill.

SSH2-Greiling (DFL)

Omnibus K-12 education bill.

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New laws and their enactment date

The following chart includes the 219 bills and four resolutions that passed both the House and the Senate during the 2010 legislative session and sent to the governor for consideration. The bills are, for the most part, sorted according to the committee of origin. An asterisk marks the version sent to the governor.

Here are definitions of some of the terms used in the chart.

Governor's options

• Enactment

The date the governor signed the bill into law.

• Line-item veto

The power or action of the governor to reject individual items within an appropriations bill while approving the rest of the bill.

• Veto

The governor did not approve the bill.

Effective dates

Each act takes effect at 12:01 a.m. on the day stated in the act itself, unless it specifies a different time. Examples:

• Aug. 1, 2010

Each act the governor signs into law, except those that make appropriations, take effect on Aug. 1 following final enactment, unless the act specifies a different date.

• July 1, 2010

An appropriations act, an act spending money, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a different date.

• Day after enactment

The act becomes effective the day after the governor signs it.

• Upon local approval

A special law requiring approval from the local government unit it affects becomes effective the day after the local government unit's governing body files a certificate with the secretary of state, unless the act specifies a later date.

• Various

Different parts of the act have different effective dates.

• With exceptions

Act includes other effective dates.

• With qualifications

Act adds conditions to the effective date.

• Retroactive

Act goes into effect as of a specified date in the past.

2010 MINNESOTA LEGISLATURE						Enactment
FINAL ACTION AS OF MAY 27, 2010						
HF—House File SF—Senate File		R—Resolution CH—Chapter		*—bill the governor signed or vetoed		
CH	HF	Author	SF	Author	Description	
AGRICULTURE						
390	3124	Dill	2900*	Chaudhary	Agriculture provisions modified, taking, possessing, and transporting wild animals provisions modified, fish and wildlife management plan requirements modified, and game and fish license provisions modified.	Vetoed
BANKING						
211	2828*	Jackson	2231	Scheid	Instrument requirements to secure debt clarified.	4/1/2010
234	3065*	Simon	2590	Scheid	Securities lending agreements and holding of municipal funds provided.	4/15/2010
263	776*	Lesch	612	Latz	Uniform Foreign-Country Money Judgments Recognition Act enacted and recommended for passage by the National Conference of Commissioners on Uniform State Laws.	4/22/2010
BONDING						
189	2700*	Hausman	2360	Langseth	Omnibus bonding bill; capital improvement funding provided, previous appropriations modified, bonds issued, and money appropriated.	Line-item vetoed
399	3492*	Hausman	3222	Langseth	State bond proceed appropriations clarified and modified, and other appropriation provisions modified relating to Blazing Star State Trail, Mesabi Trail, Northwest Hennepin Family Center, an outpatient clinic and health education facility at Hennepin County Medical Center, Rochester Community and Technical College, Camp Ripley, Minneapolis Veterans Home and the city of Lake Elmo.	5/25/2010
BUDGET						
337	2038	Solberg	1481*	Bakk	Budget reserve percentage formula periodic review required.	5/13/2010
340	2037*	Solberg	1556	Cohen	General Fund balancing proposed, payment schedules modified, appropriations reduced for various departments, calculation modified, receipt deposit provided in special revenue fund, fourth tier added to income tax rates, and money appropriated.	Vetoed
215	1671*	Carlson	3223	Cohen	Supplemental budget bill; state government funding provided for state agencies, departments, and commissions, and various other state government provisions modified, bonds issued, and money appropriated.	4/1/2010
306	3748	Simon	3325*	Latz	Local impact notes request from finance and ways and means committees authorization.	5/11/2010
BUSINESS						
317	677	Bunn	525*	Prettner Solon	Body art establishments and technicians regulation system.	5/13/2010
283	2839	Bunn	2758*	Bonoff	Minnesota entrepreneur virtual assistance network authorized, and money appropriated.	4/30/2010
294	3591*	Hornstein	3115	Dibble	Minneapolis authorized to adopt an ordinance to define the annual duration of operation of mobile food units.	5/10/2010

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CH	HF	Author	SF	Author	Description	Enactment
240	3023	Holberg	2322*	Betzold	Business screening services regulated, and correction and deletion of certain criminal records provided.	4/15/2010
250	3025	Olin	2705*	Latz	Organization and operation of business corporations, nonprofit corporations, and limited liability companies regulated; consistent law provided relating to registered agents and offices of business entities; and prohibition repealed against certain business names.	4/15/2010
339	2902	Atkins	2663*	Scheid	Motor vehicle sales and distribution regulated.	5/13/2010
324	2060	Sterner	1886*	Saltzman	Insurance claims for residential roofing goods and services regulation and roofing contracts right to cancel.	5/13/2010
235	3277*	Simon	3102	Pappas	Advertising of deceptive local telephone numbers businesses specified as a deceptive trade practice.	4/15/2010
CONSUMERS						
209	2918*	Greiling	2632	Marty	Beverage production in basements authorized, and commissioner of agriculture directed to amend Minnesota Rules.	4/1/2010
293	2470	Hilstrom	2493*	Moua	Scanning device and reencoder use to acquire information from payment cards included as identity theft.	5/10/2010
305	3467	Davnie	3055*	Dibble	Tobacco Modernization and Compliance Act of 2010.	5/11/2010
255	3186	Atkins	2808*	Scheid	Omnibus liquor bill.	4/22/2010
257	3016	Hosch	2572*	Fischbach	Vehicle impoundment notice time clarified.	4/22/2010
CRIME						
300	3300	Morrow	2713*	Lourey	Civilly committed sex offenders, sexually dangerous persons, and sexual psychopathic personalities provisions modified, and judicial holds in commitment cases provisions amended.	5/10/2010
330	2607	Mullery	2755*	Latz	Detention placement options clarification for extended jurisdiction juveniles.	5/13/2010
335	3382	Lesch	2790*	Moua	Public hearings and public access to juvenile records governing provisions modified, expungement authorized of certain juvenile records, and human services commissioner authorized to grant set of asides or variances for certain individuals disqualified from licensure because of an offense as a juvenile.	Vetoed
349	3634	Jackson	3147*	Erickson Ropes	License revocation and license denial required for any health-related licensed professional convicted of a felony-level criminal sexual conduct offense.	5/15/2010
381	891	Champion	560*	Latz	Criminal record expungement authorized for individuals who have recieved stays of adjudication or diversion, expungements authorized without petitions in cases where charges were dismissed against a person upon prosecutorial approval and with victim notification, and persons petitioning for an expungement required to provide a copy of the criminal complaint or police report.	Vetoed
367	2757	Kahn	3145*	Pappas	Weight of water used in a controlled substance filtration device established when determining weight or amount of controlled substance.	Vetoed
368	2975	Lanning	2773*	Ingebrigtsen	Salvia divinorum sale and possession crime established, and penalty provided.	5/18/2010
DEVELOPMENT						
216	2695*	Lenczewski	2568	Bakk	Omnibus jobs bill.	4/1/2010
EDUCATION						
285	3347	Urdahl	2996*	Fischbach	School concession stands established as a specific category of food and beverage service establishments.	4/30/2010
395	3329*	Greiling	none	none	Charter school aid payment schedule modified.	5/25/2010
ELECTIONS						
379	2755	Swails	2629*	Sieben	Voting equipment and vote-counting equipment grant funding provided, grant terms and procedures specified, and money appropriated.	5/27/2010
327	1206	Simon	80*	Rest	Omnibus campaign finance bill.	5/13/2010
397	2754	Winkler	2471*	Rest	Secretary of state filings regulated.	5/27/2010
291	2510	Gardner	2226*	Rummel	Coercion prohibited for a person who is considering being a candidate.	Vetoed
313	653*	Kahn	834	Pappas	Municipal precinct and ward boundary procedures and requirements changed.	5/11/2010
314	655*	Kahn	531	Pappas	Candidacy affidavit required to state candidate's residence address and telephone number, and candidate placement on ballot prohibited if residency requirements are not met.	5/11/2010
201	3108*	Winkler	2388	Sieben	Elections provisions modified.	4/1/2010
194	3111*	Winkler	2622	Sieben	Ballot board use required to process absentee ballots, absentee ballots permitted to be counted starting on the fourth day prior to election, and other absentee ballot processing procedures modified.	3/24/2010
180	729	Poppe	848*	Lourey	Election judge provisions, mail balloting provisions, and town election provisions modified.	2/11/2010
184	2552	Simon	2251*	Bonoff	State primary date changed, and certain primary-related dates and provisions changed.	3/3/2010
EMPLOYMENT						
259	3130	Lesch	2363*	Betzold	Fire departments authorized to access criminal history data on current employees.	4/22/2010
264	1692*	Morrow	891	Olson, M.	Dispute arbitration provided, and Uniform Arbitration Act adopted.	4/22/2010
323	2758	Lillie	2386*	Metzen	Labor agreements and compensation plans ratification.	5/13/2010

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345	1531	Loeffler	271*	Olson, M.	Classified employee expectations established as nonpartisan resources to all decision makers, and additional whistleblower protection provided to state employees.	Vetoed
359	3281	Murphy, M.	2918*	Betzold	Omnibus retirement bill.	5/15/2010
ENERGY						
358	3641	Welti	3081*	Prettner Solon	Community-based energy development program modified.	5/17/2010
372	3429	Welti	3046*	Sparks	Large solar electric generation demonstration conservation improvement project provided.	5/19/2010
373	3640	Eken	3126*	Skogen	Advance determination allowed for prudence determination by Public Utilities Commission for certain environmental projects of a public utility.	5/19/2010
ENVIRONMENT						
361	3702	Wagenius	3275*	Anderson	Omnibus environment and natural resources finance bill.	Line-item vetoed
362	2624*	Wagenius	2462	Anderson	Environmental and natural resources funding provided, approval required for acquisition of certain lands to be conveyed to the state, and money appropriated.	Line-item vetoed
341	2634*	Kalin	2185	Olseen	Mt. Simon-Hinckley aquifer water appropriation prohibitions expanded.	Line-item vetoed
338	3152	Bunn	2752*	Saltzman	Land use allowed within the Lower St. Croix River area.	5/13/2010
258	2402	Gardner	2152*	Kelash	Lead acid battery recycling, purchase, return, and collection regulated, and certain charges modified.	4/22/2010
286	1372	Gardner	1323*	Sheran	Infectious Waste Control Act modified.	4/30/2010
272	3061*	Hornstein	2991	Dibble	Minnesota's waste management hierarchy amended.	4/26/2010
298	162	Hansen	364*	Sparks	Watershed district drainage system provisions modified, and money appropriated.	5/10/2010
218	3067*	Hansen	2843	Rummel	Watershed plan provisions modified.	4/6/2010
FAMILY						
238	3299	Hayden	2562*	Betzold	Child support enforcement provisions updated on access to information, and actions by a public authority.	4/15/2010
309	2990	Hillstrom	2880*	Moua	State guardian ad litem board establishment.	5/11/2010
276	3157*	Mahoney	3087	Senjem	Parent notification of child maltreatment in a school facility modified.	4/26/2010
281	3391*	Olin	2999	Olson, M.	Children in need of protection or service provisions modified.	4/26/2010
269	3039	Hayden	2690*	Torres Ray	Driver's license requirements modified for foster children, in-court reviews required, and definition of parent expanded for child protection proceedings.	4/22/2010
346	2760	Slawik	2505*	Bonoff	Statewide child care provider training, coaching, consultation, and supports funding provided to prepare for the voluntary Minnesota quality rating system, and money appropriated.	5/15/2010
355	454	Murphy, E.	341*	Prettner Solon	Deceased person disposition provisions modified.	Vetoed
371	3786	Jackson	3361*	Scheid	Real property private transfer fees prohibited, and effective date modified for certain child support provisions.	5/19/2010
GOVERNMENT						
396	3055	Thissen	2908*	Doll	State-County Results, Accountability, and Service Delivery Redesign Act changes made.	5/25/2010
392	3449	Kahn	3134*	Betzold	State government programs or activities money appropriated or reduced, and provisions changed relating to expenses of governor-elect, income earned by the permanent school fund, lease-purchase agreements, general services, resource recovery, payment of aids and credits to school districts, tax return preparers, and implied consent.	5/25/2010
382	2970	Jackson	2642*	Moua	Revisor's bill correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating redundant, conflicting, and superseded provisions; and making miscellaneous technical corrections to laws and statutes.	5/27/2009
385	3787*	Jackson	3323	Moua	Legislative miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors corrected.	5/27/2010
369	3682	Kalin	3318*	Dibble	Disposal of state-owned buildings provided, energy improvement financing program provisions changed, and executive branch agency representation changed in the reinsurance association.	5/19/2010
398	2227*	Marquart	1880	Metzen	Commission on Service Innovation established and duties imposed, Minnovation Council established and powers and duties of council imposed, innovation and redesign grants authorized, home rule charter commission provided for certain counties, Task Force for Policy Innovation and Research established, and money appropriated.	Vetoed
319	2840	Swails	2511*	Rest	Collaborative governance council establishment.	5/13/2010
297	2899*	Pelowski	2354	Betzold	Administrative remedy provided for certain data practice law violations, civil penalty provided, and money appropriated.	5/10/2010
290	2925	Kath	2873*	Frederickson	Public facilities programs amended and technical changes made.	4/30/2010
219	3336*	Simon	3031	Pappas	Right of first refusal offers modified for property obtained with federal transit funding.	4/6/2010
222	2988*	Pelowski	2327	Betzold	Minnesota Data Practices Act provision added on computer data, and state agency use of temporary session cookies on government Web sites clarified.	4/6/2010
226	2956*	Koenen	2563	Kubly	Indian tribal government authorized conveyance of land no longer needed for trunk highway purposes.	4/10/2010

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193	2797	Hilty	2259*	Rest	Indian tribes authorized to participate in joint powers agreement.	3/24/2010
217	1780*	Sailer	1682	Fobbe	Revisor of statutes required to survey recipients of free state publications.	4/6/2010
HEALTH						
202	1713	Abeler	1494*	Metzen	Radiological technology examination preparation practices prohibited, and penalties established.	4/1/2010
198	3116	Swails	2743*	Prettner Solon	Hospital construction moratorium modified.	3/26/2010
243	2927	Thissen	2852*	Lourey	Health care clearinghouse added for health care provider transactions.	4/15/2010
247	3097	Juhnke	2616*	Sheran	Private shared services regulated, and regulatory provisions modified.	4/15/2010
289	1320*	Swails	1137	Higgins	Substitution of drugs used for the treatment of epilepsy or seizure rule adoption clarified.	4/30/2010
312	3327*	Koenen	2594	Kubly	Employees of city-owned or county-owned hospital exempt from certain reporting requirements.	Vetoed
310	3237	Huntley	3027*	Berglin	Changing health care eligibility provisions, making changes to individualized education plan requirements.	5/11/2010
307	984	Norton	633*	Sheran	Medical assistance (MA) primary care health care providers primary caries (cavities) prevention performance encouragement.	5/11/2010
261	3405*	Eken	3199	Berglin	Commissioner's state medical review team duties modified.	4/22/2010
274	2969	Ruud	2851*	Lynch	Health licensing technical provisions modified.	4/26/2010
363	3210	Davids	2879*	Sparks	Minnesota Comprehensive Health Association provisions modified.	5/18/2010
360	2614*	Huntley	2337	Berglin	Omnibus health and human services bill.	Vetoed
344	3056*	Norton	2815	Lourey	Provider peer grouping timelines and system modified, and agricultural cooperative health plan for farmers provision added.	5/15/2010
336	3279	Huntley	2974*	Lourey	Electronic health record technology provisions amended, administrative penalties provided, and money appropriated.	5/13/2010
326	1847	Fritz	1761*	Scheid	Oral chemotherapy cancer treatment health plan coverage requirement.	5/13/2010
331	3042	Murphy, E.	2700*	Prettner Solon	Health care participating provider agreements regulation.	5/13/2010
HIGHER EDUCATION						
284	3164*	Haws	2822	Clark	Transfer of credits regulated within institutions belonging to the Minnesota State Colleges and Universities system.	Vetoed
230	2766	Welti	2425*	Erickson Ropes	Higher education private data disclosure provision modification.	4/10/2010
HOUSING						
237	2708	Mullery	2559*	Kelash	Conforming change made to provide for the right of the borrower to obtain a postponement of a foreclosure sale that has a 12-month redemption period, as is now available for a six-month redemption period.	4/15/2010
210	3259*	Beard	2875	Olseen	Utility's requirement modified to post notice of impending disconnection of utility services to a rental building due to a landlord's failure to pay for service.	4/1/2010
315	2668*	Mullery	2595	Dibble	Expungement procedures modified, fee charging and recovery procedures provided, and certain rights provided to tenants of foreclosed properties.	5/11/2010
343	3386*	Swails	2832	Saltzman	Residential contracts performance guidelines required, statutory warranties modified, notice and opportunity to repair required, and dispute resolution procedures provided.	5/13/2010
375	2699	Hilstrom	2430*	Scheid	Notice requirements during foreclosure amended.	5/19/2010
HUMAN SERVICES						
376	3246	Liebling	2937*	Rosen	Chemical dependency treatment pilot projects created.	5/19/2010
377	3795	Eken	3379*	Langseth	FEMA Public Assistance Program money appropriated.	5/25/2010
378	3131	Mullery	2891*	Moua	Interstate Compact for Juveniles adopted.	5/27/2010
374	2062	Lanning	1770*	Jungbauer	Ladder Out of Poverty Task Force established, membership and duties provided, and legislative appointments provided.	5/19/2010
394	2859*	Simon	2567	Cohen	Nursing facility rate provisions modified.	5/25/2010
348	3059	Ruud	2695*	Sheran	Pregnant women mandatory reporting requirements modified.	5/15/2010
352	3234	Hosch	2933*	Lourey	Continuing care policy and personal care assistance service provisions changed.	5/15/2010
353	3571	Koenen	3019*	Kubly	Publicly owned nursing facilities rate increase authorized, and local share required for nonfederal medical assistance costs.	Vetoed
329	3239	Abeler	2935*	Lourey	Human services department (DHS) licensing provisions modifications; background study requirements, disqualifications and data classifications provisions modification.	5/13/2010
301	3088	Hayden	2855*	Torres Ray	Children and family service technical and policy provisions changed, Minnesota Family Investment program and adult supports provisions changed, and child welfare provisions changed.	5/10/2010
302	3589*	Kath	3084	Carlson	Contracts for professional or technical services reporting threshold reduced.	5/11/2010
303	2926	Hosch	2912*	Berglin	Children's mental health policy provisions; American Indian chemical dependency licensure programs requirements; mental health diagnostic assessment payments structure.	5/11/2010

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271	737	Rukavina	1246*	Tomassoni	Rehabilitation counselors for the blind certification provided.	4/26/2010
262	3151*	Laine	2903	Pappas	Viewing, transportation, and removal of a dead human body provisions modified.	4/22/2010
266	3096*	Pelowski	2735	Rest	Rehabilitation facility, extended employment provider, and day training and habilitation service program provisions changed.	4/22/2010
246	3196	Hosch	2923*	Erickson Ropes	Home health care services regulating provisions modified.	4/15/2010
254	3128*	Hilstrom	2796	Moua	Powers clarified for health care agents, guardians, and others to make health care decisions for wards and protected persons, and governing guardians and conservators provisions modified.	4/15/2010
200	802	Murphy, E.	460*	Berglin	Mental health urgent care and psychiatric consultation required, hospital payment rates reduced, covered services changed, transfers allowed, general assistance medical care program created, coordinated care delivery systems required, temporary uncompensated care pool and prescription drug pool created, and money appropriated.	3/26/2010
182	2680	Murphy, E.	2168*	Berglin	Mental health urgent care and consultation services established, general assistance medical care program modified, and money appropriated.	Vetoed
HUMANITIES						
245	2928	Champion	2580*	Higgins	Juneteenth observance governing provisions modified.	4/15/2010
252	3143*	Nornes	3013	Olson, M.	Explore Minnesota Tourism Council membership requirements amended.	4/15/2010
INDUSTRY						
248	3212	Simon	2877*	Latz	Continuing education requirements exception provided for licensed professional counselors.	4/15/2010
228	3363	Davids	2840*	Johnson	Petroleum storage tank and capacity requirements modification; biodiesel minimum content requirement exemption for number 1 diesel fuel extension; biodiesel sale on a net volume basis regulation.	4/10/2010
183	927*	Mahoney	1004	Scheid	Construction codes and licensing modified.	3/1/2010
190	2856*	Atkins	2512	Scheid	Continuing education requirements changed for real estate brokers and salespersons.	3/19/2010
191	2706*	Atkins	2252	Rest	Certified public accountant licensing requirements clarified.	3/24/2010
199	2897	Norton	2596*	Prettner Solon	Psychologist licensure requirements modified.	3/26/2010
212	2949*	Gardner	2925	Rest	Treatment works allocation and interceptors reserved capacity costs provisions modified.	4/1/2010
260	3360	Nelson	2944*	Tomassoni	Contractor continuing education requirements modified.	4/22/2010
280	3048*	Norton	2928	Saltzman	Construction codes and licensing provisions modified, and certain notice provisions modified.	4/26/2010
282	3076	Juhnke	2844*	Skoe	Elevator provisions modified.	4/30/2010
287	2855*	Gunther	2726	Murphy	Boiler provisions modified and civil and criminal penalties amended and imposed.	4/30/2010
321	3293	Clark	3128*	Kelash	Lead certification requirements for renovation of residential housing constructed prior to 1978; licensing requirements modifications.	5/13/2010
328	2798	Hilstrom	2519*	Anderson	Public utility disclosure of travel, entertainment and expenses included in a rate change request requirement.	5/13/2010
325	3667	Hilty	3080*	Prettner Solon	Electric generating plants emission reducing programs modifications.	5/13/2010
384	2942	Atkins	2839*	Scheid	Licenses regulated, requirements modified, education and notice requirements continued, various housekeeping, technical, and clarifying changes made, securities regulated, real estate brokers, salespersons, and closing agents provisions reorganized, real estate appraiser advisory board membership requirements and appointment authority modified, and workers' compensation regulated.	5/25/2010
INSURANCE						
370	2163	Loeffler	1905*	Scheid	Small employer health insurance market expanded, and small employer health coverage standard application form development process created.	5/19/2010
322	866	Hosch	915*	Dibble	Public employees insurance program school districts employee health insurance coverage purchase requirement.	Vetoed
275	3146	Atkins	2825*	Sparks	Continuing education provisions modified, insurance laws amended involving insurance company rehabilitation and liquidation, group life insurance, use of mortality tables, the Life and Health Insurance Guaranty Association, mutual insurance companies, and fraternal risk-based capital regulated.	4/26/2010
278	2879*	Bigham	2592	Sieben	Minors allowed to contract for automobile insurance.	4/26/2010
LAW						
267	3393*	Jackson	2985	Latz	Minnesota Common Interest Ownership Act amended.	4/22/2010
295	3318*	Hortman	2984	Moua	Uniform Unsworn Foreign Declarations Act proposed for adoption by the National Conference of Commissioners on Uniform State Laws, and penalties provided.	5/10/2010
192	2599	Falk	2439*	Saltzman	Live check solicitations prohibited.	3/24/2010
231	212*	Simon	333	Foley	Pretrial filing prerequisite of a transcript eliminated for admission into evidence of law enforcement vehicle recordings.	4/15/2010
214	3139*	Bigham	2952	Moua	Financial records release authority reinstated in response to a subpoena.	4/1/2010
233	2823*	Jackson	2232	Scheid	Deed filing contract definitions clarified, and common interest community certificate changes made.	4/15/2010
220	3187*	Bigham	2328	Betzold	Civil commitment oath or affirmation provided without notarization and the acceptability of electronic signatures and documents.	4/6/2010

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239	2991	Hilstrom	2517*	Moua	Court authorized to furnish any electronic copies of documents to public defender at no charge.	4/15/2010
334	2825	Hortman	2427*	Betzold	Distribution status clarified, relationship and inheritance provisions changed, and emergency and temporary conservators provided.	5/13/2010
LOCAL GOVERNMENT						
354	3147	Jackson	2885*	Fobbe	Assessor duties specified.	5/15/2010
380	910*	Hortman	214	Betzold	Notary public fees modified, commissions and notarial stamps and seals regulated, clarifications provided, accommodations of physical limitations provided, and premarital education provisions modified.	5/25/2010
236	1457	Johnson	987*	Lynch	Unfunded mandates affecting local governmental units eliminated.	4/15/2010
249	3085	Marquart	2722*	Skoe	State and political subdivisions and others exempted from increased interest rates on certain judgments and awards.	4/15/2010
227	3017*	Atkins	2413	Rest	Municipalities authorized to permit certain solicitations by firefighters.	4/10/2010
188	2485	Atkins	2253*	Metzen	Rock Island Bridge moratorium on demolition or removal repealed.	3/14/2010
195	3468	Poppe	3167*	Lourey	Town meeting minutes provided.	3/26/2010
206	3350*	Smith	2953	Olson, G.	City employees prohibited from serving as mayor or on the city council.	3/30/2010
207	2729*	Slocum	2400	Kelash	Richfield; firefighter limited response time residency requirements permitted.	4/1/2010
208	2360*	Davnie	2738	Torres Ray	Minneapolis; Special School District No. 1; two member appointment provided on the Minneapolis redistricting commission, and standards established.	4/1/2010
203	2786*	Reinert	2397	Prettner Solon	Duluth; membership rules provided for the Spirit Mountain Recreation Area Authority.	4/1/2010
296	1209*	Demmer	973	Sieben	Corporate deputy registrar expiration date removed.	5/10/2010
308	2945	Mahoney	2759*	Sparks	State building code municipal enforcement provisions modifications.	5/11/2010
279	2231*	Nelson	2004	Kelash	Road authorities allowed to remove snow from certain roads in uncompleted subdivisions.	4/26/2010
288	1182*	Bly	1112	Dahle	Public service corporation eminent domain authority clarified.	4/30/2010
MILITARY						
185	2675	Newton	2373*	Erickson Ropes	American Legion Day designated as September 16 of each year.	3/9/2010
244	2674	Newton	2475*	Fobbe	Veterans of Foreign Wars Day designated as May 28.	4/15/2010
333	2678	Juhnke	2737*	Skogen	Agriculture and veteran affairs provisions and programs changed, development and use of industrialized hemp authorized and regulated, terms and procedures clarified, record keeping provisions changed, planning for additional veteran cemeteries required, and money appropriated.	5/13/2010
RECREATION						
221	3172*	Cornish	2797	Rosen	Baseball field advertisements permitted.	4/6/2010
SAFETY						
223	1217*	Gardner	1568	Doll	Legend and nonprescription drug possession allowed by those disposing of them, and definitions modified.	4/10/2010
224	2709*	Norton	2555	Senjem	Volunteer protections during an emergency or disaster modified, and immunity specified for certain entities.	4/10/2010
225	2881*	Kath	2817	Dahle	Qualified persons with medical training or supervision authorized to take blood samples from DWI offenders, and legal immunity provided.	4/10/2010
229	2701	Atkins	2267*	Rest	Full-time firefighter definition expansion.	4/10/2010
232	2616*	Kahn	2453	Carlson	Bicyclists allowed to stop and proceed through red light under limited circumstances.	4/15/2010
241	3362*	Davids	2841	Dahle	Petroleum tank release provisions modified.	4/15/2010
242	3420	Holberg	3091*	Olseen	Medical examination requirements conformed for commercial driver's license to federal law.	4/15/2010
251	3174*	Bigham	2862	Scheid	Predatory offender registration law amended to address registrants living in homeless shelters and to clarify that the registration requirement for offenders who move out of state are suspended not terminated.	4/15/2010
186	2713	Peterson	2309*	Rest	Probationary period lengthened for newly hired peace officers in certain statutory cities.	3/9/2010
197	3321	Lesch	2946*	Prettner Solon	Collection of fees allowed under the license reinstatement diversion pilot program to be extended for 18 months.	3/26/2010
213	3027*	Eken	2604	Skogen	Mercury testing requirements amended for new incinerator units.	4/1/2010
268	3423	Peterson	2339*	Rest	Criminal penalty increased for possessing dangerous weapons on school property while criminal penalty lowered for brandishing, using, or possessing replica firearms and BB guns on school property.	4/22/2010
270	3191	Morrow	2717*	Sheran	Sexual contact in secure treatment facilities included as criminal sexual conduct in the third and fourth degrees.	4/22/2010
256	3447	Bigham	3116*	Scheid	DNA collection from offenders authorized.	4/22/2010
316	1005	Reinert	345*	Saxhaug	Enhanced drivers license and identification card creation.	5/13/2010

2010 MINNESOTA LEGISLATURE

FINAL ACTION AS OF MAY 27, 2010

HF—House File
SF—Senate File

R—Resolution
CH—Chapter

*—bill the governor
signed or vetoed

Enactment

CH	HF	Author	SF	Author	Description	Enactment
318	3038	Olin	2709*	Pariseau	Out-of-state offenders (prisoners) housed in county and regional jails authorization; inmate room and board payment time credited for time served inclusion.	5/13/2010
292	3312	Greiling	2990*	Dibble	Criminal penalty provided for intentionally rendering a service animal unable to perform its duties, offenders convicted of harming service animals required to pay restitution, and civil remedies are not precluded by the criminal penalty for harming service animals.	5/10/2010
304	2914	Mariani	2370*	Pappas	Illegally tinted motor vehicle windows sale prohibition.	5/11/2010
299	2608	Hilstrom	2437*	Moua	Protection area extended to a reasonable area around residence or dwelling in ex parte orders for protection.	5/10/2010
332	3660*	Koenen	3246	Latz	Department of corrections; settlement provided for certain claims against the state for injuries suffered, and money appropriated.	5/13/2010
357	2612*	Hilstrom	2186	Betzold	Civil commitment venue clarified.	5/17/2010
342	2639*	Johnson	2470	Prettner Solon	Wireless telecommunications service providers authorized to provide call locations for emergencies, and Kelsey Smith Act provided.	5/13/2010
383	2965	Paymar	2725*	Moua	Multijurisdictional gang and drug task forces certification process established.	5/27/2010
391	2610	Mullery	2634*	Moua	Property forfeiture provisions changed, and sale of forfeited property by law enforcement officers, employees, and family members.	5/27/2010
366	3106*	Bigham	2741	Murphy	Implied consent, driving while impaired, and ignition interlock provisions modified.	5/18/2010
TAXES						
389	3729*	Lenczewski	3327	Bakk	Omnibus tax bill.	Line-item vetoed
187	2763	Lenczewski	2352*	Bakk	Income tax charitable deduction accelerated for relief of Haitian earthquake victims.	3/9/2010
TRANSPORTATION						
181	1074	Abeler	740*	Jungbauer	Anoka County; design-build process authorized to award contract for construction of intersection of U.S. Highway 10 and County State-Aid Highway 83.	2/11/2010
196	2575	Kalin	2183*	Olseen	North Branch; Corporal Johnathan Benson Memorial Highway designated.	3/26/2010
204	2561*	Kalin	2182	Olseen	North Branch; Veterans Memorial Bridge on marked Trunk Highway 95 designated.	3/30/2010
205	2915*	Lieder	2847	Jungbauer	Bridge project ongoing prioritization provided.	4/1/2010
253	3460*	Hornstein	3090	Olseen	Definition changed to conform to International Registration Plan for commercial motor vehicles.	4/15/2010
320	3029	Hortman	2846*	Skoe	Large motor vehicles (tractor, truck) on public streets and highways regulations modifications; motor vehicle carriers transporting milk gross annual permit issuance authority for overweight vehicles.	5/13/2010
311	3168	Nelson	2756*	Kelash	Overdimensional load escort drivers traffic control authority and commissioner of public safety to escort driver training and certification program establishment.	5/11/2010
265	2851*	Nornes	2662	Skogen	Trunk highway routes Nos. 332 and 297 routes modified.	4/22/2010
273	3286*	Hornstein	3005	Clark	Metropolitan Council best value contracts and procurement for transit vehicles authorized.	4/26/2010
386	127	Holberg	251*	Betzold	Motor vehicle definition clarified in statutory provision deeming the driver to be the agent of the owner in case of accident.	5/25/2010
387	3117	Morrow	2469*	Murphy	Motor carrier contracts regulated and indemnification provisions prohibited.	5/25/2010
388	2801*	Obermueller	2461	Murphy	Special license plates provided, trunk highway funding provided, bonds issued, public safety programs and activities funding provided, and money appropriated.	5/27/2010
350	605	Hortman	1060*	Dibble	Transportation Department management, priorities, research, and planning provisions modified.	5/15/2010
351	2807	Hornstein	2540*	Murphy	Transportation construction impacts on business provisions modified, prohibited rest area activities added, highway routes modified; traffic provisions, bridge projects provisions, and impound provisions modified; Minnesota Council of Transportation Access and a Commuter Rail Corridor Coordinating Committee established and member provisions modified.	5/15/2010
356	3263*	Hortman	3106	Gimse	Traffic regulation provisions modified relating to highway work zone speeds, driving in the right-hand lane, and seat belt requirements for persons operating a type III vehicle as a school bus.	5/17/2010
TECHNOLOGY						
347	2781	Obermueller	2510*	Tomassoni	Grant and loan programs modified, duties modified, technical changes made, terms defined, Minnesota Science and Technology Authority created, licensing provisions modified, fees imposed and modified, construction codes modified, study requested, reports required, and money appropriated.	Line-item vetoed
364	3448	Rukavina	184*	Pappas	Data matching authorized, eligibility modified, award procedure and grant program established, security modified, office established, bonding provisions modified, refunds provided, credit transfers governed, streamlining required, reimbursement provided, pilot projects established, corrections made, public education requested, and appropriation reductions governed.	5/18/2010
365	1083	Mullery	863*	Olson, M.	Data collection, dissemination, disclosure, and use of data regulated, data classified, informed consent requirements regulated, terms defined, temporary classification provisions amended, access to certain data provided, business screening services regulated, human services background study provisions amended, and technical and conforming changes made.	5/18/2010
277	2907*	Johnson	2254	Prettner Solon	State goals set for the deployment and speed of high-speed broadband.	4/26/2010
SPECIAL SESSION						
SS1	1*	Carlson	1	Cohen	Omnibus state budget bill.	5/21/2010

MINNESOTA HOUSE OF REPRESENTATIVES
PUBLIC INFORMATION SERVICES
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SPEAKER OF THE HOUSE: MARGARET ANDERSON KELLIHER

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— M. Cook

**Sources: House Public Information Services department; Legislative Reference Library;
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