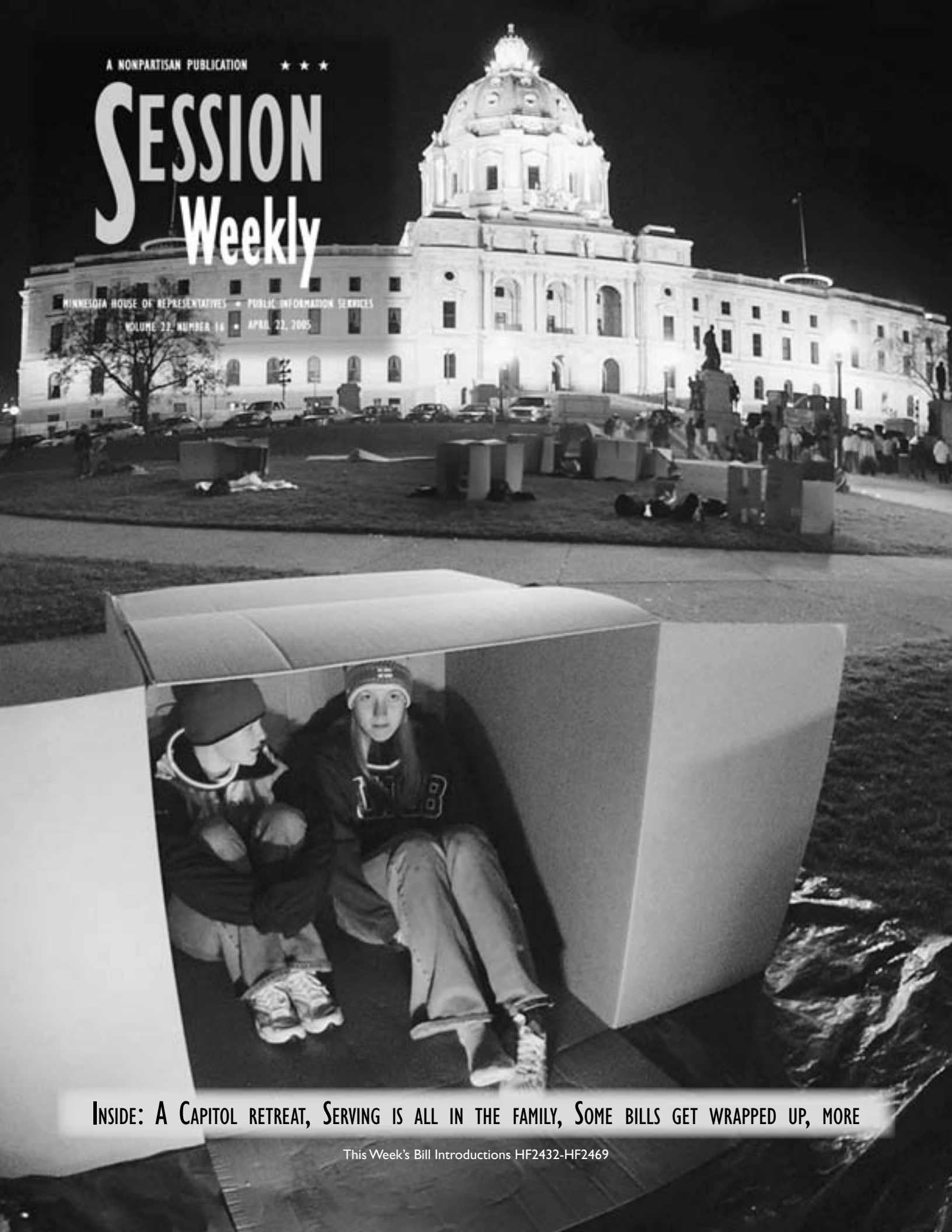


A NONPARTISAN PUBLICATION    ★ ★ ★

# SESSION Weekly

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**INSIDE: A CAPITOL RETREAT, SERVING IS ALL IN THE FAMILY, SOME BILLS GET WRAPPED UP, MORE**

This Week's Bill Introductions HF2432-HF2469

# SESSION Weekly

*Session Weekly* is a nonpartisan publication of the Minnesota House of Representatives Public Information Services office. During the 2005-2006 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions, and provides other information. No fee.

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## CONTENTS

### HIGHLIGHTS

Agriculture • 5	Environment • 7	Law • 10
Arts • 5	Family • 7	Local Government • 10
Business • 5	Government • 7	Military • 11
Consumers • 6	Health • 8	Safety • 11
Education • 6	Higher Education • 9	Taxes • 11
Elections • 6	Housing • 9	Transportation • 12
Employment • 7	Industry • 10	Late Action • 13

### BILL INTRODUCTIONS (HF2432-HF2469) • 23

### FEATURES

<b>FIRST READING:</b> The making of an omnibus bill • 3
<b>CAPITOL CENTENNIAL:</b> The Retiring Room — a beautiful retreat • 4
<b>AT ISSUE:</b> State government budget comes under scrutiny • 14
<b>AT ISSUE:</b> Cracking down on criminals • 15
<b>FEATURE:</b> Constituent communication is key to legislators • 16
<b>FEATURE:</b> Dutch elm disease claims more than just trees • 19
<b>FEATURE:</b> Legislative service is a family affair • 20

### DEPARTMENTS/RESOURCES

Frequently Called Numbers • 13	Roster of Senate Members • 18
Constitutional Offices • 13	Minnesota Index: Sex Offenders • 24
Roster of House Members • 17	For more information • 24

**On the cover:** Jenny Luoma, left, and Nicole Lepinski, students at Maple Grove Senior High School, get comfortable in the cardboard box that they will spend the night in during the Box City Vigil for Youth Homelessness on the front lawn of the Capitol April 16.

—Photo by: Tom Olmscheid

# Making an omnibus bill

Bundling bills together saves time, but can create contention

By **BRETT MARTIN**

One of the most common phrases heard during committee meetings earlier this session was, “This bill will be held over for possible inclusion in the omnibus bill.”

The process of deciding which proposals should be part of those compilation bills is now in full swing.

The Office of the Revisor of Statutes has been working on six major omnibus bills this week — two are more than 300 pages long — with more on the way, said Michele Timmons, revisor of statutes.

The revisor’s office provides nonpartisan services to members of the House and Senate. It drafts bills, amendments and other legislative documents.

“Right now, we’re primarily working on bills from the House,” she said. “We’re working very steadily.”

Although some omnibus bills contain a plethora of proposals, they can actually save time on the House floor.

“The beauty of omnibus bills is we don’t have to debate 10 or 15 bills,” said Rep. Ron Erhardt (R-Edina). “If you take up each bill individually, you burn up more time.”

## Starting points

With sometimes dozens of bills held over since early January, it can be difficult to decide where to start the omnibus assembly process.

The House Health Policy and Finance Committee held over approximately 90 bills for omnibus bill consideration, said Committee Chair Rep. Fran Bradley (R-Rochester). He pared down the list to about 35 that he felt were committee priorities.

“I try to be as objective as I can, but in the end, it’s the responsibility of the chair to give a new starting point,” he said. “It is quite a combination of the governor’s bill, bills that have been held over and a dozen or so new ideas that have been percolating.”

Holding over bills can also prove problematic.

Rep. Michael Paymar (DFL-St. Paul) said



PHOTO BY ANDREW VONBANK

**Lobbyists and other concerned people scramble for amendments to the omnibus public safety finance bill April 19. This was a common sight in House committees as omnibus finance bills were finalized.**

members have to recall bills that were heard up to three months ago.

“Now we’re trying to assemble an omnibus bill and we have to remember the debate that was happening at the time we heard the bill,” he said. “You won’t have the luxury of hearing the people who testified.”

Held over bills should still be scrutinized, he said.

“If you think you’re going to spend taxpayer money and time on bills, then you should be able to defend the merits of the bill,” Paymar said. “You should be ready to make your arguments.”

Rep. Mary Ellen Otremba (DFL-Long

Prairie) said while she’s not a big fan of omnibus bills, holding over bills allows committees to reexamine and debate all of the proposals.

“It gives us an opportunity to look at all the good ideas and pick out the ones we like best,” she said.

Since bills being considered for an omnibus bill have already been heard by the committee, that’s where the omnibus process should begin, Erhardt said.

“We take those bills to the committee and say, ‘That’s how we’re starting. If you want to add anything or make amendments, you can,’” he said.

With a limitless pot of money, some members would like to include almost every provision, but spending targets challenge committees to prioritize ideas. Some items are automatic inclusions, such as changing state laws to conform to federal laws.

If state transportation laws don’t conform to federal laws, for example, Minnesota could lose federal highway funding, Erhardt said.

## One theme, many bills

Under the Minnesota Constitution, the Legislature may only pass single-subject laws. This means the contents of any bill, including an omnibus bill, must be directly related. In legalese, it’s called being “germane” to an issue.

“You could end up in court if the issue is not germane,” said Rep. Tom Hackbarth (R-Cedar). “You have to be careful what you put in the omnibus bills.”

Indeed, just last week, the state Court of Appeals upheld a lower court’s decision that Minnesota’s permit-to-carry gun law is unconstitutional because it was added onto an unrelated natural resources bill.

## Why the wait

Since the House budget resolution, which sets financial targets, wasn’t approved until April 13, committees held off approving bills that had a financial impact until they learned their budgets.

Bradley said he didn’t want to pass a bill in January, then find out in April there’s a better idea or higher priority and not have the money to pay for it.

“You have to live within your budget,” he said.

**First Reading continued on page 4**

### First Reading continued from page 3

He supports the current process of creating a single set of priorities for an omnibus bill. He uses the analogy of a family budget, saying the family should operate within one budget rather than splitting up the family to allow multiple budgets.

“When you have to balance, you have to make trade-offs and prioritize,” Bradley said. “If you have your budgets too small, then you can’t make those trade-offs as well.”

### Dealing with controversy

Omnibus bills can present a political quandary. With so many bills bundled together, there’s bound to be provisions legislators like and don’t like.

Members will vote for an omnibus bill even when they don’t agree with everything in it because voting no can hurt them politically, Paymar said.

“You don’t want to be perceived as the person

voting against public safety even if you don’t like aspects of the bill,” he said. “It politically puts you between a rock and a hard place.”

Rep. Lyndon Carlson (DFL-Crystal) agrees. “If you’re at a legislative forum after the session and someone asks, ‘Why did you vote for such and such a bill that had a provision in it that you said you didn’t agree with?’ You have to say, ‘Because there was more good in it than bad,’” he said.

For that reason, members sometimes include controversial bills that may not pass on their own in the omnibus bill.

“When you put these controversial bills in an omnibus bill, it makes them easier to pass,” Hackbarth said. “You have to bite the bullet and vote for it.”

Other times, contentious bills are purposely left out so they don’t bring about the omnibus bill’s demise.

“Sometimes, if a bill is too controversial, we let it go by itself,” Erhardt said. “You look at things that are extremely controversial and

try not to put them in there.”

In other cases, bills are held over and sent to the floor simultaneously. It often has less to do with controversy than making sure a bill gets a full House hearing.

“It’s a way to get good legislation through,” Erhardt said. “At least it gets to the floor.”

Other bills receive neither treatment. They’re not passed out of committee nor included in the omnibus bill.

“It can be a gentle way of laying a bill aside,” Carlson said. “Rather than defeat it outright, you say it’s going to be laid over.”

The bill may have gotten a courtesy hearing to present an idea, or it may have seemed like a good idea at the time, then after public testimony and opposition, support waned.

“Members of the general public may say it impacts them in a way not thought of before,” Carlson said. “The public input is a very important part of the process.”

## A beautiful retreat

### House Retiring Room reflects state’s natural scenery



The House Retiring Room is a lovely tribute to Minnesota flora and fauna as well as a respite from the hubbub of House Chamber activity.

With its location behind the Chamber, access is limited.

“From one hour before the time the House is scheduled to convene until one hour after the House adjourns for the day, the retiring room is reserved for the exclusive use of the members and employees of the House,” according to the Permanent Rules of the House. “As long as the Senate prohibits entry of House members into its retiring room, no Senators may enter the House retiring room during the time it is reserved for exclusive use of members and employees.”

Though it is no longer functional, the earliest lawmakers to enjoy the room warmed themselves at a fireplace with a red Numidian marble surround. The unpolished marble

is African in origin, and it is said to come from the Nile River Valley in Egypt, according to the Minnesota Historical Society.

An engraving above the mantle reads, “Free and fair discussion will ever be found the firmest friend of truth.”

Above the oak wainscoting is a painted border by Capitol interior decorator Elmer E. Garnsey. It is a composition in

understated beauty with one delightful touch of whimsy: Careful eyes will find a shamrock tucked away among the native trees and plants to the left of the fireplace.

In a 1936 speech titled “The Men Who Built the Capitol,” Edith Seabury Nye, daughter of State Capitol Commission Vice President Channing Seabury, spoke of the shamrock’s anonymous painter.

“I wish I had time to tell stories of the artisans who left their work if not their names behind,” the transcript reads. “Only one I can’t resist telling, that of the Irishman who was working for Mr. Garnsey on the House of Representatives Retiring Room walls, where the Minnesota state flowers are shown at the base of the forest trees. He put in a shamrock and Mr. Garnsey remonstrated with him saying, ‘But, Pat, shamrocks don’t grow in Minnesota,’ and his answer was, ‘Shure an’ if they don’t yet, they will’ and Mr. Garnsey admitted with a grin that he let him leave it.”

(N. Wood)



PHOTOS BY TOM OLMSCHIED

The flowers and trees of the Garnsey frieze in the House Retiring Room bring the calming effect of nature indoors. The inset shows a shamrock tucked away in the mural by an anonymous Irish painter.

## ★ AGRICULTURE

### Appropriations for agriculture

The state would dedicate approximately \$150 million toward agriculture and rural development during the next biennium, under an omnibus finance package (HF1420) approved by the House Agriculture, Environment and Natural Resources Finance Committee April 20.

Sponsored by Rep. Dennis Ozment (R-Rosemount), the bill contains funding for the Department of Agriculture, Board of Animal Health and Agricultural Utilization Research Institute (AURI). There is no Senate companion to the bill as amended by the committee.

It now moves to the House Ways and Means Committee.

The net effect to the General Fund would be nearly \$86 million, in line with the House target. Total spending would reach \$150.39 million when all sources, such as the Agriculture and Remediation funds and federal dollars, are considered.

The Department of Agriculture would receive just under \$140 million. Of that amount, \$76.77 million would be dedicated for General Fund spending.

Ethanol producer payments would be set at 13 cents per gallon, under the bill, with \$34.01 million earmarked for those payments in fiscal years 2006-07.

Other earmarks include: \$300,000 for increased groundwater monitoring for pesticides, \$220,000 for a contract with the University of Minnesota for livestock odor research, \$200,000 for training of local officials in livestock siting and land use planning and a \$50,000 grant to Second Harvest Heartland for the purchase of milk for food banks.

A number of fee increases are forwarded under the bill, including apiary fees paid by beekeepers, nursery stock dealer fees and grain buyer and storage fees.

The bill would allocate \$7.62 million to the Animal Health Board, \$5.92 million of which is General Fund spending, and \$3.2 million to AURI.

Rep. Doug Magnus (R-Slayton) successfully amended a number of agriculture policy provisions to the bill. Policy issues addressed include:

- HF118, sponsored by Rep. Dean Urdahl (R-Grove City), that would grant food makers and sellers immunity from civil liability based on a person's food consumption and resulting obesity;
- HF527, sponsored by Rep. Dan Severson

## OPPOSING VIEWS



PHOTO BY TOM OLMSCHIED

During an April 20 rally on the front lawn of the Capitol, Sue Petron, right, gives the thumbs-up and expresses her approval of a plan to give Minnesotans the chance to vote on a state constitutional ban on same-sex marriage. Mary Lynn Murphy, left, brought her sign in opposition to the potential amendment. Those against the proposal held a rally in front of the Capitol April 7.

(R-Sauk Rapids), and HF1585, sponsored by Rep. Mark Olson (R-Big Lake), both of which would exempt manufactured homes from trailer park designations under certain conditions in order to provide housing for seasonal or permanent agricultural workers;

- HF560, sponsored by Rep. Rod Hamilton (R-Mountain Lake), that would move state agencies away from using gasoline in state vehicles and toward fuels such as ethanol, biodiesel and hydrogen under a so-called "Smartfleet initiative;"
- HF1747, sponsored by Rep. Jeanne Poppe (DFL-Austin), that would change the cap and term of the Agriculture Department's Best Management Practices loan program; and
- HF2039, sponsored by Rep. Gregory M. Davids (R-Preston), that would designate as private data collected by the Board of Animal Health related to voluntary registration in a USDA animal identification program.

## ★ ARTS

### Art and liquor

Visitors to the Walker Art Center may be able to have an alcoholic drink with their art. The House passed a bill 118-8 April 14 that would grant the center an on-sale intoxicating

liquor license. The Senate passed the measure 62-2 March 23. It now awaits the governor's signature.

HF1376/SF1535\*, sponsored by Rep. Joe Hoppe (R-Chaska) and Sen. D. Scott Dibble (DFL-Mpls), would allow the city of Minneapolis to issue the license to the center's concessionaire or operator for a restaurant and catering operation on the center's premises. The license would authorize liquor sales every day of the week.

Hoppe said the bill wasn't included in the omnibus liquor bill because there is an urgency to give the center a license as quickly as possible. The center reopened April 17.

The bill would take effect upon approval by the Minneapolis City Council.

## ★ BUSINESS

### Recovering attorney's fees

Funeral homes would have a greater chance of recouping attorney's fees in conciliation court under HF128, which passed the House 90-41 April 14.

Sponsored by Rep. Sondra Erickson (R-Princeton) and Sen. Betsy L. Wergin (R-Princeton), it now awaits action in the Senate.



Wes Siemers, a funeral director from Milaca, told the House Civil Law and Elections Committee that many rural funeral directors do business on a handshake, but sometimes those handshake contracts leave them empty-handed. They end up hiring an attorney and going to court in an attempt to recover their costs.

"You know the deceased and their family, and operate on trust that you will get paid," Siemers testified.

He said that even if there is a written contract, and those owing the money are brought to conciliation court, funeral homes seem to have little success in having judges award attorney's fees.

Under the bill, if a funeral provider is allowed to recover fees through court action, the provider may be able to recoup reasonable attorney's fees as well.

### More license exceptions sought

A bill that would amend a law involving two types of business licenses issued by the Department of Commerce was approved 131-0 by the House April 18.

HF792, sponsored by Rep. Anthony "Tony" Sertich (DFL-Chisholm), would add residential mortgage originators and servicers, and athlete agents to the list of licenses that are exempt from a general state law that applies to licenses issued by the state.

The bill now goes to the Senate, where Sen. David Gaither (R-Plymouth) is the sponsor.

According to state statute, "The legislature finds that a uniform policy on business licenses is necessary to maintain an adequate level of protection of the public welfare while preventing business licensing from becoming overly burdensome for the citizens and businesses of Minnesota."

However, nearly 50 other exemptions currently exist in statute.

## ★ CONSUMERS

### Omnibus liquor bill

An omnibus liquor bill that Gov. Tim Pawlenty vetoed last year is back on his desk, without a provision concerning the sale of alcohol near a state facility in Walker.

The House approved the bill 108-22 April 14. The Senate passed the measure 60-1 Feb. 10.

HF286/SF171\*, sponsored by Rep. Joe Hoppe (R-Chaska) and Sen. Sandra L. Pappas (DFL-St. Paul), would provide conformity in license fees and production levels for brewpubs and small brewers, authorize temporary

licenses to small brewers and modify other municipal licenses. It would also allow the issuance of liquor licenses in St. Paul for special events at the State Capitol and Duluth for Wade Municipal Stadium.

Other provisions in the bill would permit Elko Speedway to sell liquor seven days a week and transfer from St. Paul to Ramsey County the authority to issue licenses to state fair vendors to sell Minnesota-produced wine.

The bill would also authorize off-site sales of malt liquor by some small brewers.

The liquor would be sold in "growlers," which are 64-ounce containers with a twist-type closure, cork, stopper or plug. Rep. Dan Larson (DFL-Bloomington) opposed the bill, saying the growlers allow for "a jug to go." He said he doesn't want people taking alcohol with them on the road after drinking in a brewpub.

## ★ EDUCATION

### ★ Revamped computers for schools

The nonprofit Minnesota Computers for Schools would be added to the list of organizations able to acquire surplus state property, under a bill approved April 14 by the House 133-0.

HF1922, sponsored by Rep. Mike Charron (R-Woodbury), adds the organization to others able to receive surplus property, such as an American Indian tribal government, any nonprofit and tax-exempt medical institution, hospital clinic, health center, school, school system, college and university. The bill also says the commissioner of administration "may transfer state surplus computers," to the nonprofit for "refurbishing and distribution to any school, school system, college or university in Minnesota."

Minnesota Computers for Schools "is a very successful program in which computers can be donated," said Charron.

Inmates at the Stillwater correctional facility are trained to refurbish these computers that are then made available to schools, he added.

The bill now awaits action in the Senate, where Sen. Brian LeClair (R-Woodbury) is the sponsor.

### Mental health screening

Frequent unexcused absences can be a red flag for mental health issues in young people, according to Rep. Margaret Anderson Kelliher (DFL-Mpls).

She is sponsoring HF762, which would let parents who are contacted about their child's truancy know that a mental health screening

may be available.

"We know that one in 10 children are affected by mental health issues, and these, frankly, are issues that we should not be ignoring," Kelliher told the House Education Finance Committee April 14.

There may be many reasons a child is truant and mental illness could be one of the underlying reasons, said Sue Abderholden, executive director of the Minnesota Chapter of the National Alliance for the Mentally Ill. "What we're trying to do is plant the idea with schools that if you really want to get to the bottom of truancy, you might want to look at doing a mental health screening."

The screening would be optional for parents and for school districts. Schools that do not offer mental health screenings would not be required to tell parents about the option.

If parents or legal guardians decide to have their child screened they would then have access to the information just as they have access to other educational information about their child.

The committee will consider the bill for possible inclusion in its omnibus bill.

There is no Senate companion.

## ★ ELECTIONS

### ★ Taking campaign materials

A bill that would make it a misdemeanor to take a candidate's election material was passed by the House 128-4 April 14.

It now awaits action by the Senate, where Sen. Brian LeClair (R-Woodbury) is the sponsor.

HF892, sponsored by Rep. Chris DeLaForest (R-Andover), addresses the increase in what he termed as election-time "pranks" — taking campaign material and vandalism to signs.

DeLaForest said his bill makes a policy statement. "I want there to be a bipartisan public statement on behalf of the state of Minnesota that we don't view this type of an activity as a prank," he previously told the House Civil Law and Elections Committee.

Under current law, the taking of campaign material is treated like any other theft; the offense level depends on the value of the materials taken. DeLaForest noted that campaign material, in and of itself has little monetary value, but the value is more representative of our democratic process.

The bill makes it a misdemeanor for anyone, other than a candidate, to remove campaign material without permission. If a candidate or elected official commits the same act, it would be considered a gross misdemeanor.

## ★ EMPLOYMENT

### Search firms exception

For the second year in a row, the House agreed that search firms are not the same as employment agencies and, therefore, should be exempt from employment agency licensing requirements.

Rep. Dean Simpson (R-New York Mills) is sponsoring HF742, which would reenact a provision that was repealed by the 2001 Legislature and became effective July 1, 2003, regarding licensing.

“This is a very reasonable bill,” Simpson said April 14 before the House passed the bill 125-6. It now goes to the Senate, where Sen. Thomas M. Bakk (DFL-Cook) is the sponsor.

Under the bill, a search firm would be exempted from employment agency regulations if:

- it is retained by, acts on behalf of, and is only compensated by the employer;
- the candidate retained by the search firm does not have to pay a fee for the firm’s services;
- it does not encourage anyone it has placed with an employer to terminate the employment; and
- it does not, in any other way, act as an “employment agency.”

The bill prohibits an employer from requiring an employee who has been placed by a search firm to pay any of the search firm’s fee.

## ★ ENVIRONMENT

### Managing state timber

A bill that is now in the Senate’s court aims to help the Department of Natural Resources manage timber sales more efficiently.

HF823, sponsored by Rep. Greg Blaine (R-Little Falls), addresses public notice and input on the timber management plan, fuelwood permit fees, rewards for state timber trespassing informants and sales procedures.

The House passed the measure 134-0 April 20. Sen. Thomas M. Bakk (DFL-Cook) is the Senate sponsor.

The bill is a department initiative and is supported by timber producers and forest industries interests, Blaine said.

It would require the department to conduct annual public meetings in the forested areas of the state to discuss the way in which its timber sales and management plan would shake out for the upcoming fiscal year.

Another provision would change the fu-

## CENTENNIAL CELEBRATION



PHOTO BY SARAH STACKE

**Bagpipers from the Minnesota Fallen Firefighters Memorial Association welcome the State Fire Marshal Division of the Department of Public Safety to the State Capitol April 19 as part of the division’s Centennial Celebration designed to honor today’s missions and yesterday’s traditions. Fire trucks from 30 departments were displayed on the Capitol grounds as part of the celebration.**

elwood permit fee structure. Such a permit allows people to salvage or cut down up to 12 cords of fuelwood per year for personal use. The new language states the fee must cover the department’s cost in issuing that permit.

Rep. Tom Rukavina (DFL-Virginia) said it was a bit unnerving to “trust in the benevolence” of the department and leave the permit fee language open.

Blaine said the department had assured him the average permit fee would go from \$22 to \$24.

Also under the bill, the reward for information leading to timber trespass convictions would be limited to the greater of \$100 or 10 percent of the single stumpage value of any timber unlawfully cut or removed. Current law contains a tiered reward structure of \$25, \$50 or \$100 based on timber value.

## ★ FAMILY

### Safe visitation

When child custody and visitation issues are being considered by the court, domestic abuse would play a larger role in any determination, under a bill passed by the House 131-0 April 18.

Sponsored by Rep. Steve Smith (R-Mound), HF2110 now awaits action in the Senate, where Sen. Thomas M. Neuville (R-Northfield) is the sponsor.

“The purpose of HF2110 is to return the focus of the court to the safety of the victim and the child when awarding custody and parenting time in the context of a domestic abuse hearing and order for protection,” Smith previously told the House Civil Law and Elections Committee.

Also testifying in favor of the measure was Michele del Castillo, co-leader of ACES, which, according to its Web site, is an organization of parents working to improve child support enforcement and educating themselves about legal rights and remedies.

She told committee members that domestic abuse issues are only allowed to be heard in family court if the abuse victim is the child.

“It creates a problem if there is no consideration of what happened to the custodial parent, the mother. It puts the mother and child at risk of another incident when the parents see each other for the visitation,” she said.

## ★ GOVERNMENT

### Future energy savings

The House Ways and Means Committee approved a bill April 18 that aims to limit the Department of Administration’s exposure to pricing volatility in energy purchases for state facilities. It now moves to the House floor.

HF1964, sponsored by Rep. Neil W.

Peterson (R-Bloomington), would not apply to electricity. Rather, purchases of natural gas, heating oil, propane and other energy sources would fall under the energy savings program.

The bill would allow the department to employ, under certain conditions, a forward pricing mechanism to purchase energy. Such a mechanism is a contract that obligates a state agency to buy or sell a specified quantity of energy at a future date at a set price.

Rep. Jean Wagenius (DFL-Mpls) successfully offered an amendment that she said is an attempt to encourage conservation. Under the amendment, the quantity of energy affected by the contract must not exceed 90 percent of the estimated energy use for the state agency for the same period.

A companion bill (SF1846), sponsored by Sen. Steve Kelley (DFL-Hopkins), awaits action on the Senate floor.

Language from HF1964 is also included in the House omnibus state government finance bill (HF1481), sponsored by Rep. Marty Seifert (R-Marshall).

## ★ HEALTH

### Stillborn birth certificates

Parents of stillborn children would have the option of receiving a birth certificate, under a bill unanimously approved by the House April 19.

Under current law, parents of stillborns in Minnesota can only receive a death certificate.

HF947 now goes to the Senate, where Sen. Ellen R. Anderson (DFL-St. Paul) is the sponsor. A successful delete-all amendment makes the language consistent with that of the Senate companion bill (SF1029).

Rep. Karen Klinzing (R-Woodbury), the bill's sponsor, said parents of stillborn children go through the labor process and a birth certificate recognizes that birth and helps families deal with the grief of losing an infant.

"This bill goes a long way in the healing process," said Rep. Margaret Anderson Kelliher (DFL-Mpls).

The bill would require those responsible for filing a fetal death report to advise parents that they could request a record of birth, inform them the record is optional and explain how to obtain a record if they want one.

Under the bill, the state registrar would be required to prepare and file, within 30 days, a record of birth if one is requested.

A provision in the bill would make birth certificates for stillborns retroactive. A stillbirth that occurred in Minnesota at any

## LITTLE LOBBYIST

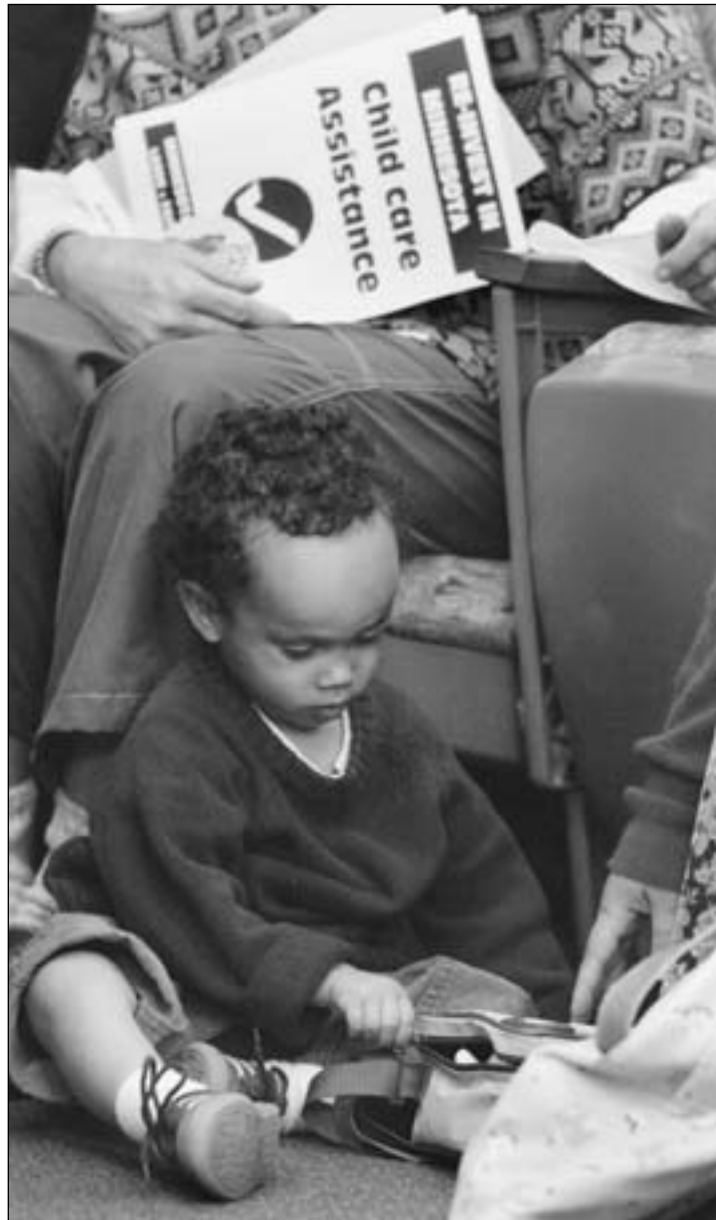


PHOTO BY TOM OLMSCHIED

**Three-year-old Malachi sits and plays as his mother, Quendy Raymond, listens to omnibus bill testimony before the House Jobs and Economic Opportunity Policy and Finance Committee April 20. The pair was present to express opposition to proposed cuts in childcare assistance.**

time would be eligible for a birth certificate by the parents submitting a written request to the state registrar on or after Aug. 1, 2005.

### Omnibus bill draws debate

The House omnibus health finance bill sparked debate, questions and testimony during several days of hearings by the House Health Policy and Finance Committee.

HF1422, sponsored by Rep. Fran Bradley (R-Rochester), includes more than \$7.3 billion worth of proposals. Despite the 15 percent in-

crease over the last biennium, some programs still face cuts.

"There are some hard decisions in here," Bradley said April 19. "I'm really focused on what taxpayers are spending."

The committee approved the bill April 22 and referred it to the House Ways and Means Committee.

Some DFL members opposed parts of the bill that could cause more than 20,000 people to lose their health insurance.

The bill, composed of more than 30 smaller bills, would reduce General Assistance





PHOTO BY ANDREW VONBANK

**Jeff Bangsberg, government relations director for the Minnesota Home Care Association, testifies April 20 on the omnibus health finance bill.**

Medical Care spend-down limits, reduce eligibility to MinnesotaCare and limit Alternative Care eligibility to 120 days. These reforms alone would save the state nearly \$30 million over the biennium, supporters say.

Under the bill, long term care provider rates and home care services reimbursement rates would be increased, at a cost of \$55 million and \$1.3 million, respectively. Bradley said helping people with disabilities and the elderly were top priorities.

Other sections in the bill would give the human services commissioner authority to develop pilot projects, implement adult mental health enterprise activities, develop additional sites for the Minnesota Security Hospital and close regional treatment centers.

Revenue neutral provisions included in the bill would limit family planning grants to exclude abortion services, establish the so-called "Unborn Child Pain Prevention Act," create the rural pharmacy planning and transition grant program and modify the rural loan forgiveness program to include pharmacists, provide for compulsive gambling prevention and require educational information on shaken baby syndrome and postpartum depression.

A companion bill (SF1313), sponsored by Sen. Brian LeClair (R-Woodbury), awaits action in the Senate Health and Family Security Committee. Health and human ser-

vices provisions were also included in SF1879, sponsored by Sen. Richard J. Cohen (DFL-St. Paul), the Senate budget-balancing bill that was passed 35-30 March 23.

## HIGHER EDUCATION



### Omnibus bill to the floor

More state dollars are proposed for higher education in the next biennium; but it is not enough say some members of the House Higher Education Finance Committee.

Nonetheless, the committee approved its omnibus bill April 19 on a nearly party-line vote. Despite reservations, Rep. Joe Opatz (DFL-St. Cloud) joined all Republicans in voting yes.

Approved by the House Ways and Means Committee one day later, HF1385, sponsored by Rep. Bud Nornes (R-Fergus Falls), now goes to the House floor.

It calls for \$2.75 billion in spending. The amount increases to nearly \$2.78 billion if a racino bill becomes law.

Under the bill, the University of Minnesota would receive nearly \$1.25 billion, the Minnesota State Colleges and Universities system (MnSCU) nearly \$1.2 billion, the Higher Education Services Office (HESO) \$347.6 million and the Mayo Foundation \$2.78 million.

Funding proposed for the University is \$18.2 million less than the governor's request, and MnSCU about \$5.2 million less. However, if the racino bill passes, MnSCU's appropriation would exceed the governor's by \$12.7 million and the university would be just \$5.5 million shy of the governor's proposal. HESO and the Mayo Foundation funding match the governor's request in both scenarios.

"We've had some rough years in higher education funding. I think the last time was almost a \$400 million reduction in appropriations. I see \$208 million of additional spending under Option A, and perhaps as much as \$234 million," said Opatz. "It doesn't go all the way to correcting the last go-round, but I think it goes significantly towards improving higher education."

Opponents said the bill does not provide for system enrollment adjustments and could equate to double-digit percent tuition increases for many students.

A budget that depends upon a tuition increase is a tax, said Rep. Ron Latz (DFL-St. Louis Park). "At this level of funding we are simply continuing to manage decline in the state's commitment to higher education, rather than reinvigorating."

A late addition to the bill was \$15 million in fiscal year 2006 from the university's allocation for the biotechnology and genomics

partnership with the Mayo Clinic.

The partnership has always been identified as a statewide economic development investment, said Dr. Frank Cerra, university senior vice-president for health sciences. "This project was never intended to be an education project funded as a component of the university's state appropriation. Taking this \$15 million from the university's appropriation would severely impede academic initiatives," he said.

Other members expressed concern that the funding request had been in the jobs committee all session, before suddenly appearing in the higher education bill.

The proposal includes \$3.2 million for the planning, implementation and development of a four-year institution in Rochester. The Rochester University Development Committee is to make recommendations to the Legislature by Jan. 15, 2006.

The bill also makes a number of changes to the state grant program, including an addition of a ninth semester of eligibility and a reduction of the student share of costs from 46 percent to 45 percent.

A Senate omnibus higher education bill was to be completed April 21 by the Higher Education Finance Division of the Senate Finance Committee.

### Selected bills in the omnibus bill:

- HF67 (Opatz)
- HF165 (Opatz)
- HF1085 (Nornes)
- HF1441 (Nornes)
- HF1586 (Lanning)
- HF1695 (Sykora)
- HF2013 (Bradley)
- HF2145 (Severson)
- HF2224 (Nornes)

### Selected bills not in the omnibus bill:

- HF504 (Carlson)
- HF566 (Cox)
- HF629 (Kelliher)
- HF669 (Mariani)
- HF670 (Abeler)
- HF1047 (Cox)
- HF1697 (Dill)

## HOUSING



### More review time

A bill described as a tune up of the law that governs development and operation of condominiums, cooperatives twin homes and townhouses was passed by the House 126-7 April 14.

HF369, sponsored by Rep. Paul Thissen

(DFL-Mpls), now awaits action in the Senate, where Sen. Thomas M. Neuville (R-Northfield) is its sponsor.

The Minnesota Common Interest Ownership Act took effect in 1994 and this bill, while making technical changes to the measure, also adds consumer protections, most notably by increasing the number of days a common interest property purchaser has to opt out of the deal.

Previous legislation changed the timeframe that a buyer of a new unit had to cancel the purchase from 10 days to five days, as requested by the Minnesota Realtors Association. However, the change back to 10 days was proposed now because "oftentimes these materials are two to three inches thick and five days isn't an adequate period of time for review," Thomas L. Bray, an attorney the Minnesota State Bar Association Real Property Section, previously told the House Civil Law and Elections Committee.

The bill also calls for a developer of shore land to submit plans for any proposed subdivision or conversion of the property to the local unit of government for review to make sure the project complies with the local ordinances regulating shore land.

## ★ INDUSTRY

### **Building a better nugget**

A 2004 law exempted from certain environmental review the first iron nugget production facility in the state. The goal was to ensure that a new process of producing high-quality iron nuggets from iron ore moved from demonstration to production in Minnesota before Indiana stole the economic thunder of being first to produce a better quality nugget.

HF1334, sponsored by Rep. David Dill (DFL-Crane Lake), would make a technical change to the statutory description of the hearth furnace used at the Hoyt Lakes Mesabi Nugget facility and extend its permit application timeframe to June 30, 2005.

The House passed the measure 89-42 April 14. It now awaits action in the Senate, where Sen. Thomas M. Bakk (DFL-Cook) is the sponsor.

The first provision is technical in nature, Dill said. It would align more closely the description of the facility's hearth furnace with the proper "term of art" in the engineering world.

The second component of the bill is actually good news for mercury emissions, he said, because the company has discovered new, better technology to control the discharge of mercury in the process water. Though the

discovery has lengthened the permitting process, the proprietary technology would meet the federal Great Lakes Initiative mercury emissions standards.

Rep. Carlos Mariani (DFL-St. Paul) failed to amend the bill to include revised requirements for Pollution Control Agency mercury reduction progress reports. Under the amendment, the agency, in its mandated Oct. 15, 2005 report, would also have been required to "describe the reductions made in mercury emissions since 1990 by each individual sector, including, but not limited to, materials processing, energy production, and intentional use, and shall estimate the amount of the reduction achieved in each sector overall and specifically as a result of implementing a voluntary reduction plan."

The amendment also would have called for revised estimates of mercury emissions by sector in 1990, 1995, 2000 and 2005.

Opponents said the amendment could be costly or duplicative in its scope.

## ★ LAW

### **Initiative and referendum**

A bill that would give voters the opportunity to decide on a process that would let them enact laws and repeal old ones without legislative approval was passed by the House 68-65 April 14.

"I believe that initiative and referendum will empower and energize voters to be engaged more so they know that their vote truly does make a difference," said House Majority Leader Erik Paulsen (R-Eden Prairie).

He sponsors HF820 that advocates changing the state constitution to allow for the process. The proposed constitutional amendment would be before state voters in the 2006 general election.

To get a proposal to initiate or repeal a law on the ballot, a petition would need to be signed by at least 5 percent of registered voters who cast ballots in the previous gubernatorial election, collected in each congressional district and in the state as a whole. The percent of signatures for a constitutional change would be 8 percent.

Paulsen said the process has been shown to increase voter turnout when a state has the option for initiative and referendum, and it brings more accountability to government.

"There are certain things that should not be up for public approval or public vote," said Rep. Keith Ellison (DFL-Mpls). He unsuccessfully offered an amendment that would have excluded civil and human rights as subjects to the process.

"It shouldn't be up to us to be the gatekeepers of what can and cannot be in that constitution that is the supreme law in this state," said Rep. Karen Klinzing (R-Woodbury).

The bill now goes to the Senate where it is sponsored by Sen. Dave Kleis (R-St. Cloud).

## ★ LOCAL GOVERNMENT

### **Park name change**

The House passed a bill 110-24 April 20 that would change the name of the Hennepin County Park Reserve District, in statute, to the Three Rivers Park District.

"The name has been changed on all the signs, all of the many, many vehicles, everywhere in the parks. The only place it has not been changed is in statute," said Rep. Joe Hoppe (R-Chaska), the sponsor of HF1320.

The park district superintendent would also be able to serve as the chief administrative officer of the park district for a term of up to five years to "make it more easy for them to find quality candidates," added Hoppe. Currently, a term cannot exceed two years.

"The Three Rivers District, as a condition of receiving grant money for maintenance and operation costs, must agree to maintain the Coon Rapids Dam in a condition to raise the pool level each spring and decrease the level each winter," under an amendment successfully offered by Rep. Melissa Hortman (DFL-Brooklyn Park).

"That recreational pool is used by about 500,000 people a year," said Rep. Kathy Tingelstad (R-Andover).

Several members raised concerns on whether the amendment would be acceptable to the park district. Hoppe said he believes it is not.

Rep. Mark Buesgens (R-Jordan) asked if the amendment would force the district to reallocate funds internally. "I want to know if this language is going to affect parts in my county."

According to its Web site, "As a special park district, Three Rivers Park District is charged with the responsibilities of acquisition, development and maintenance of large park reserves, regional parks and regional trails for the benefit and use of the citizens of suburban Hennepin County, Scott County, the metropolitan areas, and the state of Minnesota."

The bill now moves to the Senate, where Sen. Ann H. Rest (DFL-New Hope) is the sponsor.

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

## MILITARY

### Soldiers suspend care

Active duty soldiers and their dependents would be able to suspend their enrollment in the state's health care program, MinnesotaCare, under a bill approved April 18 by the House 131-0.

HF1761, sponsored by Rep. Phyllis Kahn (DFL-Mpls), would allow for the suspension of care as well as premium payments, without having to reapply upon their return. Currently, a lapse in coverage results in a four-month waiting period before being eligible to reapply.

The bill now goes to the Senate where Sen. Gary W. Kubly (DFL-Granite Falls) is the sponsor.

"This saves soldiers who are in this situation money and it also saves the state money," Kahn said.

Michael W. Vogt, a specialist in the Minnesota National Guard, told a House committee that before he was deployed he contacted MinnesotaCare to suspend his care, but the person who helped him said there wasn't a process for suspension. He remained on the plan and paid the premium even though he was covered under military health care, which created a convoluted set of issues once he was injured overseas.

"When I was in Kosovo I had to be on the phone calling insurance companies ... instead of calling my family, I was talking to insurance adjusters," he added.

Vogt also said his premiums increased upon his return from Kosovo due to his combat pay allowance.

Under the bill, an enrollee's gross income prior to active service, or while in active service, but only counting the base military pay, can be used to calculate the premium. Currently all military pay, including combat pay allowance, is considered in setting premiums per an enrollee's income.

The provision is also included in SF1837, sponsored by Sen. Becky Lourey (DFL-Kerrick). It awaits action in the Health, Human Services and Corrections Budget Division of the Senate Finance Committee. A companion to that bill (HF1873), sponsored by Rep. Duke Powell (R-Burnsville) is being considered for inclusion in the House Health Policy and Finance Committee omnibus bill.

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## SAFETY

### Money for Minneapolis

Minneapolis officials believe the city has been hit hard with crime in the first few months of 2005, particularly on the north side, and would like some help.

Rep. Keith Ellison (DFL-Mpls) and Rep. Joe Mullery (DFL-Mpls) are sponsoring bills that seek more money from the state to be used for public safety purposes.

The bills were heard April 14 by the House Taxes Committee and held over for possible inclusion in the committee's omnibus bill.

Ellison's bill (HF2033) would remove a city's local government aid cap, but require that any new money be used for public safety beginning with fiscal year 2006. This bill applies to all cities.

Mullery's bill (HF1827) would provide a permanent annual increase of \$12 million to Minneapolis beginning with fiscal year 2006. The extra money must be used for police and prosecutors in the city attorney's office.

The money in both bills would replace what the city has lost in local government aid in recent years. Raising property taxes is not an option, Ellison said.

"I do believe the first responsibility of state government is safety," Mullery said. He said much of the crime is gang-related. "I do think we need some extra money narrowly targeted."

Deputy Chief Sharon Lubinski said the response time for emergency 911 calls, usually traffic accidents with injuries or someone breaking into a house, was eight minutes. "Every second is an eternity," she said. "The officers in the squad car are getting frustrated. People are getting desperate."

Respective companion bills, SF2056, sponsored by Sen. Linda Higgins (DFL-Mpls), and SF1972, sponsored by Sen. Wesley J. Skoglund (DFL-Mpls), await action by the Senate Taxes Committee.

## TAXES

### Give dairy operators a break

The House Taxes Committee did not vote April 20 on a bill that would provide a tax credit of up to 10 percent for investments in dairy operations.

Instead, HF719, sponsored by Rep. Dean Urdahl (R-Grove City), was held over for possible inclusion in the committee's omnibus bill.

The credit would be 10 percent of the first \$500,000 of investment, after that a smaller percent as the qualifying investment increases to \$1 million. The credit would be capped at \$75,000. The state would make available \$2.9 million for credits in fiscal year 2006, \$3.5 million in fiscal year 2007 and \$4 million in fiscal year 2008 and beyond. In years where applications exceed the amount available, credits would be prorated among applicants.

Eligible expenditures would include barns, fences, water and feed facilities, milk storage equipment and manure handling equipment. The credit would be available for qualifying expenditures beginning in tax year 2005.

### FLAG WAVERS



PHOTO BY SARAH STACKE

An American flag hanging from two hook and ladder fire trucks serves as a backdrop for the April 19 Centennial Celebration of the Fire Marshal Division of the Department of Public Safety at the State Capitol.

Under the bill, applicants must notify the Department of Revenue by Jan. 31 of the year the applicant intends to claim the credit.

Paul Kent, a dairy farmer from Mora and chair of the Minnesota Association of Cooperatives Dairy Committee, said cooperatives welcome the bill.

"We're losing our farms and losing our cows," he said, noting that the number of dairy cows in Minnesota declined 37 percent from 1980 to 2000.

The bill would help improve investment in dairy herds, he said. Kent believes it would help Minnesota compete with surrounding states, particularly Wisconsin, which passed a dairy investment tax credit last year.

"Unless a similar proposal is passed here, members of the Minnesota Association of Cooperatives are concerned that such action puts Minnesota's dairy industry at a competitive disadvantage," he said.

A companion bill (SF719), sponsored by Sen. Dallas C. Sams (DFL-Staples), might become part of a Senate tax bill.

### **Tax-free milk and water**

If you buy milk or water at a convenience or grocery store, there is no sales tax. However, the beverages are taxed if you buy either in a vending machine.

Rep. Greg Blaine (R-Little Falls) believes if the tax was removed from milk and water purchased in vending machines, the cost would be less and more people, especially children, would buy the products that are better for their health. He is sponsoring HF1743 to do that.

According to a fiscal note, it would cost the state \$330,000 in fiscal year 2006 and gradually increase to \$395,000 by fiscal year 2009.

The bill was heard by the House Taxes Committee April 20 and held over for possible inclusion in its omnibus bill.

"I think it's a good step forward for the dairy industry," said Blaine, who is a dairy farmer. "It's a good step forward for the public in general. It's an effort to get some milk consumed out there. We feel that this is an attempt to make healthy choices more competitive in the marketplace."

"It's good for our kids," said Bob Lefebvre, executive director of the Minnesota Milk Producers Association. "We have an enormous calcium deficiency problem statewide."

A companion bill (SF1670), sponsored by Sen. Becky Lourey (DFL-Kerrick), awaits action in the Senate Taxes Committee.

### **Willingly paying more**

Rep. Fran Bradley (R-Rochester) said that a while back he was meeting with some constituents in his office when they indicated, "that they should like to pay more tax."

He thought about their proposed largess awhile, and decided that if they want to pay more, they should be able to. "I thought, 'Why shouldn't that be?' This is elegantly simple," he said.

He has introduced HF1780, which would allow taxpayers to contribute \$5 or more to the General Fund, beginning with tax year 2005. The money would be added to their tax or deducted from their refund. There would be a new space on their tax form to indicate the contribution. The bill directs that the state not lengthen the two-page M-1 tax form.

The bill was heard April 20 by the House Taxes Committee and held over for possible inclusion in its omnibus bill. It has no Senate companion.

According to a Department of Revenue analysis, no other state has a similar check-off on its tax form. Minnesota now has a non-game wildlife check-off fund that netted approximately \$1.2 million in 2003. Bradley gave no indication of potential revenues from his bill.

### **Easing airport noise**

When an airplane takes off from one of the nearby runways at the Minneapolis-St. Paul International Airport, the ground in Richfield literally rumbles.

To mollify things, the city has previously gotten federal grants to buy and move houses. With a new runway opening this fall, the city needs more help.

HF1247, sponsored by Rep. Dan Larson (DFL-Bloomington), would allow the city to establish a tax-increment financing (TIF) district in the area affected by airport noise.

The bill was heard April 19 in the Property and Local Tax Division of the House Taxes Committee and held over for possible inclusion in the division report.

The district would differ from conventional TIF districts in that it could last longer than five years and it doesn't have to meet the "blight test," meaning 50 percent or more of the buildings don't have to be substandard.

According to the nonpartisan House Research Department, "Tax increment financing uses the increased property taxes that a new real estate development generates to finance costs of the development."

The tax-increment generated by the district would be used to buy and remove homes and possibly build "airport compatible" homes and businesses, said John Stark, Richfield assistant

director of community development.

The buildings there now aren't substandard; it's the noise that makes them unlivable, said Rep. Ann Lenczewski (DFL-Bloomington).

"The 'ground rumble' is, in effect, blight," she said. "This allows the locals to pay for it. It allows the city of Richfield to have a way to make it happen themselves. I think it takes the state of Minnesota off the hook."

A companion bill (SF1419), sponsored by Sen. Jane B. Ranum (DFL-Mpls), was included in SF1683, sponsored by Sen. Lawrence J. Pogemiller (DFL-Mpls). That bill was passed 40-27 March 31 then laid on the table.

## **TRANSPORTATION**



### **Keep the lights on**

Large utility vehicles used to restore or prevent the loss of power will now be allowed to travel on local asphalt and gravel roads with a spring axle-weight limit, under a new law signed April 14

by Gov. Tim Pawlenty.

Effective April 15, 2005, the law permits heavy utility vehicles to travel on these roads when performing emergency work. Members of the trucking industry said the law would make it easier to perform the necessary work.

The law applies to utility vehicles weighing up to 20,000 pounds per single axle, 36,000 pounds per two axles and 48,000 for three axles. Now, those trucks performing emergency work are exempt from seasonal weight limits posted by local authorities. Under this bill, that exemption extends to a spring limit of 5 tons per axle.

Rep. Larry Howes (R-Walker) and Sen. Steve Murphy (DFL-Red Wing) sponsored the law.

HF1508/SF1466\*/CH21

### **Take theirs and give it to them**

With no easy answer in sight to fix the state's transit funding problem, Rep. Dan Larson (DFL-Bloomington) believes redirecting some money might be a temporary fix.

Sponsored by Larson, HF2377 would take \$33 million in motor vehicle sales tax revenue that would normally go to the Trunk Highway Fund, to maintain state highways, and send \$30 million to metropolitan transit and \$3 million to Greater Minnesota transit in both fiscal years 2006 and 2007.

The bill was heard April 19 by the House Transportation Finance Committee and held over for possible inclusion in its omnibus bill.

April 22, 2005

It has no Senate companion.

"I bring this forward as a positive short-term solution. It's an attempt to replace the shortfall we're facing in the area of transit in Minnesota," he said.

The Metropolitan Council has recently proposed a 25-cent across-the-board bus fare increase and a 10 percent reduction in overall service.

Kevin Gray, an assistant transportation commissioner, said Larson's bill could cause problems for the Trunk Highway Fund. "There will be a significant impact on MnDOT," he said.

Larson said he was aware of that, but he knows the question always goes back to money, and where it will come from for transit. Most legislators are reluctant to use property taxes to pay for it.

"I don't want to do that, I think a lot of the people at this table don't want to do that," he said. "We need to find a global solution. We need to fund transportation across the board."

## LATE ACTION



### Getting tough on meth

The House passed a bill meant to tackle the state's growing methamphetamine problem 127-4 April 21.

"This drug is not like anything else we've ever seen before," said Rep. Jeff Johnson (R-Plymouth), who added that it's a problem in urban, suburban and especially rural areas.

He said HF572/SF51\*, which he sponsors with Sen. Linda Berglin (DFL-Mpls), is a multi-faceted approach to the problem.

It boosts meth into the narcotic drug category, which would increase penalties for sale, possession and use of the drug.

Additionally, sales of ephedrine, an ingredient used in over-the-counter cold medicines, would be restricted beginning Aug. 1, 2005, because it is an essential ingredient for the manufacture of meth. An amendment successfully offered by Rep. Mike Charron (R-Woodbury) would ban the pill form entirely by Aug. 1, 2006. Liquid, gel and

pediatric forms of the drug would not be affected.

Rural legislators tried unsuccessfully to remove the requirement that ephedrine medications be sold only in pharmacies by pharmacists, clerks or technicians.

An effort to keep criminal sentences at the status quo and channel the savings into increased long-term treatment for meth addicts was also defeated.

The bill also would:

- criminalize various meth-related activities that may impact children or vulnerable adults;
- require notification of county health officials of clandestine lab sites;
- require offenders to pay restitution when the crime involves an emergency response and clean up of meth sites; and
- establish a meth cleanup fund that would loan money to cities and counties.

The bill includes \$1 million in each year of the biennium for additional officers for the Bureau of Criminal Apprehension who would focus on meth enforcement. During the biennium, the bill also provides \$902,000 for more prison bed space, \$600,000 for pilot treatment projects, \$200,000 for meth lab remediation, \$180,000 for courts to offset the cost of increased trial court caseloads and \$125,000 to develop and distribute materials informing students of the drug's danger.

The bill now returns to the Senate, where it initially passed 67-0 March 3.

## WOOD BURNER



PHOTO BY TOM OLMSCHIED

**Carl Strickler, chief operating officer of Fibrowatt and project manager for Fibrominn, listens as members of the Property and Local Tax Division of the House Taxes Committee consider adding an exemption for a wood burning power plant to a bill that would also exempt a poultry litter fired power plant near Benson from sales tax and property tax during a construction period.**

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# More and less

## Omnibus state government finance bill contains an agency mix

By **PATTY JANOVEC**

**C**uts, eliminations and adjustments to state agencies, commissions and state grants are included in a bill that now awaits action by the full House.

Many changes mirror the governor's proposed \$490 million budget recommendation; however, the House version totals \$14 million less for the 2006-07 biennium.

"I think we have a pretty good work product here. We did as much as we could considering the lack of money we had to work with," said Committee Chair Rep. Marty Seifert (R-Marshall) before the House State Government Finance Committee approved HF1481 April 19. The House Ways and Means Committee approved the measure the next day.

Under the bill, the Legislature would receive 2.5 percent in cuts, across the board, with a total appropriation of \$87.9 million, \$500,000 less than the governor proposed. The plans also include cuts to carryforward accounts that are used for nonrecurring expenditures, interim activities, public hearings, public outreach efforts and severance costs for involuntary terminations.

The cuts of 2.5 percent also extend to other state agencies, including: Legislative Coordinating Commission, the offices of the governor, legislative auditor, attorney general and secretary of state and the Black Minnesotans, Chicano Latino Affairs, Asian-Pacific Minnesotans and Minnesota Indian Affairs councils.

Other entities facing reductions include: finance and revenue departments, various offices in the Department of Administration, public subsidy funding for the Campaign Finance

and Public Disclosure Board and AMPERS, a statewide public radio network.

All funding would be eliminated for the Minnesota Amateur Sports Commission, including a Target Center appropriation; Department of Administration Local Planning Assistance office and Minnesota Public Radio equipment grants.

The Legislative Commission on the Economic Status of Women would be eliminated under the proposal. Rep. Phyllis Kahn (DFL-Mpls) unsuccessfully offered an amendment to allow for the commission to continue without funding. "When we started the (commission) the average pay for women was 59 cents for every dollar that men made, now we're actually up to 76 cents for every dollar," she said.

"I think now we're in a different time when we have more information available on the Internet ... and they don't do any original research," said Rep. Joyce Peppin (R-Rogers). The work of the commission could be rolled

into another office, she added.

New and additional funding designations include: the Mississippi Parkway Commission, restoration of state auditor audit practice staff, assistive technology grants, Department of Revenue enhanced tax compliance and Minnesota Racing Commission administrative expenses.

Military personnel would receive added benefits under the bill, including 100 percent tuition reimbursement for Minnesota National Guard soldiers. Re-enlistment incentives for retired Guard members would be paid at a higher rank than when they retired based on special skills or experience of a person called back to duty.

The Department of Veterans Affairs would receive funding for an outreach program to underserved minority veterans, and another for vocational rehabilitation and chemical dependency grants for veterans. The Veterans of Foreign Wars, Military Order of the Purple Heart and Disabled American Veterans would all receive increased funding.

Policy changes include the Legislature not being permitted to meet before April 1 in even-numbered years, and both bodies would be required to set one time for the convening of daily sessions. A successful amendment by Kahn would require Senate and House committees of similar jurisdictions to meet jointly.

The governor's faith-based initiative, which includes appointing an employee in the governor's office to help faith-based groups seek state grants for social services, is included in the bill. However, while the governor's budget allots \$300,000, no monies are in the House proposal.

Another provision in the bill would require a city or county with a population of more than 15,000 to notify its residents of the names and salaries of its three highest paid employees. The information would be required to be distributed either via a Web site, an annual publication or as part of the truth-in-taxation notices.

**Continued on page 22**



PHOTO BY TOM OLMSCHIED

**During a March 9 homecoming ceremony when his unit returned from Iraq, Spc. Jefferson Hobbs stands under a sign at the Anoka National Guard Armory. Military personnel would receive added benefits under the omnibus state government finance bill, including 100 percent tuition reimbursement for Minnesota National Guard soldiers and re-enlistment incentives for retired Guard members.**





PHOTO BY TOM OLMSCHIED

A prisoner at the Ramsey County Correctional Facility looks out the window of his cell. The omnibus public safety finance bill contains \$591.4 million in corrections spending.

## Cracking down on criminals

### Omnibus bill includes tougher sex offender penalties

By RUTH DUNN

**R**amped-up penalties for sex offenders is the cornerstone of HF1, which has become the omnibus bill of the House Public Safety Policy and Finance Committee.

It outlines nearly \$1.7 billion in spending over the next two years for the courts, public safety and corrections. The bill also includes policy and procedure changes, including new crimes and increased penalties for other crimes. The 312-page bill includes all or part of approximately 80 House files.

Approved by the committee April 19, it next goes to the House Ways and Means Committee.

The committee generally followed Gov. Tim Pawlenty's budget and policy recommendations except in a few areas, said Committee Chair Rep. Steve Smith (R-Mound), the bill's sponsor. One example is non-criminal legal aid services for low-income people, where the committee is recommending \$25.3 million for the biennium while the governor wants \$14.6 million.

Tougher penalties for sex offenders are a

priority of House Republican leadership this session and became HF1, the first bill to be introduced in January. "The first function of government is to provide safety," House Majority Leader Erik Paulsen (R-Eden Prairie) said at the time.

Under the omnibus bill, first-degree criminal sex offenders would receive a life sentence without the possibility of release if their crimes involved force, violence, a dangerous weapon, personal injury to the victim or abuse involving multiple acts over an extended period of time.

The bill also increases maximum sentences and adds indeterminate sentencing for second-, third- and fourth-degree criminal sexual conduct offenders, and establishes a five-member Minnesota Sex Offender Review Board to evaluate when conditional release may be appropriate.

Methamphetamine, commonly called meth, is another issue driving the omnibus bill with more money allocated for law enforcement, courts and correctional institutions. Still, not enough money was

included for meth treatment and educational prevention, according to some members.

Treatment and education are glaringly lacking in the bill, according to Rep. Rob Eastlund (R-Isanti) who added, "I hope we address this another time." This bill allocates \$40,000 for education and awareness efforts; however, treatment funding is expected to be in other bills.

Concerned about the impact meth is having on counties, Rep. Debra Hilstrom (DFL-Brooklyn Center) successfully offered an amendment to add \$1 to parking fines, statewide, to raise approximately \$600,000 a year to help counties deal with enforcement, treatment and other meth-related expenses. Originally, she wanted a \$5 increase that would have raised much more.

A controversial provision to take DNA samples from all people arrested for felony crimes is included in the bill. Currently, samples are taken only from convicted felons. A phase-in would begin July 1, 2005, with collection of samples from people arrested for certain violent and predatory crimes before expanding in 2010 to all felony arrests. Collected DNA would be added to state and national databases.

Some of the other provisions in the bill include:

**Continued on page 22**

# Come one, come all

## Representatives agree: constituent communication is key

By **LAURA NOE**

**F**rom phone calls to home visits, legislators depend on their constituents to keep them informed of issues in their district.

For Rep. Judy Soderstrom (R-Mora), a quick trip to the grocery store in her hometown often turns into an hour-long affair. People know her and aren't afraid to stop her next to the canned vegetables in aisle three to discuss the issues.

Yet, because each member of the House represents roughly 36,000 people, communication between representatives and constituents isn't always easy.

Legislators get hundreds of letters a day when there's a big vote coming up, said Rep. Gregory M. Davids (R-Preston). Even though their time is saturated with committee meetings, floor sessions and formulating bills, making contact with constituents gets top priority.

"If you have figured out a way to contact me, I feel that I need to get back to you," said Rep. Neva Walker (DFL-Mpls).

Constituents of Rep. Steve Simon (DFL-St. Louis Park) can call him at home if they need to. "The day that I consider that a nuisance, kick me out," he said. To remain accessible, Simon has even taken field trips to constituents' homes.

Deciding how to contact one's representative can be intimidating. Should you e-mail, write, call or stop in? Will your representative read what you write or make time to see you? Some legislators, like Simon, say people should choose whichever method is most comfortable for them, while others have clear-cut preferences. "Contact the representative's legislative assistant and find out how your representative would like you to contact them," Walker said.

### Letters and e-mails

"Dinosaur" Davids, as he calls himself after serving in the House for 15 years, still personally reads all his mail. Mail from constituents tops his priority list, with one exception.

"Form letters go in the garbage, as a rule." If it isn't personally written, it doesn't make an impact, he said.

Said Simon, a first-term legislator: "I don't assume that because it's form language they care less." He understands that people are busy so he tries to treat all forms of communication equally.

For Walker, it depends on the time of the year. "The first six months I'm really good

### How to contact your representative:

**Call:** You can talk to your representative or his or her legislative assistant directly, or leave a message.

**E-mail:** Each representative has her or his own personal e-mail address, and e-mailing can sometimes be the quickest way to get a response from your legislator.

**Write:** Many representatives prefer handwritten or typed letters.

**Visit:** Call ahead to set up a time to meet. Call House Public Information Services at (651) 296-2146 or (800) 657-3550, or go to [www.house.mn](http://www.house.mn) to find your representative, get phone numbers, e-mail and mailing addresses.



PHOTO BY TOM OLMSCHEID

Rep. Neva Walker, left, meets with constituent Sarah Burt in her office April 19 as Justin Bigelow, Walker's intern, looks on.

with e-mail. The last six months I'm not because I like to be out in the community."

### Meeting in person

A self-proclaimed "personable person," Walker said, "I would much rather grab a cup of coffee than get an e-mail."

Davids agrees. "It's amazing what two people can accomplish by sitting down and having a cup of coffee. I never want to lose the ability to actually talk to someone," he said, even though parts of his district are more than two hours away.

Time is a luxury for many members, but Soderstrom tries to give constituents who visit at least 15 minutes.

"It's harder if people just stop in," she said, because she's usually jumping from meeting to meeting. She suggests people call ahead to set up a time to meet.

### Phone calls

Phone calls are best if a constituent simply wants to tell their representative to vote a

**Continued on page 22**

# 2005-06 Minnesota House of Representatives Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
48B Abeler, Jim (R)	509	1729	9A Lanning, Morrie (R)	593	5515
43B Abrams, Ron (R)	585	9934	63B Larson, Dan (DFL)	287	7158
19A Anderson, Bruce (R)	437	5063	44B Latz, Ron (DFL)	225	7026
3A Anderson, Irv (DFL)	321	4936	40B Lenczewski, Ann (DFL)	237	4218
39B Atkins, Joe (DFL)	217	4192	66A Lesch, John (DFL)	223	4224
35A Beard, Michael (R)	577	8872	30A Liebling, Tina (DFL)	393	0573
51B Bernardy, Connie (DFL)	233	5510	1B Lieder, Bernie (DFL)	323	5091
12B Blaine, Greg (R)	545	4247	55A Lillie, Leon (DFL)	353	1188
29B Bradley, Fran (R)	563	9249	59A Loeffler, Diane (DFL)	307	4219
25A Brod, Laura (R)	581	4229	22A Magnus, Doug (R)	515	5505
35B Buesgens, Mark (R)	445	5185	67A Mahoney, Tim (DFL)	289	4277
45B Carlson, Lyndon (DFL)	283	4255	65B Mariani, Carlos (DFL)	203	9714
56A Charron, Mike (R)	571	4244	9B Marquart, Paul (DFL)	345	6829
61A Clark, Karen (DFL)	303	0294	57B McNamara, Denny (R)	431	3135
24B Cornish, Tony (R)	487	4240	53B Meslow, Doug (R)	531	5363
25B Cox, Ray (R)	413	7065	4A Moe, Frank (DFL)	369	5516
37A Cybart, Lloyd (R)	539	5506	58A Mullery, Joe (DFL)	367	4262
31B Davids, Gregory M. (R)	477	9278	6B Murphy, Mary (DFL)	343	2676
62A Davnies, Jim (DFL)	309	0173	46A Nelson, Michael (DFL)	317	3751
52B Dean, Matt (R)	417	3018	17B Nelson, Peter (R)	433	5377
49A DeLaForest, Chris (R)	503	4231	18A Newman, Scott (R)	569	1534
29A Demmer, Randy (R)	597	9236	10A Nornes, Bud (R)	471	4946
28A Dempsey, Jerry (R)	575	8635	16B Olson, Mark (R)	501	4237
6A Dill, David (DFL)	315	2190	15B Opatz, Joe (DFL)	277	6612
47A Dittrich, Denise (DFL)	371	5513	11B Otremba, Mary Ellen (DFL)	247	3201
27A Dorman, Dan (R)	517	8216	37B Ozment, Dennis (R)	479	4306
23B Dorn, John (DFL)	201	3248	42B Paulsen, Erik (R)	459	7449
17A Eastlund, Rob (R)	449	5364	64B Paymar, Michael (DFL)	253	4199
2A Eken, Kent (DFL)	329	9918	31A Pelowski, Jr., Gene (DFL)	295	8637
58B Ellison, Keith (DFL)	229	8659	1A Penas, Maxine (R)	579	9635
19B Emmer, Tom (R)	523	4336	32A Peppin, Joyce (R)	411	7806
64A Entenza, Matt (DFL)	267	8799	20A Peterson, Aaron (DFL)	351	4228
41A Erhardt, Ron (R)	591	4363	41B Peterson, Neil W. (R)	527	7803
16A Erickson, Sondra (R)	473	6746	45A Peterson, Sandra (DFL)	213	4176
21B Finstad, Brad (R)	379	9303	27B Poppe, Jeanne (DFL)	231	4193
26B Fritz, Patti (DFL)	239	8237	40A Powell, Duke (R)	407	4212
36B Garofalo, Pat (R)	429	1069	5A Rukavina, Tom (DFL)	279	0170
12A Gazelka, Paul (R)	529	4333	26A Ruth, Connie (R)	565	5368
50A Goodwin, Barbara (DFL)	331	4331	42A Ruud, Maria (DFL)	311	3964
54A Greiling, Mindy (DFL)	259	5387	2B Sailer, Brita (DFL)	327	4265
24A Gunther, Bob (R)	559	3240	50B Samuelson, Char (R)	415	0141
48A Hackbarth, Tom (R)	409	2439	54B Scalze, Bev (DFL)	241	7153
22B Hamilton, Rod (R)	423	5373	21A Seifert, Marty (R)	381	5374
39A Hansen, Rick (DFL)	221	6828	5B Sertich, Anthony "Tony" (DFL)	273	0172
66B Hausman, Alice (DFL)	245	3824	14A Severson, Dan (R)	553	7808
13A Heidgerken, Bud (R)	507	4317	57A Sieben, Katie (DFL)	215	4342
46B Hilstrom, Debra (DFL)	375	3709	44A Simon, Steve (DFL)	313	9889
8A Hilty, Bill (DFL)	207	4308	10B Simpson, Dean (R)	525	4293
36A Holberg, Mary Liz (R)	443	6926	55B Slawik, Nora (DFL)	357	7807
34B Hoppe, Joe (R)	537	5066	33A Smith, Steve (R)	543	9188
60B Hornstein, Frank (DFL)	227	9281	8B Soderstrom, Judy (R)	439	0518
47B Hortman, Melissa (DFL)	377	4280	3B Solberg, Loren (DFL)	349	2365
14B Hosch, Larry (DFL)	211	4373	28B Sviggum, Steve (R)	463	2273
4B Howes, Larry (R)	451	2451	33B Sykora, Barb (R)	485	4315
7A Huntley, Thomas (DFL)	335	2228	65A Thao, Cy (DFL)	359	5158
7B Jaros, Mike (DFL)	291	4246	63A Thissen, Paul (DFL)	301	5375
43A Johnson, Jeff (R)	401	5511	49B Tingelstad, Kathy (R)	403	5369
23A Johnson, Ruth (DFL)	389	8634	18B Urdahl, Dean (R)	521	4344
67B Johnson, Sheldon (DFL)	243	4201	52A Vandever, Ray (R)	583	4124
13B Juhnke, Al (DFL)	281	6206	62B Wagenius, Jean (DFL)	251	4200
59B Kahn, Phyllis (DFL)	255	4257	61B Walker, Neva (DFL)	209	7152
60A Kelliher, Margaret Anderson (DFL)	261	0171	38B Wardlow, Lynn (R)	491	4128
56B Klinzing, Karen (R)	567	1147	30B Welti, Andy (DFL)	387	4378
15A Knobloch, Jim (R)	453	6316	51A Westerberg, Andrew "Andy" (R)	549	4226
20B Koenen, Lyle (DFL)	337	4346	11A Westrom, Torrey (R)	533	4929
34A Kohls, Paul (R)	421	4282	38A Wilkin, Tim (R)	551	3533
53A Krinkie, Philip (R)	365	2907	32B Zellers, Kurt (R)	557	5502

# 2005-06 Minnesota Senate Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
66 Anderson, Ellen (DFL)	120 Cap.	5537	54 Marty, John (DFL)	323 Cap.	5645
52 Bachmann, Michele (R)	141 SOB	4351	38 McGinn, Mike (R)	G-19 SOB	7-8073
6 Bakk, Thomas (DFL)	226 Cap.	8881	39 Metzzen, James (DFL)	322 Cap.	4370
40 Belanger, William (R)	113 SOB	5975	41 Michel, Geoff (R)	133 SOB	6238
61 Berglin, Linda (DFL)	309 Cap.	4261	67 Moua, Mee (DFL)	235 Cap.	5285
51 Betzold, Don (DFL)	111 Cap.	2556	28 Murphy, Steve (DFL)	306 Cap.	4264
50 Chaudhary, Satveer (DFL)	317 Cap.	4334	25 Neuville, Thomas (R)	123 SOB	1279
64 Cohen, Richard (DFL)	121 Cap.	5931	17 Nienow, Sean (R)	105 SOB	5419
26 Day, Dick (R)	147 SOB	9457	33 Olson, Gen (R)	119 SOB	1282
60 Dibble, D. Scott (DFL)	111 Cap.	4191	34 Ortman, Julianne (R)	G-21 SOB	4837
18 Dille, Steve (R)	103 SOB	4131	19 Ourada, Mark (R)	145 SOB	5981
14 Fischbach, Michelle (R)	G-15 SOB	2084	65 Pappas, Sandra (DFL)	120 Cap.	1802
47 Foley, Leo (DFL)	G-24 Cap.	4154	36 Pariseau, Pat (R)	117 SOB	5252
21 Frederickson, Dennis (R)	139 SOB	8138	59 Pogemiller, Lawrence (DFL)	235 Cap.	7809
43 Gaither, David (R)	107 SOB	4314	63 Ranum, Jane (DFL)	120 Cap.	7-8061
37 Gerlach, Chris (R)	149 SOB	4120	53 Reiter, Mady (R)	132D SOB	1253
42 Hann, David (R)	G-27 SOB	1749	45 Rest, Ann (DFL)	205 Cap.	2889
58 Higgins, Linda (DFL)	328 Cap.	9246	35 Robling, Claire (R)	143 SOB	4123
23 Hottinger, John (DFL)	317 Cap.	6153	24 Rosen, Julie (R)	G-23 SOB	5713
13 Johnson, Dean (DFL)	208 Cap.	3826	4 Ruud, Carrie (R)	109 SOB	4913
49 Johnson, Debbie (R)	135 SOB	3219	11 Sams, Dallas (DFL)	328 Cap.	7-8063
48 Jungbauer, Michael (R)	115 SOB	3733	3 Saxhaug, Tom (DFL)	124 Cap.	4136
44 Kelley, Steve (DFL)	205 Cap.	7-8065	46 Scheid, Linda (DFL)	303 Cap.	8869
31 Kierlin, Bob (R)	127 SOB	5649	29 Senjem, David (R)	G-17 SOB	3903
30 Kiscaden, Sheila (IP)	325 Cap.	4848	2 Skoe, Rod (DFL)	124 Cap.	4196
15 Kleis, Dave (R)	G-25 SOB	6455	62 Skoglund, Wesley (DFL)	124 Cap.	4274
12 Koering, Paul (R)	131 SOB	4875	7 Solon, Yvonne Prettner (DFL)	303 Cap.	4188
20 Kubly, Gary (DFL)	306 Cap.	5094	27 Sparks, Dan (DFL)	G-24 Cap.	9248
9 Langseth, Keith (DFL)	122 Cap.	3205	1 Stumpf, LeRoy (DFL)	G-24 Cap.	8660
10 Larson, Cal (R)	153 SOB	5655	5 Tomassoni, David (DFL)	321 Cap.	8017
56 LeClair, Brian (R)	129 SOB	4166	22 Vickerman, Jim (DFL)	226 Cap.	5650
32 Limmer, Warren (R)	121 SOB	2159	16 Wergin, Betsy (R)	125 SOB	8075
8 Lourey, Becky (DFL)	G-24 Cap.	0293	55 Wiger, Charles (DFL)	301 Cap.	6820
57 Marko, Sharon (DFL)	G-24 Cap.	7-8060			

\*Capitol or State Office Building, St. Paul, MN 55155

## Minnesota House and Senate Membership

<b>1</b> A Rep. Maxine Penas-(R) B Rep. Bernie Lieder-(DFL) Sen. LeRoy A. Stumpf-(DFL)	<b>15</b> A Rep. Jim Knobloch-(R) B Rep. Joe Opatz-(DFL) Sen. Dave Kleis-(R)	<b>29</b> A Rep. Randy Demmer-(R) B Rep. Fran Bradley-(R) Sen. David H. Senjem-(R)	<b>43</b> A Rep. Jeff Johnson-(R) B Rep. Ron Abrams-(R) Sen. David Gaither-(R)	<b>57</b> A Rep. Katie Sieben-(DFL) B Rep. Denny McNamara-(R) Sen. Sharon Marko-(DFL)
<b>2</b> A Rep. Kent Eken-(DFL) B Rep. Brita Sailer-(DFL) Sen. Rod Skoe-(DFL)	<b>16</b> A Rep. Sondra Erickson-(R) B Rep. Mark Olson-(R) Sen. Betsy L. Wergin-(R)	<b>30</b> A Rep. Tina Lieblich-(DFL) B Rep. Andy Welti-(DFL) Sen. Sheila M. Kiscaden-(IP)	<b>44</b> A Rep. Steve Simon-(DFL) B Rep. Ron Latz-(DFL) Sen. Steve Kelley-(DFL)	<b>58</b> A Rep. Joe Mullery-(DFL) B Rep. Keith Ellison-(DFL) Sen. Linda Higgins-(DFL)
<b>3</b> A Rep. Irv Anderson-(DFL) B Rep. Loren A. Solberg-(DFL) Sen. Tom Saxhaug-(DFL)	<b>17</b> A Rep. Rob Eastlund-(R) B Rep. Peter Nelson-(R) Sen. Sean R. Nienow-(R)	<b>31</b> A Rep. Greg Pelowski Jr.-(DFL) B Rep. Gregory M. Davids-(R) Sen. Bob Kierlin-(R)	<b>45</b> A Rep. Sandra Peterson-(DFL) B Rep. Lyndon R. Carlson-(DFL) Sen. Ann H. Rest-(DFL)	<b>59</b> A Rep. Diane Loeffler-(DFL) B Rep. Phyllis Kahn-(DFL) Sen. Lawrence J. Pogemiller-(DFL)
<b>4</b> A Rep. Frank Moe-(DFL) B Rep. Larry Howes-(R) Sen. Carrie L. Ruud-(R)	<b>18</b> A Rep. Scott Newman-(R) B Rep. Dean Urdahl-(R) Sen. Steve Dille-(R)	<b>32</b> A Rep. Joyce Peppin-(R) B Rep. Kurt Zellers-(R) Sen. Warren Limmer-(R)	<b>46</b> A Rep. Michael Nelson-(DFL) B Rep. Debra Hilstrom-(DFL) Sen. Linda Scheid-(DFL)	<b>60</b> A Rep. Margaret Anderson Kelliher-(DFL) B Rep. Frank Hornstein-(DFL) Sen. D. Scott Dibble-(DFL)
<b>5</b> A Rep. Tom Rukavina-(DFL) B Rep. Anthony "Tony" Sertich-(DFL) Sen. David J. Tomassoni-(DFL)	<b>19</b> A Rep. Bruce Anderson-(R) B Rep. Tom Emmer-(R) Sen. Mark Ourada-(R)	<b>33</b> A Rep. Steve Smith-(R) B Rep. Barb Sykora-(R) Sen. Gen Olson-(R)	<b>47</b> A Rep. Denise Dittrich-(DFL) B Rep. Melissa Hortman-(DFL) Sen. Leo Foley-(DFL)	<b>61</b> A Rep. Karen Clark-(DFL) B Rep. Neva Walker-(DFL) Sen. Linda Berglin-(DFL)
<b>6</b> A Rep. David Dill-(DFL) B Rep. Mary Murphy-(DFL) Sen. Thomas M. Bakk-(DFL)	<b>20</b> A Rep. Aaron Peterson-(DFL) B Rep. Lyle Koenen-(DFL) Sen. Gary Kubly-(DFL)	<b>34</b> A Rep. Paul Kohls-(R) B Rep. Joe Hoppe-(R) Sen. Julianne E. Ortman-(R)	<b>48</b> A Rep. Tom Hackbarth-(R) B Rep. Jim Abeler-(R) Sen. Michael J. Jungbauer-(R)	<b>62</b> A Rep. Jim Davnie-(DFL) B Rep. Jean Wagenius-(DFL) Sen. Wesley J. Skoglund-(DFL)
<b>7</b> A Rep. Thomas Huntley-(DFL) B Rep. Mike Jaros-(DFL) Sen. Yvonne Prettner Solon-(DFL)	<b>21</b> A Rep. Marty Seifert-(R) B Rep. Brad Finstad-(R) Sen. Dennis R. Frederickson-(R)	<b>35</b> A Rep. Michael Beard-(R) B Rep. Mark Buesgens-(R) Sen. Claire A. Robling-(R)	<b>49</b> A Rep. Chris DeLaForest-(R) B Rep. Kathy Tingelstad-(R) Sen. Debbie J. Johnson-(R)	<b>63</b> A Rep. Paul Thissen-(DFL) B Rep. Frank Hornstein-(DFL) Sen. Jane B. Ranum-(DFL)
<b>8</b> A Rep. Bill Hilty-(DFL) B Rep. Judy Soderstrom-(R) Sen. Becky Lourey-(DFL)	<b>22</b> A Rep. Doug Magnus-(R) B Rep. Rod Hamilton-(R) Sen. Jim Vickerman-(DFL)	<b>36</b> A Rep. Mary Liz Holberg-(R) B Rep. Pat Garofalo-(R) Sen. Pat Pariseau-(R)	<b>50</b> A Rep. Barbara Goodwin-(DFL) B Rep. Char Samuelson-(R) Sen. Satveer Chaudhary-(DFL)	<b>64</b> A Rep. Matt Entenza-(DFL) B Rep. Michael Paymar-(DFL) Sen. Richard J. Cohen-(DFL)
<b>9</b> A Rep. Morrie Lanning-(R) B Rep. Paul Marquart-(DFL) Sen. Keith Langseth-(DFL)	<b>23</b> A Rep. Ruth Johnson-(DFL) B Rep. John Dorn-(DFL) Sen. John C. Hottinger-(DFL)	<b>37</b> A Rep. Lloyd Cybart-(R) B Rep. Dennis Ozment-(R) Sen. Chris Gerlach-(R)	<b>51</b> A Rep. Andrew "Andy" Westerberg-(R) B Rep. Connie Bernardy-(DFL) Sen. Don Betzold-(DFL)	<b>65</b> A Rep. Cy Thao-(DFL) B Rep. Carlos Mariani-(DFL) Sen. Sandra L. Pappas-(DFL)
<b>10</b> A Rep. Bud Nornes-(R) B Rep. Dean Simpson-(R) Sen. Cal Larson-(R)	<b>24</b> A Rep. Bob Gunther-(R) B Rep. Tony Cornish-(R) Sen. Julie Rosen-(R)	<b>38</b> A Rep. Tim Wilkin-(R) B Rep. Lynn Wardlow-(R) Sen. Mike McGinn-(R)	<b>52</b> A Rep. Ray Vanderveer-(R) B Rep. Matt Dean-(R) Sen. Michele Bachmann-(R)	<b>66</b> A Rep. John Lesch-(DFL) B Rep. Alice Hausman-(DFL) Sen. Ellen R. Anderson-(DFL)
<b>11</b> A Rep. Torrey Westrom-(R) B Rep. Mary Ellen Ostrom-(DFL) Sen. Dallas C. Sams-(DFL)	<b>25</b> A Rep. Laura Brod-(R) B Rep. Raymond Cox-(R) Sen. Thomas M. Neuville-(R)	<b>39</b> A Rep. Rick Hansen-(DFL) B Rep. Joseph Atkins-(DFL) Sen. James P. Metzzen-(DFL)	<b>53</b> A Rep. Philip Krinkie-(R) B Rep. Doug Meslow-(R) Sen. Mady Reiter-(R)	<b>67</b> A Rep. Tim Mahoney-(DFL) B Rep. Sheldon Johnson-(DFL) Sen. Mee Moua-(DFL)
<b>12</b> A Rep. Paul Gazelka-(R) B Rep. Greg Blaine-(R) Sen. Paul E. Koering-(R)	<b>26</b> A Rep. Connie Ruth-(R) B Rep. Patti Fritz-(DFL) Sen. Dick Day-(R)	<b>40</b> A Rep. Duke Powell-(R) B Rep. Ann Lenczewski-(DFL) Sen. William V. Belanger Jr.-(R)	<b>54</b> A Rep. Mindy Greiling-(DFL) B Rep. Bev Scalze-(DFL) Sen. John Marty-(DFL)	
<b>13</b> A Rep. Bud Heidgerken-(R) B Rep. Al Juhnke-(DFL) Sen. Dean E. Johnson-(DFL)	<b>27</b> A Rep. Dan Dorman-(R) B Rep. Jeanne Poppe-(DFL) Sen. Dan Sparks-(DFL)	<b>41</b> A Rep. Ron Erhardt-(R) B Rep. Neil W. Peterson-(R) Sen. Geoff Michel-(R)	<b>55</b> A Rep. Leon Lillie-(DFL) B Rep. Nora Slawik-(DFL) Sen. Charles (Chuck) W. Wiger-(DFL)	
<b>14</b> A Rep. Daniel Severson-(R) B Rep. Larry Hosch-(DFL) Sen. Michelle L. Fischbach-(R)	<b>28</b> A Rep. Jerry Dempsey-(R) B Rep. Steve Sviggum-(R) Sen. Steve Murphy-(DFL)	<b>42</b> A Rep. Maria Ruud-(DFL) B Rep. Erik Paulsen-(R) Sen. David Hann-(R)	<b>56</b> A Rep. Mike Charron-(R) B Rep. Karen Klinzing-(R) Sen. Brian LeClair-(R)	

# Standing tall

## Dutch elm claims old trees, new provide more than shade

By **LEE ANN SCHUTZ**

**W**hen the leaves came out last spring on the trees of the State Capitol grounds, Senior Groundskeeper Mike Malone knew that some of the elms were in trouble.

The telltale signs of dying leaves near the treetops left him with little doubt — Dutch elm disease was back.

To confirm his suspicions, an arborist was brought in and samples taken. When the news came back from the testing laboratories at the University of Minnesota, it wasn't good. About 17 elms tested positive for Dutch elm and another 11 were placed on a "watch" list.

So last summer the infected trees came down. Combine that with another 14 or 15 trees that were felled because they had been severely damaged by storms, it was a tough year for the state's most prestigious grounds.

Malone has been a groundskeeper at the Capitol for 20 years and remembers all too well the toll that Dutch elm took back in the 1970s. Before the disease wreaked havoc

across the state, about 600 large elms cast their stately canopies over the Capitol grounds. But now, because of disease and storms, there are only 33 left.

It's a little too early in the year to detect just how many more of these trees are in trouble. "We'll have a better idea in May when we can detect the beetle. I'm sure we are going to lose more," Malone said.

American and European bark beetles transmit the fungus that causes Dutch elm disease, and while some preventive measures are available, they have been met with limited success.

After the outbreak in the 1970s, Capitol groundskeepers began planting a wider variety of trees including elms declared resistant to Dutch elm disease. Earlier this month, at least 35 of these trees were planted along Cedar Avenue, across from the Centennial Office Building.

All this comes at a time when groundskeepers are working hard to have everything that is green

and growing looking its best for the summer of the 100th birthday of the Capitol.

As with every detail of the Capitol, its architect Cass Gilbert had a vision for the landscape. A year after the building was completed, he made a plea to government officials "to give the building such a setting as its exquisite lines and proportions demand," according to the Report on Capitol Approaches by Cass Gilbert which was submitted to the St. Paul City Council and the Ramsey County Board of Commissioners.

And now it is the job of the 12-member grounds crew to tend to the Capitol complex, which includes the Minnesota History Center area. They also watch over the greenery at the Governor's Mansion and the Minneapolis VA Medical Center. Malone said at least, to this point, there are no elms affected at either of those locations.

### In memoriam

Two of the trees that came down last year had been planted as memorials to loved ones. Malone said that each year four to five trees are donated as a remembrance to someone who has died.

At one time, commemorative plaques were routinely placed near the trees with the memoriam information. The practice was stopped because it was thought the lawn "could start looking like a cemetery," Malone said. The plaques that were near last year's felled trees will be given to the Historical Society, he added. But with an eye to the ground while walking around the Capitol lawn, other plaques can still be seen.

Memorial trees are encouraged, said Bernie Steele, facility support supervisor for the Department of Administration. Even though there is no marker, he said the memorial is important to the family. As examples, he said the family of former Gov. Orville Freeman had a tree planted near the spot where he used to park his car at the Capitol. And in Leif Erickson Park north of the State Office Building, House members who have lost infant children planted several trees.

Those interested in having a tree planted in memoriam should send a written request to Steele at [Bernie.Steele@state.mn.us](mailto:Bernie.Steele@state.mn.us), or by mail to G-10 Administration Building, 50 Sherburne Ave., St. Paul MN 55155.



PHOTO BY TOM OLMSCHEID

**Last summer, Capitol grounds crew members took down 17 trees infected with Dutch elm disease. At one time the Capitol Complex had 600 elms; that number is now down to 35.**

# Like father, like son/daughter

## Legislative service is family affair for six members

By RUTH DUNN

Six current representatives followed in their fathers' footsteps right up the steps of the State Capitol and into the House chamber.

These sons and daughters of former House members come from families where current events were a main course of dinner table conversation and public service was a priority.

"All children are affected by what their parents do," said Rep. Kent Eken (DFL-Twin Valley), whose father, Willis, served in the House from the time his son was six until he was out of high school. His father's service sparked an interest in the Legislature in young Eken who knew early on that he wanted to do what his dad was doing. "I looked up to him. I saw he made a difference and made the state a better place to raise a family," he said.

Not only did Rep. Peter Nelson (R-Lindstrom) follow his dad, Howard, into the House, but he also joined him in the family business, a meat processing shop. Nelson said it was natural for him to become involved in his community because his parents had been involved in everything from the Masonic Lodge and the PTA to their church. Nelson's community service then led him to the House just as it had for his father.

"I grew up with a positive image of public service and a ringside view of what good can be done," says Rep. Ron Latz (DFL-St. Louis Park). He was involved in campaigning since he could walk and has vivid memories of riding in a converted milk truck that his father, Robert, used on the campaign trail. Besides a love of the Legislature, Latz and his father are

**In a 1976 family campaign photo, Rep. Kent Eken, right, who is currently serving in the House, was 12 years old with brother, Lee, left; father, then-Rep. Willis Eken; mother, Betty Eken, and brother Loren. Twenty-six years later, the youngest Eken was elected to the House.**

**Submitted photo**



attorneys who share a law practice.

"Public service was held up as an admirable profession in my family," said Rep. Katie Sieben (DFL-Newport), who remembers campaigning door-to-door in a stroller. She was born while her father, Mike, was serving in the House. Her uncle, Harry, was also in the House, including a stint as speaker from 1981-84. Of her father's three children, she was always the most interested

in helping him campaign for himself or for others. No one was surprised when she first decided to run for the House at age 24 since her father had been elected when he was 25. "My father and uncle warned me that serving in the Legislature is a lot of work. They said it would have to be something I really wanted to do," she said.

The Peterson family may be setting a House record. The third generation of the family, Rep. Aaron Peterson (DFL-Madison), remembers running around the Capitol when he was a child and sitting on the House floor with



his father, Doug. His grandfather, Harry, also served. All three are “prairie populists, cut out of the same cloth,” says Peterson. Half of the voters in his district are over age 55 so a good percentage of them had a chance to vote for each Peterson, who all represented Madison, including the farm that has been in the family since the 1930s.

Nelson said his dad’s campaigns were different from his. “There was not as much door-to-door and not as many yard signs,” he said. His dad campaigned at auctions and church functions and hung posters in businesses. His father, now age 92, still has a strong interest in the Legislature. He avidly watches House Television and breaks only for walks. Nelson and his father share their interest in politics with discussions every Sunday after church.

Eken and his father share a top priority: education.

the family tradition and run for the House? “That’s totally up to them. It has rewards, but also frustrations,” he said. Campaigns have become more brutal and also more expensive, he adds.

Peterson’s father also takes an interest in his son’s political life. “He gives good advice but sometimes I have to

each other at the Capitol because the elder Peterson is president of the Minnesota Farmers Union and is here to lobby for bills.

Latz’s father pounded lawn signs for him and came up with ideas for campaign literature. “He taught me that credibility is the most important currency here,” said Latz.

The elder Latz is a good strategist, says his son. “He’s been through it, he understands how the process works. He has lots of ideas for legislation and is a good reference point.”

Will there be a third generation of the Latz family in the Legislature? The answer is yes based on a photo of Latz and his 6-year-old son, who he refers to as his chief political advisor, which was recently published in *Session Weekly*.

Nelson’s two grown sons — one a mortgage banker and the other an attorney — have never said they want to run. “But like me, they love engaging in a discussion of current events,” said Nelson, who adds he wouldn’t be surprised if one or both decides to run for office sometime.

**Two generations of Nelsons have served in the House, so far. Former Rep. Howard Nelson, right, celebrated his 90th birthday in 2002 with son, Rep. Peter Nelson, center; grandson, Chad Nelson, and great-grandchild, Jackson Nelson, possible House member in 2035.**

Submitted photo



## A House full

### Current members and their fathers who have served

Rep. Kent Eken (DFL-Twin Valley) and his father, Willis

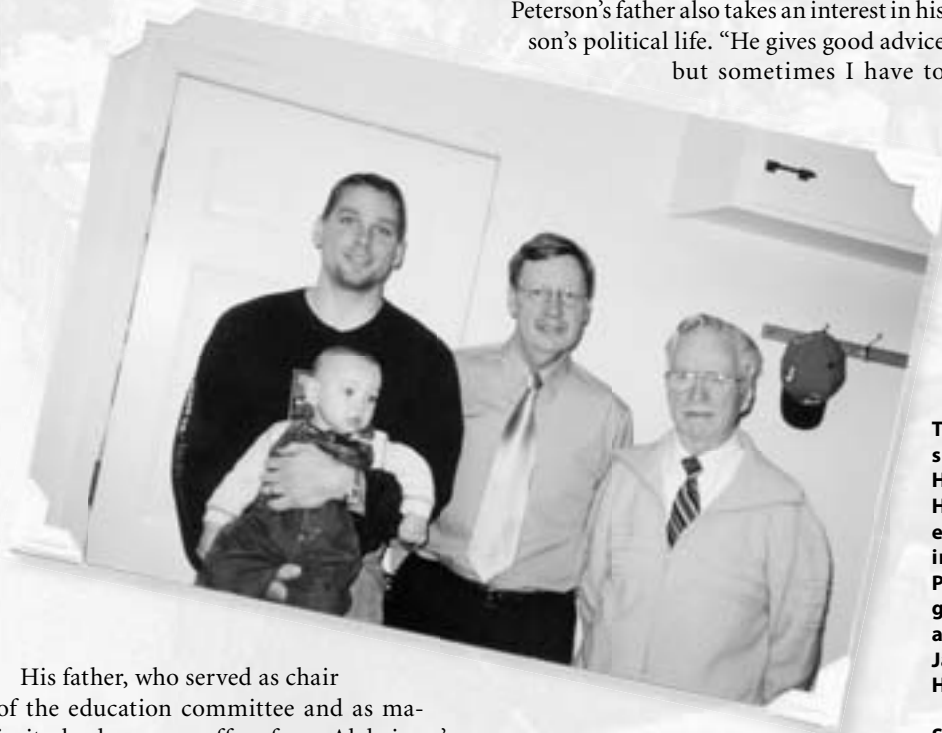
Rep. Peter Nelson (R-Lindstrom) and his dad, Howard

Rep. Ron Latz (DFL-St. Louis Park) and his father, Robert

Rep. Katie Sieben (DFL-Newport), her father, Mike

Rep. Aaron Peterson (DFL-Madison), his father, Doug

Rep. Barb Sykora (R-Excelsior), her father, John Zwach



His father, who served as chair of the education committee and as majority leader, now suffers from Alzheimer’s disease. His father’s illness was a motivating factor in Eken’s decision to return to the family farm and run for office. During Eken’s first term, his father came to visit the House and received a warm greeting during a House session. Will any of Eken’s four children follow

remind him, “That’s my name on the signs,” said Peterson. His father’s advice was “Knock on doors until you can’t stand it” and “Work harder than the other guy.” They even shared a campaign manager. These days, father and son often see


## Continued from page 14

Provisions allowing a county, town, city or school district to opt out of state mandates is included in the bill. A successful amendment by Rep. Loren Solberg (DFL-Grand Rapids) changed language that says the bodies “may,” instead of “must,” adopt rules to ensure that at least seven mandates are given priority status

and given action during the session.

Adopted amendments by members from both parties ranged from a water and sewer billing study to issues addressing the Minneapolis Teachers Retirement Fund that has continually been plagued with funding issues.

A Senate companion (SF1285), sponsored

by Sen. Sheila M. Kiscaden (IP-Rochester) awaits action in the Senate Finance Committee, although a similar provision is also included in SF1879, the Senate budget-balancing measure, sponsored by Sen. Richard J. Cohen (DFL-St. Paul), which was approved 35-30 March 23. 

## Continued from page 15

- Expansion of harassment and stalking crimes to include the use of technology;
- Employment protection for victims of domestic abuse or close relatives of murder victims;
- Suspension of driver’s licenses for theft of gasoline;
- Restraints in vehicles required for all children weighing less than 80 pounds;
- A requirement that Level III sex offenders submit to polygraph tests as a condition of release and be photographed twice a year;
- Prohibition of audiovisual recording devices in movie theaters;
- Computers would be subject to forfeiture if used to commit designated crimes; and

- Traffic signal override devices would be prohibited except for fire, police and maintenance vehicles.


Also, penalties are provided or increased for such crimes as animal fighting, knowingly providing false information about crimes, possession and sale of steroids, making false reports of police misconduct, interfering with ambulance personnel, gang-related crimes against children and identify theft.

More than 50 amendments were proposed, including one to add \$2 million for battered women’s shelters and outreach.

“We’ve short-changed shelters in the state over the years. This goes part way to remedy the problem,” said Rep. Michael Paymar (DFL-St. Paul). The amendment was defeated, but he said that he’d try to amend the bill on

the House floor.

An amendment for \$602,000 to establish a five-member corrections (parole) board was also unsuccessful. Rep. Judy Soderstrom (R-Mora), who offered the amendment, said there would be savings through the early release of non-dangerous offenders whose applications were approved by the board.

If House budget Option B (racino) becomes reality, there would be about \$4.5 million more for public safety, according to Smith. Additional funding would go to meth law enforcement, supervision and treatment; to counties for care of short-term offenders; to homeless outreach grants and for youth intervention programs. 

## Continued from page 16

### Tips for contacting your legislator

**Do . . .**

**Get right to the point.**

**Be familiar with the legislative process.**

**Cover only one issue per letter.**

**Use your own words.**

**Make your letter informative.**

**Use terms they will understand.**

**Offer to testify.**

**Ask for a reply if you want one.**

**Be polite and reasonable.**

**Be sure to say “thanks.”**

**Don’t . . .**

**Don’t assume you know your legislator’s position.**

**Don’t address a legislator as “Congressman.”**

certain way, says Soderstrom. She prefers people leave their name and address so she knows who’s taking the time to contact her. For a longer message, a phone call might not get the point across, so a letter or e-mail is more appropriate.

Walker prefers phone calls, but cautions that she usually is unable to return calls immediately.

“If I get 20 calls on Monday, 20 calls on Tuesday and have committee meetings all week, I might not be able to get back to people until Friday,” she said.


### Issue vs. district communication

“I look at my mail every day, I go through it all myself and I’m looking for letters from the district,” said Davids, who chairs the House Agriculture and Rural Development Committee.

He said that committee chairs receive more statewide communication because they decide which bills are heard. Any mail Davids gets from another legislator’s district is forwarded to that legislator.

Simon’s suggestion for those who want to influence a legislator other than their own is to find someone from that legislator’s district who is willing to voice their opinion.

On the flip side, Walker responds to anyone who takes the time to contact her. Because she travels and speaks all over the state, she says, “I feel like I have a responsibility, personally, to get back to them.”

The culture of the House rewards constituent contact, says Simon. Davids best sums up the general sentiment of the members: “Our number one job is to communicate with our constituents.” 

## Monday, April 18

**HF2432—Nelson, P. (R)**  
**Environment & Natural Resources**  
 Rowing sculls exempted from watercraft license requirement.

**HF2433—Walker (DFL)**  
**Civil Law & Elections**  
 Equality of rights under the law provided for men and women and constitutional amendment proposed.

**HF2434—Meslow (R)**  
**Health Policy & Finance**  
 Sexual crime research funding provided and money appropriated.

**HF2435—Lenczewski (DFL)**  
**Taxes**  
 Dependent care credit and working family credit inflationary and family size adjustments provided.

**HF2436—Brod (R)**  
**Taxes**  
 Agricultural land valued at production value for property tax purposes and money appropriated.

**HF2437—Anderson, B. (R)**  
**Local Government**  
 Annexations by order and annexations by ordinance of area of 60 acres or fewer moratorium imposed.

**HF2438—Abeler (R)**  
**Health Policy & Finance**  
 Health plan innovation and regulation provided, health plan companies and plans requirements modified, consumer information disclosure required, reports and studies required and cost-containment initiatives implemented.

**HF2439—Abeler (R)**  
**Health Policy & Finance**  
 Coordinated care safety net programs established to provide cost-effective services to uninsured and low-income persons with chronic disease, report required and money appropriated.

**HF2440—Mariani (DFL)**  
**Health Policy & Finance**  
 Pesticides; health commissioner required to study the impact of pesticides on migrant agricultural workers and money appropriated.

**HF2441—Davids (R)**  
**Agriculture & Rural Development**  
 Agricultural farm to market account established, statutory appropriation provided for value-added agricultural projects and town road maintenance and construction provided for roads serving the needs of livestock operations.

**HF2442—Hosch (DFL)**  
**Education Finance**  
 School district flexibility provided to transfer unused debt service revenue for general purposes.

**HF2443—Nelson, P. (R)**  
**Local Government**  
 Alternative annexation process provided.

**HF2444—Knoblach (R)**  
**Taxes**  
 Rockville fire hall construction materials sales tax exemption provided.

**HF2445—Gazelka (R)**  
**Commerce & Financial Institutions**  
 Insurance producer disclosures required.

**HF2446—Gunther (R)**  
**Jobs & Economic Opportunity Policy & Finance**  
 Ford Motor Company Ford Production System training funding provided at the Twin Cities assembly plant and money appropriated.

## Tuesday, April 19

**HF2447—Abrams (R)**  
**Taxes**  
 Public finance provisions modified relating to financial statements, investment contracts, local finance authority, conservation easements, special service districts and bonding.

**HF2448—Bradley (R)**  
**Health Policy & Finance**  
 Human services programs forecast adjustments provided.

**HF2449—Holberg (R)**  
**Transportation Finance**  
 Trunk highway construction advances interest payment provided.

**HF2450—Krinkie (R)**  
**Health Policy & Finance**  
 Nutrition and hydration sufficient to sustain life presumption established.

**HF2451—Vandever (R)**  
**Taxes**  
 Tree removal as part of land clearing contract sales tax exemption retroactively clarified.

**HF2452—Lesch (DFL)**  
**Commerce & Financial Institutions**  
 Essential employee definition expansion to include assistant city attorneys reenacted.

**HF2453—Kahn (DFL)**  
**Governmental Operations & Veterans Affairs**  
 Relief association financial requirements modified and Minneapolis Police Relief Association provisions amended.

**HF2454—Rukavina (DFL)**  
**Capital Investment**  
 Mesabi Trail previous appropriation error corrected.

**HF2455—Knoblach (R)**  
**Taxes**  
 Rockville; city hall and fire hall construction materials sales tax exemption provided.

## Wednesday, April 20

**HF2456—Abeler (R)**  
**Health Policy & Finance**  
 University of Minnesota; U special kids program funding required and money appropriated.

**HF2457—Krinkie (R)**  
**Taxes**  
 County and city levy limits imposed.

**HF2458—Greiling (DFL)**  
**Jobs & Economic Opportunity Policy & Finance**  
 Child care assistance, early childhood family education, community education, special education, and general education funding increased; child care fees reduced; temporary income tax surtax imposed and money appropriated.

**HF2459—Zellers (R)**  
**Commerce & Financial Institutions**  
 Consumer fraud private remedies actions regulated.

**HF2460—Krinkie (R)**  
**Civil Law & Elections**  
 Breach of promise of confidentiality damages provided in cases where news media violates a promise to protect a confidential source.

**HF2461—Holberg (R)**  
**Transportation Finance**  
 Transportation, Metropolitan Council and public safety funding provided; trunk highway bonds issued; vehicle plate, tax and fee provisions modified; money appropriated and constitutional amendments proposed.

## Thursday, April 21

**HF2462—Wagenius (DFL)**  
**Governmental Operations & Veterans Affairs**  
 Teachers Retirement Association past service credit purchase and coverage election authorized.

**HF2463—Wagenius (DFL)**  
**Governmental Operations & Veterans Affairs**  
 Teachers Retirement Association past service credit purchase and coverage election authorized.

**HF2464—Dorman (R)**  
**Taxes**  
 Truth-in-taxation notices required to state charges for services including sewer, water, street lighting and disposal systems.

**HF2465—Meslow (R)**  
**Public Safety Policy & Finance**  
 Crime victims services funding provided and money appropriated.

**HF2466—Smith (R)**  
**Governmental Operations & Veterans Affairs**  
 Hennepin County supplemental retirement program administration by the Minnesota State Retirement System authorized.

**HF2467—Hilty (DFL)**  
**Education Finance**  
 St. Croix River Education District staff development grant funding provided and money appropriated.

**HF2468—Atkins (DFL)**  
**Taxes**  
 Levy and debt limitations market valuation definition modified.

**HF2469—Vandever (R)**  
**Taxes**  
 Homestead property tax limitation provided based on the income of the homeowner.

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

SPEAKER OF THE HOUSE: STEVE SVIGGUM  
 MAJORITY LEADER: ERIK PAULSEN  
 MINORITY LEADER: MATT ENTENZA

# MINNESOTA INDEX

## Sex offenders

Degrees of criminal sexual conduct in Minnesota.....	5
Minimum prison sentence, in months, for first-degree criminal sexual conduct.....	144
For second-degree criminal sexual conduct.....	90
Average prison sentence, in months, for felony-level sex offenders in 2003.....	116
In 2000.....	80
Inmates, as of Jan. 1, 2005, in state prison for criminal sexual conduct.....	1,411
Percent of total prison population.....	16.6
Prisoners serving time on July 1, 2001 for criminal sexual conduct.....	1,236
Offenders sentenced in 2003 for felony-level sex offenses.....	607
In 2001.....	512
In 1994.....	880
Percent of felony-level sex offenders sentenced to prison in 2003.....	41
In 1990.....	30
In 2003, percent of sex offenders sentenced to probation that received jail time as a condition of their probation.....	89
Average length, in years, of probation for a sentenced sex offender in 2003.....	13
In 1991.....	11.9
Percent of people sentenced in 2003 for felony-level sex offenses that committed their offense against a family member.....	32
Percent that were strangers to their victim.....	7
Percent of criminal sexual conduct sentences in 2003 where the victim was under age 13.....	32
Ages 13-17.....	52
Adult sex offenders under correctional supervision in June 2004, as percent, who were supervised by a specialized sex offender agent.....	65
Average caseload per agent.....	45
Legislative target.....	35-40
Year that people convicted of felony-level sex offenses began registering their home address and other information with local law enforcement agencies.....	1991
Year the Legislature enacted the Community Notification Act and required that a risk assessment scale be created to assess the likelihood of an inmate offending again.....	1996
Estimated number of offenders registered prior to the Community Notification Act taking effect.....	8,000
Adults living in Minnesota in June 2004 who were registered as sex offenders.....	7,056
Percent classified as Level III (most likely to re-offend).....	2
Percent of all sex offenders released from 1997 to 1999 that were rearrested for a new sex offense by March 2002.....	5

**Sources:** *Community Supervision of Sex Offenders*, Office of the Legislative Auditor, January 2005; Department of Corrections; Minnesota Bureau of Criminal Apprehension.

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