

## ANOKA COUNTY PASSED OVER IN LATEST ROUND OF METROPOLITAN COUNCIL LIVABLE COMMUNITIES GRANTS

Public dollars to be used to subsidize redevelopment along rail routes

On December 14, 2011, the Metropolitan Council approved more than \$11 million in grants to promote economic development and affordable housing in the region. Grants were awarded to communities in Ramsey, Hennepin, Washington, and Dakota County.

Some of the grants will help to advance redevelopment at the Lyndale Garden Center, Schmidt Brewery, and the Ford Plant site, in addition to affordable housing opportunities in Maple Grove and Wayzata.

In addition to the grants, the Council also approved a new funding mechanism for projects that promote economic development and jobs along metro transitways. The Transit-Oriented Development Fund will offer grants to cities to support development along rail and high-frequency bus routes.

There are differing opinions on whether it is appropriate to spend public taxpayer dollars on private redevelopment projects. Metropolitan Council Chair Susan Haigh stated, "These grants, year after year, performing extreme makeovers on outdated development, improving connections between people and jobs and helping to ensure the region maintains the quality of life that continues to attract quality employers." But in a recent Finance & Commerce article, Phil Krinkie, president of the Taxpayers League of Minnesota, said it's great that community leaders are getting together to talk about redevelopment and promote their community – as long as taxpayers aren't forced to subsidize private business.

The Council approved 14 grants for mixed-use development projects and six grants for projects that are in the pre-development stage. The Council also approved nine grants for affordable housing activities, including rental and homeownership projects.

**MET COUNCIL GRANTS** *continued on next page, A-2*

## AFSCME COMES CALLING FOR PROVIDERS AFTER JUDGE PUTS UNION VOTE ON HOLD

by Tom Steward — Minnesota State News

A day after a judge stopped a statewide election on a child care provider union, AFSCME organizers regrouped in a 40-minute conference call Dec. 7 with providers. The call, which was open to all 2,300 providers in AFSCME's region, showed that organizers still have a long way to go in order to win over skeptical providers.

The Freedom Foundation of Minnesota has obtained the audio of the call in which two top AFSCME organizers downplayed the significance of the court order putting the controversial union vote on hold, calling it a "temporary setback".

"At some point during the spring, there will be an election and there will be further court hearings on that," Eric Lehto, AFSCME Council 5 Organizing Director said during the call. "But everybody really needs to understand that this is just a temporary bump in the road and we are expecting that there will be an election sometime after the new year."

On the call the AFSCME representatives acknowledged that licensed family child care providers, as small business owners, present an unconventional target for a union drive.

"Child care providers don't fit the traditional union model that we know of today," said Lisa Thompson, a member of AFSCME's Child Care Providers Together. "We believe there is not going to be anything in Minnesota that's going to stop providers from having that right recognized for ourselves."

Providers from Bemidji, Brainerd, International Falls, North Branch, Duluth and other communities asked questions that indicated strong concerns about the need for a union, the cost of dues, the potential interference with their businesses and why all 11,000 licensed family child care providers were not going to be allowed to vote.

The call participants were also asked to answer four poll questions, including whether or not they would vote for the union. The results were not made available on the call.

The AFSCME organizers were particularly critical of the state legislature, which Ramsey Court Judge Dale Lindman indicated is the appropriate venue for the unionization issue to be resolved. Judge Lindman has set a hearing on the injunction for Jan. 16.

Only child care providers that are eligible for child care subsidies would have been allowed to vote under the executive order issued by Governor Dayton. The judge also raised concern that only 4,300 of the more than 11,000 child care providers would be eligible to vote.

"Fundamentally, what's been going on is that right now we have the legislature trying to deny the providers a voice themselves directly that affects their work and the families that they serve," Lehto said.



Gov. Dayton with AFSCME officials (file photo)

## GOP STATE CENTRAL COMMITTEE MEETS SHORTRIDGE ELECTED REPUBLICAN PARTY CHAIR



by ACR staff

Lino Lakes resident and political consultant Pat Shortridge was elected chairman of the Republican Party of Minnesota at its State Central Committee meeting Dec. 31 in Saint Cloud.

Shortridge has extensive experience working in both state and national races. He has worked for former US House Majority Leader Dick Armey, Congressman Mark Kennedy, Congressman Paul Ryan, and Congressman Marco Rubio.

Shortridge won on the first ballot with 224 votes. Challengers Terry McCall, 2nd Congressional District chairman, received 103 votes, and businessman Todd McIntyre received 9 votes.

Shortridge stated that he will not take a salary and will only serve the remainder of former chairman Tony Sutton's term, which expires in April 2013.

## CANDIDATE ISSUES NEWS RELEASE HUFFMAN TO RUN FOR TONY BENNETT'S SEAT ON RAMSEY COUNTY BOARD

Longtime Ramsey County resident and Shoreview City Councilor Blake Huffman has announced his candidacy for the District 1 seat on the Ramsey County Board of Commissioners. Huffman will face Tony Bennett, a 15-year incumbent and sponsor of the Ramsey County sales tax increase to fund construction of a stadium for the Minnesota Vikings.

"My candidacy is based on belief that Ramsey County can govern smarter. Rather than spending time and tax dollars on a stadium, I'll ensure we focus our efforts on doing the basics well. That means providing cost-effective transportation, public safety, park and recreation and human service programs and not raising taxes to subsidize corporations and highly paid professional athletes," Huffman stated.

Huffman has a history of local government involvement as a member of the Shoreview City Council where the "govern smarter" philosophy has produced successful bipartisan collaboration.

In contrast, the Bennett record is jam-packed with voting for double-digit salary increases and an arrogant approach to governing that denies public participation on key county issues. "When Tony Bennett actually said, in response to a question about a referendum on his stadium tax, 'we couldn't let the people have a vote on the stadium because they would defeat it,' it shockingly showed how out-of-touch he has become after 15 years on the county board," stated Huffman.

Huffman said he has the skills in business, finance and non-profit leadership to make an immediate impact on the Ramsey County Board. He is a graduate of Mounds View High School and Bethel University and is employed as a senior strategist at a local bank.

The District 1 seat on the Ramsey County Board includes the Ramsey County portions of Spring Lake Park and Blaine, as well as Mounds View, Arden Hills, Shoreview, Vadnais Heights, Gem Lake and White Bear Township.

**MET COUNCIL GRANTS** *continued from A-1*  
**Grant awards for projects in pre-development**  
**Lyndale Garden Center, Richfield—\$100,000**

to assist local design efforts to redevelop the vacant site to include a mix of market rate and affordable housing, commercial and retail opportunities aimed at promoting local businesses. The project will make improvements to connections to existing parks, trails and a bandshell or amphitheater. Potential for a public parking ramp.

**Louisiana Avenue LRT Station Development Area**

**St. Louis Park — \$80,000** for local efforts to prepare station area plans, conduct soil testing and determine strategies for land acquisition at the site of a future station for Southwest LRT between Minneapolis and Eden Prairie. Project will retrofit an auto-oriented employment center into a neighborhood that connects natural areas, housing and regional transit infrastructure.

**Zoning Framework for the St. Paul Ford Site,**

**St. Paul—\$100,000** to help the City research and draft a comprehensive vision and goals for redevelopment of the large industrial Ford plant to address economic, social and environmental sustainability.

**Highway 36 Corridor Master Plan, North St.**

**Paul—\$100,000** to help the City analyze and plan for development that connects new development opportunities with adjacent historic and civic amenities and attracts new employers. The plan will address more compact development that is transit-oriented and pedestrian friendly, multi-modal transportation options, infrastructure investment, employment, diversity and financial feasibility.

**Old Stock Lumber Site Mixed-Use Redevelopment, Hugo — \$73,000**

to help the City plan a mixed-use redevelopment project that will create a main street experience that will integrate shopping, jobs, outdoor public spaces, and high-density market-rate and affordable housing.

**West Bank Station Development Parcel**

**Creation, Minneapolis — \$100,000** to help make publicly-owned property next to Central Corridor LRT available and suitable for development.

**Grant awards for development projects**

**1333 University, St. Paul — \$750,000** to help develop a four-story, mixed-use building next to the Hamline Central Corridor LRT transit station. The building will include 124 units of family and workforce rental housing with rents affordable to households earning less than 60 percent of the area median income, or \$49,200. It will also include commercial space.

**ArtCube, Minneapolis — \$400,000** to help create a mixed-use development with 45 mixed-income units for living and working and commercial space for neighborhood-oriented services, a large arts incubator space and a rooftop farm. The site has long been vacant and has connections to the Farmers' Market.

**Emanuel Housing, Minneapolis — \$488,170** to assist with a 100-unit mixed-use renovation and new construction project providing apartments and services for very low-income residents. Located near an LRT stop and several bus lines.

**Schmidt Brewery, St. Paul — \$1,250,000** towards renovation of the brew house into apartments and townhomes. Project will revitalize vacant historic structures, add green space, diversify the housing options in the area and provide new street connections to create a unique integration of artist workshops, retail and housing.

**Currie Park Lofts, Minneapolis — \$433,771** for a new mixed-use, mixed-income building that will provide housing and jobs near the Cedar-Riverside Hiawatha LRT station and near the Central Corridor West Bank LRT station. The building will include 260 rental housing units, including affordable units, a parking ramp and commercial and community space.

**Enclave Trails, Apple Valley — \$174,800** to help construct a high-density, 240-unit apartment building, including affordable units within close proximity to the Cedar Ave. Bus Rapid Transit corridor and the mixed-use Central Village area; and important connections between housing and future development to the Apple Valley Transit Station.

**Steeple Center Senior Housing, Rosemount — \$440,000** to help redevelop a portion of St. Joseph's Church complex into a 70-unit senior housing project and a public senior center; the project will integrate multiple uses and strengthen Rosemount's downtown.

**Midland Terrace Redevelopment, Shoreview — \$655,000** to help expand the City's largest apartment community by demolishing the underused Midland Plaza retail center and building 108 market-rate apartments next to existing affordable units.

**Urban Village Connectivity, Woodbury — \$860,572** to help create a retail/service center for the

southern portion of the city, including commercial, retail, restaurant and office space, higher density residential and public gathering spaces, with the potential for a future park-and-ride or other transit facilities. Housing will include senior rental, affordable and market-rate units, including family townhomes — with access to the nearby sports complex.

**Cobblestone Lakes Senior Housing & Parks**

**Improvement, Apple Valley — \$896,000** for a 214-unit senior complex and planned park amenities, to help stimulate future multi-family housing and/or mixed-use development on the western side of the Cobblestone Lake development.

**9805 Highway 55 Apartments, Plymouth —**

**\$750,000** for a 157-unit apartment near the intersection of Hwys 169 & 55, including market rate and workforce housing near job opportunities. Project is near a wetland and has green elements, including a partial green roof and a solar-ready roof system.

**City Walk Apartments, Woodbury — \$78,000**

to help build apartments for people with disabilities and lower incomes within City Walk, a planned community that is already home to more than 500 units of market-rate housing, retail, commercial, education and recreational amenities. Project will provide housing affordability in a walkable neighborhood with good access to jobs and that incorporates green elements.

**Redevelopment Initiative, Mahtomedi —**

**\$1,030,000** to help redevelop an abandoned restaurant site into a 72-unit, mixed income senior housing complex, serving as a catalyst for reinvestment in downtown Mahtomedi and Willernie, and provide a pedestrian link to connect downtown with area trails, transit and jobs.

**Grant awards for affordable housing**

**Maple Village, Maple Grove — \$300,000** to help build a 48-unit rental complex with housing affordable to incomes at or below \$41,350 for a family of four, as well as several units for households experiencing long-term homelessness.

**Currie Park Lofts, Minneapolis — \$400,000** for a 260-unit apartment building with commercial space in close proximity to Hiawatha and Central Corridor LRT, downtown Minneapolis and the U of M. Most units will be affordable to families of four earning \$49,600 or less; the rest will be market rate.

**Spirit on Lake, Minneapolis — \$250,000** to help build a 46-unit apartment building to meet the needs of working families. Most units will be affordable to households earning \$41,350 or less for a family of four. Some units will serve households experiencing long-term homelessness.

**St. Albans Park, St. Paul — \$400,000** to help acquire and rehabilitate an apartment and townhome development in the Rondo neighborhood. The housing will help meet the needs of some Section 8 Housing Assistance recipients, households earning \$49,600 or less for a family of four, and some households experiencing long-term homelessness.

**Legacy Townhomes, Wayzata — \$300,000** for six new, row-style units affordable to households earning \$41,350 or less for a family of four. One of the units will be fully handicapped accessible and one will be for residents who are sensory impaired.

**City of Lakes Community Land Trust, Minneapolis — \$175,000** to help the City and the Land Trust acquire foreclosed and vacant homes, which will be sold for their improved appraisal value minus the land value. Low- and moderate income families will own the homes, while the Land Trust retains ownership of the land.

**Dayton's Bluff, St. Paul — \$175,000** to help rehabilitate and resell vacant foreclosed housing units on St. Paul's East Side, hard hit by the foreclosure crisis. Homebuyers of units funded with Livable Communities funds will have incomes of \$49,600 or less for a family of four.

**Homes Within Reach, Suburban Hennepin County/City of Minnetonka — \$150,000** to help acquire and rehabilitate existing homes in western Hennepin County suburbs. Homes will be owned by homebuyers, while the property is retained by the West Hennepin Affordable Housing Land Trust to make the homes more affordable.

**Two Rivers Community Land Trust,**

**Washington County HRA — \$150,000** to help acquire, rehabilitate and resell up to five foreclosed single-family homes. The Land Trust arrangement makes the homes more affordable, because the Land Trust retains ownership of the land.

**Land Acquisition Loan for affordable new development**

Finally, the Council awarded a loan of up to \$1 million to the City of Minnetonka to help acquire land for the city's plans to build senior housing as

part of a 10-acre redevelopment project near Ridgedale, which will incorporate a new YMCA and medical office building. This portion of the program provides loan financing to help communities acquire land for future housing projects to address affordable housing needs. The Metropolitan Council is the regional planning organization in the seven-county Twin Cities metropolitan area. The Council runs the regional bus and light rail system and Northstar commuter rail, collects and treats wastewater, coordinates regional water resources, plans regional parks and administers funds that provide housing opportunities for low- and moderate-income families. The Council board is appointed by and serves at the pleasure of the Governor.

**LEGISLATOR'S REPORT**

**STATE DEPARTMENT OF EDUCATION ASKS FOR NO CHILD LEFT BEHIND WAIVER**

*by Rep. Melissa Hortman, Dist. 47B*

The Minnesota Department of Education (MDE) has submitted a request for a waiver of certain federal education requirements.

In exchange for a new system of accountability, the state would no longer be required to have all students proficient in reading and math by 2014, wouldn't have to label schools as not making AYP or sanction them for not doing so, and would gain some flexibility in the use of Title I funds.

Instead, Minnesota proposes to:

1. Switch to a goal of halving the current student achievement gaps by 2018
2. Use a new Multiple Measurements Report (MMR) accountability matrix and will report results for:
  - proficiency in reading and math
  - student academic growth,
  - achievement gap reduction and,
  - for high schools, the graduation rate.
3. Identify a smaller targeted number of schools for recognition or intervention instead of the numerous schools not making AYP
  - The 15% highest performing Title I schools will be identified as Reward Schools and in line for recognition as such.
  - The 5% lowest-performing Title I schools will be identified as Priority Schools and will be required to implement turnaround plans.
  - The bottom 10% based on the proficiency, gap reduction, and for high schools, graduation rate measures, and not already among the Priority schools will be identified as Focus schools and will be in line for intervention and support.

The waiver is intended to institute a more fair way to measure schools, allow greater focus on student growth and achievement gaps, to concentrate efforts and resources on a more targeted school population, and to recognize schools that are doing well. A decision from the federal government could come early next year.

**New MDE website**

The Minnesota Department of Education (MDE) has a new website, designed to provide educators, parents, and the public an intuitive, easy to use tool to learn about Minnesota schools. New features include a "Just for Parents" section full of easy to understand information, resources and tools as well as the live Data Center, which provides a centralized location for files, reports, and interactive maps, and gives users the capability of generating "real-time" reports. One of the unique challenges of the project was to ensure more than 10,000 individual pieces of content met state-mandated accessibility standards. The address is [www.education.state.mn.us](http://www.education.state.mn.us).

**New Department of Revenue e-services for businesses**

The Department of Revenue is now transitioning business taxpayers from the current e-file system to a new and improved e-Services solution. The new system will provide constituents with additional functionality, and efficiency including that the new system will allow online viewing of all account information registered to the taxpayer, digital copies of letters and returns, more security flexibility, and the ability to access and adjust information online 24 hours a day, when it is convenient for the taxpayers. The new opportunities are made possible by the new GenTax system that has been in development for the past three and half years. For more information, please visit: [taxes.state.mn.us/eservices/Pages/default.aspx](http://taxes.state.mn.us/eservices/Pages/default.aspx)



**"We all can't be heroes because somebody has to sit on the curb and clap as they go by." — Will Rogers**

# Opinion

## Take a look at some proposed New Year's resolutions for the State of Minnesota

As the daylight hours start to grow and the New Year approaches; it is time for Minnesotans to hunker down for yet another legislative tug-of-war.

Yes; in just a few weeks lawmakers will return to St. Paul and start the 2012 legislative session.

By all predictions it should be a rather non-eventful affair. There is a \$876 million budget surplus for the first time in years and most legislators are still weary from the marathon 2011 session that ended in July after a three week state government shutdown.

With the start of the legislative session on Jan. 24, there are two big unknowns: one; what will the new legislative boundaries look like when the judicial redistricting panel releases their plan on February 21st and two; what will the budget forecast show when it is unveiled in late February? After these two events; there appears to be little on the horizon for a lot of potential controversy. But as in any gathering of state politicians; the only thing that is certain is that nothing is certain.

So with the New Year just days away, it seems like a good time to suggest a few New Year's resolutions for our state's leaders.

It's only right to start with our governor.

**Governor Dayton** — For two years you have been on a tirade about taxing the rich; even recently stating that your biggest regret in 2011 was not succeeding in your quest to raise taxes. So Governor Dayton; how about a resolution to drop the words "tax increase." Just as Minnesota's economy is starting to brighten, don't dim the lights with higher taxes.

**Speaker of the House, Representative Kurt Zellers** — You just released a legislative schedule that would end the 2012 session in late April. Why not cut Minnesotans and your fellow lawmakers a break and "get out of Dodge" by Easter, ending the session by the first week of April. We would all like that.

**Senate Minority Leader Tom Bakk** — Despite all the turmoil in the state Republican Party and in the Senate GOP caucus; you should resolve to stay focused on your current role and don't start thinking about becoming Majority leader quite yet. Redistricting will favor the Republicans and President Obama's performance is making President Jimmy Carter look like a great leader.

### **The Ways and Means Committee Chairs – Representative Holberg and Senate Finance**

**Chair Senator Robling** – Hopefully you can both commit to one simple goal for the 2012 session; don't spend the surplus. The recent state budget forecast revealed a relatively small surplus of \$876 million, but also showed a projected budget deficit of \$1.3 billion for the next budget cycle; now is the time to practice spending restraint.

**Senate Tax Chair Senator Ortman** — Please resolve to keep asking the Vikings where they are going to come up with the \$425 million they have pledged for a new stadium. In a committee hearing three weeks ago; you asked Vikings CFO, Steve Poppen to provide information on the sources for the teams \$425 million and he had no response. Senator Ortman, please keep pressing for these details. With 60% of the proposed billion dollar project being paid for by the taxpayers; the public has the right to know how the Vikings are going to pay for their share.

**Capitol Bonding Chairs – Representative Howes and Senator Senjem** — Resolve to keep the bonding bill under \$500 million. As part of the budget deal last July you agreed to put the state another half a billion dollars in debt. With debt payments being the fastest growing part of our budget; we don't need a pork-laden bonding bill to add to our \$6 billion state debt.

**First Term Legislators** — If you want to return to the Capitol in 2013, your key resolution for 2012 is simple: Don't take your voters for granted by thinking that because someone voted for you in 2010 that they will do the same in 2012. Voters change and so will your legislative district boundaries. I challenge you to engage your new constituents and be ready to explain what you accomplished during your first term in office.

Although not a state leader; no list of resolutions for 2012 would be complete without a suggestion for Vikings owner Zygi Wilf. Please be honest with Minnesotans and drop the talk of moving the Vikings to LA. No move can occur without the approval from 24 of the 32 NFL owners and that is not going to happen in 2012. Just sign a lease extension at the Metrodome and concentrate on improving the team's on-field performance.

In closing, I would like to thank all our elected officials for their hard work and service in 2011. May each of you have a happy and prosperous New Year.

*Phil Krinkie, a former eight-term Republican state representative from Lino Lakes who once chaired the House Tax Committee, is president of the Taxpayers League of Minnesota and serves on the board of the Minnesota State Colleges and Universities (MnSCU) system. You can contact him at: philk@taxpayersleague.org*

**SEND US YOUR COMMENTS, LETTERS AND OPINION COLUMNS!**

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Anoka County **RECORD**

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by Phil Krinkie

## The Lie Called Judicial Retention Elections

There are lies, damned lies, and political lies. The proponents of judicial retention elections engage in all three.

We will go through the arguments of the proponents of judicial retention elections. **They propose a system where all judges are appointed by the Governor. After a number of years in office, the judge then stands for an election without any opponent. The voters are asked to vote to either keep the judge in office or kick them out of office (a retention election). If the voters kick a judge out of office, then the Governor appoints a replacement. To "aid the voters," in making their decision, a judicial performance evaluation commission will review the judge's performance and will make a recommendation whether the judge should be retained. They propose this system as a constitutional amendment to replace the current election system of contested elections, which they argue creates a judiciary that is subject to political pressures.**



by Greg Wersal

### LIE #1: The Judicial

**Performance Evaluation Commission.** The very name of the judicial performance evaluation commission is a lie. They will not evaluate a judge's performance at least not in any meaningful way. The proposed constitutional amendment says that the Commission shall evaluate a judge on various things including: integrity, impartiality, temperament, respect for the litigants, punctuality and communication skills. It then says:

**"The commission may not evaluate judicial performance based on substantive legal issues or opinions subject to standard appellate processes."**

Almost all of a judge's decisions are subject to appeal. *This provision means that the commission is forbidden from looking at the judge's actual decisions in evaluating the judge.* The judges could be making horrible decisions that are overturned on appeal again and again, but the commission may give that judge a highly qualified rating because the judge has integrity, has respect for litigants, and has good communication skills. We could have a judge who regularly refuses to follow state sentencing laws and returns child molesters onto the streets, instead of sending them to prison. The prosecutor can appeal these decisions, but those appeals will take months. And the commission could give that judge a highly qualified rating because he has a judicial temperament, is impartial, and punctual.

Therefore, the performance commission will not evaluate a judge's performance at all — at least not in any way meaningful. The rating the commission gives that the judge is or is not qualified will be a lie.

Even worse, this commission system will not do away with the pressures on a judge's impartiality — it will make it worse. The items that the commission can take into account in evaluating a judge are all subjective and it can use these subjective standards to reward or punish judges. The proponents of this system are afraid that in elections, a judge will be swayed by popular prejudices of the voters.

**JUDICIAL RETENTION ELECTIONS**

*continued on next page, B-2*

**JUDICIAL RETENTION ELECTIONS** *continued from previous page, B-1*

How much more likely it is that a judge will be swayed by the prejudices of a member of a committee that will directly cause that judge to lose a retention election. With the current election system, where a judge may have many competing factions trying to get the judge's favor, no one faction can get control. On the other hand, in a retention election no one will see the influence that one or more committee members working together have on a judge or the judge's decisions.

**LIE #2: The Founders Thought Judges Should Be Appointed.** This is only partially true and mostly false. The drafters of the U.S. Constitution did create a system where judges are appointed for life. But the founders believed that the courts would be the weakest branch of government. The idea that the courts could declare laws passed by the Congress unconstitutional was a concept never dreamed of by these founders. When the U.S. Supreme Court created judicial review and used it to strike down a federal law for the first time in *Marbury v. Madison*, many of the founders were outraged at this tyrannical grab of power by the courts.

"The Constitution . . . meant that its coordinate branches should be checks on each other. But the opinion which gives to the judges the right to decide what laws are constitutional, not only for themselves in their own sphere of action but for the Legislature and Executive also in their spheres, would make the Judiciary a despotic branch." *Letter of Thomas Jefferson to Abigail Adams*, 1804. ME 11:51

Later, Abraham Lincoln expressed a similar sentiment about the tyranny of judicial review after the decision of the U.S. Supreme Court in *Dred Scott*:

"[I]f the policy of the Government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made in ordinary litigation between parties in personal actions, the people will have ceased to be their own rulers, having to that extent practically resigned their Government into the hands of that eminent tribunal." — *Abraham Lincoln, First Inaugural Address, March 4, 1861*

*Dred Scott* was a slave who had been brought into Minnesota, a free state, by his master and then after some years was taken to Missouri. Scott sued arguing that he should be free. The U.S. Supreme Court ruled that Scott was a slave and once a slave, always a slave. This ruling meant that slavery could be extended into free states. The people of Minnesota were outraged.

Minnesota was the first state to join the Union after the *Dred Scott* case. Because of the *Dred Scott* experience, the Founders of Minnesota did not believe that judges should be appointed. The Founders of Minnesota wanted judges to be elected so that judges who made bad decisions could be removed from office. At the Minnesota Constitutional Convention, LaFayette Emmett, who would go on to become the first Chief Justice of the Minnesota Supreme Court said: "We hear a great deal of talk about an independent judiciary. The phrase is in everybody's mouth. What does it mean? Independent of whom? Independent of what? Independent of the people? . . . I say then that in order to correct the errors of judges — and it may be important to correct them — the office should be made elected. The community is capable of judging in these matters, and, if a judicial decision is correct, the judicial officer will be sustained. . . ." *Proceedings and Debates of the [1857] Minnesota Constitutional Convention (Democratic)* at 503.

Not only did the Founders of Minnesota adopt an elected judiciary, but every state to join the union after Minnesota has established an elected judiciary.

**LIE #3: Judicial Elections Do Not Work, So Get Rid Of Them.** It is true that judicial elections do not work, because most voters do not know who the candidates are or why they should vote for them. But why don't they work? Because we haven't had free and open judicial elections in about 50 years.

In the 1950's the Minnesota Legislature created a law that put the word "incumbent" on the ballot behind the name of the incumbent judge. In the 1960's the Minnesota Supreme Court created numerous ethical rules, which made it just about impossible for anyone to run for a judicial office. The rules said that it was unethical conduct for a judicial candidate to state his views on legal or political issues. The rules said it was unethical for a judicial candidate to personally solicit campaign funds. If a candidate cannot raise money to get out a message and cannot state his views and give people some reason to vote for him, how was the voter ever to have the information necessary to make an intelligent choice? And the less information the public had, the more powerful the word "incumbent" was on the ballot in cuing voters to vote one way. Is it any surprise that these elections did not work? The result is no judge on the Minnesota Supreme Court has been defeated in an election in over 50 years. In 2000, the U.S. Supreme Court struck down the ethical rule that prohibited judicial candidates from stating their views on legal issues. (*Republican Party of Minnesota v. White*) (*White 1*). In 2002, the 8th Circuit Court of Appeals struck down rules that prohibited judicial candidates from personally soliciting campaign funds and seeking political party endorsement. *Republican Party of Minnesota v. White*, 8th Cir 2002. (*White 2*)

Only after the *White* decisions, did the idea for retention elections raise its head. Could it be that the push for retention elections is not because judicial elections don't work, but because the proponents are afraid that, since *White 1 and White 2*, the elections just might work?

The last impediment to free, open judicial elections is the word "incumbent" on the ballot. Encourage your legislator to change the law and remove the word incumbent and you will have more candidates for these offices and more accountability.

**LIE #4: Preserving Judicial Impartiality.** The proponents of retention elections say that appointing all judges will preserve judicial impartiality. This lie presumes that we have now or once had judicial impartiality. Since *Marbury v. Madison*, judges are policy makers. They frequently decide contentious social issues, based not on the Constitution, but the judges' interpretation of the Constitution. In Minnesota over 84% of all judges have been appointed to their positions. And for 50 years we have not had a working judicial election system. In effect, we have had a retention election system. And what is the result? Judicial activism. Minnesota is one of the few states where the courts have ordered the state to use public funds to pay for abortion. Minnesota has the second lowest incarceration rate among the 50 states, because our judges are putting criminals on probation where in other states they would be sent to prison. Conservatives have complained about judicial activism for years. We need judicial elections for the same reason that we need elections for other public officials. We need to be able to hold judges accountable.

**LIE #5: Judicial Appointments Will Result In More Qualified Judges.** This lie is the lie of the expert. The proponents of appointment believe that judges appointed by a committee of "experts" will make for "better" judges. What they are really saying is that the public cannot be trusted to make these decisions. ***This anti-democratic argument underlies the argument for retention elections.*** A political scientist from the University of Michigan recently investigated the impact of elections and

appointment on the quality of judges. After gleaning reams of studies and reports, he concluded that judicial elections result in more qualified judges. His detailed analysis is published in a book called "In Defense of Judicial Elections."

**LIE #6: Justice Will Be For Sale.** The proponents of appointment of judges argue that judicial elections will result in the influence of money. Justice will be for sale. They then give the examples of other states where millions and millions of dollars are spent on judicial elections. If true, this would be a serious concern. Under Minnesota law, the amount of money that any individual can give to a judicial campaign is limited to \$2000. If we believe that this amount is too high, and could cause undue influence then we should reduce the amount. And in Minnesota we have not seen judicial campaigns involving millions of dollars. The most that has ever been raised by a judicial candidate was \$158,000 for a state-wide contest for the Minnesota Supreme Court. In addition, Minnesota has another rule that prevents the judicial candidate from knowing who gives money to his campaign or how much. All money in a judicial campaign must go through a campaign committee. If the judicial candidate cannot know who gave or how much, how can he possibly be influenced? Undue influence is much more likely to happen in a retention election system, where members of a small committee have the power to rate a judge's "performance" based on subjective factors and then give a recommendation to the public.

*Greg Wersal is an attorney from Belle Plaine, Minnesota. He was a lead plaintiff in White 1 and White 2. In 2010, he ran for the Minnesota Supreme Court against incumbent Justice Helen Meyer. Mr. Wersal is a frequent speaker and has published numerous articles as a proponent of free, open and competitive judicial elections. In 2010, he filed a federal lawsuit in an attempt to remove the word "incumbent" from the ballot as a violation of election law. That litigation, which was a "facial challenge" to the law, was unsuccessful. An "as applied" challenge is now in the planning stages. He can be reached at gregwersal@hotmail.com.*

## **New laws described by Rep. Tom Hackbarth, Dist. 48A**

Here is a quick look at some new laws which go into effect Jan. 1. Summaries of all laws passed by the 2011 Legislature are available online at [www.house.mn/hinfo/Newlaws2011-0.asp](http://www.house.mn/hinfo/Newlaws2011-0.asp).

### **Business and Commerce**

#### **Insurance claims law modernized**

A new law allows claims processors-supervised, non-licensed insurance adjusters to enter data into an automated claims adjustment system. The computerized system is designed for data collection, calculation and final resolution of portable electronics insurance claims. A licensed adjuster may supervise up to 25 people for that purpose. The law makes other clarifications about who is eligible to seek a Minnesota portable electronics claims adjuster license, including those with out-of-state licensure and residents of Canada, under certain conditions.

### **Health and Human Services**

#### **Nursing home reimbursement rate formula changes**

A new law conforms state statutes to new federal requirements related to case-mix classifications and reimbursement rates at nursing homes. The new rates will be based on an updated minimum dataset or any new version mandated by the Centers for Medicare and Medicaid Services that nursing facilities are required to complete for all residents. The new law also states that the health commissioner shall establish resident classes according to updated resource utilization groups. The law also makes technical and clarifying changes to body art technician licensing and inspection statutes. Additionally, the law permits counties and the state to contract with facilities in a bordering state for detoxification services for Minnesota residents. It also allows Minnesota detoxification facilities to contract with bordering states to provide services to residents of the bordering states.

# Anoka County

# GOVERNMENT MEETINGS

## Anoka County Board

Anoka County Government Center  
2100 3rd Ave  
Anoka, MN 55303-5024  
Ph.: 763-323-5700  
www.co.anoka.mn.us

**Tues. Jan. 10 & 24**

Anoka County Board (Management Cmte — 8:30 am, Board mtg 9:30 am), Rm 705 ACGC

**Thurs. Jan. 12**

Anoka Co. Children & Family Council Business Mtg. — 2 pm, Blaine Human Service Ctr, Rm 300

**Tues. Jan. 17**

Human Services Committee — 8:30am, ACGC Rm 710

**Mon. Jan. 23**

Library Board — 5:30 pm, Library Services Bldg. next to Northtown Library

## Andover

Andover City Hall  
1685 Crosstown Blvd NW  
Andover, MN 55304  
Ph: 763-755-5100  
www.ci.andover.mn.us

**Thurs. Jan. 5**

Park & Rec. Comm. — 7 pm

**Tues. Jan. 10**

Planning Comm. — 7 pm

**Wed. Jan. 11**

Open Space Advisory Comm. — 7 pm

**Tues. Jan. 17**

City Council — 7 pm

**Thurs. Jan. 19**

Parks Comm. — 7 pm

## Anoka

Anoka City Hall  
2015 1st Ave. N.  
Anoka, MN 55303-2270  
Ph: 763-576-2700  
www.ci.anoka.mn.us

**Wed. Jan. 4 & Wed. Feb. 8**

Planning Comm. — 7 pm

**Tues. Jan. 17**

City Council — 7 pm

**Wed. Jan. 19**

Planning Comm. (work session) — 6 pm, City Hall Committee Rm

**Mon. Jan. 23**

City Council (work session) — 5 pm

**Mon. Jan. 30**

City Council "Goals" session — 6:30 pm, Greenhaven

## Bethel

Bethel City Hall  
23820 Dewey St. / PO Box 64  
Bethel, MN 55005  
Ph: 763-434-4366  
www.bethelmn.govoffice2.com

No information available at press time

## Blaine

Blaine City Hall  
10801 Town Square Dr NE  
Blaine, MN 55449  
Ph: 763-784-6700  
www.ci.blaine.mn.us

**Thurs. Jan. 5**

City Council — 6:30 pm (Workshop); 7:30 pm (meeting)

**Tues. Jan. 10**

Planning Comm. — 7 pm

## Centerville

Centerville City Hall  
1880 Main St  
Centerville, MN 55038  
Ph: 651-429-3232  
centervillemn.com

**Wed. Jan. 4 & Feb. 1**

Parks Comm. — 6:30 pm

**Wed. Jan. 11 & 25**

City Council — 6:30pm

## Circle Pines

Circle Pines City Hall  
200 Civic Heights Circle  
Circle Pines, MN 55014  
Ph: 763-784-5898  
www.ci.circle-pines.mn.us

**Tues. Jan. 10 & 24**

City Council — 7 pm

**Wed. Jan. 18**

Utility Comm. — 4:30 pm

**Mon. Jan. 23**

Planning Comm. — 7 pm

### CIRCLE PINES CHRISTMAS TREE CURBSIDE PICKUP

**FRIDAY, JAN. 6. No wreaths; trees only.**

Remove tinsel & decorations. Place butt end of tree facing the street.

## Columbia Heights

Columbia Heights City Hall  
590 40th Ave NE  
Columbia Heights, MN 55421  
Ph: 763-706-3600  
www.ci.columbia-heights.mn.us

**Wed. Jan. 4**

Library Board — 6:30 pm, Library

**Mon. Jan. 9**

Friends of the Library — 2 pm, Library

**Wed. Jan. 18**

Library Board Special Mtg — 7 pm, Library

**Mon. Jan. 9 & 23**

City Council — 7 pm

**Thurs. Jan. 19**

Charter Comm. — 7 pm

**Tues. Jan. 24**

HRA — 7 pm, Parkview Villa

**Wed. Jan. 25**

Parks & Rec. Comm. — 5:30 pm, Murzyn Hall

## Columbus

Columbus City Hall  
16319 Kettle River Blvd.  
Columbus, MN 55025  
Ph: 651-464-3120  
www.ci.columbus.mn.us

**Wed. Jan. 11**

EDAB — 5 pm; EDA — 6 pm; City Council — 7 pm

**Wed. Jan. 18**

Planning Comm. — 7 pm

**Thurs. Jan. 19**

Park Board — 6:30 pm

### EMPLOYMENT OPPORTUNITY

The City of Columbus is seeking a person to attend Planning Commission meetings on the 1st & 3rd Wed. eves. of mo. to take minutes and transcribe the following day. This is a 20-30 hour/month position requiring eve. hrs. For more information contact Elizabeth Mursko, City Administrator at 651-464-3120 ext 11.

## Coon Rapids

Coon Rapids City Hall  
11155 Robinson Dr.  
Coon Rapids, MN 55433  
Ph: 763-755-2880  
www.coonrapidsmn.gov

**Thurs. Jan. 5 & Feb. 2**

Board of Adjustment & Appeals — 6:30 pm

**Tues. Jan. 17 & Wed. Feb. 8**

City Council — 7 pm

**Thurs. Jan. 12**

Safety Comm. — 7:15 pm

**Thurs. Jan. 19**

Planning Comm. — 6:30 pm

Historical Comm. — 7:30 pm

### Federal Holidays

**Monday, Jan. 16 — Martin Luther King**

**Monday, Feb. 20 — Presidents' Day**

## East Bethel

East Bethel City Hall  
2241 - 221st Avenue NE  
East Bethel, MN 55011  
Ph: 763-367-7840  
eastbethel.govoffice.com

**Wed. Jan. 4**

City Council Special Mtg — 6:30 pm; followed by reg meeting 7:30 pm

**Tues. Jan. 10**

Road Comm. — 6:30 pm

**Wed. Jan. 11**

Park Comm. — 7 pm

**Wed. Jan. 18**

City Council — 7:30 pm

**Tues. Jan. 24**

Planning Comm. — 7 pm

## Fridley

Fridley City Hall  
6431 University Ave NE  
Fridley, MN 55432  
Ph: 763-571-3450  
www.ci.fridley.mn.us

**Thurs. Jan. 5**

HRA — 7 pm

**Mon. Jan. 9**

Charter Comm. — 7 pm

Parks & Rec. Comm. — 7 pm

City Council — pre-agenda 7 pm; 7:30 pm mtg

**Tues. Jan. 10**

Envir. Quality & Energy Comm. — 7 pm

**Wed. Jan. 18**

Planning Comm. — 7 pm

## Ham Lake

Ham Lake City Hall  
15544 Central Ave NE  
Ham Lake, MN 55304  
Ph: 763-434-9555  
www.ci.ham-lake.mn.us

Hours: M-Th 7 AM - 4:30 PM Fri: 7 AM-12 NOON

**Tues. Jan. 17 & Mon. Feb. 6**

City Council — 6 pm

## Hilltop

Hilltop City Hall  
4555 Jackson St. NE  
Hilltop, MN 55421  
Ph: 763-571-2023

City Council — 1st & 3rd Mon., 7 pm

## Lexington

Lexington City Hall  
9180 Lexington Av  
Lexington, MN 55014  
Ph: 763-784-2792  
www.ci.lexington.mn.us

**Thurs. Jan. 5 & 19**

City Council — 7 pm

**Thurs. Jan. 12**

Planning Comm. — 7 pm

## Lino Lakes

Lino Lakes City Hall  
600 Town Center Pkwy  
Lino Lakes, MN 55014  
Ph: 651-982-2400  
www.ci.lino-lakes.mn.us

**Thurs. Jan. 5**

EDAC — 8 am

**Mon. Jan. 9**

City Council — 6:30 pm

**Wed. Jan. 11**

Planning & Zoning Bd. — 6:30 pm

**Mon. Jan. 23**

City Council Work Session & Mtg — 5:30 pm

**Wed. Jan. 25**

Environmental Board — 6:30 pm

## Linwood Township

Linwood Town Hall  
22817 Typo Creek Dr. NE  
Linwood, MN 55079  
Ph: 651-462-2812  
linwoodtownship.org

**Tues. Jan. 10 & 24**

Town Board — 6 pm

**Tues. Jan. 17**

Planning & Zoning Comm. — 7 pm

NOTE: All meetings listed on this page are subject to change of time or date — call ahead to verify

**Nowthen**

Nowthen City Hall  
19800 Nowthen Blvd.  
Elk River, MN 55330  
Ph: 763-441-1347  
www.nowthenmn.govoffice2.com

Mayor's Saturday hours at city hall  
2nd Saturdays — 9 am

**Oak Grove**

Oak Grove City Hall  
19900 Nightingale St. NW  
Oak Grove, MN 55011  
Ph: 763-404-7000  
oakgrove.govoffice.com

2nd and last Monday of month  
City Council — 7 pm (EDA 8 pm on last Mon)  
3rd Wednesday  
Parks Comm. — 7 pm  
3rd Thursday  
Planning Comm. — 7 pm

**Ramsey**

Ramsey Municipal Center  
7550 Sunwood Dr. NW  
Ramsey, MN 55303  
Ph: 763-427-1410  
Fax: 763-427-5543  
www.ci.ramsey.mn.us

Thurs. Jan. 5  
Planning Comm. — 7 pm — CANCELLED  
Mon. Jan. 9  
EPB — 6:30 pm  
Mayor's Town Hall Mtg — 7 pm  
Tues. Jan. 10 & Jan. 24  
City Council (worksession) — 5:30 pm; mtg 7 pm  
HRA — follows City Council mtg  
Thurs. Jan. 12  
EDA — 7:30 am  
Parks & Rec Comm. — 6:30 pm  
Tues. Jan. 17  
Public Works Committee, followed by City Council work session — 5:30 pm  
Thurs. Feb. 2  
Planning Comm. — 7 pm

**St. Francis**

St. Francis City Hall  
23340 Cree St. NW  
St. Francis, MN 55070  
Ph: 763-753-2630  
stfrancis.govoffice.com  
Hours: M-Th 7AM-5:30 PM (Closed Fri)  
Meetings held at ISD #15 offices  
4115 Ambassador Blvd NW

City Council  
1st & 3rd Mondays — 6 pm  
Planning Comm.  
3rd Wednesday — 7 pm  
PLANNING COMMISSION APPLICATIONS  
NOW BEING TAKEN AT CITY HALL  
763-753-2630

**Spring Lake Park**

Spring Lake Park City Hall  
1301 81st Ave NE  
Spring Lake Park, MN 55432  
Ph: 763-784-6491  
www.ci.spring-lake-park.mn.us

City Council  
1st & 3rd Mondays — 7 pm

**SCHOOL DISTRICTS**

**Anoka-Hennepin ISD #11**

11299 Hanson Blvd NW  
Coon Rapids MN 55433  
Ph.: (763) 506-1000  
http://www.anoka.k12.mn.us

Mon. Jan. 23 & Feb. 27  
School Board — 6:30 pm  
Mon. Feb. 13  
School Board (work session) — 6 pm

**Centennial ISD #12**

4707 North Rd  
Circle Pines, MN 55014  
Ph.: (763) 792-6000  
isd12.org

Mon. Jan. 9  
School Board — 7:30 pm

**Columbia Heights ISD #13**

1440 49th Ave NE  
Columbia Heights, MN 55421  
Ph.: (763) 528-4436  
columbia.mn.schoolwebpages.com

School Board Meetings  
Tues. Jan. 10 & 24 — 7 pm  
Tues. Jan. 17 — 5:30 pm (Work session)

**Elk River Area ISD #728**

815 Hwy 10  
Elk River, MN 55330  
Ph.: (763) 241-3400

School Board mtgs 2nd and 4th Monday,  
"generally at" Elk River City Hall, council  
chambers, 13065 Orono Pkwy. — 7 pm  
"Listening Sessions" with public, 2nd Mondays  
— 6:30 pm

**Forest Lake ISD #831**

6100 N 210th St  
Forest Lake, MN 55025  
Ph.: (651) 982-8100

School Board meetings: held, with a few  
exceptions, at 7 p.m. on the first Thursday of  
each month in the District Office Boardroom,  
6100 N. 210th St., Forest Lake.  
Listening Sessions: Residents are invited to  
speak informally with representatives of the  
board, prior to regular meetings, at 6 p.m.

**Fridley School Dist. #14**

6000 W Moore Lake Dr  
Fridley, MN 55432  
Ph.: (763) 502-5000  
fridley.k12.mn.us

School Board Meetings held at Fridley City  
Hall, 6431 University Ave NE  
Work Session — 5:30 pm, Public Comment —  
7 pm; Meeting — 7:30 pm  
Next meetings: Tues. Jan. 17, Tues. Feb. 21

**St. Francis ISD #15**

4115 Ambassador Blvd  
St. Francis, MN 55070  
Ph.: (763) 753-7040  
stfrancis.k12.mn.us

School Board mtgs 2nd & 4th Mondays 6:30 pm  
Public comment; Meeting 7 pm

**Spring Lake Park ISD #16**

1415 81st Ave NE  
Spring Lake Park, MN 55432  
Ph.: (763) 786-5570

School Board mtgs 2nd Tuesday 7 pm  
4th Tuesday scheduled as needed

**White Bear Lake ISD #624**

4855 Bloom Ave  
White Bear Lake, MN 55110-5418  
Ph.: (651) 407-7501  
whitebear.k12.mn.us

School Board mtgs  
Mon. Jan. 9 — 7 pm  
Mon. Jan. 23 — 5:30 pm (work session)

**ANOKA CONSERVATION DISTRICT**

1318 McKay Dr NE #300  
Ham Lake, MN 55304  
Ph.: (763) 434-2030  
anokaswcd.org

Mon. Jan. 17 — 5:00 pm

**ANOKA COUNTY RECORD LLC**

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(763) 220-0411

editor@anokacountyrecord.com

The Anoka County Record is also available  
on our website:  
anokacountyrecord.com

NEXT ISSUES:

JAN. 19 FEB. 2  
(Deadline Jan. 16) (Deadline Jan. 30)



**TOWN HALL MEETING  
WITH  
SEN. ROGER  
CHAMBERLAIN  
and  
REP. LINDA RUNBECK**

A town hall forum for residents of Senate  
District 53 to discuss the governor's order  
to allow a vote to unionize in-home day  
care providers, a possible new Vikings  
stadium, and other legislative issues.

**THURSDAY, JANUARY 12 — 7:00 PM  
AT CIRCLE PINES CITY HALL**

For more information, contact the office of  
Senator Chamberlain at 651-296-1253 or  
Representative Runbeck at 651-296-2907.

**FREE TAX SERVICE  
COON RAPIDS CIVIC CENTER  
TUESDAYS & WEDNESDAYS  
8:30 A.M. — NOON**

February 1 - April 11, 2012

For Seniors, Disabled Adults or  
Households with Low to Moderate Income  
FREE, NO APPOINTMENTS!  
FIRST COME, FIRST SERVE

**4 OUT OF 5 CAR SEATS ARE INSTALLED  
INCORRECTLY**

LEARN HOW TO DO IT RIGHT

**CAR SEAT CLINIC**

TUES. JAN. 10, 4-7 PM

**FIRE STATION #3, 11920 ULYSSES ST.,  
BLAINE**

For more information, or to make an appointment,  
contact Crime Prevention Specialist Andrea Hunt  
at 763-785-6113

**CITY OF FRIDLEY  
PUBLIC HEARING BEFORE THE  
CITY COUNCIL  
(Legal Notice)**

Notice is hereby given that the Fridley City  
Council will hold a public hearing at the City  
Municipal Center, 6431 University Avenue  
Northeast on **Monday, January 9, 2012**, at  
7:30 p.m. on the question of establishing  
Chapter 224 City Code entitled "Stormwater  
Illicit Discharge Detection and Elimination."

Hearing impaired persons planning to  
attend who need an interpreter or other  
persons with disabilities who require  
auxiliary aids should contact Roberta  
Collins at 572-3500 no later than January 4,  
2011.

Anyone having an interest in this matter  
should make their interest known at this  
public hearing.

/s/ Debra A. Skogen, City Clerk

**Bunker Hills Compost Site will  
be open Jan 7-8 and Jan 14-15**

Still need to get rid of leaves and brush  
from this fall? The Anoka County Compost  
Site will **reopen for four days in January  
2012.**

Residents will be able to drop-off yard  
waste, leaves, Christmas trees and holiday  
wreaths for a small fee. Trees must be free  
of tinsel, garland, ornaments and stands.  
The January hours are Saturday, Jan. 7  
and 14, 9 a.m. - 4:30 p.m. and Sunday,  
Jan. 8 and 15, noon - 4:30 p.m.

**Location:**

13285 Hanson Blvd, Coon Rapids  
**Phone: 763-767-7964**

NOTE: Meetings listed on this page are  
subject to change of time or date —  
call ahead to verify