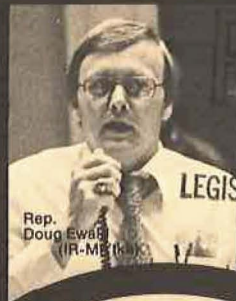


interim



Rep. and Mrs. Elton Redalen (R-Fountain)



Rep. Doug Ewaso (R-MB)



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Vol. 1 No. 3
Dec. 1977

Rep. Wesley Skoglund (D-Mpls)



Reps. Irvin N. Andersson (D-Mpls) and Harry Carlson Jr. (D-Hastings)



Rep. Ed Larson (D-Mpls)



Reps. Ken McDonald (R-Waterbury) and Rev. Pleasant (R-Bloomington)



Rep. Stanley Ericso (D-Mpls.)



Rep. Tommie Larson (D-Mpls.)

**Final
Interim
Action**

Environment and Natural Resources

*trespassing,
sportsmen's access*

watershed districts

The **Game and Fish** subcommittee of the Committee on Environment and Natural Resources looked at Rep. John Clawson's (D-Center City) bill (HF669) relating to trespassing. The bill would place certain limitations on hunters' and other sportsmen's access to farmland or adjoining woodlots.

Section 2: of HF669 would prohibit discharge of firearms over a public highway or right-of-way.

Section 3: would eliminate a landowner's liability for any person who is on the lands of another, with or without permission.

Section 6: would add that presence of a person on another's conspicuously posted land, without permission, is unlawful entry. Discussion pointed out that, in the past, posting has not been considered sufficient notice to hunters, and landowners had to ask them to leave.

Drew Pederson of Maple Grove protested that hunters would be unable to pursue wounded animals that run onto land they don't have the owner's permission to enter, or onto a public highway or right-of-way.

Pederson also questioned whether or not county sheriffs have the authority to serve as game wardens.

Arthur Hawkins, formerly of the fish and wildlife service, discussed his research in hunter's ethics in terms of the bill.

Although it may cut down access to lands, he said requiring hunters to get written permission would keep hunters responsible for their actions, because the landowners would have the names and addresses of whoever is on their property.

The bill will be on a future committee agenda for further discussion.



Rep. John Clawson (D-Center City)



Rep. Glen Sherwood (D-Pine River)



Rep. Robert Jensen (D-Farmington)

The **Environmental Protection subcommittee** of Environment and Natural Resources (Rep. Willard Munger, chairman) heard **HF838**, a Minnesota Water Resources Board bill that proposes administrative, operational and technical changes in the state's 35 watershed districts.

The author, Rep. Robert Jensen (D-Farmington), introduced the bill, outlining several sections.

Section 1: would require covering employees under a "blanket bonding" procedure as other boards use. An individual three-year bond that previously cost \$10 is up to \$20-\$30. Blanket bonding would reduce the actual cost plus the administrative expense.

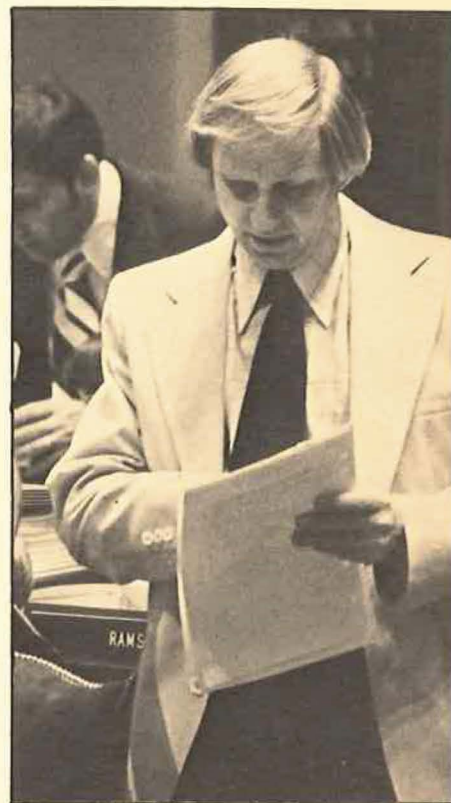
Section 2: would allow watershed districts to borrow money from any state agency or private lender instead of just the federal government and counties.

Section 3: would raise the limit on work estimates for water projects from \$125,000 to \$200,000. Earling Weiberg, executive secretary of the Minnesota Water Resources Board, explained that, with increased costs, the present limit of \$125,000 produces a severe constraint on the type of projects district managers can undertake. The amendment to \$200,000, a net increase of \$75,000, brings HF838 to agreement with the Senate's bill.

Section 5: would allow watershed district managers to set a per diem rate of compensation, plus actual and fixed expenses, for assessors who appraise economic costs and benefits of water projects. Some districts are having difficulties finding qualified assessors at the present \$35-a-day rate.

Section 6: would create a survey and data acquisition fund that would require a tax levy not to exceed two mills. Assessments to property owners who benefit by the improvements would replenish the fund.

Section 12: would permit watershed districts to condemn property for water drainage projects that assessments will pay for in opposition to federal eminent domain laws which exclude such projects.



Rep. Arne Carlson (IR-Mpls.)

Weiberg explained that state regulations did not intend the exclusion of water projects to apply to assessed projects and that section 12 will "put the matter back, I think, the way the legislature intended it to be."

Section 13: would allow watershed districts to charge fees for applications and/or field inspections. The districts perform these services but other district projects subsidize the cost.

The subcommittee voted to strike section 10 which would exempt the Water Resources Board from using hearing examiners as state regulation requires. The board would continue to use state hearing examiners.

Don Ogard, vice president of the Minnesota Association of Watershed Districts, which also serves as a grievance committee for the public, said watershed district managers requested most of these changes to enable them to be more responsive to the public and more effective under the law.

Environment and Natural Resources

Outdoor fires

watercraft licensing and safety

The Recreation and Open Space subcommittee of Environment and Natural Resources met to discuss HF1519 (Stoa, D-Winona) concerning the regulation and maintenance of outdoor fires.

Mr. Ray Hitchcock, supervisor of the forest environmental protection division of the Minnesota Department of Natural Resources (DNR), spoke in favor of this change in section 88.01 of Minnesota Statutes, 1976.

HF1519 would amend the statutes to define open fire and would restrict open burning in a forest area to an enclosed cooking or warming fire, or burning of leaves or rubbish in an approved incinerator. It would give the forest officers authority to revoke or suspend burning permits in high risk areas.

Reps. Doug Carlson (IR-Sandstone) and Dave Fjoslien (IR-Brandon), both from rural districts, voiced opposition to the bill on the basis of the DNR's past use of resources and capital and intermittent enforcement of current statutes regarding burning permits.

Hitchcock said the DNR restrictions were necessary because of fire danger in Minnesota (especially during dry years) and the expansion of home building in classified forest areas.

A bill relating to watercraft license fees and watercraft safety (HF1721-Kahn, D-Mpls.) was the topic at the December meeting of the subcommittee.

The co-author of HF1721, Rep. Robert Searles (IR-Wayzata) said, "Counties need increased funds for boating safety programs. For example, last year Hennepin County collected \$32,000 but needed \$200,000 to perform the safety program."

Rep. Phyllis Kahn (D-Mpls.), chief author, said, "HF1721 would provide more money for watercraft safety programs by increasing watercraft licensing fees. Boat owners would pay larger proportions to support the safety program by paying a percentage license fee according to the cost of their watercraft."

The bill's passage would mean more funds for counties. The licensing system would start with a base fee depending on the length of the watercraft and would add a 25 cent surcharge per unit of horsepower. Persons wanting more motorpower on their watercraft at a time other than on the renewal date, would pay a transfer fee of \$3, plus the increased horsepower fee.

HF1721 would specify a new formula for allocating boat safety funds to counties, and bases the formula on:

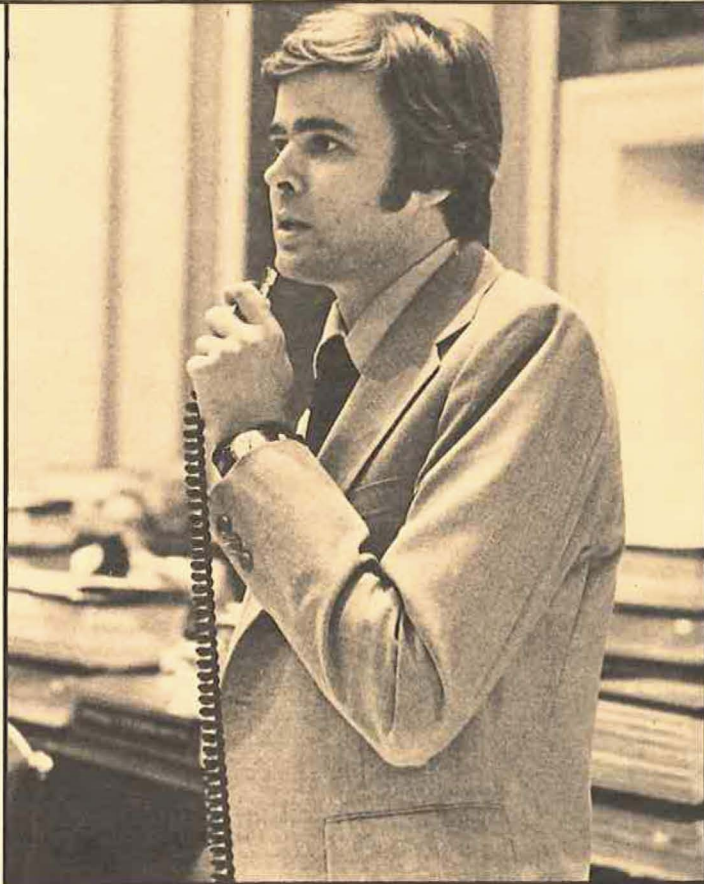
- the number of watercraft people use in the county's waters.
- the number, size, type and speed of watercraft people use in specific bodies of water.
- the acres of water in the county.
- the county's past performance in boat and water safety programs.

Other parts of the bill would:

- remove duckboats and rice boats people use during certain seasons from the definition of "watercraft."
- require licensing of government owned boats used for recreational purposes.
- provide temporary licenses (30 days) to applicants for new or renewed licenses or on horsepower increases.
- provide for blood tests and chemical analysis similar to automobile DWI tests for anyone authorities prosecute for operating a watercraft while under the influence.
- base noise decibel levels for motorboats on the manufacture year of the engine.
- authorize any conservation or police officer to stop, board and inspect any watercraft in violation of Minnesota law.
- authorize the commissioner of the department of natural resources to withhold funds and provide emergency aid to counties that have boat safety programs.

Persons testifying at the meeting expressed concern over basing license fee increases on horsepower, and on the section of the bill which would allow a conservation or police officer to board a watercraft.

The committee will hold further public hearings and take action on the bill when the legislative session begins in January.



Rep. Tom Stoa (D-Winona)

Rep. Phyllis Kahn (D-Mpls.)



Rep. Robert Searles (IR-Wayzata)



Rep. Douglas Carlson
(IR-Sandstone)

Committees

Education

*aid to private
schools*

*tenure for coaches
life licenses
for teachers*

Aid to private schools

Aid to private schools will be approximately \$14 per student in the current school year, according to Catherine Stehly, assistant to the state education commissioner.

Stehly, testifying before the **Education Committee** during the November mini session, told the legislators that the state has had to cut the amount to private schools from \$52.97 to \$13.77 because of a decision the U.S. Supreme Court handed down to Ohio in June.

She said that under Minnesota's private school aids law of 1975, the state has been funding such things as instructional supplies and library and audio visual materials.

"These last three things were exactly what the Supreme Court said could not be provided with state dollars in Ohio," Stehly said, "And there's no reason to believe the situation would be any different in Minnesota."

As a result, the aid now applies only to textbooks, workbooks, and some testing services, according to Stehly. She said the governor has asked the department to prepare a bill draft for the 1978 session in keeping with the U.S. Supreme Court decision.

"The legislation will be aimed at funding alternate services to the children in nonpublic schools," Stehly told the committee.

Tenure of school athletic coaches

Licensed athletic coaches would have the same tenure rights as other teachers under a bill on the committee's agenda.

Chief author of **HF1447**, Rep. Eugene Waldorf (D-St. Paul), told the committee that because "coaches are public figures they should be entitled to a hearing process to let the public know why they were removed."

His bill would make licensed athletic coaches subject to the provisions of the continuing contract and tenure laws for all other teachers, unless the coaching duties "are terminated pursuant to a district transfer policy."



Rep. Eugene Waldorf (D-St. Paul)



Rep. Ted Suss (D-New Prague)



Rep. Carl Johnson (D-St. Peter)

Lou Cotroneo, a former coach, told the committee of his experience of losing his coaching job. "After giving twenty-two years to coaching and teaching, I was called into the principal's office and dismissed, without a reason.

"Even someone committing the worst crime in the world gets a court hearing," Cotroneo said. "I should be allowed the courtesy of the 14th amendment, due process of law."

Others speaking in favor of the legislation included: Jerry Scribner, Minnesota Federation of Teachers; Gene Mamenga, Minnesota Education Association; and Dudley Otto, State Hockey Coaches Association.

Willard Baker, Minnesota School Board Association, voiced some concerns about the bill. He said there would be problems in extending tenure to coaches.

"What happens in terms of dismissal proceedings?" he questioned. "Can the individual be terminated for the total job or just for the coaching? What happens in counting of seniority?"

"There are thousands of coaches in Minnesota," Baker said. "Just because we've had problems in a few districts, we shouldn't change the policy. Let the local school districts decide how they want to handle it."

Chairman Carl Johnson (D-St. Peter) said the committee will deal with the bill at future meetings.

Life licenses for teachers

The committee also heard **HF1448** (Suss, D-Prior Lake) which would remove the authority of the board of teaching in granting life licenses to teachers. Chief author Rep. Ted Suss told the committee, "teachers should engage in continuing education as other occupations do." He said the bill wouldn't have any impact on life licenses already granted.

Von Valletta, deputy commissioner, department of education, gave the committee some history on the granting of life licenses in the state of Minnesota. She said life licenses first appeared in 1929, and until 1968, there was very little change.

"The 1969 legislature then repealed the authority to issue life licenses," Valletta said. "In 1973, the legislature created the teacher's standards and certification commission (now the board of teaching) and somehow life licenses were put back in the statutes."

Valletta said the law provided that those persons who were eligible for life licenses prior to 1969 could apply. She said issuing life licenses is a basic policy issue. "Is it wise to issue life licenses to large numbers of classroom teachers?"

Kathy Rayburn, president, board of teaching, spoke against the bill, saying, "the board acts on life licenses only after study and extensive debate." She said there is a fear that teachers with life licenses will "cease to grow."

"The law of the land is you are innocent until proven guilty," Rayburn said, "If there proves to be a problem, if teachers with life licenses cease to grow, the board will work with the legislature to remedy the situation."

Rayburn told the committee that what she's seen in the field is that life license holders "have continued to expand their growth, even without continuing education requirements."



Rep. Darrel Peterson (IR-Fairmont)



Rep. Gerald Knickerbocker (IR-Hopkins)



Rep. Henry Kalis (D-Walters)

Committees

Higher Education

Iron Range Education Center

Scholarship and grant-in-aid program

U of M/HF496

Iron Range Education Center

"Some teachers drive in from as far as 70 miles to teach a class. That's the kind of people we've got," Pat Bauduin, regional director of the Iron Range Post Secondary Education Center told the **Higher Education Committee**.

Bauduin was commenting on the work going on in Iron Range schools. Community colleges, state colleges, private colleges, Area Vocational Technical Institutes (AVTIs), and high schools have contributed classrooms and personnel to the Iron Range Center, Bauduin said.

The center is one of three experimental units in the state using Metropolitan State University as a model for postsecondary education.

Committee Chairman Peter X. Fugina (D-Virginia) explained that the experimental centers came about, because in some areas of the state, the distance to a college makes postsecondary schooling difficult.

There are four community colleges on the Iron Range, but many students don't go beyond a two-year community college degree because of the problem of getting to a four-year school. Purpose of the center is to meet local needs through a cooperative effort among the schools, Fugina said.

In 1975 and 1976, the center added night summer school classes. Bauduin said that it's hard to find a night when the parking lot (of Mesabi Community College) isn't full. He said about half of the enrolled students at the Iron Range center are 26-35 years old.

It's not just the traditional college age students who are using these facilities, and they're not all liberal arts students. Many are seeking to upgrade their job skills or to make themselves eligible for promotion Bauduin reported.

Bemidji State University is bringing some technical college classes off campus to focus on the many electricians, machinists and other Range workers going back to school, he said.

The education center is working to hire local people to staff the laboratory facilities to allow students more access outside of class time.

Other goals are to have more paraprofessional programs on the reservation (grant applicants are pending); an MBA (Masters of

etc.

Favorite recipes book available

A cookbook of favorite recipes Minnesota's lawmakers have contributed will soon go on sale through the Minnesota Historical Society. The title: "Favorite Recipes of Our Minnesota Legislators and Supreme Court Justices." The price: three dollars.

Teletypewriters for the deaf

The Telecommunications Division is installing a Teletypewriter in the State Transportation Building for use in communicating with the deaf.

Using these machines, deaf persons are able to send and receive typewritten messages. The Telecommunications Division will handle incoming and outgoing messages for state departments that need to communicate with the deaf. For further information, call 296-7654.

Business Administration) program off campus; courses on industrial safety; and training in the care of the elderly and the chemically dependent, both traditional Iron Range problems.

Scholarship and grant-in-aid programs

Dr. Clyde Ingle, executive director of the Higher Education Coordinating Board, demonstrated for the committee how state programs incorporate into a student's financial aid package. He said students applying for financial aid must send a computerized form reporting theirs, and their parent's assets, to a needs analysis system.

Needs analysis assumes freshmen contribute \$500 toward their schooling; sophomores, \$600; and juniors and seniors, \$700.

The result of the financial assessment is the dollar figure students and families would pay. The established financial need is the cost of attending school minus the dollar figure the analysis produces. The information can go to any school, scholarship agency, or fund as the student requests.

Independent students, those not living at home, claimed as dependents, who do not receive more than \$600 worth of support from their parents, may file for analysis on the basis of their own assets.

The Minnesota State Scholarship and Grant-in-aid programs use this standardized determination method to award money to students. A school's financial aid package can make up the need amount with scholarships, grants (both federal, state and private funds), loans, or work-study where a student has a job (usually on campus) and the federal program pays part of his/her salary.

A low-income, high-need student may attend a high-cost school because the school commits itself to making up the student's need. (This may mean authorizing a low-interest loan.)

State scholarships may go up to \$1,100 to make up the need. Scholarship awards are both on the basis of need and achievement. The less need each student has, the more students can get a scholarship or grant.

In 1977, 27,946 Minnesota students received aid money from the state, through the Minnesota State Scholarships and Grant-in-aid Program.

University of Minnesota and HF496

Rep. Gordon Voss (D-Blaine) presented **HF496**. The bill calls for a vote amending the Minnesota Constitution to bring the University under statutory law as are other public post-secondary institutions.

Voss explained that the Territorial Legislature created the university and maintained control of it until 1905 when the legislature empowered the University Board of Regents to disburse funds, under the premise that control of the financial resources meant control of the institution.

Since that time the university has been involved in several lawsuits that questioned the authority of the Regents.

HF496 would allow the legislature to pass laws governing the university in the same way it controls the state universities, community colleges, and area vocational technical institutions.

Voss said that the university is a public institution, using large amounts of public funds, and the public should have control through elected legislators.

The committee will debate the bill at a future meeting.

Council on the Economic Status of Women Report

The Council on the Economic Status of Women has issued its third report, "Minnesota Women: Work & Training." It focuses on the growing number of women who must reenter the job market because of divorce, or the deaths of their husbands, and who need more than just "pin money" to survive.

The report lists over 20 recommendations for improving women's job prospects. For more information, contact the council's office, 400 State Office Building (612) 296-8590.

Toll-free hotline for handicapped

The Minnesota State Council for the Handicapped has established a toll-free Handicapped Hotline for Minnesotans living outside the Minneapolis-St. Paul area. People may get information or assistance in solving a problem that relates to a physical or mental disability by calling 1-800-652-9770, if they are outside the metropolitan area. Residents of the Twin Cities metropolitan area may call the Council for the Handicapped at 296-6785.

Update of commission listings

The October issue of INTERIM listed commissions on which House members serve. Please note these changes: On the Iron Range Resources and Rehabilitation Board, two new members: Rep. Peter Fugina (D-Virginia) and Rep. David Battaglia (D-Two Harbors). On the Legislative Commission on Minnesota Resources: Rep. Phyllis Kahn (D-Mpls.) replaces former Rep. Neil Haugerud. On the Legislative Commission to Review Administrative Rules: Rep. David Cumiskey (D-Mankato) replaces Neil Haugerud.

The listing of the Advisory Committee on Economic Development was in error. Please disregard it.

Committees

Financial Institutions and Insurance

auto insurance - HF839

health insurance HF452

Health and Welfare

report on mini-session

Proposed legislation on health and auto insurance was on agendas for the **Financial Institutions and Insurance Committee** during the November and December mini sessions.

In November, the committee heard testimony on **HF839** (Reding, D-Austin), a bill prohibiting automobile insurers from basing a premium cost partially or wholly on age, length of driving experience, or academic achievement of the insured.

Chief author Leo Reding told the committee that those under 25 pay the highest premiums and are the "least able to afford to subsidize the rest." He said rate setting according to age is "arbitrary" and suggested the insurance division look at other causes for the rise in insurance rates.

Commissioner Burton Heaton, division of insurance, said that as a class "the youthful driver is the worst. How much worse, I don't know, but they may be paying more than they should."

Chairman Bernard Brinkman (D-Richmond) said he didn't want the committee to take action on the bill then, but give it further study.

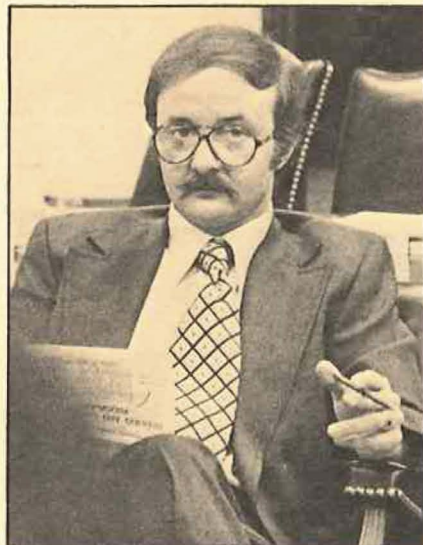
"**House File 452** makes the Comprehensive Health Insurance Act what it says it is," Rep. Mike Jaros (D-Duluth) said in explaining his bill before the committee.

Jaros told the committee that his bill will include "preventive health care" in the Comprehensive Health Insurance Act. He said, the bill, as he intends to amend it, would provide that a number three qualified plan would have to include, without substitution of actuarial equivalents, by July 1, 1978 (now July 1, 1980), the following:

- well baby care, including immunizations.
- services for periodic health status evaluations.
- individual screening procedures to facilitate early intervention in, or prevention of disease.

Kent Peterson, department of health, spoke in favor of the bill, saying it was a "valid way to start thinking of health insurance as health, not sickness insurance."

John T. Anderson, representing Blue Cross/Blue Shield, said the cost of the premiums was his "main concern." He said the insurer will pay for the cost of the services "plus administrative costs." ■



Rep. Michael George
(D-Mahtomedi)

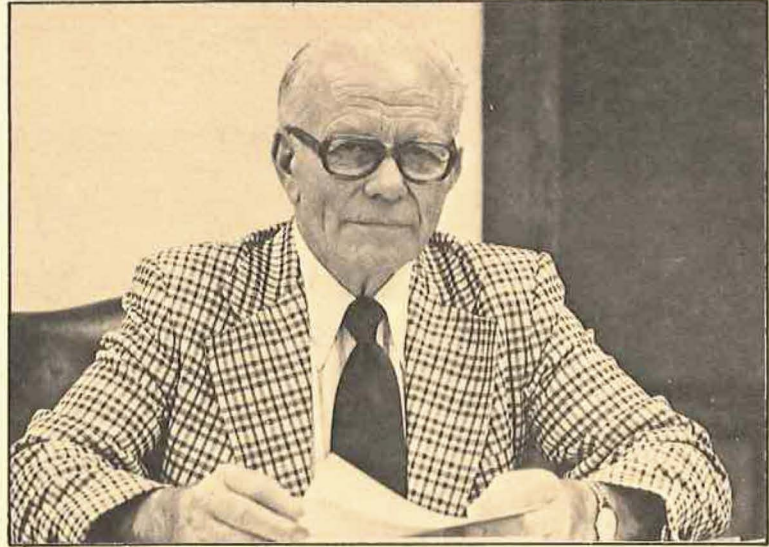


Rep. Leo Reding
(D-Austin)



Rep. Maurice McCollar
(D-White Bear Lake)

Rep. Joseph Niehaus (IR-Sauk Centre)

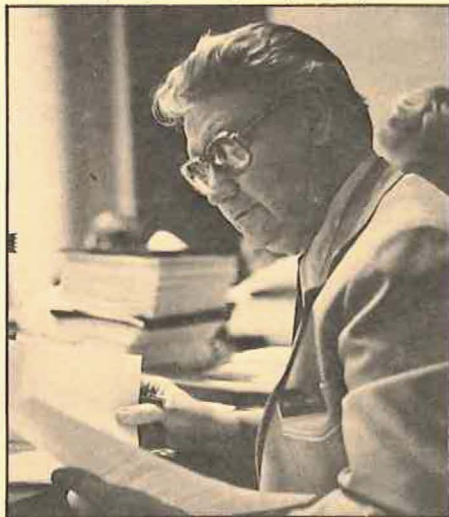


The Health and Welfare Committee, Rep. James Swanson (D-Richfield), chairman, reported on November mini-session hearings:

November 14: The *Joint Committee on the Cost of Health Care* met to receive testimony regarding the cost of complying to governmental regulations. Representatives from the Minnesota Hospital Association and the Health Care Facilities Organization spoke.

The subcommittee also heard a nutritional study report, and the department of public welfare submitted a report on measures the medical assistance division has taken on cost containment.

Rep. O. J. (Lon) Heinitz (IR-Plymouth)



November 15: The *Departmental Affairs subcommittee* continued its study of the state hospital system. Commissioner of Public Welfare Ed Dirkswager appeared to discuss upgrading of care at Cambridge State Hospital, its possible effect on other state facilities, and the public welfare department's "Rule 36" dealing with licensing of residential care facilities.

The *subcommittee on Health Care* conducted a hearing which continued the health department's presentation describing efforts in promoting health and preventing sickness.

Dr. Ronald Campbell addressed the issue of nutritional services. Dr. Ellen Fifer, assistant commissioner, department of public health, described the procedure surrounding the mantoux (tb) test.

Kent Peterson of the health department presented the history of the development of health maintenance organizations (HMOs) in Minnesota. Dean Lund and Horace Hansen, representing Group Health, spoke to the issue of HMO laws and regulations and their effect in promoting HMOs.

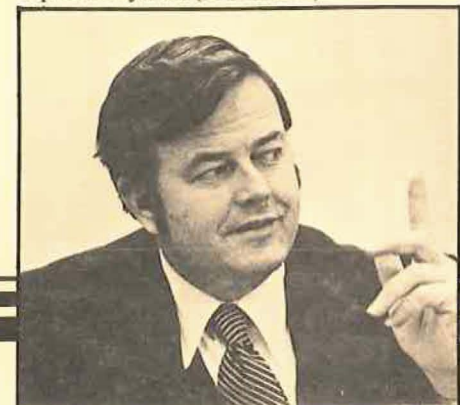
November 17: The *subcommittee on Social Services* began their review of state mandatory health and social services. A legislative analyst gave an overview of the issue.

Gary Haselhuhn, department of public welfare, presented the welfare department's view on mandatory services and the process of determining the mandate of programs.

Robert Hiller, assistant commissioner in the health department, described the community health services act and how this law inter-relates with mandatory services.

Following this meeting, the subcommittee met jointly with the subcommittee on Departmental Affairs to receive a review of the Minnesota medical assistance program from Assistant Commissioner Robert Baird.

Rep. Dave Fjoslien (IR-Brandon)



Commissions

Science and Technology Project

Energy workshop

Economic Status of Women

family and children's services

report from four agencies

On December 6, legislators attended a workshop on "Technical Aspects of Waste Disposal in Minnesota" where they heard from national and local experts on pollution control, nuclear regulations, natural resources, and solid waste recycling systems.

The Minnesota Legislature Science and Technology Project scheduled the workshop at the request of legislators who wanted more information on waste disposal in view of the present activities in the state that relate to the problem.

Minnesota, along with almost all other states, is under survey as a potential site for a high-level radioactive waste disposal facility. Leaching of landfill in the disposal of hazardous and solid wastes (the filtering into the environment of dangerous substances) has become a concern. That, along with the recent development of guidelines for the disposal of sludge waste by land application, legislators felt pointed to a need for in-depth information.

The day-long December seminar allowed for several question and answer periods on subjects such as "What is Hazardous Waste?"; "Elements of Disposal Management"; "Decision Options"; "Status and Methods of Hazardous Waste Disposal."

The Science and Technology Project is under the jurisdiction of the Legislative Coordinating Commission/Subcommittee on Science and Technology, Rep. Gordon O. Voss (D-Blaine), chairman.

Four Twin Cities based agencies reported to the **Council on the Economic Status of Women** about their activities, community needs and program deficiencies in their areas.

Linda Berglin (D-Mpls.) chairs the council of five representatives: Russell Stanton (D-Arco), Phyllis Kahn (D-Mpls.), Mary Forsythe (IR-Edina), five senators, and eight community members.

etc.

Auto Safety Hotline

The National Highway Traffic Safety Administration offers a toll-free Auto Safety Hotline for information on vehicle recall campaigns. To help resolve vehicle safety problems, motorists should be ready to state year, make, model, vehicle identification number and odometer mileage. The line is open from 7:30 a.m. to 4 p.m. CST. The number is 1-800-424-9393.

Kathleen Cox of the Catholic Welfare Service described her agency's objectives as, "to aid the poor and oppressed," helping with food, housing and employment counseling and working to implement social change.

Cox told the committee she felt additional effort should go to provide housing and counseling for transients, emergency care services to children whose families are undergoing severe illness or hardship, and for drastic change of conditions in the prison system.

She expressed special concern for the transients, "They seem to be getting younger and younger." Men of 20 and 21, many veterans, or chemically dependent, are becoming transients. The society can place some of these and sees many at its drop-in centers in downtown Minneapolis, but does not have the facilities to handle the larger numbers of transients in the cities."

Jerry Suddereth of Family and Children's Service, discussed her agency in terms of three divisions: family treatment, family development, and family advocacy. The service tries to promote family harmony and the development of each person in the family unit.

Most of the service's concern is with family violence, wife beating and child abuse. Of the 800 cases examined in March, 65 percent showed evidence of family violence.

The agency has had little success in placing battered women in refuge homes and women's advocate centers, because they are usually full and unable to handle the number of women seeking help.

Family and Children's Service recommends establishment of additional support services for victims and assailants, job planning and placement for women, and realistic financial support programs which may include review of alimony and child support laws.

Ron Reed, executive director of Family Services of Greater St. Paul is concerned with the chemically dependent, especially women, and records the number of cases which might be related to family violence.

Jane Bowes, of the Children's Home Society, said her agency concentrates on adoption, day care, pregnancy counseling, and post legal adoption services. The society served 3,400 pregnant women in one year with 35 percent of them under age 19. Many of them were some of Minnesota's 53,000 unwed mothers that year.

The society helps many of these young mothers obtain federal aid, but cannot fill their social and supportive needs as socialized England and Sweden have tried with apartment buildings for unwed mothers.

Program Director Mary Lou Gladhill said Lincoln House is expanding. Two locations are residence homes for single mothers and their children, under age two. Many of these women have difficulty finding help because of their children's congenital defects or serious illness, or because of their own illness or poor emotional health. There are few agencies in the area that can handle these needs.

Director of Day Care Services Donna Goff's concern is the people who don't qualify for Title XX aid and can't afford the \$35 to \$50 a week it may cost for day care. She said forty-one percent of parents using day care are single parent families.

Rep. Forsythe to chair NCSL committee

Rep. Mary Forsythe (IR-Edina) is the new vice-chairwoman of the Human Resources Committee of the State-Federal Assembly Steering Committee of the National Conference of State Legislatures (NCSL). The State-Federal Assembly met in Washington in December to determine NCSL policy on issues.

The Human Resources Committee, along with eight other committees of the Assembly gave in-depth examination to specific issues.

Committee policy resolutions become official NCSL policies when the full 800-member State-Federal Assembly and legislators adopt them at the NCSL annual meeting.

Reps. Kelly and Beauchamp to attend White House conference

Rep. William Kelly (D-East Grand Forks) and Rep. David Beauchamp (D-Moorhead) are among a group of eight Minnesotans accepting an invitation from President Carter to attend the White House Conference on Balanced National Growth and Economic Development, Jan. 29 - Feb. 2, 1978.

Lt. Governor Olson will head the group which also includes Sen. Emily Staples; Paul Goldberg, area director, AFSCME; Victor Reim, president and chief executive officer, St. Paul Commercial State Bank; J. R. Larson, Milaca farmer; Otto A. Silha, president of the Minneapolis Star and Tribune. All will pay their own expenses.

Rep. Brandl makes Washington appearance

Rep. John Brandl (D-Mpls.), on November 1, appeared with representatives from the nation's state legislatures, in Washington, to urge Congress not to let disputes over specifics in President Carter's welfare reform proposal stand in the way of action on the issues.

Appearing on behalf of the National Conference of State Legislatures (NCSL), the legislators listed seven basic principles which NCSL and other associations of state and local officials have identified as keys to welfare reform: equity among states, adequate benefits, fiscal relief for state and local governments, a strong work requirement for those who are able, consolidation of existing programs, elimination of categorical distinctions and streamlining administration.

Committees

Criminal Justice

proposed legislation

Jurisdiction changes

Also before the committee were **HF1674** and **HF1277**, author Steven Novak (D-New Brighton). Novak briefly explained **HF1674** which would: lower juvenile court jurisdiction from age 18 to 17, change the length of prison terms for certain felonies, change authorization for arrest for gross misdemeanors, and make changes in certain felony property offenses.

Novak said that some portions of the bill are in the determinate sentencing bill which is in conference committee. "I would like to see the conference committee report before we consider this bill further," he said.

HF1277 would remove certain juveniles from juvenile court jurisdiction and place them in adult court. "This would mean the violent, hardcore, or serious juvenile offender," Novak said. The bill defines the serious juvenile offender.

Serious juvenile offender would mean youths 16 or older who are charged with crimes of murder, criminal sexual assault in the first or second degree, or aggravated arson. It would also mean, in certain circumstances, a juvenile 16 or older charged with manslaughter, aggravated assault, aggravated robbery, or burglary.

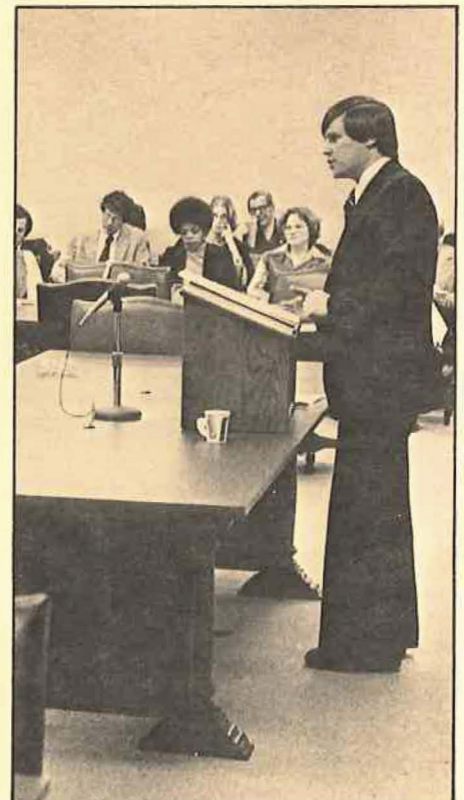
"The bill would also require the commissioner of corrections to develop a program for the custody, care and treatment of youth the juvenile court refers to district court for prosecution as an adult," Novak said.

The Juvenile Delinquency and Corrections subcommittee of Criminal Justice began hearings on several bills at their November and December mini-session meetings to familiarize committee members with the proposed legislation. The subcommittee will hold public hearings and take action on the bills in January and February, according to chairman Rep. Ken Nelson (D-Mpls).

Delinquent children

HF1137 (Nelson, D-Mpls) relates to the disposition of delinquent children. Nelson said the bill would require the juvenile court to mandate counseling, when appropriate, for the family of a juvenile on the second incorrigibility offense.

"There may be a break-down which would require counseling if there is a second incorrigibility offense," Nelson said. "Some judges do order this now. The family could receive counseling from welfare, court services, the clergy, or family counseling services."



Rep. Steven Novak (D-New Brighton)

Name disclosure

Rep. Joseph Begich (D-Eveleth), author of **HF517** said this bill would allow juvenile courts to disclose names of juveniles to the local news media after the juvenile's third violation. Begich said, "Printing names of offenders in the newspapers may curb repeated violations."

Chairman Nelson said, since juvenile court is rehabilitative and not criminal, the records are confidential. However, the judge may choose to disclose a record. He also said it is probably a newspaper policy not to print names of juvenile offenders, and the subcommittee would check on that.

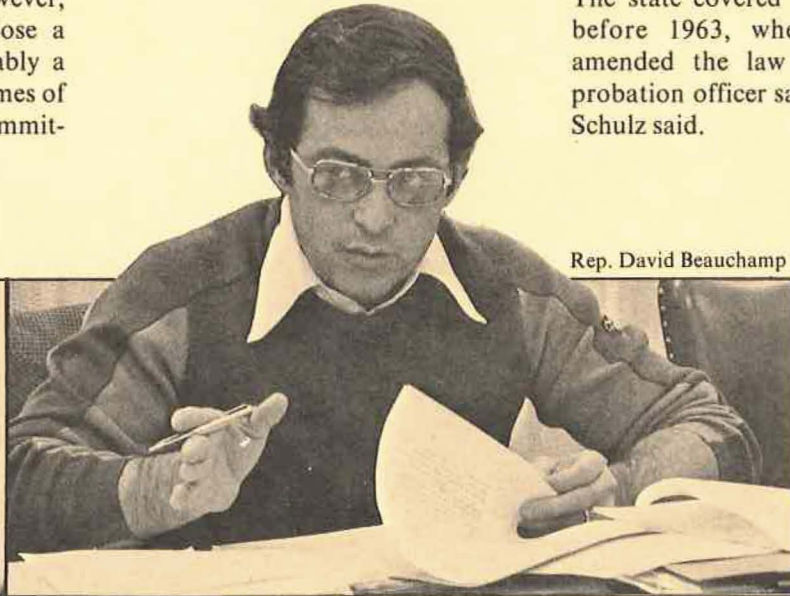
Juvenile detention

The committee also heard **HF623** (Beauchamp, D-Moorhead) which would allow counties that use juvenile detention facilities to hold a juvenile offender for 48 hours in certain cases. Beauchamp said this may motivate more counties to use juvenile facilities. Presently, counties cannot hold juveniles for more than 24 or 36 hours in most instances.

Probation/parole service costs

Rep. Victor Schulz (D-Goodhue) co-author explained **HF108** (Lemke, D-Lake City). The bill would reimburse counties for probation and parole services they provide to wards of the state. Schulz said that, under the bill, the state would cover 50% of the cost of salaries for probation officers, secretarial staff costs, communication costs and office supply costs.

The state covered 50% of these costs before 1963, when the legislature amended the law to cover 50% of probation officer salary expenses only, Schulz said.



Rep. David Beauchamp



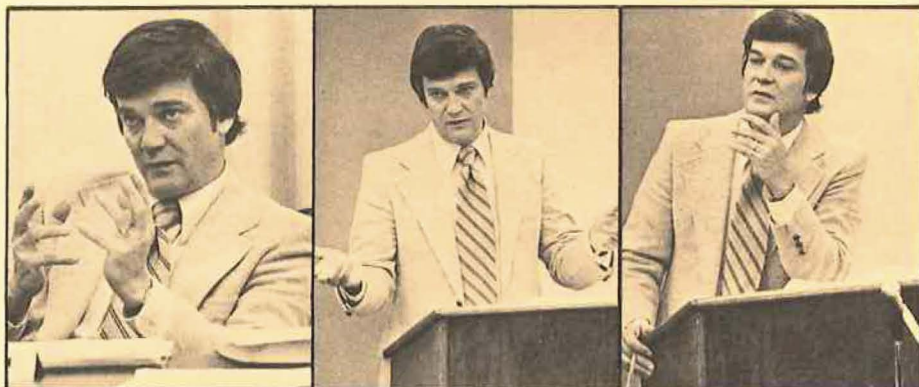
Rep. Joseph Begich



Rep. Victor Schulz

Criminal Justice

juvenile prostitution



Rep. Ken Nelson (D-Mpls.)

The subcommittee held a day long meeting in November to study the issue of juvenile prostitution. "We're not going to dig into the dramatics of this," subcommittee chairman Ken Nelson (D-Mpls) said, "This is a work session to aid the committee in devising a bill to deal with the problem."

A research report gave these prostitution statistics in the Twin City area: In Minneapolis, during 1976, there were 613 arrests for prostitution — 482 females, 93 males and 38 juveniles. From January through September of 1977, there were 432 arrests — 337 females, 53 males and 33 juveniles. In

St. Paul, during 1976, there were 303 arrests — 247 females, 39 males and 17 juveniles. Through June of 1977 there were 77 arrests — 48 females, 18 males and 11 juveniles.

Some suggestions for possible changes in prostitution laws were to create halfway houses for potential witnesses in prostitution cases; to establish more specific laws defining "contributing to the delinquency of a minor;" increased penalties for repeat violations; and a change in the law which states that a person cannot testify without the consent of their spouse.

Three bills under consideration

The committee is considering three bills **HF185** (Kahn, D-Mpls), **HF1348** and **HF1022** (Nelson, D-Mpls). Jim Manahan from the state bar association testified in favor of HF 185 portions of which would:

- make it a 20 year penalty for: 1) soliciting or inducing juveniles to practice prostitution, 2) soliciting a juvenile to have sexual intercourse or sodomy with a prostitute, 3) admitting a juvenile to a place of prostitution.
- double penalties for: 1) soliciting or inducing another over the age of 18 to practice prostitution, 2) keeping a

place of prostitution, 3) an owner permitting persons to use his premises as a place of prostitution.

- make it a five-year penalty for any adult to hire a juvenile to engage in sexual intercourse or sodomy,
- reduce the penalty for an adult prostitute or an adult patron of prostitution from a gross misdemeanor to a simple 90-day misdemeanor.

Manahan said, "Some people have referred to this bill as the prostitution decriminalization bill. It is not. This bill only places blame where it belongs. It doubles penalties for those who wish to involve themselves in juvenile prostitution.

Prosecution problems

An assistant Hennepin County attorney said that problems in state prosecution of prostitutes, customers and pimps are due to the nature of the crime. "We cannot prosecute a pimp merely on his lifestyle and it is hard to obtain evidence. Many people feel prostitution is a victimless crime. Jurors have the attitude that all prostitutes are doing this voluntarily. A jury will not hold one person responsible, the state must prosecute the prostitute and the customer in order to prosecute a pimp successfully.

Rep. Janet Clark (D-Mpls.)



JANET CLARK

"The present statutes are outdated. They define 'houses of prostitution.' Now one finds prostitutes at saunas and usually on the streets. The statutes aim at prosecution of soliciting, not promoting, and the promoters are most benefited financially. The law is also vague in the definitions of solicitation and inducement.

"Another problem is that the state cannot prosecute a pimp for transporting a juvenile until the act is complete. This is often too late," the attorney said.

Former prostitutes testify

Two former prostitutes, now working with outreach programs to help juvenile prostitutes, said that publicity on the subject, like that when the Minneapolis police officers went to New York to find Minnesota juveniles, only sends those involved further behind closed doors. They said it is often hard for police officers to determine the age of prostitutes because after a couple of months of prostituting, even a 13-year-old looks at least 18.

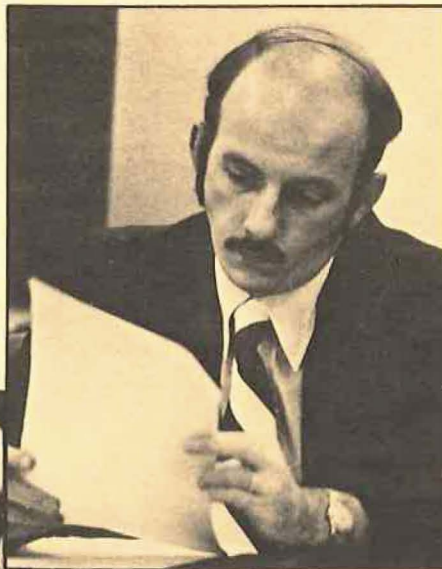
Rep. John Kaley (IR-Rochester)



One of the women said, "The prostitute is often caught between the pimp and the authorities. We need a means to integrate these young people back into society. We must have a way to help fulfill their needs because if we can't the pimps will. The juveniles need a place they can get to easily to get away from the pimp, and where they will be safe. There should also be a home for these girls away from the city where they could go for education and psychological help."

Author explains HF1348 and HF1022

Rep. Nelson said his bills would help to prevent adults from entering into detrimental relationships with juveniles and would help with the problems of enforcement and obtaining evidence.



Rep. Richard Welch (D-Cambridge)



Rep. Gary Laidig (IR-Stillwater)

HF1022 provides for court hearings to determine harmful relationships involving juveniles. It would provide penalties for adults engaging children in harmful relationships.

HF1348 specifies the acts of promoting prostitution in the first, second and third degrees, and prohibits solicitation and prostitution.

The bill would also eliminate a number of possible defenses to prosecution such as mistake as to age of consent, and would state that a prostitute shall not be subject to any penalty arising from evidence she gives in court proceedings, and the marital privilege would not apply in proceedings under the bill.

Committees

Criminal Justice

DWI

Labor Management

Migrant Labor

Rep. Bruce (Buzz) Anderson
(D-Slayton)



The Criminal Laws and Procedures subcommittee devoted two mini-session meetings to testimony concerning the state's DWI (driving while under the influence of alcohol and/or narcotic drugs) problem and the breathalyzer testing program.

November meeting

Lowell Van Berkom of the criminal apprehension division in the department of public safety directs the breath testing program in the state. At the subcommittee's November meeting, he demonstrated the breathalyzer.

Van Berkom said, "There are three phases to the operation of the breathalyzer — collection of a breath sample, a chemical reaction, and measurement of breath-alcohol content. The breath-alcohol reading is then converted to a blood-alcohol reading. The breathalyzer operator goes through 21 steps during the preparation stage.

"To obtain certification to operate the breathalyzer, officers must take a 56 hour training course over a period of seven days and pass a final exam.

"When a person is picked up for possible DWI, the authority transports him to a police station, or to a sheriff's office for the breathalyzer test. The test takes from 20 to 25 minutes if the instrument is cold. The breathalyzer must be heated to avoid condensation of moisture," Van Berkom said.

Rep. John Arlandson (D-Golden Valley)



Attorneys testify

Four defense attorneys who work with DWI cases told of problems they have experienced with the breathalyzer:

- operators giving the test also maintain the instrument, allowing for human error.
- because there is complete human control over the machine, circumstances could influence an officer to change a reading.
- chemists who test the chemicals for use in the breathalyzer make only random tests, so there could be discrepancies.
- standard deviation of the instrument and chemicals could cause substantial differences in the final blood-alcohol readings.
- differences in a person's tolerance for alcohol change with circumstances and differ from person to person which could affect readings.
- the blood ratio in the lungs varies in people, causing some people to get higher readings because of their lung capacity.

All four attorneys expressed concern over bills which would take DWI cases out of the courts and place them under the jurisdiction of the hearing examiner's office.

December meeting

Rep. Bruce (Buzz) Anderson (D-Slayton) questioned a section of the DWI law which states that an arrested person has a "reasonable amount of time" to contact an attorney before taking the breathalyzer or blood test.

Anderson said, in talking to highway patrols, he found most of them would prefer a defined limit of 30 minutes between the time of arrest and the time the person takes the test. He said patrols feel the present time period is often too long and may result in lower readings.

Anderson is author of **HF1212** which would require police officers to inform arrested drivers that they may consult with an attorney within a reasonable amount of time. The bill specifies this as 30 minutes from the time the arrested person makes his/her phone call.

"It is almost impossible to get a conviction in DWI cases," Anderson said, "HF1212 would not increase penalties for DWI, but could lead to more convictions."

Mankato's program

Mankato Chief of Police Alexander explained that city's new DWI program. He said increased training and education of supervisors and patrolmen in using the breathalyzer has led to more pleas and fewer contested cases.

In DWI arrests, the arresting officer is usually "tied-up" for about 90 minutes, even though a neutral third officer conducts the breathalyzer test, according to Alexander. This is a burden on small communities, he said, "where we need the officers out on duty." He said, too, that DWI is on the increase, and more community education is needed.

Alcohol burn-off

Rep. John Arlandson (D-Golden Valley), chairman of the subcommittee, called upon Lowell Van Berkom to answer questions about "burn-off" time of alcohol in the body.

Van Berkom said, after a person quits drinking, the blood-alcohol level will level off for about one hour and then start to go down. He said any test (blood or breath) within two hours from the time of arrest would be valid.

He urged the committee to define DWI in terms of the test so that breathalyzer operators would not have to convert a breath-alcohol reading to a blood-alcohol reading.

The House General Labor and Migrant Affairs subcommittee of Labor Management Relations, chairman Rep. James Metzen (D-South St. Paul), the **House Farm Programs and Policies subcommittee** of Agriculture, chairman Rep. Art Braun (D-Greenbush), and the **Senate Labor subcommittee of Employment**, chairman Sen. Steve Keefe (D-Mpls), met jointly to review the Wisconsin law concerning migrant labor.

Wisconsin spokesmen said that about half of the migrants that come to the state work in canning plants (non-agricultural positions), so their problems are somewhat different from workers in Minnesota.

Wisconsin established a code of ethics concerning migrant workers in 1975. This included written work agreements which covered migrants and all seasonal workers, provided for overtime pay, and rest periods.

In 1977, the state adopted a compromise bill which an advisory council of six employers, six employees, and four legislators from two parties recommended.

The bill includes "free wheelers," those not covered under the recruiting process. It requires work agreements for migrant workers — legal, binding contracts. If an employer hires all members of a migrant family under the same conditions, the family needs only one work agreement contract.

This law also deals with labor standards and housing. It requires employers to pay wages within three days of termination of an employee, and provides for one agency to handle housing inspections for migrants.

In Minnesota, housing inspection comes under the jurisdiction of the department of labor and industry and the department of employment services.

A Minnesota researcher said that not all Minnesota labor laws include agricultural employees, such as sections of laws dealing with workers' compensation, unemployment compensation, collective bargaining, and overtime. Minimum wage laws include agricultural employees only if an employer hires two or more workers full-time, or four or more workers on any given day.

The joint committee will hear more testimony on issues concerning migrant workers at future meetings.

Commerce and Economic Development

911 Emergency System

Rising utility costs

Auto insurance accident claims

911 financing/rising utility costs

During the November mini session, the **Commerce and Economic Development Committee** heard two presentations - a report from the 911 Study Commission and testimony from the Citizens Utility Coalition regarding alternatives to deal with rising utility costs.

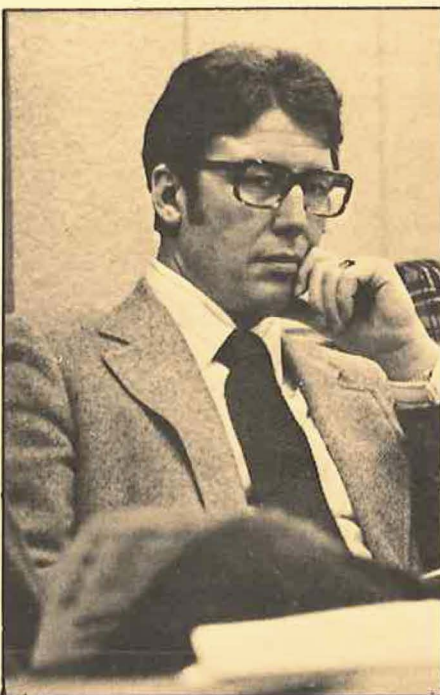
Mark Westman, from the 911 commission, gave the committee members some background on the commission and the 911 system. "In the nearly ten years since the Bell System designated the three digits, 9-1-1, as the universal emergency telephone number, approximately 700 systems throughout the United States have been implemented, serving nearly 50 million people," he told the committee.

Westman said the purpose of 911 is to provide the citizen with the quickest possible access to local emergency services. "At present, there are ten cities in Minnesota that have implemented the 911 service and these cover seven percent of the state's population," he added.

According to Westman, the 1977 legislature created the 911 commission to "study and consider alternatives for the continuing financing of the Statewide 911 Emergency System" and mandated the implementation of the system in Minnesota - by December 15, 1982 in the metropolitan area, and by December 15, 1986 in the outer 80 counties.

Westman told the legislators, "The commission considered three methods for paying the costs -

- a direct biennium appropriation from the general fund.
- local property tax.
- passing the costs on to subscribers through the rate structure.



"It concluded that the state (out of a direct biennium appropriation) should pay for the state annual recurring costs and for costs to telephone companies for modification of their central office switching equipment to enable handling of 911 calls," Westman said.

He said these costs would include:

- projected cost to telephone companies over the next nine years - \$4,147,418
- annual recurring cost of rental of dedicated 911 trunks and exchange office switching equipment - in fiscal 1978 - would have cost \$1,925,113.

"The commission felt that since every Minnesotan is a potential beneficiary of a statewide 911 system, it was appropriate for the state to finance the costs," Westman added.

Rising utility costs

The committee also heard from a number of people concerned with the rising cost of utilities.

Members of a new group, Citizens Utility Coalition, consisting of representatives from several labor organizations, both political parties, the Urban Coalition and several other consumer-oriented interest groups, testified before the committee.

"The dimension of the problem is much deeper, much more profound than we had imagined," Martha Ballau of the Minnesota Senior Federation and a member of the coalition reported. "All had problems - renters, rural people, the elderly, the handicapped."

Rep. Bob Anderson (IR-Ottertail)

Tobey Lapakko, of the Minnesota AFL-CIO, recommended to the committee that the "legislature examine the current process which is labeled 'fuel adjustment'.

"One state that I am aware of did put some teeth into the process of regulating fuel adjustment and justification of the increased cost proposed," Lapakko said. "As a result of that legislation, in less than one year the state's commission has ordered five electric utilities to refund more than 11 million dollars to consumers because of overcharges made through the fuel adjustment device."

Lapakko also recommended that the legislature remove the sales tax on heating oil. "We consumers are concerned that there is a sales tax on heating oil, a necessity of life in Minnesota," she said.

Larry Anderson, director, department of public service, said the "problems are real." He said the department is looking at rate reforms.

Auto insurance

Automobile owners might want to follow a bill the committee heard in December.

The bill, **HF1391** (Simoneau, D-Fridley), relates to auto insurance and the settling of accident claims. Chief author Rep. Wayne Simoneau said the bill would "help solve some of the problems people have with their own or with other insurance companies when filing an accident claim.

"There's one chance in five a person will run into problems when they deal with their insurance company and one chance in two when they deal with another company," he told the committee.

HF1391, among other things, would require staff appraisers to become licensed; prohibit insurance companies from using lists of preferred repair shops or requiring that motorists use "drive-in" claim centers; require prompt acknowledgement of claims; and require the commissioner of insurance to prepare and distribute a motorists' bill of rights bulletin and consumer complaint form.

Several witnesses testified about their experiences dealing with insurance companies and the problems they had encountered. Simoneau told the committee that the bill "won't solve every conceivable complaint, but it will go a long way."

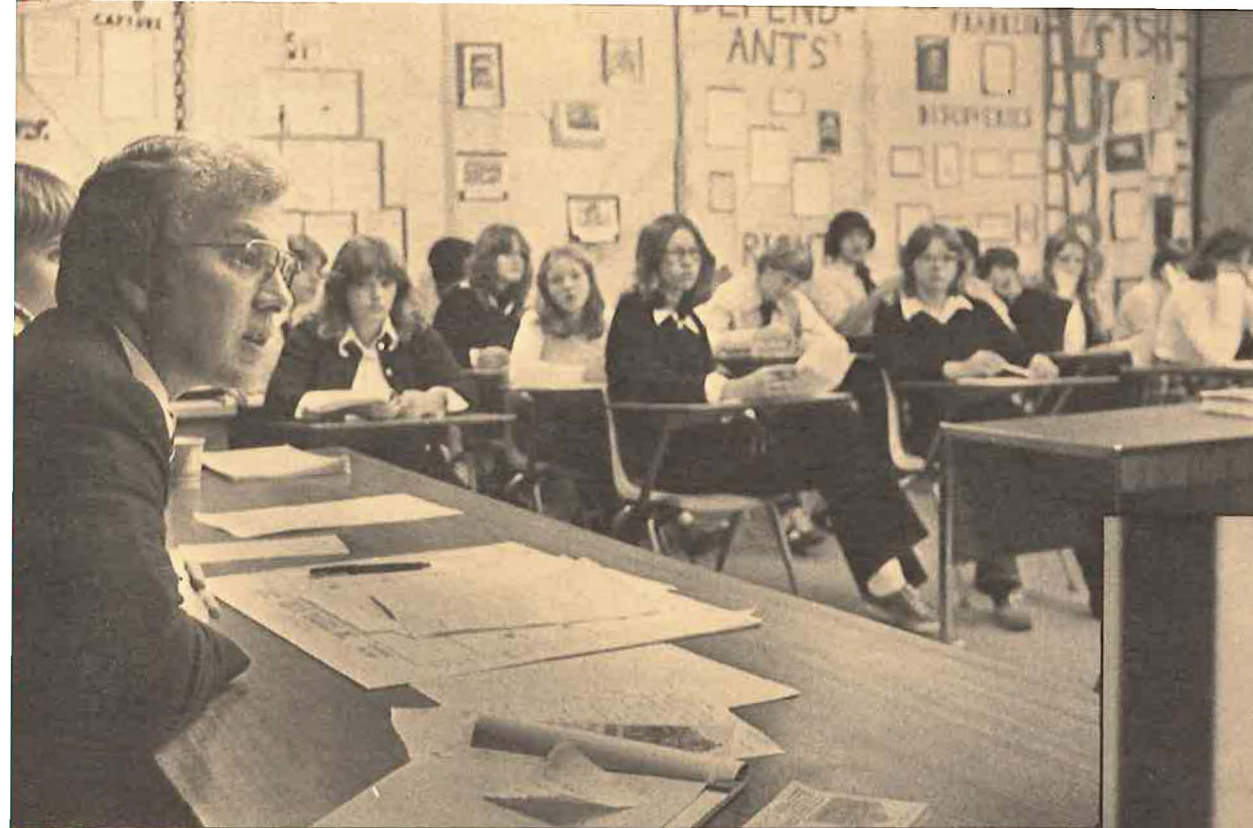
Tom Newcome, representing State Farm Insurance Company, disagreed with the provision licensing staff adjusters. "I can't understand why it is necessary to license staff adjusters," he told the committee. He said that State Farm believes the legislature should instead regulate the method in which insurance companies adjust claims.

Newcome also spoke against the provision requiring the personal inspection of an automobile saying that it "would slow down the claim process."

According to Chairman Rep. Walter Hanson (D-St. Paul) the committee plans to hear the bill again after the legislature reconvenes in January.

Rep. Wayne Simoneau (D-Fridley)





Rep. James Metzen

Reps. James P. Metzen (D-South St. Paul), Ray Kempe (D-West St. Paul), and Arnold Kempe (D-West St. Paul) joined the social studies staff of Brady High School in West St. Paul for a day-long series of sessions on the legislative process.

Students had written bills proposing new laws. They brought their bills before student committees which the visiting representatives chaired. The House members explained the committee process as the classes participated.

They completed the lesson with a slide presentation, "The Visible Government," that pictures representatives debating, amending, and voting on a bill in the House chamber during an actual legislative session.



DeDe Douglas
(South St. Paul student)



Rep. Arnold Kempe



Rep. Ray Kempe

Almanac

Minnesota
a bit of history

Joe Rolette was a fur trader who served in the Minnesota territorial House of Representatives from 1852 through 1856. In 1857, he became a member of the Council which was the territorial Senate.

Joe Rolette usually traveled the 385 miles from his home in Pembina to St. Paul by dog sled. But in 1857, there was not enough snow for the sled, so he made the journey on foot.

That year, Minnesota was on the verge of becoming a state, and various groups were competing to gain advantages. After failing to have their way on several issues, a group of southern Minnesota interests managed to push through a bill that would move the Capitol from St. Paul to St. Peter.

Those opposed to the bill were in the minority. They tried to plan a way to defeat the proposal before it left the Council and went to the governor for his signature. Before they could take a final vote, word came that Joe Rolette and the copy of the bill disappeared.

Immediately, a member rose to make a motion for "a call of the Council" which, by rule, stopped all proceedings until any missing members were back in their seats. The sergeant at arms went to find Joe Rolette.

Meanwhile, the chamber became a scene of cots, blankets, food, and weary members as the Council remained in session for 123 hours without an adjournment.

On the last day, one minute before midnight, Joe Rolette stepped in and took his seat. At that moment, the Council president declared the session adjourned. It was too late for any action on the bill, and the Capitol remained in St. Paul.

Where had the missing Joe Rolette been? He had deposited the bill in the safe of a St. Paul banker and hidden himself in a rear room on the top floor of a hotel, the Fuller House, in St. Paul.

Some say the sergeant at arms knew where Joe Rolette was and had played cards with him while he was in hiding.

In 1858, Minnesota became a state, and the community of Pembina, on the west bank of the Red River, became part of North Dakota. Joe Rolette could no longer serve in the Minnesota Legislature.

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(D-St. Cloud)
District 17B



Minnesota Supreme Court Justice C. Donald Peterson congratulates Rep. Elton Redalen following swearing-in ceremonies in the House chamber on Dec. 19. (see cover photo also). Redalen represents district 35A, replacing Neil Hagerud who resigned to accept a federal appointment.

Rep. Douglas St. Onge (D-Bemidji) spoke before a Local and Urban Affairs Committee meeting on regional government during the November mini session. St. Onge is chief author of a bill that would permit a county, city or township to withdraw from a regional development commission with one year's notice.

