

MINNESOTA HOUSE OF REPRESENTATIVES

# interim

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**Inside:**  
Committees/issues/on site studies  
Commissions/taxes/energy  
cover story page five



# Committees

## On the move

legislators go to  
Minnesota communities

Child abuse  
Blue Earth County  
Chisago County  
Ramsey County

**1976 Statute, Minnesota Statute 626.556 Subd. 3. Persons mandated to report.** *A professional or his delegate who is engaged in the practice of the healing arts, social services, hospital administration, psychological or psychiatric treatment, child care, education, or law enforcement who has knowledge of or reasonable cause to believe a child is being physically or sexually abused shall immediately report the information to the local welfare agency or police department. The police department, upon receiving the report, shall immediately notify the local welfare agency. Nothing in this subdivision shall be construed to require more than one report from any institution, facility, school or agency.*

*Any person not required to report under the provisions of this subdivision may voluntarily report to the local welfare agency or police department if he has knowledge of or reasonable cause to believe a child is being neglected or subjected to physical or sexual abuse. The police department, upon receiving a report, shall immediately notify the local welfare agency.* **Subd. 4. Immunity from liability.** *Any person participating in good faith and exercising due care in the making of a report pursuant to this section shall have immunity from any liability, civil or criminal, that otherwise might result by reason of his action.*

The above mandate in Minnesota law has been the basis for numerous community meetings, in several counties, of the **Government Structures subcommittee** (Rep. Shirley Hokanson, D-Richfield, chairwoman).

Here is a sample of dialog from the October meeting with community people in Mankato where comments were similar to what came out of other meetings.

**Rep. Hokanson:** "One element that has come up at several meetings is the hesitancy of people, especially in a

small community, to report child abuse cases because of the rather subtle sanctions and reprisals they may be subject to if they report."

**Charles Alexander, Mankato chief of police:** "I don't think they're afraid of sanction. It's that great fuzziness out there.

"If we are going to make any impact on the problem, we have to overcome the reluctance of people in the community to get involved — the people who touch the lives of children — who are daily interacting — teachers, recreational workers, juvenile officers, the nursing profession . . . They don't know what to do because no one has told them.

"I think some educational effort is needed. I'd like to see the consciousness of the public aroused . . . I think we do a lousy job of telling people help is available. Some effort should be focused on those adults in the community who interact with youngsters — perhaps some additional training.

"In many of the incidents I have been involved in as a police officer in this community covering some 27 years, people confide in private conversations that they know something is wrong; but they are unsure of their roles."

**Peggy Brown, Crime Prevention Committee, Minnesota Mental Health Association:** "Right now our thrust is



Rep. Shirley Hokanson



the incest problem. When it is reported, we'd like to know how far the law goes in prosecuting. People we talk to seem to think there's not enough law there to do anything to people committing incest.

"We'd like to know more about the laws governing this. It seems to come to a standstill when it's reported. There are no services there to take care of it."

**Alexander:** "I don't agree with that. I think there is sufficient law. We need to find out who those key people in the community are who can activate the system.

"We tend to think in terms of prosecution as an alternative. I think that should probably be the last alternative if we are really interested in the welfare of the child . . ."

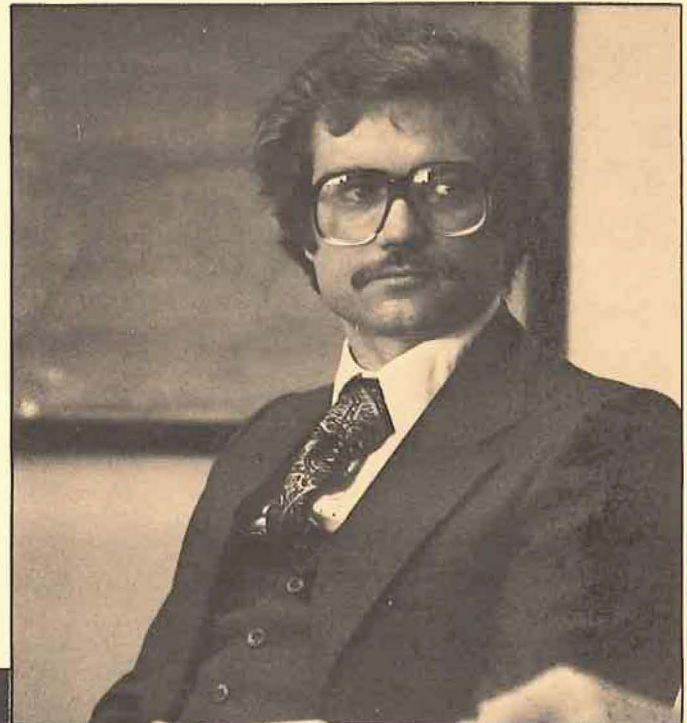
**Hokanson:** "Our meetings are bringing out two approaches to the child abuse problem, the team and the non team approach. The thrust of the teams, although they are under this one umbrella term, are very different.

"There are the ad hoc, unstructured, very informal efforts and the Ramsey County team approach which actually reviews the reported cases in a number of situations.

"It's been suggested that perhaps legislation ought to be introduced (this has some value for discussion at this point) that would mandate each county board effort to have a child abuse team, and include on that team, the medical and law enforcement people., etc.

"It would be spelled out clearly. And, certainly, it would create a need for funds. Do you see any value in that as an assistance to the local delivery system?"

**Virginia Valentine, Community Health Nursing Services:** "I do from the standpoint of being a health person working with the community health nurses.



Subcommittee member  
Rep. David Cumiskey (D-Mankato)

**Hokanson:** "As I understand the function in Ramsey County, certainly by law, each case is to be reported to the police. The police are to report to the welfare department. The welfare department is the primary service provider.

"Social workers in Ramsey County refer a number of their cases to the team for review if a social worker has any question in his or her mind. Is that the type of effort you are suggesting here?"

**Alexander:** "There's a problem in that we are talking about only physical abuse. There's another kind of abuse that is far more prevalent and that's psychological abuse.

"You can conceivably traumatize a child and not lay a hand on him. These cases are even more insidious, more difficult."

**Hokanson:** "We have discussed the psychological abuse in at least half of the meetings we've had, and certainly when the reporting bill of 1975 was drafted. One of the problems was try-



Subcommittee member  
Rep. Raymond Albrecht (R-Brownton)

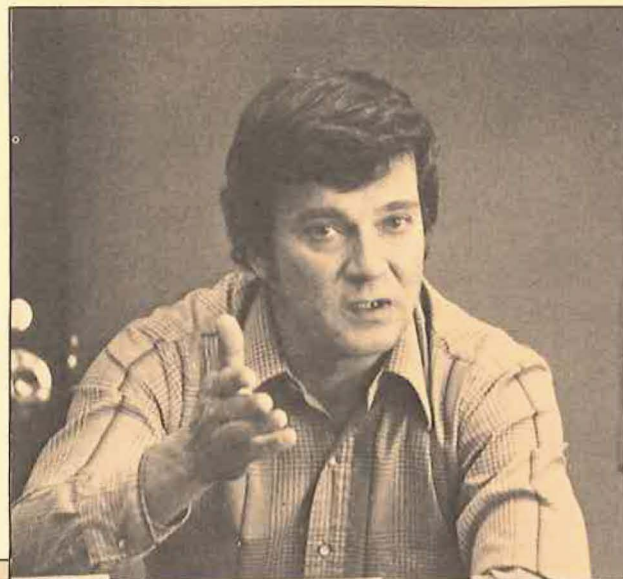
"There's a lot of lack of awareness among health professionals about the reporting law. I know there are a number of curriculum nursing books on responsibilities of reporting and on early identification.

"When we get into the area of primary prevention, I really think the team approach, from what I saw in Ramsey County, is a very necessary kind of thing if we are to avoid fragmentation and have a place where people will follow through."



# Committees

## Child abuse



Rep. Ken Nelson



Subcommittee members  
Reps. Kenneth McDonald (IR-Watertown)  
and Kenneth Zubay (IR-Rochester)

ing to take something as nebulous as psychological abuse and put a legal definition to it.

"When we discussed this at Center City, there seemed to be a general agreement that it was extremely difficult, and I believe the psychiatrist and psychologist in Ramsey County cautioned us to not even try.

"The team members said they felt they knew and recognized psychological abuse enough to proceed with some type of treatment intervention."

Other subcommittee members joined the discussion on how information gets

to the public and appropriate reporters:

**Rep. Ken Nelson (D-Mpls.):** "Who was responsible for alerting the public and appropriate reporters that the law had been altered in '75? Or is it sort of by osmosis that they learn about it?"

**Hokanson:** "We don't build into the legislation who is to let everybody know that it's there. Maybe we ought to. That, again, is something we've discussed on several occasions.

"Should there not be a major thrust, a major initiative out of an identifiable state governmental unit — probably the department of public welfare — for public education in this area."

**Brown:** "We would like you to take back to your full committee, the recommendation that we want our teachers, our police officers, and our school nurses to know.

"I would recommend that getting information to the people who should know should be a part of the legislation so that it benefits the whole state."

Government Structures is a subcommittee of the House Governmental Operations Committee, Rep. Harry Sieben Jr. (D-Hastings) chairman.



## Grain weighing Duluth

commissioner. The bill would require the commissioner to appoint state grain weighers to weigh all grain (except for shipments the administrator of the federal grain inspection service has specifically exempted) at designated export points within the state.

HF1575 also provides for re-employment of grain weighers the state employed before the federal government took over. They would receive credit for sick leave, annual leave and salary.

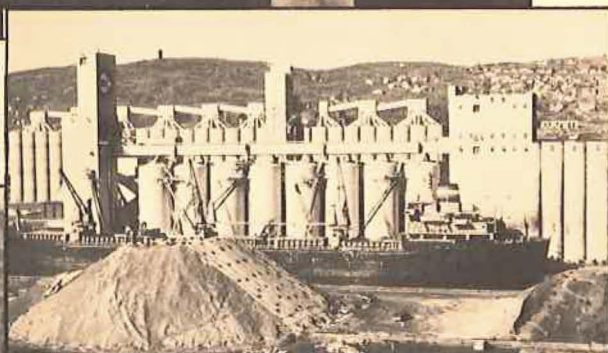
In September, the full **Agriculture Committee** began hearings on **HF1575** (Munger, D-Duluth) which relates to grain weighing and inspection.

Munger summarized the history of grain weighing in the state. He said, in 1916, the federal government passed the U.S. Grain Standards Act and amended it in 1968 and 1976. The 1976 amendments transferred grain weighing responsibilities from the federal government to the state, where it originally had been.

Under HF1575, the state commissioner of agriculture has responsibility for supervising grain inspection. Persons wishing to obtain grain inspection services anywhere in the state would apply for service with the



Reps. C.L. (Shorty) Gunter (D-Raymond) Willard Munger, Kenneth McDonald (R-Watertown), Henry Kalis (D-Walters), Ted Suss (D-New Prague)



Reps. Douglas Carlson (R-Sandstone) and Willard Munger

Munger said the state would benefit from re-employing previous state grain weighers because of their expertise in the new weighing system.

Chairman George Mann (D-Windom) recommended the bill go to subcommittee for further study.

In October, the **Agricultural Products and Marketing subcommittee** traveled to Duluth to view grain weighing, inspection and export procedures.



# Committees

## Education

*Minimum standards in  
basic skills*

*Financial aid*

*Adult education*

Minimum standards in basic learning skills got the attention of the **House Education Committee** during the October mini session. Rep. Peggy Byrne (D-St. Paul), chairman of a subcommittee studying the issue, told the committee, "I think there have been as many opinions about this particular subject matter as there are people."

The subcommittee, meeting since the beginning of February, heard a number of witnesses address the following questions:

- How well are students achieving in basic skills?
- What measures, other than test scores, are available to judge the quality of education in Minnesota?
- What factors affect student achievement?
- Why are test scores going down?
- Do we really need to worry about the decline in test scores?
- What standards of quality in education are now in force?
- What state-administered programs attempt to improve student achievement?
- What local programs particularly address student competency?
- What should the legislature do about student achievement?
- What arguments are there against state legislation to establish or require districts to establish competency standards?
- How and when should we provide remedial instruction to help students meet standards?
- What alternatives are there to minimum competency standards?

Rep. Byrne mentioned some legislation the subcommittee has considered or will consider, including:

- **HF 44** (Sieben, M., D-Newport) - provides for minimum reading

standards and tests of reading achievement.

- **HF 118** (Peterson, IR-Fairmont) would provide a statewide program of assessment of minimal competency in reading, mathematics, language arts, and other general subject areas of pupils in elementary through secondary schools.
- **HF 1641** (Nelson, K., D-Mpls.) - provides for statewide testing of elementary and secondary children for basic skills, directing the department of education to set minimal levels of competency standards for basic skills and to establish a statewide system of testing students at the beginning and end of the school year.

"I am hoping, by the end of December, we can come up with a committee bill, since that has been the mission of the subcommittee," Byrne told the legislators.

The committee also heard from Dr. David Dunovan, director of research, Michigan Evaluation and Assessment Services, who talked about Michigan's program in testing and assessment. "We think we have implemented in Michigan a good model that well serves the citizens of the state, state decision makers in the legislature, the executive office, and the department of education," Dr. Dunovan said.

"We made the choice eight years ago that the state had the responsibility for collecting information on the status and progress of education in the state of Michigan," Dr. Dunovan told the legislators. He said Michigan's program collects data to determine needs for change and direction, so "schools can improve; so boys and girls can receive better instruction in the schools."

Dr. Dunovan said the state has used its assessment program as a basis for its



compensatory education aid program, which provides \$30 million in additional aid to those schools and districts that have large concentrations of students who aren't achieving the basic skills of reading and mathematics. He told the committee that the program also provides "very specific information about the skills that boys and girls have mastered and those they have not mastered in the two areas of reading and mathematics."

"We feel as a state agency that instruction should be planned in the next year to focus in on those skills the assessment program shows students have not mastered," he added.

Joe Freeman, director, Mid-State Education Cooperative, talked about a developing program for minimum graduation requirements in the school districts of Little Falls, Pierz, Royalton, Swanville, and Upsala. He said the program began with a survey of students, graduates, teachers, employers, public; etc. on what each thought were necessary minimum graduation requirements.

"Here's what we came up with," Freeman told the legislators — "a functional reading level; ability to use complete sentences and punctuation; ability to compare influences, functions, and credibility of the news media; ability to use computational skills; ability to communicate ideas; ability to understand written, oral and non-verbal communications; and ability to locate information.

"I should tell the committee what's wrong with minimum requirements," Freeman said. "We don't want the minimums to become maximums. We don't want tests to take over the world. We don't want a monster record-keeping system. We don't want to bog down the gifted student. We don't want to stigmatize the slow learner. We don't want accountability to overcome humans in the school system."

Rep. Ken Nelson (D-Mpls.) said Mr. Freeman's program impressed the subcommittee because it was "very positive, not punitive or vindictive."

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**The House Higher Education Committee**, Rep. Peter X. Fugina (D-Virginia), chairman, on September 15, heard Robert P. Van Tries, assistant commissioner, division of vocational-technical education, on the effects of amendments to the Minnesota State Scholarship and Grant legislation.

The amendment, which passed in the '77 session, limits the amount of scholarship awards to 75 percent of demonstrated need.

Van Tries said, because of this change, the number of AVTIs (area vocational-technical institutes) awards is up to 13.8 percent of the state's total from 13.1 percent last year, but the total amount awarded through AVTIs is 7.4 percent as compared to 13.8 percent in 1976.

The Minnesota State Loan Program has felt the effects, also, with the average amount of loans to students in vocational schools decreasing. The increase in loan maximums for graduate and professional students has raised the average loan amount to students at the University of Minnesota.

State work-study funds provided assistance to more than 3,000 students during the '76-77 year. State universities have increased utilization of these funds 47 percent over last year.

The University of Minnesota and state universities utilize the greatest number of foreign student loans through the Minnesota Foreign Student Assistance program.

The Minnesota Medical and Osteopathy Program, designed to locate doctors and osteopaths in rural practices upon completion of residency, reports a significant number of partici-

pants entering residency, but too few are actually practicing yet to evaluate the program's success.

The numbers of Minnesota students using the tuition reciprocity agreements with Wisconsin and North Dakota seem to be leveling off with more Minnesota students using other state's facilities at reduced tuition than others attending Minnesota schools.

Dr. Clyde R. Ingle, executive director of the Minnesota Higher Education Coordinating Board introduced the '77-78 school year financial aid reports.

He presented statistics from the National Association of State Scholarship and Grant Programs that list Minnesota 12th in the nation in number of financial aid awards and 10th in total amount. The national association's "Index of Effort", the amount of award dollars per 1970 population, lists Minnesota fifth in the national ranking.

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### October 13 Meeting

Ingle again reported to the committee, emphasizing that the focus of continuing education is on the needs of the adult population beyond the traditional college ages of 18-21 and on the need for non-traditional class times.

He cited several reasons for the increased need to provide continuing education in Minnesota: a shifting population profile that means the average age is older than in the past, enrollment declines that force post secondary educational institutions to look for other clientele, the fact that adults have more leisure time, that women's roles are changing to allow them more time for education and other activities, and the rapid pace of a changing society has forced many to update their education.



## *Adult education*

The 1970 federal census found that 34 percent of Minnesotans 16 years of age and older, and not enrolled in schools, do not have a high school diploma. In addition, many adults seek to update their learning for personal or career reasons. Although several state institutions offer adult education services, the services are neither unified nor coordinated in funding or delivery, Ingle said.

### **Adult education in the state university system**

Dr. Lowell Gillett, associate vice chancellor for academic affairs, described the four categories of courses for continuing adult education in the state university system.

- **Credit courses off campus** include regular graduate and undergraduate courses plus specially designed workshops.
- **Credit courses on campus** for non-degree seeking students such as driver education courses for ambulance drivers.
- **CEU (continuing education unit)** CEUs are non-credit recertification courses, mostly in the nursing field.
- **Non-credit courses**

**Metropolitan State University** offers programs for "non-traditional" students. Classes make use of metropolitan area resources. The university evaluates student educational and work background for credit. Learning options include:

- **Group learning opportunities** which Metro University or community faculty teach.

- **Independent studies** that may be faculty designed or student designed to focus on particular student interest areas.
- **Workshops** that may supplement other learning activities.
- **Non-university** experiences such as hobbies, travel and volunteer work that may count for credit.

**The University of Minnesota** offers continuing education and extension classes in addition to its agricultural extension services and health sciences continuing education:

- **Extension classes for credit** involved 42,637 students during the '75-76 school year.
- **Extension classes without credit** served 5,486 students with most registering for two courses per school year.
- **Conferences** allow professionals to upgrade their skills and meet recertification requirements.
- **Independent study** courses include correspondence and television courses. The University registered more individuals in independent study (5,150) than any other Big Ten school.
- **Agricultural extension** services include home economics and family living, 4-H youth development, community development and public affairs.
- **Health sciences** continuing education for non-credit students in the health sciences fields to recertify and update them.

**The State Department of Education** and local school districts offer continuing education classes in:

- **English education** for those 16 years of age and older who can't get jobs because they can't speak, read or write English. Some 7,226 people were in this program in '76-77.
- **GED (general equivalency diploma)** prepares and tests adults for their

high school diploma equivalency tests. In 1976 and 1977 — 6,916 people took the test.

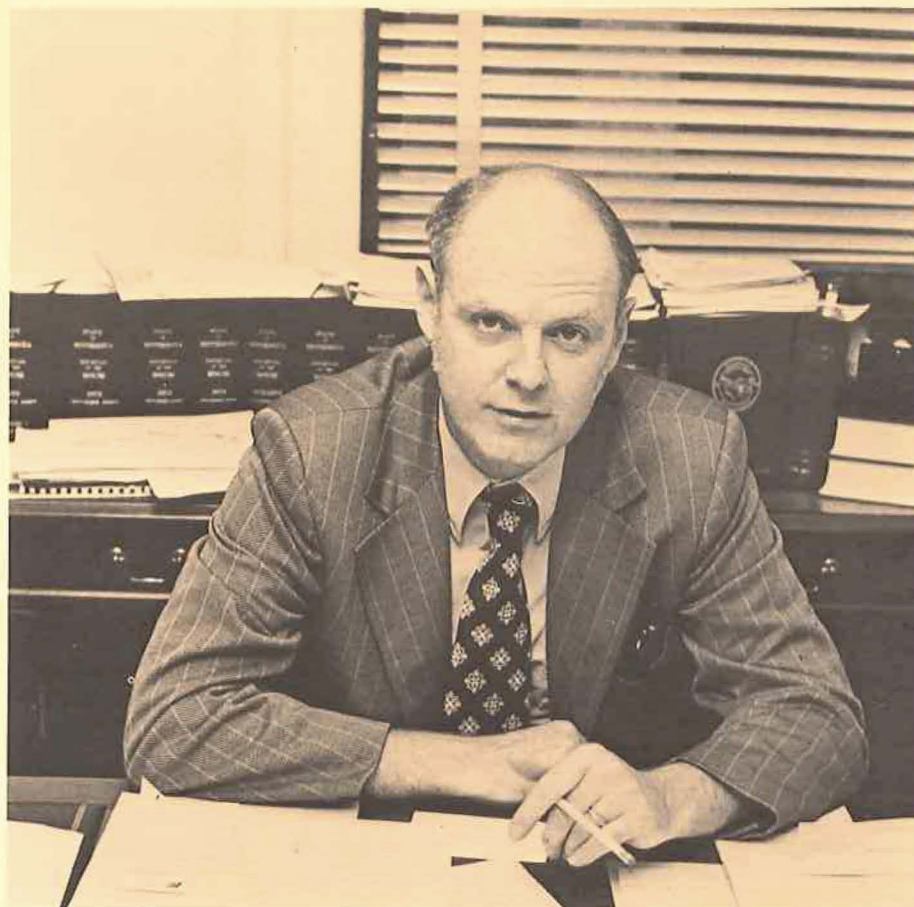
- **Adult vocational education** prepares adults for employment or retrain them to increase their skill at AVTIs (area vocational-technical institutes.) School districts that don't have AVTIs may sponsor their own adult vocational programs. In 1976-77 — 228,625 adults were in this program.
- **Community education** promotes effective use of leisure time, mental and physical health, academic learning and citizenship by encouraging school districts to make their facilities available for community activities. This program served 764,000 people during '76-77.
- **Early childhood and family education** includes parent education, child development, health screening, resource centers and parenting education for adolescents.
- **Indian adult basic education** served 500 people by improving literacy and basic skills and preparing adults for the GED tests in order to improve employment opportunities.
- **Public library services** to adults include seminars and classes in addition to the library's role as a resource. In Worthington, combined library staff and community college faculty are sponsoring a special one-year education project.

**The 18 community colleges** in Minnesota offer CEUs as part of their curriculum. In 1976 the number of parttime students at community colleges increased 39.5 percent as opposed to 15 percent in all Minnesota institutions. Many of these are adults continuing their education.

Ingle said that the program, legislators, and the public may face development and maintenance questions to determine how Minnesota institutions can continue to serve adults furthering their education.



# Interview



Rep. Ray Faricy

Ten minutes into this interview, in the office of Rep. Ray Faricy (D-St. Paul), the phone rang. Answering, Faricy jumped to his feet in real jubilation.

The call was from his law office. He had won his case. The jury had awarded a settlement to his client — on the third appeal.

Faricy, an attorney and chairman of the House Appropriations Committee's education division, had left the courtroom — before the jury returned its verdict — to keep his appointment with me at the State Office Building. And his enthusiasm didn't dim as he moved, from the call, back to talking about the education division's interim meetings.

"There is really no question about the advantages of meeting on campuses. It gives legislators the opportunity to see the particular needs firsthand, to look

around the campus, to look at the community in its entirety.

"I think the committee members feel much more aware of urgencies that might exist. They get a feel for how important a community feels an institution is."

The division has met at 16 state universities, community colleges and AVTIs (area vocational-technical institutes) across the state through October, with the pace expected to keep up to the end of the interim in January. The division may examine as many as three campuses in one day.

Some meetings have been on Sunday to avoid work conflicts and Faricy says member attendance has been good.

"When we were down in Waseca (University of Minnesota Technical College, Waseca and Rochester AVTI) on a Sunday, we had eight out of nine

members of the committee there. I defy anybody to have that kind of attendance, even here in the Capitol."

The committee examines operating expenses for the state's postsecondary institutions early in the legislative session. It uses the interim months to look at campus facilities since taking over that part of the building commission's job several years ago.

Most capital requests are for expansion or renovation of facilities. The legislators evaluate present use of buildings and the possibility of sharing facilities with a nearby AVTI or community college. Faricy explained some requests the division has received:

- HF484 (Hanson, D-St. Paul), a proposal to establish a statewide program for gifted children that would require funding.
- The Grand Rapids Experiment Station, one of the University of Minnesota's stations, which tests for the most effective agricultural methods for the area, asked for additional facilities to continue to research the feasibility of growing blueberries commercially in that part of the state.
- The State School for the Blind facilities, now in Faribault, are antiquated and inadequate, Faricy said, and damaged by fire. "I have been very proud of how they (school staff) have been able to take something like that and make it as liveable as it is."

"We have, I think, strong postsecondary opportunities for men and women in our state. They don't just happen, it's because there has been strong legislative commitment to that. And I believe we have the experience and dedication to carry on that tradition."

By Laura Klopp, a junior at Macalester College who is interning in the House Information Office.





# Commissions

## Taxes

### Energy workshop

From 1975 to 1976, Minnesota's rank according to tax burden dropped in several categories, but the state's overall tax burden remained eighth among the states, according to the **Tax Study Commission**.

Kathy Gaylord, executive secretary of the commission, gave a summary of the commission's findings and reported on the commission's subcommittee activity at an October 25 hearing.

Gaylord said Minnesota's per capita property tax burden dropped from 22nd to 24th among the states. In the individual income-tax category, the state dropped from 3rd to 4th with Alaska, Delaware, and New York having higher income tax burdens, she said. "For sales taxes per capita, Minnesota dropped from 35th to 36th and for corporate income taxes, the state dropped from 4th to 6th," Gaylord told the commission.

According to Gaylord, the ranking of states in total and local taxes per capita, using 1976 figures, is as follows: Alaska, New York, Wyoming, California, Hawaii, Nevada, District of Columbia, Minnesota. The 1975 ranking was: New York, California, Hawaii, Alaska, Massachusetts, Nevada, District of Columbia, Minnesota.

On subcommittee activity, Gaylord reported:

#### **Income Tax subcommittee**

*Chairman Rep. Wesley Skoglund (D-Mpls.)*

Heard a proposal presentation by Philip Lee, aide to Governor Perpich. The plan would provide income tax rate reductions up to 15 percent for those with income of less than \$15,000. The subcommittee laid the proposal over for the 1978 legislative session.

#### **Tax Exempt subcommittee**

*Chairman Rep. Peter Fugina (D-Virginia)*

Reviewing public lands impact study. Moving into data collection. Will study all forms of tax exempt property.

#### **Tax Policy subcommittee**

*Chairman Sen. Jack Davies (D-Mpls.)*

Studying the question of local autonomy versus state aids. Has found no overwhelming support for moving away from property taxes to total state aids.

#### **Business Climate subcommittee**

*Chairman Sen. Gene Merriam (D-Coon Rapids)*

Heard from the business community at a full-day hearing. A number of people voiced their concerns about certain tax laws, stressing the importance of stability in the tax system, saying "an ounce of uncertainty is worth an ounce of inequity."

## etc.

#### **Canoe guide to Minnesota Rivers**

The Minnesota Department of Natural Resources (DNR) has published a comprehensive canoe guide to Minnesota's rivers. It is available for \$5 from the Minnesota State Documents Section, 140 Centennial Building, St. Paul 55155.

#### **State agency offers help on tax problems**

The U.S. Internal Revenue Service (IRS) has created a Problem Resolution Office to help Minnesotans who can't resolve their federal income tax problems through normal IRS channels.

The office will, among other things, handle payment misunderstandings and try to give definitive answers to tax questions. However, it cannot overrule a tax audit decision or intervene in a delinquent tax case.

To contact the office, call 291-1422 or the toll-free number 1-800-652-9062, if outside the metropolitan area. Or write to IRS, 316 N. Robert St., St. Paul, MN 55101.



## Energy Workshop

As part of interim studies on energy, House members attended an August 14-16 "Energy in Minnesota" workshop at Carleton College. The Minnesota Legislature Science and Technology Project sponsored the workshop as part of its program.

Rep. Gordon Voss (D-Blaine), chairman of the Science and Technology subcommittee in the House said, "The Science and Technology Project staff took a survey of both House and Senate members at the start of this past session, seeking response on subjects for legislative workshops and seminars.

"Over half of the legislators responding rated energy as the problem of highest priority. The Energy in Minnesota workshop was planned to provide information on the technical ramifications of the energy decisions which we will be making in the near and distant future."

**Why a Science and Technology Project?** The *Minnesota Legislature Science and Technology Project Newsletter* explains the project's purpose:

"The Minnesota Legislature Science and Technology Project offers legislators information on scientific and technical aspects of issues. Its purpose is to enable legislators to comfortably discuss and use technical information in their decision making.



Rep. Gordon Voss

"The project, funded by the Minnesota Legislature and the National Science Foundation, provides information and analysis through the work of its own science staff and through its contacts with scientists in universities, industry, state agencies, professional organizations, other state legislatures, and federal agencies."

Materials from the August energy workshop are available to legislators through the Science and Technology Project. These materials include:

- **Inquiry responses.** Twenty-two responses on twenty-two subjects, a statement of the question, background information, summary response, and a list of resources and/or references.

The questions cover a range of topics from "Pipeline Burial", to "Dishwater

Temperatures", "Sludge Disposal Alternatives," "Reserve Mining," "Carburetors and Fuel Economy," and more.

- **Energy Glossary.** Prepared for the Energy in Minnesota Workshop in two sections: "General Energy Terms" and "Nuclear Energy Terms."

- **Weather Modification Information for the Minnesota Legislature.** Includes two studies on the technical and legal aspects of weather modification design, and Minnesota legislative activity on weather modification in the 1977 session. Includes glossary of technical and legal terms.

- **Energy in Minnesota Workshop Proceedings.** Includes presentations of all speakers and copies of their visual materials.

Speakers at the August workshop came from the University of Minnesota, University of Wisconsin, Illinois Institute of Technology, Argonne and Oak Ridge National Laboratories, companies such as Honeywell, NSP, other state legislatures, and the United States Congress.

For more information about the workshop, available publications, or the work of the project, legislators and staff may call the office of the Minnesota Legislature Science and Technology Project, 296-8041.

## Toll-free woman's information line

The Council on the Economic Status of Women has opened a statewide toll-free Women's Information Line to provide information to women on such matters as credit and insurance rights, social security and inheritance laws, employment discrimination and equal pay, education, Title IX, and equal athletics in schools, displaced homemakers, child support and property rights, domestic violence and battered women's programs. The line will be open from 12 noon to 7 p.m. Monday through Friday. In the metro area call 296-8590. The toll-free number outside the metro area is 1-800-652-9744.

## Ski and snowmobile trail guide

Free copies of the new *Winter Guide to Ski and Snowmobile Trails* are available at the Minnesota Tourist Information Center, 480 Cedar St., St. Paul, 55101. Phone: (612) 296-5029. The Tourism Division, Department of Economic Development, produced the 32-page publication in cooperation with the Department of Natural Resources.

## Road Conditions

Statewide road conditions reports are now available daily from the Minnesota Department of Transportation on an around-the-clock basis until next spring. For this information, in the Twin Cities area, call (612) 296-3076. Outside the Twin Cities call the appropriate area Department of Transportation maintenance office. Offices are in Duluth, Virginia, Bemidji, Crookston, Brainerd, St. Cloud, Detroit Lakes, Morris, Golden Valley, Rochester, Owatonna, Mankato, Windom, Willmar, Oakdale, and Marshall. Numbers are available through local telephone books and information service.



# Committees

## Mini-session

### PELRA

#### *Migrant workers*

employees or employer requested arbitration, the law required the parties to go to arbitration. The employer could refuse the arbitrator's decision, but the 1971 law did not allow public employees to strike.

The 1973 Legislature changed the law to allow an employer to refuse to submit to arbitration. But if the parties went to arbitration, the decision was binding and it became an unfair labor practice for an employer to refuse an arbitrator's award. The '73 law gave public employees the right to strike, but only if a public employer refused to go to arbitration, or refused an arbitration award.

In reviewing PELRA and the performance of arbitrators, Jack Flager, Labor Education Service, University of Minnesota, said there is not yet enough evidence available to judge the performance of arbitrators. "What we do have, is not reassuring," he said. He said many of the arbitrators are inexperienced and not aware of the compensation system. He urged the development of a "rigorous set of standards for impaneling arbitrators." He said arbitrators are presently "accountable to no one." He suggested that the legislature make them public officials who would be under oath and would have to abide by a code of ethical conduct.

To encourage collective bargaining, rather than "chill" it, Flager said the legislature should consider "sealed-bid arbitration and last most reasonable offer arbitration." Both increase the risk for parties to go to arbitration and encourage them to solve disputes out of arbitration, he said.

Viola Kanatz, deputy director, Minnesota Bureau of Mediation Services, told the committee PELRA is working. She said inadequacies "exist in the specifics, not in the basic thrust of the statute." She suggested the legislature clarify the definition of "public employer" and "essential employee." She told the committee a 1977 law allowing

the use of a single arbitrator on the request of one party has created even more feeling that arbitration is "chancy."

Charles Swanson, state labor negotiator, said he is a "firm believer in the process and in employees' right to strike, except essential employees." "You have a good law," he added. "It is working." He said since the law went into effect there have been fewer than 20 legal disputes. Swanson told the members that arbitration "is not the solution to a labor dispute, negotiation is."

Agreeing with Swanson that PELRA is working, Paul Goldberg, area director, American Federation of Federal, State, County and Municipal Employees (AFSCME), told the committee, "Collective bargaining can only work when there's opportunity for parties to balance their power." He said the legislature should eliminate employees' limited right to strike and substitute it with a basic right to strike.

"There is a place in Arlington, Minnesota where **migrant workers** live in an old barn that won't even keep out the rain," Rep. John Brandl (D-Mpls.) told members of the **Farm Programs and Policies subcommittee** of the House Agriculture Committee and a Senate Employment subcommittee. "Why do conditions like this still exist in the state, and how can we eliminate them in the future?" he asked.

The subcommittees met jointly to hear state agency reports on migrant workers' housing conditions. Subcommittee Chairman Art Braun (D-Greenbush) said the meeting was to give members a background on migrant workers' problems as the subcommittee studies **HF1596** (Brandl).

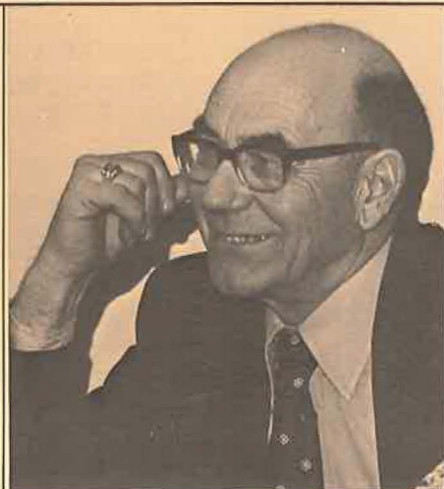
**HF1596** is proposed legislation that would create an Agriculture Labor Relations Board to make decisions on unfair labor practices affecting agricultural employees not covered un-

#### PELRA - How is it working?

During the October mini session, the **House Labor-Management Relations Committee** reviewed PELRA (Public Employment Labor Relations Act), the state's legal framework for relations between public employees and their bosses.

The 1971 legislature originally enacted PELRA, setting up a full-fledged bargaining process. Under the 1971 law, public employees could select an exclusive bargaining agent. If an impasse occurred and either the em-





Rep. Art Braun  
der the U.S. Labor Relations Act. The  
bill would include migrant workers.

Donald Buckner from the Minnesota Department of Employment Services explained the department's outreach program for migrant workers. Seasonal, specialized staff contact migrant workers and refer them to places where they can get the services they need, he said.

"There were 16 people working in this program last summer. Twelve of those seasonal employees were bilingual. We hope to have 20 staff, all bilingual, working on the program during the 1978 season."

The department's involvement with housing of migrant workers comes through interstate clearance orders, Buckner said. When the department gets an interstate clearance application, staff persons do field checks on the working conditions, wages, and housing conditions for migrant workers. The field checks involve preoccupancy inspections 45 days prior to the time workers will move in, and random checks during the season.

"The department won't clear workers if conditions are not up to standards," Buckner said. "However, there is no violation at the preoccupancy inspection; the department just tells employers how to meet standards. Interstate clearance orders affect approximately 1500 workers, but there are approximately 7,000 workers during the season in the state," he said.

"We do reach more than the 1500, though, because 75-80 percent of the migrant workers in the state are repeaters. Over a period of years the department comes in contact with most of them."

Commissioner Bud Malone from the Minnesota Department of Labor and Industry spoke concerning the occupational safety and health program (OSHA). He said this involves 200,000 work places and 40 safety investigators in the state.

In 1974, the labor and industry department began the housing inspections for migrant workers. The inspections include things such as the housing unit itself, the site, water supply, laundry, insect and rodent control, garbage disposal, bathrooms, etc., Malone said.

He cited two problems that exist with the inspection program: 1) the department is responsible for investigating working conditions for all employees, not only migrant workers, so there is a lack of staff to handle the program, and 2) housing conditions affect members of migrant workers' families who are not employees and who are not under the jurisdiction of the department.

"The department does consultation (pre-occupancy) checks," Malone said. "Compliance checks are unannounced. After a compliance check, if there is a violation, the department sends a report to the employer and the employer is fined for penalties."

"If the employer refuses to pay the fine and comply with regulations, it is considered a contest and the case is sent to the hearing examiners. At this point, the department is no longer involved with the case."

Senator Conrad Vega asked for figures on the number of fines over \$50 and the total number of fines the department collected; and the number of individuals that received variances over a period of one growing season. Malone said he would furnish those figures at a later date.

Spokesmen from the department of health said the department did migrant housing inspections from 1950 to 1974. In 1974 the federal occupation health and safety act made changes in federal rules for administrating the inspection program, and the department of labor and industry now performs inspection duties.

David Giese from the environmental health division of the health department said the inspection program before 1974 had the problems of inadequate enforcement procedures, and the length of time it took for compliance orders to go through. "By the time the compliance order went through, the camp that was housing the migrant workers was no longer in use for that season," he said.

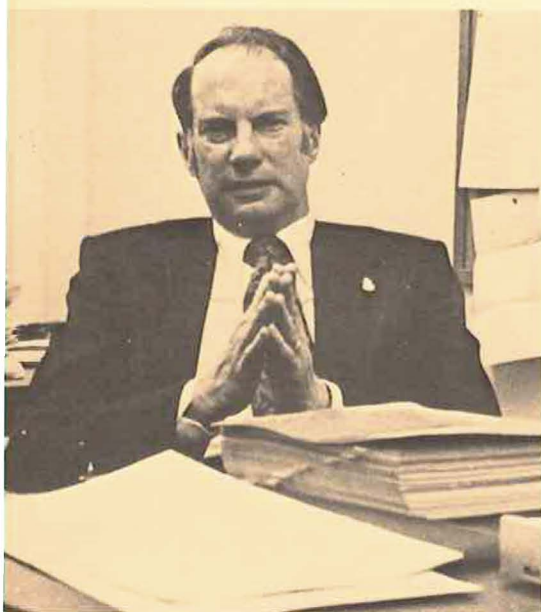
Chairman Braun said the committees will meet again to hear employers' views on migrant housing. ■



Rep. John Brandl



## Amtrak



Rep. Wendell Erickson

The **Surface Transportation subcommittee** of the House Transportation Committee met to hear testimony concerning **HF102** (Erickson, IR-Hills). The bill would appropriate \$30,000 to create a 14-member interim commission to study the feasibility of Amtrak service between the Twin Cities and Kansas City.

Erickson told committee members that "since the beginning of the National Railroad Passenger Corporation (Amtrak) in May of 1971, the quality of rail travel has greatly improved. However, there are gaps in the service which are costly and time-consuming for some passengers, and the service does not serve many others. One example of this is the area between Minneapolis and Kansas City.

"Although Amtrak provides service to Minneapolis, Omaha, and Kansas City, direct rail travel between them is not possible. Riders must make connections in Chicago," he said.

Erickson suggested different routes for rail service between Minneapolis and Kansas City. "The preferred route," he said, "would head southwest from Minneapolis through Mankato and Worthington, Minnesota to Sioux Falls, South Dakota. From Sioux Falls the route would proceed to Sioux City, Iowa; Omaha, Nebraska; St. Joseph, Missouri; and Kansas City.

"The first alternative to the preferred route would start the same but would leave out Sioux Falls. It would head directly southwest from Worthington to Sioux City. The rest of the route would be the same as the preferred route. This alternative would cut 61 miles off the previous route.

"Leaving out Sioux Falls would be undesirable because: it has a population of 95,210, it has industrial and agricultural importance; it has economic interplay with other cities services; and South Dakota has no rail service at this time.

"The second alternative to the original route would head west from Minneapolis to Willmar, then southwest to Marshall and Sioux Falls. The rest of the route would be the same as the preferred route. This is the longest of the three routes.

"By following different tracks, Amtrak could change any of these routes. Two trains would maintain daily service

between the two cities. This service is a must to make the trains worth traveling again," Erickson said.

Speaking in opposition to the expansion of Amtrak rail service, Louis Hodnik from Greyhound Bus Lines said that in the past railroads were the largest investors in the expansion of bus lines: "The thought at the time was the buses had greater flexibility and had a lower cost per mile than rail service. This is still true," he said.

Hodnik said that tax dollars subsidize Amtrak rail service, which makes competition for bus companies difficult. He said, "From Minneapolis to Duluth, Amtrak's excursion rate is \$15.50, established through subsidies. Our round trip rate difference of 20¢ does not allow us to remain competitive. We cannot lower our rates or we move from a tax-generating corporation to a tax-absorbing operation.

"In a study the National Science Foundation did on energy efficiency of transportation, industries were ranked as follows:

### Airplane:

16 passenger miles per gallon of fuel

### Automobile:

40 passenger miles per gallon of fuel

### Train:

48 passenger miles per gallon of fuel

### Bus:

85 passenger miles per gallon of fuel."

J.E. Hanbright from Jefferson Lines, Inc., spoke on the energy efficiency and flexibility of bus travel. He said, "Jefferson operates 10 schedules, each 24 hours, between Minneapolis and Kansas City. Between these two areas, Jefferson provides service directly to approximately 70 points along the route. In Minnesota alone, between Minneapolis and the Iowa state border, we have 25 stations. Amtrak could not provide this service," he said.

Other authors on HF102 are Reps. Stanley Fudro (D-Mpls.), Darrel Peterson (IR-Fairmont), and Gilbert Esau (IR-Mountain Lake).



# Almanac

Minnesota  
a bit of history

*In 1857 the United States Congress passed an enabling act which authorized Minnesota to hold a Constitutional Convention. The elected delegates to this convention included 58 Republicans, 55 Democrats, and 1 Independent.*

*Although the Republicans had a slim margin, the Democrats were more experienced politically, and there was fierce rivalry between the two parties.*

*The convention was to open at noon on July 13, 1857. The territorial secretary, a Democrat, declared the convention in order, then adjourned until the next day.*

*Meanwhile, the Republicans came to the platform and called the convention to order. They proceeded to choose a president and to organize the convention's business.*

*The following day, the two groups met separately, at the same time, in the same building, but the convention never met together as one whole body.*

*In their two separate meetings, the Democrats and Republicans each drafted a constitution. After doing that, a joint committee with five members from each party met to work out a compromise.*

*They worked out the compromise, but neither party would sign the same copy of the constitution, so two complete handwritten manuscripts came out — one for the Democrats to sign — and one for the Republicans.*

*Because many men took part in copying the two manuscripts, there were many discrepancies; it is literally impossible for anybody to produce an absolutely precise text of the constitution.*



MINNESOTA HOUSE OF REPRESENTATIVES

# interim

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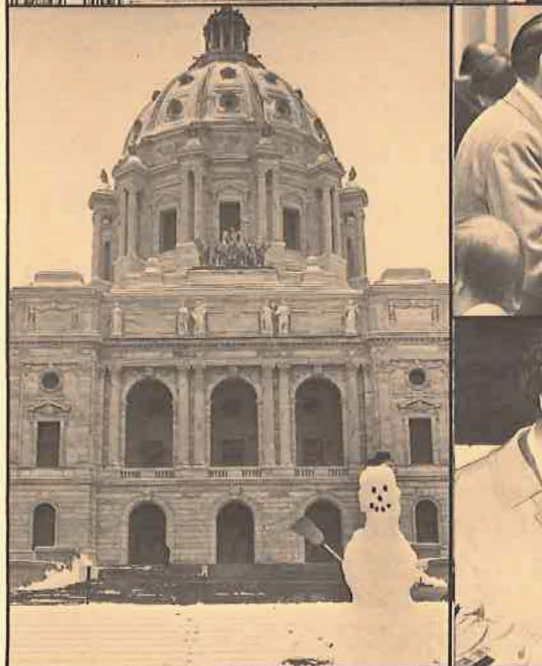
Rep. James Pehler  
(D-St. Cloud)  
District 17B



Upper left: Rep. Linda Scheid (D-Brooklyn Park) meets with members of a Girl Scout troop.



Center left: Rep. Richard Cohen (D-St. Paul) greets visitors at a Sunday Open House.



Lower left: The State Capitol after the first snow fall. Young visitors leave behind a stately snowman.

Upper right: Reps. Wendell Erickson (IR-Hills), Delbert Anderson (IR-Starbuck), and Bruce Nelsen (IR-Staples) discuss legislation.

Lower right: Rep. Wayne Simoneau (D-Fridley) takes time to talk with Henning Scherf, a member of the state legislature, Bremen, Germany, chairman of the Land Bremen Social Democratic party.

