

Minnesota House of Representatives May, June, July, 1978



**Solid and Hazardous waste -  
Where will it go?**  
cover story pages 9-16



# interim

Minnesota House of Representatives May-July 1978

Publication of House Information Office • Rm 8 • State Capitol  
St. Paul, Minnesota • 55155 • (612) 296-2146



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Incoming Mail: To the Minnesota House of Representatives

"I found the March-April 1978 issue of your publication, SESSION, to be very interesting and informative. . . . I would appreciate additional copies so that I can distribute them to other interested parties within the company." Robert J. Posch Jr., Doubleday Communications Corporation, New York, New York.

"I would like to express my gratitude for the "Write a Bill" essay contest. This contest created a degree of awareness and concern over many issues in my classroom in which we all benefited." Mr. Steve Winkels, Social Studies Chairman, St. Mary High School, Sleepy Eye, Minnesota.

Editor: Jean Steiner; Assistant editor, Jean Mehle; Design and production, Marcia Balcken; contributing staff: Sue Shepard, Laura Klopp. Photos: Tom Olmscheid.

Cover story, Jeff Huset, intern from Macalester College. (at right)

Information source for "Almanac": Neil Thompson's *Minnesota's State Capitol*.



research



The House Research Department assists representatives with preparing and evaluating legislation. It is a non-partisan office consisting of legislative analysts, research assistants and support personnel. Director Peter B. Levine explains the department.

#### Role of research

"What happens here, and in many states, is legislators receive a large quantity of information from lobbyists and the executive branch. The executive branch writes bills and legislators take their word on the merits of the proposed laws.

"The move now in the country, and certainly in Minnesota, is for the Legislature to develop their own information system. This gives them the capacity to analyze the quality of information they receive.

"We don't have the staff to research everything the executive branch does, but we can better assess their information.

#### Research departments in other states

"The organization of research departments varies, but we have the same function. The traditional model is the legislative counsel, which is made up of House and Senate members. Their staff, the legislative counsel staff, serves both the House and Senate. That staff would be similar to our office, Senate Counsel, and Senate Research combined. The legislative counsel is the most common model, but there are variations.

#### Public contact

"We receive some calls from the general public. In most cases we ask people to call their representative. At times that call will return to us, but we prefer people going through their representative.

"There are publications that list names of research staff individuals and the issues they cover. Sometimes we go out to speak to groups. In those cases members of the public might call those individuals.

"We don't encourage calls from the public. We view the office as a resource to the Legislature, first to the representatives directly, and sometimes indirectly through House staff.

"We did a telephone use survey two sessions ago and estimated we received over 14,000 calls during the five and a half month session. Fifty percent of those calls were from House members and staff. Calls from the public were minimal, a small percentage came from the senate, a portion came from the joint offices — the Revisor of Statutes and the Legislative Reference Library. Most calls go directly to the analysts in each subject area. I encourage that. I want the staff to handle their own subject areas," Levine said.

#### Research publications

"We put out a massive amount of paper. Most of it goes to individual legislators in the form of confidential memos. A large amount is in the form of committee reports.

"When I started here two and a half years ago, there was a tremendous amount of information we provided to individuals that wasn't available to others in a systematic way. Some of it



was confidential, but legislators would have shared a large portion of that information if there had been a mechanism for that.

"I started encouraging the analysts to identify those pieces. When they did extensive work on a particular topic that wasn't confidential and would be of interest or use to other members, we could put that out in a usable format.

"The first document we had printed is *Minnesota Welfare*. It's a complete description of the welfare system in the state. It's written for legislators as a guide to where they fit into the process. That is, what effects, they, as legislators, can have on the welfare system. I think this is the first document of its type in the country.

"Another area people talk about but find confusing is the court system. We have many different courts. No one has sorted out that system in a single document for laymen to read.

"Basically what we're doing with these documents is preparing ourselves, preparing legislators for session," Levine explained.

#### Role of the Analysts

Each full-time research analyst is responsible for doing research and providing information to members on one or more major subject areas. These subjects correspond closely to House committee areas.

The analysts responsibilities are to:

- serve as research staff at committee meetings.
- provide information to members upon request.
- do in-depth research reports on various subjects.
- maintain contact with state departments and lobbyists.
- conduct surveys of other states, and public and private agencies on issues of legislative interest.
- inform legislators about state and federal laws or programs relating to committee subject matter.
- provide background information on programs, agencies or organizations.
- work with other legislative staff on matters which have overlapping committee jurisdiction.

The analysts also do preliminary bill drafts, assist members with amendments to bills, summarize and analyze new bills, summarize laws the Legislature passed. These summaries go into an annual House Research publication entitled, *Actions of the Minnesota Legislature*.

#### Research report wins award

*Green Acres Law: The Use of Differential Assessment in Minnesota* by Alan Hopeman, won an "Outstanding Legislative Research Report" award in Denver, Colorado, on July 7, at the annual meeting of the National Conference of State Legislatures (NCSL). The report was to provide information to House members on whether or not the Green Acres Law, which deals with taxation of agricultural land, is meeting legislative intent. Tim Masanz and Mark Schroeder of House Research helped with data collection and compilation.



Peter B. Levine



# interim studies

## How is Minnesota law working in commitment of the mentally ill?

"... it is a whole lot easier to get into a mental institution than to get out of one," according to Bill Stewart, former WCCO-TV news reporter, in a film on mental commitment in Minnesota, "and once you get in for observation, sometimes against your will, and sometimes with virtually no medical justification, you can be subjected to questionable treatment and mistreatment and have virtually no legal recourse ..."

Is it fact? Rep. Tad Jude (DFL-Mound), chairman, said the subcommittee of **Governmental Operations on Legal Rights of the Mentally Disabled** will be studying the legal aspects of the treatment of mentally ill persons, and in particular, the commitment process. The subcommittee will work with a commission of the Minnesota Supreme Court. The Supreme Court commission is conducting an empirical study (one relying on information based solely on experiment and observation rather than theory) of how current law is working throughout the state.

Jude said subcommittee plans are to study the commitment law so legislators are more familiar with how commitment proceedings work; sit in on a few commitment hearings to see how the law protects the legal rights of a person facing a commitment hearing; see if there should be more protections in the law.

"Then, hopefully, we'll work with the Supreme Court commission in studying their recommendations, making the appropriate changes that come out of the two studies — the subcommittee study and the commission study," Jude said.

## Why doesn't Minnesota have uniform health insurance claim forms?

*Minnesota Laws 1975*, Ch. 387 directs the commissioner of insurance to prescribe uniform health insurance claim forms. In May, Commissioner Berton Heaton of the Insurance Division of the Department of Commerce explained to the **Government Structures subcommittee of Governmental Operations** why there has been no enforcement of this law. He gave this rundown on department action on the law:

*June 1975:* a meeting about the uniform health claims forms with interested parties.

*July 1975:* an informal meeting with testimony from health insurance providers who said they wouldn't use the form. Clinic managers said the form wouldn't work with their computers. Some doctors said they preferred the AMA (American Medical Association) form.

*Fall 1975:* reviewed comments and suggestions on the form.

*Jan. 1976:* workshop to develop uniform claims form.

*July 1976:* sent a uniform claims form proposal to the attorney general's office for legal consideration.

*May 1977/Dec. 1977:* further meetings on the form.

Heaton said the department felt the uniform claims form wouldn't be productive because state law doesn't say providers must use it.

Other testimony:

Jim Sova, Minnesota State Medical Association, (MSMA): The problem is resolving itself; many insurers are using the AMA form.

Minnesota Hospital Association representative: Hospitals would use a standard form if it were the right one. A national committee agreed on a claims form (UB16), but a margin difference increased the percentage of error with the medical/medicaid computers.

John Anderson, Blue Cross/Blue Shield: The Blues are using the UB16 in some cases. "Uniform forms cut costs."

Delta Dental Plan spokesman: suggested uniform forms for each class of providers.

Don Dee, Minnesota State Pharmaceutical Association: MSPA would like uniform forms for pharmacy providers.

Heaton said the department didn't intentionally neglect the law concerning uniform forms, but other legislation that the Legislature mandated and laws with specified implementation dates took priority.



## Does the public read those small-print legal notices in newspapers?

The Governmental Administration subcommittee of Local and Urban Affairs hopes to find out this interim as members look into the entire legal notice publication system. According to legislative research, requirements for publishing legal notices for counties and cities differ widely in Minnesota Statutes.

On May 3, the subcommittee hear testimony from city and county associations, taxpayers' associations, and the Minnesota Newspaper Association (MNA).

In brief, testimony was: John Chapurn, Association of Minnesota Counties: The overriding concerns of counties on publishing requirements are that publication costs too much, and "not everything required should be published."

Duke Addicks, League of Minnesota Cities: Cities would like the option counties have to summarize long, technical-type ordinances and to publish legal notices through radio, TV, and cable TV. City officials have the impression the public doesn't read the notices, because officials don't get any feedback about them.

Robert Shaw, MNA, said state law requires publication of about 150 different notices, about 50 on a regular basis. Small newspapers estimate between five and eight percent of their gross revenues come from publication of legal notices.

According to Shaw, the two metropolitan counties, Hennepin and Ramsey, publish their legal notices in specialized newspapers that lawyers, accountants, and bankers read; costs for the two counties to publish in a major metropolitan paper would be too great; the newspaper is the most efficient way of getting complicated data into homes; MNA would like notices to be more readable and easier to understand for the average reader.

Representatives from two taxpayers' associations reported their associations would like a systematic review of notice requirements, but not a lessening of requirements. They said the goal of the Legislature should be to provide more communication, not less.

The subcommittee plans to hold out-state meetings to get public input on the value of legal notices and what the Legislature can do to make them easier for the average citizen to understand.

## Can the Legislature change rules and procedures each session?

Yes. Under the Minnesota Constitution, each house of the Legislature may determine its rules and procedures.

This interim, under the guidance of House Majority Leader Irvin Anderson, chairman, a special subcommittee of the **Rules and Legislative Administration Committee** is reviewing the rules of the House.

At a May 25 meeting, the subcommittee began discussion of possible changes that would:

- allow each caucus to elect its own members to the Rules and Legislative Administration Committee. Presently, the Speaker of the House appoints members. The rules of the House allow the minority to submit a list of names.
- give the Rules and Legislative Administration Committee the power to withdraw a bill from a standing committee. Presently, the House Rules Committee does not have such power, but the Senate Committee on Rules and Administration has the power to remove bills from committees and refer them to other committees, or place them on General Orders.
- have a deadline on the introduction of bills and on action on House bills on the House floor. Presently, the House and Senate have deadlines on getting bills out of committees and certain deadlines for acting on bills at the very end of the session.
- require committees to meet only during their regularly scheduled times. Anderson said this change might encourage scheduling bills earlier in the session and help reduce the end of the session "crunch".
- have authors of a bill (each bill can have up to five authors) serve on the conference committee of that bill. Presently, the Speaker of the House appoints members to conference committees.
- restrict the scope of deliberation of conference committees.
- require summaries of changes, deletions, additions in conference committee reports.

## Snow and ice control: Is the use of salt good or bad?

On May 15, the House **Transportation Committee** heard a Science and Technology Project report that said, "The use of de-icing agents, such as sodium chloride and calcium chloride has severe effects on autos, roadways, and the environment.

"This has been extensively documented over the past twenty years. The negative effects are severe enough that many scientists and policy-makers strongly question the cost-effectiveness and usefulness of de-icing agents."

Rep. George Mann (DFL-Windom) has introduced HAB4, a proposal for the establishment of a special subcommittee to look into the salt-use problem.

Patrick Reagan of the Science and Technology Project, presenting the report, made recommendations in four categories: 1) salt application guidelines, 2) salt management control, 3) environment, and 4) accident prevention.

Reagan said one of the most interesting facts emerging from the research study was Minnesota public reaction to the use of deicing salts.

He said an interdepartment survey of state highway departments conducted by the state of Utah, in which Minnesota participated, showed that the Minnesota public generally thought there was too much salt in use on the roads, whereas, this is not the case in any other state.

"The Minnesota Public also felt, though, that the service levels and standing policies — the plowing and sanding policies — were fair and adequate," Reagan said.



# interim studies

## **How well does the University respond to the needs of the people of the State of Minnesota?**

Rep. Peter Fugina (DFL-Virginia) asked a select group of University of Minnesota students and the **Curriculum subcommittee of the Higher Education Committee** on May 25 about university policies.

Fugina, chairman of the full committee, and Rep. Tad Jude, (DFL-Mound), chairman of the subcommittee, arranged the meeting with University Vice President Stanley Kegler and five students — graduates and undergraduates from the School of Education — to discuss how students view the university, its curriculum and policies.

Fugina said he wants the subcommittee to return to the Legislature with a better idea of how the university functions and how it spends the money the Legislature allocates to it.

Briefly, discussion topics were:

- how the university handles students who want to prepare for a career with limited job openings, such as education.
- mainstreaming students (the practice of keeping handicapped students in the classroom with non-handicapped students instead of segregating them).
- student attitudes. Rep. Carl Kroening (DFL-Mpls.) said that a student's tuition covers only about 26 percent of university costs, so the state has a significant interest in the cost of providing university services to students who do not take their education seriously.

The committee plans to continue examining curriculum, and whether or not it is satisfying students' needs, throughout the interim.

## **What is the fiscal condition of Minnesota's cities; could New York happen here?**

Not likely, according to a study the state planning agency reported on to a joint meeting of the **Tax and Local and Urban Affairs Committees** on April 19.

Tom Fulton, director of the study, said the first part of it was to determine if any of the state's local municipalities faced serious immediate short-range financial problems such as caused New York's emergency situation a while back. He said the study found no evidence of it happening here.

Results of the study? "Our final product, so far, has been the preparation of what we call municipal, fiscal profiles for every city in the state with populations over 2,500," Fulton said. "All of these studies will give Minnesota state officials as good a base of information and analysis about local financial conditions as there is available anywhere in the country."

## **Should Minnesota wait for the federal government to come up with welfare reform?**

Rep. Janet Clark (DFL-Mpls.), chairperson of the **Social Services subcommittee of Health and Welfare** told the subcommittee at a May 31 meeting, "The Legislature ought not to wait for the federal government to come up with welfare reform. Minnesota should pull ahead and move ahead in this area."

Rep. John Brandl's (DFL-Mpls.) House Advisory Bill (HAB) 66, which he introduced in February, sparked an interim study of Minnesota's income support system.

The subcommittee has set up four task forces to study eligibility requirements, benefit levels, administration, work and welfare, financing, and the relationships between income maintenance and other programs.

Members of the task forces will come from various social service agencies, legal services, advocacy groups, and county and state welfare agencies. Clark said their duties are to identify problem areas, summarize objectives, and set time lines for future work and study.

Any persons willing to serve on one of the task forces evaluating Minnesota's income assistance programs should contact Kevin Kenney in House Research, Room 17, in the State Capitol, St. Paul, Minnesota, 55155, Clark said.



## Should the Cannon River be part of the State Wild and Scenic River Program?

Some citizens don't think so according to testimony at a June 27 subcommittee meeting in Northfield.

The Environment and Natural Resources subcommittee on Recreation and Open Space heard public testimony

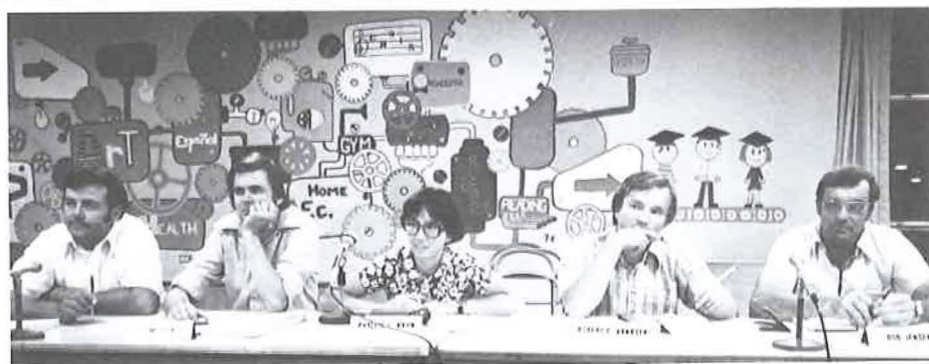
on the adoption of the Cannon River into the Minnesota Wild and Scenic River Program.

The Department of Natural Resources (DNR) has three rivers under study: the St. Louis River, the Cloquet and Can-

non rivers. The Cannon meets DNR criteria for a wild and scenic river, but at the June 27 public meeting, opponents said: the zoning regulations DNR recommends are less restrictive than those Rice County has; they favor the Rice County ordinances saying those regulations would protect the river better than DNR's plan; designation would lower landowners' property values along the river; designation would bring more people into the area increasing pollution and litter; increased use would cause trespass problems and infringe on the rights of landowners.

Paul Swenson, supervisor of the Rivers Section of the DNR addressed some of the concerns of local citizens. He said the Rice County ordinances are good and the management plan can be more restrictive than the state's suggested minimum regulations; that easements will aid in keeping the river in a scenic state by discouraging development along the river; trespassing is a problem, but well-spaced stop areas and limited road access may reduce the trespass incidents.

Supporters of designation said: State control would eliminate jurisdictional problems from one locality to another along the river; a policy is needed to protect both the landowner and the user; designation would help if there is future pressure for development along the river; designation would give landowners added protection; increased use of the river will occur with or without designation; the river doesn't belong to the landowners; people should work with the state to come up with a good plan to protect the river.





# commissions

House members serve on commissions which are meeting this interim . . . **The Council on the Economic Status of Women** studies all matters relating to the economic situation of women in Minnesota, met June 22; focused on insurance availability, cost, and benefits for women . . . **Legislative Audit Commission** reviews effect of grant-in-aid programs, spending of public funds, and financing of government at all levels, met April 27 and June 9 . . . **subcommittee on Program Evaluation Topic Selection and Review** looked at a proposed study of nursing homes on May 18 . . . **new advisory subcommittee on Chemical Dependency Program Evaluation** met for the first time June 22 to set objectives for the evaluation and review of project activities . . . **Legislative Commission on Minnesota Resources (LCMR)** provides Legislature with background information on proposed programs to preserve, develop and maintain the natural resources in the state . . . full commission met May 15 and June 19 . . . **committees of LCMR met: Forestry Committee**, April 25; May 3 and 15; June 8 and 21; . . . **Legislative Review Committee**, April 27; May 9 . . . **Water Committee**, in Duluth May 24; June 14 . . . **Executive Committee**, April 27; jointly with **Property Tax-Tax Exempt Properties subcommittee of the Tax Study Commission**, May 12.

Continuing the study and investigation of retirement benefit plans applicable to non-federal government employees in the state, **Legislative Commission on Pensions and Retirement** evaluated benefits of several retirement and pension programs June 22 . . . early retirement reduction factor and the Department of Personnel's study of possible overtime abuses topics of discussion at June 23 meeting . . . **The Legislative Commission to Review Administrative Rules** reviewed liquor control, legal assistance to prisoners, and commission's budget June 14 . . . commission responds to complaints on rules or proposed rules from legislators, legislative staff, interest groups, and individuals as part of its function. . . . In day long meeting, **Minnesota-Wisconsin Boundary Area Commission** reviewed St. Croix Riverway and Mississippi Riverway projects . . . commission is responsible for studies and recommendations relating to protection and development of boundary lands, river valleys, and waters of Minnesota and Wisconsin . . . **Workers Compensation Study Commission** studies and reports on workers compensation insurance premium rates, discussed rate hearings April 17, May 1 and 2 . . . heard public testimony on various workers compensation problems on June 9 in Brainerd; June 23 in Albert Lea.

The 1977 Omnibus Tax Act created the **Tax Study Commission (TSC)** as a permanent legislative commission . . . purposes are to examine Minnesota's total tax structure, study long-range tax policy; analyze proposed tax legislation . . . **TSC's April post-session report said: subcommittee on Business Climate and Taxation** during session heard testimony from representatives of business community, public officials, and others in series of meetings . . . subcommittee identified several areas of concern which led to commission recommendations and **subsequent legislative action on:** repeal of employers' excise tax; a carryforward provision for out-of-state investment losses; continuation of weighted average apportionment formula.

According to the TSC April report, the **subcommittee and commission recommended passage of SF1773** which would have reduced corporate tax rates and eliminated the arithmetic apportionment formula . . . **House version of Omnibus Tax Bill** included provisions of SF1773, but conference committee removed them . . . SF1773 will be under study by Senate Tax subcommittee during interim . . . **subcommittee on Business Climate and Taxation** recommendation to evaluate changes to property tax classification system in terms of effect on commercial/industrial property to avoid shifts in proportion of property taxes businesses pay didn't get legislative action . . . **subcommittee on Business Climate and Taxation** will meet during interim to continue study of problems of small business; border communities; possible elimination of \$100 minimum corporate tax . . . Rep. William Kelly (DFL-East Grand Forks) is House chairman of TSC.



# ABC's

of solid and hazardous waste aren't easy.

Our kids of the '70's: Kinyari Ratliff (at left), Heather Poppe (center l.), Kevin Whelan (center rt.), Joel Ratliff (lower l.), Sarah Whelan (lower rt.).

Where will it go? Kids of the '70's — the adults of the 2000's talk about it.

"Oscar on Sesame Street loves trash. He says, 'Give me more trash.' We put our trash in the garbage can on the back porch. We don't want more garbage."

**Kinyari Ratliff, age 3**

"Pollution is litter. We don't want to make litter, so we put our garbage into the garbage can."

"I don't know where we could get a garbage can big enough for all the people's litter. We only have small ones. You'd have to get a great big garbage can. Like, I lived in an apartment once, and we had a great big one."

"Know what? My grandpa in Santa Barbara always puts his garbage in the ground. He buries it. He said it makes compost. That's a good idea."

"I don't know what you do about the stuff that won't make compost. You have to throw it away. I'll have to think about that more."

"I don't worry about garbage in my water, because I always get it from my sink."

**Heather Poppe, age 4**

"My mother told me hazardous means dangerous. I know hazardous waste has to do with pollution. I like to fish. My grandfather and my dad taught me how on a lake near Shakopee. My grandfather said people visit Minnesota because of the lakes and the fun of fishing. If dangerous waste gets into the water, the fish

would die. Then people won't enjoy visiting Minnesota, or living here."

**Kevin Whelan, age 7**

"There can be a new disposal — a new kind — so you can put trash into a smaller dump. I know they have them right now (trash compactors), but we can have larger ones and make them for less money."

"It's a hard problem to figure out. Now, I think there's another way. We can solve the problem if we have too much garbage. We just have to use food real carefully. If we're more careful, we'll just make less garbage, like they were telling on the news."

"I think people have to be careful about what they're throwing away. We can't just throw away bad chemicals. We have to keep paint and other chemicals away from the water — don't let them get real close to the water — because we use water over and over again. People drink it."

**Joel Ratliff, age 9**

"We put our trash in bags. Sometimes I get up early to watch the garbage man when he comes to pick it up. He takes it to a dump, I think. If he picks up too much trash, and fills all the dumps, that would be a problem. We can't keep it. It's true Oscar (Sesame Street) lives in a garbage can and loves trash. He says, 'I want trash', but he's not real."

**Sarah Whelan, age 4**



# legislature responds

**"Impact on industry, jobs, health, environmental damage, we have to consider it all."**

Rep. James Casserly, co-chairman, Joint Legislative Committee on Solid and Hazardous Waste. The committee has been meeting weekly since May 3, 1978.

The 1978 Legislature passed SF1106 Chapter Bill 728 (Olson, H., DFL-St. James): *A bill for an act relating to solid and hazardous wastes and toxic substances; providing for technology assessments and related research directed to certain goals; requiring studies and reports by the state planning agency, the pollution control agency, and the energy agency; establishing a temporary joint legislative committee on solid and hazardous waste; appropriating money; suspending development of a hazardous waste facility; authorizing counties to designate disposal sites for solid waste generated within county boundaries.*

Co-chairman of the Joint Legislative Committee on Solid and Hazardous Waste (14 members: 7 House members; 7 senators) is Rep. James Casserly (DFL, Mpls.):

"It is anticipated that the metropolitan area, given its present rate, will run out of landfills in the next four years.

"The joint committee is to deal with areas of solid and hazardous waste management. The committee was really an idea of the Physical Development subcommittee of Local and Urban Affairs.

## Glossary :

**Hazardous waste.** Discarded materials routine disposal methods will not handle because of potential hazards to human health and the environment. Hazards are due to chemical, biological, or physical nature of the waste. Hazardous wastes are usually mixtures and can be contaminated solid waste.

## business responds: an interview

Michael McGowan operates a landfill near Shakopee, and he knows the danger of hazardous waste. In 1969, his brother suffered burns over 85 percent of his body when a supposedly empty drum exploded at the McGowan landfill.

"There was no way of knowing what was in it, or who had brought it into the dump. The people who make such chemicals and other hazardous substances should be responsible for disposing of them."

McGowan believes in the regulation of waste disposal when such regulations apply to all people in the business in a fair and equal manner, he said.

"You play a ball game; you have to have rules. It's the same in business.

"We need the regulations. When the PCA and metropolitan landuse programs started, I was glad we were going to have some guidelines that everybody was going to have to live by."

"I chaired that committee, and the reason we wanted to set up a broader-based committee is to get more people involved in the problem."

**A stalemate: "Nobody wants a hazardous waste site around."**

Two things happened, according to Casserly, that brought more attention to the problem:

"One, was the problem of trying to site a hazardous waste facility under a federal Environmental Protection Agency (EPA) grant which was being handled jointly by the Pollution Control Agency (PCA) and by the waste control commission.

"That whole process simply fell apart, because 1) the site was a pilot project, and the public doubted its safety, 2) the public did not like being part of an 'experiment', and 3) nobody wants a hazardous waste site around."

**An interesting concept: Waste=steam=fuel?**

"The second part of the problem has been with resource recovery facilities." Casserly said a proposal by the city of Fairmont illustrates the dilemma the state faced.

The city proposed that four counties — three in Minnesota, one in Iowa — operate a resource recovery facility in Fairmont. Disposal of the waste would produce steam which the city would buy as fuel.

"Interesting concept — involved all sorts of problems — not the least of which is that they couldn't sell the bonds. They wanted the state to buy them — a \$3 million or \$4 million non-interest loan payable over twenty years ...

"The question became: How do you judge the validity of these projects? The state has no good method to do that ... what we have is really a void in government.

"The government is being asked to come to grips with it — and that's what the joint committee is all about."

**"I know some things. Other people do, too. Most of the information I don't know. We'll all have to think about it more."**



Heather Poppe

*Did he think the rules were okay at first, but then went overboard?*

"No. You have to go overboard at first. You have to put those guidelines up there. You have to have a big fist.

"Landfills are not the problem. Hazardous waste is. We are not allowed, nor do we want, to take hazardous wastes into a landfill, but it's like finding a needle in a haystack. You can't possibly check all of it—know what's in every bit of it. But the manufacturer that makes it knows what's in it.

"Control has to begin with the manufacturer. The manufacturer should know where it's going, how it's going to be used, and make sure toxic materials make a complete cycle."

McGowan would like to see "a study that shows, for example, if they use paint—what percentage of that toxic material stays on a product, how much gets thrown away in a sewer, or put back into a drum, and brought or smuggled into a landfill.

*Monitoring pumps between the landfill and the Minnesota river: check for polluting seepage.*

McGowan welcomes such monitoring: "We should have those periodic samplings of water. We have to care, all of us. That's why we have regulations to begin with.

"How much hazardous waste may be disposed here, I don't know. When we find any of it, out it goes—and the customer with it."

"I've got a lot of dollars invested here. I have something at stake, and I've got to make it work."

He approves of the legislative committee's meetings with the 3M company, but he thinks there have been enough studies: "We have chemists, scientists, engineers. Just build a plant. Bury it, burn it, whatever is best, but do it.

"I'm sure 3M will share their studies. They're civic oriented, and they're handling the problem now. Let's find out how, and then do it."

**Solid waste.** Discarded materials: garbage and refuse from community activities and industrial and agricultural operations.

**Disposal.** A method of discarding waste so it doesn't cause problems in the future.

**Landfill.** Place to bury waste underground for final disposition.



# agencies / technologists respond

## "Minnesota produces at least 150,000 tons a year of hazardous wastes,"

Pollution Control Agency quote from 1977 study.

### Public Policy: Questions to answer

"We've had an excess of 40 hours of committee meetings so far," Casserly said, "just trying to understand the problem, trying to understand the public policy questions that have to be answered, and asking the agencies to respond to these policy questions."

The joint committee has heard the testimonies of the PCA, the Minnesota Public Interest Research Group, the Minnesota Legislature's Science and Technology Project (S&T) House Research, and the State Planning Agency.

### State Planning Agency: Suggested work program

In response to the studies which Chapter 728 requires, June 13, the SPA presented a first draft of a work program to:

- inventory the state's waste materials
- review programs regarding waste disposal
- examine the solid and hazardous waste laws of Minnesota and other states
- develop criteria for siting hazardous waste facilities
- develop cost-effective and environmentally sound waste technology within wastesheds
- develop techniques to encourage public participation
- recommend state programs for resource recovery, waste reduction; hazardous waste management.

This work program would produce a number of reports by agencies in the various areas it covers.

### Committee reaction: Work program not legislatively oriented

"It needs some work," Casserly said, emphasizing this is a first draft of a suggested work program. "Most of the work programs that were presented are really not legislatively oriented."

"We are looking for some solutions to the policy questions that we have to make. It doesn't do us a lot of good to

have studies of landfills to determine how polluted they are ... We need to re-direct some of the studies they are doing.

"We're having House Research and Science and Technology suggest some alternatives."

### Upfront approach: Key to making hard choices

John G. Malinka, director of S&T, summed up testimony the committee has received: "The benefit of promoting private responsibility and involvement over strict governmental regulation or ownership was emphasized."

"The up-front approach to identifying policies, programs, technologies, and institutional arrangements as stated in Chapter 728, is the key to laying the foundation for making the hard choices concerning collection, ownership, financing, siting and liability."

"These are far more complicated to resolve if they are looked at as isolated problems rather than as part of the whole."

"Related to this, is an administrative evaluation of the ability of agencies to confront the complex problems of solid and hazardous waste."

"The effectiveness of existing and proposed regulations in addressing the problem in the most direct and economical manner should be analyzed."

### Another issue: Data collection analysis

"A thorough investigation of the best method to determine reliable hazardous and solid waste generation data should be taken," Malinka said.

"If sufficient data describing the hazardous waste stream presently exists, the entire hazardous waste site planning process could be significantly accelerated."

"In many cases, general data is not very expensive or hard to get, and can be used to identify ... advantages and disadvantages."

"This does not mean that some conclusions will not require in-depth analysis, but rather that the search for the easiest, least costly, and yet sufficiently accurate data to identify the best management approach, can and should be made at the appropriate time."

"Minnesota is such a beautiful state. We have to keep it that way."



Kevin Whelan

## update agencies respond: an interview

### Technology assessments.

Methods of trying to predict the advantages and disadvantages, the benefits and costs of technology that society is using.

**Wastesheds.** Waste collection areas.

On July 25, the Minnesota Pollution Control Agency handed down what is perhaps the single major piece of regulation in environmental law to come out in the last four years, according to James A. Kinsey from the hazardous waste section of the PCA's Solid Waste Division.

The regulations place responsibility for the disposal of hazardous waste on the generator "from cradle to grave," Kinsey said.

"It's been in the works now for about four years, since 1974 when we got the mandate. We received no money or personnel at that time. It took us a year to arrange the funding to develop the program, and it took another year to find qualified personnel. It took us about two years of working with over 120 persons from industry, academia, citizens groups, and other agencies."

"We went through a drafting and redrafting process — about 14 or 15 drafts — meeting with people — constantly redrafting."

"There are about 100 pages, 10 separate regulations:

- 1) General applicability definition
- 2) Evaluation of everything involved in determining whether or not a waste is hazardous.
- 3) "The Generation of Hazardous Waste" — procedural requirements for people who generate waste. This spells out responsibilities of the generator "from cradle to grave".
- 4) Deals with the location, operation, and closure of a hazardous waste facility.
- 5) Pertains to transportation of hazardous waste and federal regulations.
- 6) "The Hazardous Waste Facility Permit Program" — an outline of the how, when, what, and who of permit application.
- 7) Details the contents of hazardous waste facility applications.
- 8) "Hazardous Waste Shipping Papers" — layouts of actual shipping papers: explanation of handling procedures.

9) "County Regulation of Hazardous Waste Management" — standards, evaluation, application, and licensing involving counties.

10) Deals with the spillages and leakages of hazardous waste.

Kinsey said there were also amendments to the solid waste regulations to remove all mention of hazardous waste within those regulations.

"There are two things that have to be done in regard to hazardous waste: one is that we have to address the siting issue. The other is a way of addressing long-term liability."

"Two more reviews are to be done. The chief hearing examiner has to determine if any additional hearings are necessary, and the attorney general's office must decide if what we've developed is what we were mandated to develop."

"Then it goes to the secretary of state so that it can be put into the state register and entered as law. The regulations will go into effect sometime in September." Kinsey said.



# business responds

*"Extensive pilot studies have shown recovery of waste heat is not yet economical ... may be possible sometime in the future."*

Minnesota Mining Company

**Leachate.** Those materials that seep into the earth with rainwater from waste disposal sites or landfills.

**Leaching.** Filtering of materials into soil water. (see Leachate)

**Resource.** Refers to waste as a resource in that it can be usable.

**Sludge.** Solid or semi-solid material remaining after the removal of water from sewage or industrial liquid wastes.

On June 20, the Joint Legislative Committee on Solid and Hazardous Waste toured the Minnesota Mining and Manufacturing (3M) Chemolite Plant in Cottage Grove.

Officials showed committee members the way 3M receives and disposes of chemical wastes. The plant separates wastes into "pumpable" (liquids, glues) and solid (paper, plastics) categories, incinerates the materials, and disposes of the residue on land under authorized process.

The round-the-clock operation is a high-energy user. Extensive pilot studies have shown that recovery of the waste heat is not yet economical. Beneficial use of the heat may be possible sometime in the future, according to a brochure 3M has published.

## Trade secret losses: real or a red herring?

Business interests have expressed concern with revealing information about the chemical makeup, etc. of a company's waste. Malinka of S&T said: "The loss of trade secrets and confidentiality may not be as large a problem as many industries would have us think."

"There are some limited cases where a company can be comparatively damaged by the release of data about its waste,

but the impact of such data release is quite limited ... A thorough investigation should be made as to whether the confidentiality and secrecy of chemicals in industry is real or just a red herring."

"The fluctuation in markets for recovered materials is one of the key factors of the workability of resource recovery," Malinka said.

"For example, why has the corrugated market fluctuated so much, and what can the state do to hold these markets in maintaining a stable level?"

## Landfills: advantages & disadvantages

In reviewing testimony to the committee, about toxic substance disposal, Malinka said, "a thorough identification must be made of the advantages and disadvantages of (landfills and alternatives) with specific data to support the economic, technological, environmental, and institutional advantages and disadvantages of landfills, source separation, resource recovery, construction material options, and other alternatives to handling and managing both hazardous and solid waste ...

"Landfills should not only be identified to the extent which they leak, but the nature and volume of the leachate (see glossary of terms) should be measured and reported."

## Site selection: last but not least

"In sludge disposal, both municipal and residential, we do

not know what the safe or significant levels of toxic contaminants are and what is being done to enforce existing sewer ordinances.

"Last but not least, is siting. What kind of responsibility should industry willingly bear. What can Minnesota do to guarantee the success of such sites?"

*"Even if we find a big disposal, trash masher, we still need a place to put it."*



Joel  
Ratliff

# update

**Source.** Refers to waste generation and the point in time or the place at which the material becomes waste.

**Source reduction.** Lessening the kind or amount of waste before, or at the time, the material becomes waste.

**Source separation.** Separating materials at the moment they become waste.

**Toxic substances.** Chemicals which have bad effects on humans and their environment.

## SPA work plan: the revised program.

At the July 13, 1978 meeting of the Joint Legislative Committee on Solid and Hazardous Waste, Director Peter Vanderpoel and Joseph Sizer of the SPA (State Planning Agency) presented a revised work program which the committee approved.

The SPA divided the new plan into seven policy question areas, each containing September and March research objectives. Together with the PCA, (Pollution Control Agency) the MEA, (Minnesota Energy Agency) the Department of Health, the Office of Local and Urban Affairs, and Barr Engineering, a consulting firm, the SPA will address its research to these questions:

- **Should the state change existing law and procedure for planning, locating, and regulating sanitary landfills?** The research will define and assess the need to change the current laws, and identify remedial opportunities for the state.
- **Should the state establish a program to abate present or future land pollution resulting from improper solid and hazardous waste management practices?** The research will assess existing land pollution problems, categorize pollution situations, and define situations within state institutions which may impede response to pollution problems, including deficiencies in data and practices.
- **Should the state act to encourage the development of solid waste resource recovery facilities of various types in various areas of the state?** The research will develop procedures with which to evaluate social and technical aspects of resource recovery in various sections of the state, and recommend opportunities for state action to encourage establishment of resource recovery facilities.
- **Should the state act to encourage the development of new or the enhancement of existing facilities within the state to process or dispose of hazardous waste?** The research will identify hazardous waste problems in the state which indicate needs for management and treatment systems. It will also suggest priorities among management and treatment alternatives, develop a data management system which identifies deficiencies in existing information and proposes methods to eliminate the deficiencies, recommend state actions to encourage selected





# public responds

**"Public involvement is essential to finding solutions."**

Casserly

## Public Response: "Most has been excellent"

The joint committee has emphasized its desire for citizen and industry input regarding the issues surrounding Minnesota's solid waste and hazardous waste by sending meeting notices requesting participation to interested individuals, organizations, and local government officials.

On June 12, the committee held a press conference to publicize the problem and encourage citizens to participate.

"Most of the response that we've gotten has been excellent," Casserly said. "In fact, people who are concerned about this are pleased that we are spending the time . . . to really try to understand the problem."

"Nobody has a really good answer, but most people are genuinely looking for some solutions. In the past, we've found we have had some awfully good support for what we've done."

## Committee goal: Public Awareness

The joint committee will approve the final work program in mid-July, according to Casserly. "My feeling is that if the committee makes the public aware of the problem, if the legislators themselves become more informed so that they can make better decisions, the committee will in fact have accomplished a good deal. I think additionally we may need temporary legislation particularly if we need to have a temporary storage facility for hazardous waste until we build a permanent site. We may want to do an experimental resource recovery facility or maybe one or two pilot projects. We may come up with some very comprehensive legislation dealing with hazardous and

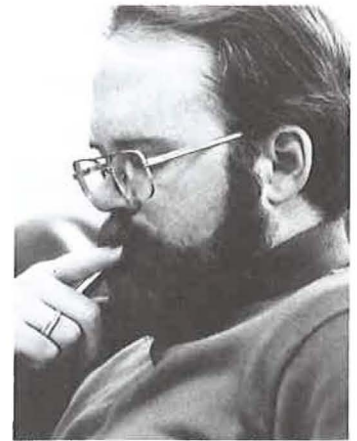
solid waste management in the state. We may set up a separate state agency or separate state authority that is responsible for waste management. We may do any number of things. . .

"But there isn't any question that we're involved — there's no way we can get out of it. There's no way the state itself can get out of it. The state has to make some decision based on the good of the public and general health and safety of the people."

## June 27: Program suggestions

On June 27, the committee meeting agenda included public response to the first draft of the State Planning Agency's (SPA) work program. Agencies and business brought suggestions to the committee for possible inclusion in a second work program draft.

John P. Genereux, consultant in the social studies, suggested a program which he said would involve the public in policy decisions. It would divide the public into six groups and provide different questions for each group: 1) the general public, 2) professional planners, 3) local government officials, 4) residents near waste sites, 5) hazardous waste producers, and 6) environmental watchdogs.



James Casserly

waste management and treatment systems and to improve education and communication among concerned agencies and the public.

- **Should the state act to encourage the development of markets for certain separable and recoverable resources contained in solid and hazardous wastes?** The research will identify developed and stable markets for components of the solid and hazardous waste stream, and assess state action opportunities to develop such markets in areas which have deficiencies.

- **Should the state encourage generators of solid and hazardous wastes and toxic substances to separate and recover for reuse certain resources contained in waste?** The research will suggest a need for the state to encourage source separation and recovery of resources contained in wastes. It will also recommend methods for measuring the effect of resource recovery programs on the amount and types of waste entering the waste stream, and types of programs that the state should pursue.

Vanderpoel said that the concerned agencies would meet in September, 1978 to review progress on the work program.

Sizer said the total cost of the program will be \$11,200.

## Battle ends: Cleanup begins

After a long, legal battle, the PCA and the owner of Pollution Controls, Inc. (PCI) have reached an agreement. The company will haul away 30,000 barrels of hazardous wastes from its Shakopee site near the Minnesota River by June 1980, or pay \$1 million in clean-up costs and fines.

A metropolitan newspaper editorial summed up the episode which began in 1971 with the closing down of the PCI incinerator operation: "As evidenced in Shakopee, the output of toxic wastes from Minnesota industry marches on despite the fact that we don't know how to safely dispose of the stuff . . . we all better recognize the seriousness of the gathering storm warnings."





# comment

Members comment on waste disposal as a regional issue; as a metro/rural issue; on the role of the state; on possible solutions; and how to involve people in the search for the right decisions.

## ARLENE LEHTO (DFL-DULUTH)

*"Nobody is an expert, that's why we have some of the problems we are facing today.* In my area the construction is proceeding on \*Milepost Seven. I guess that the majority of people are resigned to the fact that the taconite tailings disposal site is at Seven.

"I think that most of them supported that decision, but some of us think that it is an ecological disaster as well as a future health hazard and an unnecessary risk. We are still facing the prospect of seeing northern Minnesota as sort of an ultimate experiment.

*"The Legislature made it very clear that we don't want a federal hazardous waste depository anywhere in Minnesota.* I just think that the answer lies in a combination of source reduction, conservation and recycling of waste. It seems to me that there is no safe place for many of these wastes no matter where we send them. It looks like we will have to find some sort of intermediate storage area for them, but as far as putting them away for eternal disposal, I don't think that's going to work.

*"I don't think we are making an effort at all as far as reduction is concerned.* As long as we don't have an answer for what to do with it, we'd better reduce the amount we are producing so that we have less of a problem to deal with.

*"The public has to be part of this decision* in that they must be willing to live without whatever it is that is creating the disposal problem and they must also be willing to accept some form of intermediate storage of this material in some area in the state or in the nation.

*"People may not want it near population centers,* and I think that that is a rational decision. It seems to me to be a rather fundamental one that everyone would agree to. Then again, what may appear to the public to be the ideal area, for example, the northern, less populated areas, people with some scientific

knowledge of the origin of our source waters would know that it is, in fact, not a good place.

*"We can't afford a great deal more time spent in study.* I think some very immediate and drastic measures have to be taken in the reduction of the production of extremely hazardous wastes."

*\*Milepost Seven is an on-land disposal site for taconite tailings. It is near Silver Bay in northeastern Minnesota. The Minnesota Supreme Court ordered Reserve Mining Company to halt dumping of taconite tailings in Lake Superior and ordered state agencies to give Reserve the necessary permits to use Milepost Seven as a disposal site. Other suggested areas were further inland.*

## TED SUSS (DFL-New Prague)

*"Basically what we've done with solid waste over the years is find a swamp, a ravine, or a trench and fill it in.* My district and the entire outlying metropolitan area have the same problem. The Twin Cities produce massive amounts of waste with nowhere to dump it. Because of our proximity to the metro area, and because there is open space available, areas like ours become a dumping ground, which is unfair.

"The backwaters, swamps and marshes leading to the Minnesota River in the Burnsville/Savage area are almost totally filled in with solid waste. That has a potential of being environmentally damaging and isn't pleasing to the people in the area. For those reasons government regulations on landfills are strict.

"Those regulations make it less profitable for the sanitary landfill operators. From their point of view there probably is too much regulation. But, from my point of view and that of most people in society, government regulations are necessary to dispose of waste in an orderly manner so it won't end up floating down the river.

*"For example, we had a situation in Shakopee* where a private chemical waste disposal company was disposing of waste by stockpiling it in 55 gallon barrels. When the company reached the point where they were in violation of ordinances and their permit, and the city brought action to force them to liquidate some of their supply, the company filed bankruptcy and left the state. Now there are several hundred thousand barrels of

Arlene Lehto

Ted Suss

James Pehler

Bob Anderson





dangerous waste near the banks of the Minnesota River. No one has financial responsibility for cleaning it up.

"Because of this incident, the landfills, the sludge waste from the sewer plants, and because this area was a potential site for hazardous waste disposal, people here are concerned. There's a high level of interest in waste disposal. Until something like that occurs, we all think it can't happen to us. People aren't going to be interested in garbage until it's dumped in their backyard. Those who are interested are those who make a profit from disposal and those who are near dumping areas.

**"In theory we shouldn't allow other states to bring hazardous waste into Minnesota,** but that isn't reasonable. Minnesota may have the technology to dispose of certain kinds of hazardous waste and it may take large quantities to run a plant. The same is true of other states. If we put a freeze on waste coming into the state, we won't be able to dispose of other materials which would just compound the problem."

**JAMES PEHLER (DFL-St. Cloud)**

**"The problem is the increasing volume** of waste production, and where to put it. The questions are many and difficult.

**"How do we plan, locate, and regulate sanitary landfills?** Should we establish a program that relates to abetting pollution resulting from improperly designed or improper functioning landfills or storage areas after we've finished with them—also with hazardous wastes?

**"What do we do with existing dump sites?** Who has the ultimate responsibility? Should we rely upon the courts to solve those problems? Should the state develop resource recovery facilities of various types in various parts of the state, or encourage private development? Is solid waste's most functional use as a fuel alternative?

**"Is burning the best disposal method** as compared to combining with some other material to produce energy? Is use of solid waste in construction of building blocks, paving and asphalt—making it part of something—a good alternative?

**"What about processes we have** now that are privately operating—specifically—the 3M plant which is handling its own waste?

Should we go for new, or attempt to enhance existing hazardous waste treatment facilities?

**"These questions include dollar considerations** of profit and loss for businesses in the handling, hauling, byproduct production, and resource recovery of waste.

"Costs of pickup, handling, and hauling of both solid and hazardous waste has a dramatic effect on cities.

**"The committee's intent** is to review the various needs in different parts of the state, as well as how these needs can be met."

**BOB ANDERSON (IR-Ottertail)**

**"In my legislative district, the biggest problem we're having is closing the local dumps and regionalizing the dump grounds.** Along with those problems, are the coincidental problems of PCA regulations geared to metropolitan areas and not geared to rural areas—causing a great hardship on this conversion in rural Minnesota. I think, in my county, in the past several years, 17 local dumps have closed.

**"Rural people are slow to change.** They're required to pay for depositing their refuse in regional dumps. They're used to dumping in township dumps where there was no charge.

"Furthermore, in all small rural Minnesota communities where it's required that garbage may be picked up by a city agent, or an agent contracting with the city, people have to pay a charge. That charge is working a hardship for the elderly people.

"The problem is that the rules are the same for metro and rural areas. Open burning and solid waste burning create problems in the metro area, but not out here in rural Minnesota.

"We're expecting a hearing this summer on those regulations from the Legislative Commission to Review Administrative Rules. We're going to press the open burning regulation before that commission.

**"I think if the state should mandate** requirements to local government, it should definitely contribute to the payment of the resulting costs of those requirements.

"When the PCA was created, one of their charges was the regulation of solid and hazardous waste. They determined that a lot of local dumps were below standard.

"Then the '78 Legislature passed a law allowing county boards to prohibit their garbage from crossing county lines, so I don't think regional dumps will work out."

**"With this particular issue, we should involve people** through their local elected officials. They're the folks that have been responsible in the past for handling waste.

"Seventeen county boards up here in northern Minnesota have gotten together and set up a proclamation relating to closing the local dumps. It represents a real ground swell of reaction, at least from local officials."

**ROBERT SEARLES (IR-Wayzata)**

**"The special problem of waste disposal in my district is entirely tributary to Lake Minnetonka.** The problem of leaching is a serious one since the lake is of metropolitan significance. There is big public interest in not polluting that lake.

**"Like most Minnesotans,** I think my constituents view hazardous waste dumps as a necessity to adequately take care of hazardous wastes. They are sympathetic to the idea that the state set some policy and some standards that will protect the environment and serve the business community.

**"Everybody recognizes the need** for facilities, but nobody wants them in their area. That is the principal political problem in front of us.

"The courts recently decided, in a case between New Jersey and Pennsylvania, that no state can erect a barrier to keep other states from using parts of that state for disposal purposes.

**"Geologically speaking,** there are some rock formations in northern Minnesota that are ideal for disposing of hazardous wastes.

"The location of a great deal of waste-generating industrial production is in the Twin Cities area.

"All of us benefit by the products that are produced by industry there, and the responsibility for adequate waste disposal is a joint responsibility.

Robert Searles

David Beauchamp

Tony Eckstein

Kenneth McDonald

John R. Kaley





*"Probably one of the best ways to involve people is to ask them where their products go that they throw away in their kitchens or their stores. People more or less close their eyes to where their refuse goes after they get rid of it.*

*"Once they put it in their garbage cans, and the garbage man takes it away, they forget about it.*

*"Involvement in this whole problem would increase if people are made to understand, they are a part of it."*

**DAVID BEAUCHAMP (DFL-Moorhead)**

*"We have a real conflict problem. The major line of the Burlington Northern Railroad comes through the center of our community. That needs some hazardous waste consideration. We would have a major problem if there were ever a train accident and that train was carrying chemical or hazardous waste.*

*"We have very rich agricultural soil in our area so that Moorhead is not a good prospect for a dump site since it is so valuable in terms of its agricultural products. I think that we are going to have to get into some sort of an agreement or interstate compact to define transportation of hazardous goods across state lines.*

*"We have to set some firm guidelines as to how hazardous wastes should be addressed; cautions that should be used in establishing ports of disposal.*

*"Rural-metro conflicts are inevitable. Although the metro areas are waste generators, they are also high population centers which is a negative factor when you have to dispose of hazardous wastes. You don't want a large population nearby.*

*"It's not only the Hazardous Waste Commission members, but the county commissioners, especially in the rural areas, who should be very observant and involved in long range planning and selecting sites for disposal.*

*"There are definitely steps citizens can take to get involved in the decision making. Awareness groups, and to a larger extent the environmental groups, are looking at the question, but they are not as involved as they should be."*

**TONY ECKSTEIN (DFL-New Ulm)**

*"We're going to have to back up a ways on our rules and regulations regarding waste. We need to start over again. Some of the existing rules and regulations, because they are quite restrictive, may aggravate problems, especially the volume problem.*

*"There are very few people that realize the scope of the problem. Some people said that ban-the-can would help, but that's only a small percentage of our waste*

*volume. The biggest volume is paper.*

*"There were some very serious problems in our area. The city regulates the garbage haulers and the county is in charge of the disposal sites. One agency sets fees for hauling waste, another sets fees for disposing of it. One blames the other for problems and costs. What happened in our area is that haulers brought the waste from Brown County to Blue Earth County. That would have caused Brown County landfill operators to shut down. If that would have happened all waste would have had to go to Blue Earth County. For some haulers it would have been a one-way trip of 40 miles. That's too far to haul it. Other counties have had similar problems.*

*"In order to control that situation, the Brown County commissioners asked me to introduce a bill which gives the county board authority over waste produced in the county. The county could then require the haulers to bring waste to the county landfill instead of hauling it to another county.*

*"Recent court decisions have stated that one state can't keep another state's hazardous waste out. There's a similar situation in Minnesota. One county can't prevent another county from bringing their waste in. My bill did the opposite. It said that a county could keep the waste from going out of the county."*

**KENNETH MCDONALD (IR-Watertown)**

*"The major problem for my district, which is Carver County, is that it was originally selected as a possible site for dumping of solid and hazardous waste from the Metropolitan area. This became a major concern to the businesses and citizens there.*

*"There were a couple of public hearings in which a number of irate citizens attended and raised the roof in objection.*

*"As a result Carver County was dropped from the list of possible sites. Their major objection was that it is a very developing community in so far as it is close to Minneapolis.*

*"The western edge of the district is mainly residential and developing rapidly. The balance of the county is productive, solid agricultural land. The people could see no reason to take such land out of production to make it available for dumping of wastes. As they saw it, there is so much wasteland in many areas of the state that cannot be used for productive agriculture.*

*"Most of the people I've discussed it with seem to think that if business is allowed to, and given incentives to do it on their own, that business will find the proper way to dispose of waste. They feel it will be done cheaper in the long run than*

*if a special agency of state government tries to do it.*

*"There has got to be a definite solicitation made among the various businesses in the area, encouraging them to get their people involved in the legislative process—not necessarily subpoena them—but offer definite invitations for them to come in and offer their program. I think, if the proper incentives and directives are there, business will clean up its act.*

*"There are definitely strong feelings between metro and rural areas. I hear people saying, 'Let them find their own place to put it, not in our backyard.'"*

**JOHN R. KALEY (IR-Rochester)**

*"The whole matter of waste, both solid and hazardous, is a problem we as a society must face. Our committee will have to determine whether the state is the proper place to deal with that problem. Our goal is to investigate the scope and the size of this problem. To do that we need assistance from state agencies, the public and local units of government. We need their viewpoint before we can make decisions. We're not near decision point yet.*

*"As far as the public coming to the meetings, I would say there isn't much interest, but the reason for that is more important. I think it's a simple thing. As long as you and I can put our garbage in the can and someone picks it up and puts it somewhere other than in our front yard, we don't worry about it.*

*"Waste problems throughout the state are similar. There is a constant concern as to whether our sanitary landfill, or any other, is polluting the environment. Landfill management is becoming a science. It has to, if we're going to protect the surrounding environment.*

*"Right now we're shipping a lot of our hazardous waste to other states. Some are saying 'Why should we accept Minnesota's hazardous waste?' I think it's unreasonable to expect that another state is going to accept all our hazardous waste so we can go on free and clear. We've got to look at the possibility of taking care of it ourselves.*

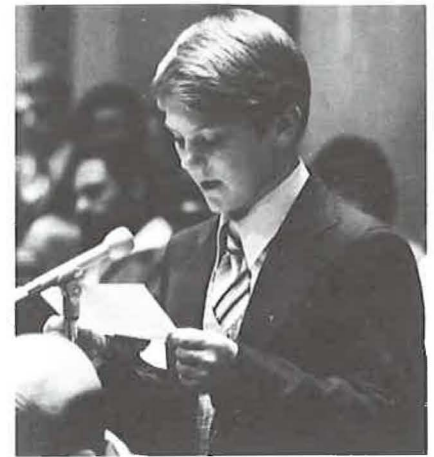
*"There may be classes of hazardous waste that need national attention. There may be only a few places in the United States where we can safely dispose of certain wastes. It's not as simple as saying we should ship it someplace else or we shouldn't. We don't know the answers yet.*

*"Waste disposal across the broad spectrum is going to be one of our main societal problems, if it isn't already. We're going to drown in our own garbage."*





# Awards Ceremony honors legislators of tomorrow



Carmen Tobeck, an eighth grader from Hopkins saw herself on TV evening news Sunday, May 21. That was a fun experience, she said, but not her reason for looking forward to next year's essay contest.

"Everything was so interesting," Carmen told a news reporter. "It was really exciting to be a part of it. I really feel I learned a lot about the way our government works. I'm going to start now to think about a law to write about for next year's contest.

"It would really be fun if my law would be one of those chosen for students to discuss."

Many students and parents expressed thanks to House members for making it a day to remember—with a special thanks to Rep. Wayne Simoneau of Fridley who helped Corey Evans in his role as chief author of the winning bill.





## Legislators for a day represent all of Minnesota

Junior lawmakers, winners in the annual junior high school essay contest, had their day in the House chamber on Sunday, May 21, coming from all parts of the state. Over 1200 students entered their ideas for new laws. Judges, teachers from the Minnesota Council for Social Studies, chose winners from each House district, and one top winner—Corey Evans from Balaton—for his idea on energy conservation. House members guided their district winners through the process that makes a bill a law—debating, amending, and voting on Corey's bill. Speaker Martin Sabo presented the awards. Rep. Michael Sieben of Newport presided at the mock session.







Photos by Kay Peterson

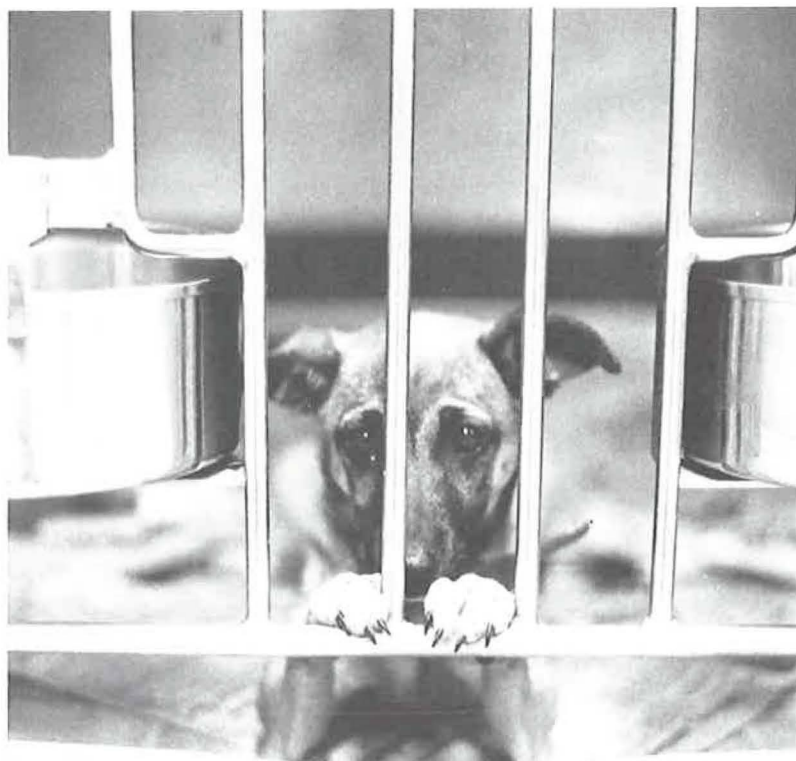


# new laws

Each Interim issue will feature a few laws of general interest that came out of the 1978 legislative session.

Legislators increased the penalty for passing a school bus displaying the stop signal from a petty misdemeanor to a misdemeanor with *Chapter 629*.

Pet owners who cannot reclaim their impounded pets now have the power to choose destruction rather than research use of the animal. Under the new *Chapter 457* law, owners may attach a tag to the pet saying that they do not want their pet to go for research use.



You can tag your pet.





**"Every other group had to legislate for their rights, and the handicapped are no different."** Mary O'Hara

**In 1978, the Legislature passed bills affecting handicapped citizens. Mary O'Hara of the Handicapped Housing Services, Inc., chose to comment on these:**

**Chapter 520** authorizes the council for the handicapped to initiate and intervene in proceedings affecting the handicapped; allows the commissioner of administration to regulate the display of the international symbol for the handicapped.

"This law," O'Hara said, "is going to take the burden of the costs of an attorney off the handicapped community. This bill came up after a number of handicapped consumers in Rochester had to raise money, over \$3,000, to take a building code dispute to a public hearing," O'Hara said. "It was an unnecessary and undue hardship for them to go to this meeting just to get a building code law enforced . . . they were put to all that expense for a \$1,200 ramp."

**Chapter 751** requires state rented or leased buildings to meet building code regulations for the physically handicapped; requires the state to hold public meetings, after July 1, 1979, in buildings accessible to the handicapped.

"I'm having a lot of trouble with this problem — in that every time I get a meeting announcement, it is in an inaccessible building. If enough of these meetings are cancelled, or if the governor's staff intervenes to enforce the law, people are going to pay attention to it."

**Chapter 752** provides safety standards for the transportation of handicapped citizens with wheelchairs.

"This became necessary when a lot of transportation services for the handicapped were not securing wheelchairs properly. Chairs were tipping, people were falling and getting hurt . . . a law like this should help out."

**Chapter 630** gives severely handicapped persons on-the-job trial work experience within civil service, effective August 1, 1978.

"The trial work experience is going to be great. The people that will go on the trial work experience are going to have an experience they have never had before. It's through civil service and the Department of Natural Resources, but, basically, it is going to be all different job situations where the person feels qualified."

**Chapter 522** allows cities, towns, and counties to allocate money from their general fund or levy taxes to provide long-term sheltered workshop or work activity programs for the handicapped, effective August 1, 1978.

"I think it is very important that the monies be available to set up a sheltered situation for people who are unable to work in any other situation. There are a lot of people, however, fighting for minimum wage in workshops . . . and people from workshops have told me that they are not treated as people. There is need for improvement and, of course, with this additional funding there will be improvement."

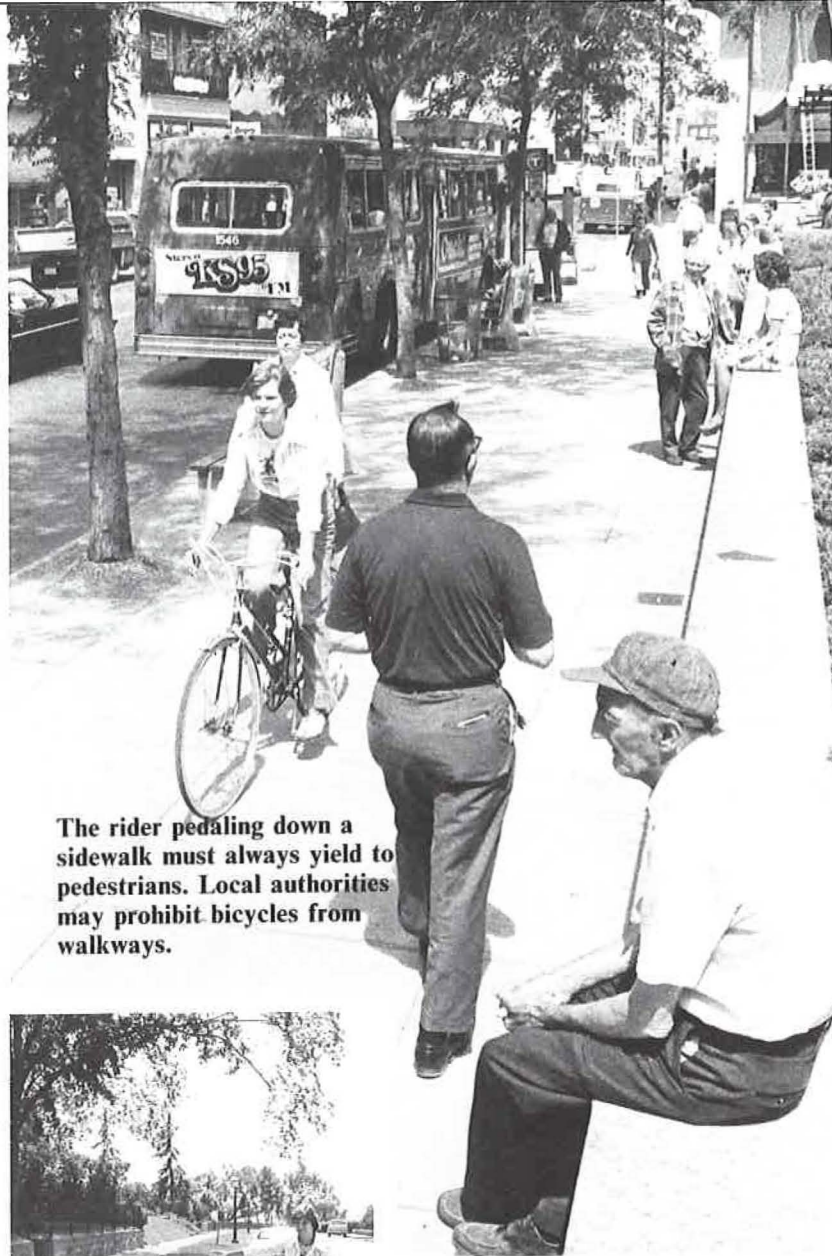
"The one thing you can say about all of these bills is that they will provide an opportunity in safety and a potential for more employment and housing . . . it gives people opportunity to be as independent as possible. It also shows that Minnesota is concerned about its handicapped citizens."



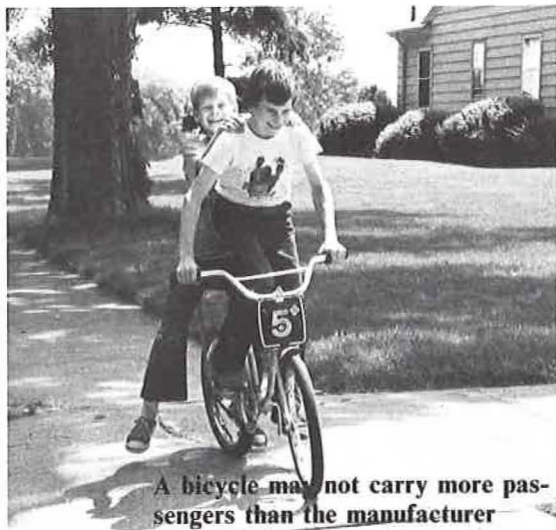
# new laws

**Chapter 739** (HF474-Kahn), effective as law August 1, 1978, will provide a series of updated regulations for vehicles - bicycles in particular. In addition to the rules we picture, the law will:

- require bicycles at night to have a front lamp visible from at least 500 feet and a rear reflector visible from at least 100 feet.
- require bicycle operators to equip baby carriers with a harness to hold the child securely and protect the child's feet from hitting the spokes of the wheel.
- prohibit riders of bicycles, coasters, roller skates, toboggans, sleds, skateboards, or toy vehicles from attaching themselves or their vehicles to other vehicles on roadways.



The rider pedaling down a sidewalk must always yield to pedestrians. Local authorities may prohibit bicycles from walkways.



A bicycle may not carry more passengers than the manufacturer designed it to carry.



A signaling bicyclist extends his/her arm horizontally in the direction of a turn.



- prohibit motor vehicles from using bicycle lanes, except to park, to enter or leave a highway, or to turn.
- require pedestrians to yield to vehicles when crossing roadways at unmarked locations.

**Chapter 554** (HF1713-H. Sieben) transfers the control of the Hastings State Hospital campus to the Department of Veterans Affairs. The law directed the commissioner of veterans affairs to establish a veterans home of up to 150 beds. Rep. Harry Sieben, author of the bill, and Rep. Kenneth McDonald (at right) participated in the opening ceremony for the new Veterans Hospital.





# almanac

*Summer in Minnesota brings visitors to the Minnesota Capitol from all parts of the world to view the majestic structure that is a tribute to the spirit and determination of people working through the legislative process.*

*It began in 1891 when the continued movement of people into the young state, and the increased demands of a representative government, outgrew Minnesota's statehouse. The Legislature appointed a committee to study the need for a new building.*

*In 1983, with the national economy slipping into a depression, the people of the state, at the recommendation of the legislative committee, began construction. The base figure was to be not less than \$2 million.*

*Channing Seabury, a St. Paul businessman, serving his state without pay, headed a seven-man commission and guided the building of the Capitol through six legislative sessions and five different governors — supporting the vision of architect Cass Gilbert. He buffeted the political storms for Gilbert when battles over choices of contractors and materials, requests for more money, and the watchdog editorials of the press rocked the ship of state.*

*Going to the Legislature, from time to time, with requests that totaled a 125 percent increase over the original appropriation wasn't easy. It was a wearying Seabury who, in 1903, took to the elected body what he told Gilbert must be his final request for money. Gilbert had asked for an additional \$1,500,000 to finish the Capitol in an "absolutely first class manner".*

*Challenging the request, outstate legislators, at the editorial urging of the Minneapolis Journal, asked for an audit of the Capitol Commission's books. Seabury replied that he was happy to have such an audit and was surprised the Legislature had not requested it earlier.*

*The result was a costly delay in construction plans, and the passage of the appropriation on a 103 to 5 vote. It was a victory for Channing—and for Gilbert—who turned immediately to the first class finishing of the Capitol.*

*Awaiting the additional money were the statues at the base of the Capitol's dome, and the quadriga (gold horses). Just forty-six days after the final funding bill passed, Gilbert commissioned sculptors, French and Potter, to do the quadriga.*

*The artists entitled the impressive copper and gold leaf statuary "Progress of the State," symbolic of mankind's advance toward prosperity — and the success of a people and a process.*

*The Capitol opened to the public on January 2, 1905; the Legislature occupied it for the first time in that same month. The entire cost, including all expenses and furnishings, was \$4,458,628.27. The sum of \$41,371.73 remained unspent, a fact which must have pleased Channing Seaburg, — who during the battle for the final appropriation had said, "just now I am not enjoying life".*



# interim

Minnesota House of Representatives

Publication of House Information Office  
Rm 8 • State Capitol • St. Paul, Minnesota  
55155 • (612) 296-2146

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## other interim meetings

### **CRIMINAL JUSTICE COMMITTEE Juvenile Delinquency & Corrections Wednesday, May 17**

*Agenda:* report from research staff on recent legislation relating to youth; testimony from Pat Mack, Assistant Commissioner of Corrections and Jay Lindgren, Director of the Department of Corrections' program for serious juvenile offenders; considerations for interim study.

### **Criminal Laws & Procedures Tuesday, June 6**

*Agenda:* hearings on grand jury reform.

### **EDUCATION Mandated Programs subcommittee Thursday, June 15**

*Agenda:* report from the Department of Education on their efforts to reduce the amount of reporting local school districts must do.

### **ENVIRONMENT & NATURAL RESOURCES**

#### **Game & Fish subcommittee Tuesday, May 16**

*Agenda:* HAB94 (Biersdorf, IR-Owatonna) — a proposal to study the development of an adult hunter education program; discussion of general game and fish subjects of interest to area residents. Meeting place: Waseca.

#### **Recreation & Open Space subcommittee**

#### **Tuesday, May 30**

*Agenda:* HAB104 (Clawson, DFL-Center City) — a proposal for a review of the Federal St. Croix Wild and Scenic River Project. Meeting place: Taylors Falls, Minn.

### **FINANCIAL INSTITUTIONS & INSURANCE**

#### **Tuesday, May 2**

*Agenda:* HAB98 (Kelly, R., DFL-St. Paul) — a proposal to study the structures and powers of financial institutions.

### **Insurance subcommittee Thursday, May 25**

*Agenda:* HF189 (Cassery, DFL-Minneapolis) — would prohibit redlining in homeowner's fire and liability insurance.

### **GENERAL LEGISLATION & VET- ERANS AFFAIRS National Guard Airwing Siting Task Force**

#### **Monday, May 8**

*Agenda:* a study of possible sites for the Airwing of the Army National Guard. Members of the task force are: Richard Kostohryz (DFL-N. St. Paul), Tony Onnen (IR-Cokato), Arlene Lehto (DFL-Duluth), James Rice (DFL-Mpls.). The Chairman is Paul McCarron (DFL-Spring Lake Park).

### **GOVERNMENTAL OPERATIONS Internal State Government Operations Policies subcommittee**

#### **Monday, May 1**

*Agenda:* discussion of interim study proposals.

#### **Friday, June 16**

*Agenda:* report from the Advisory Council to the Department of Natural Resources; discussion of whether conservation officers should have peace officer powers.

### **HEALTH & WELFARE Departmental Affairs subcommittee Tuesday, April 18**

*Agenda:* public hearings and meetings with St. Louis County social services officials and Carlton County human services officials. Meeting places: Duluth and Cloquet, Minn.

#### **Tuesday, May 16**

*Agenda:* review of Pipestone County welfare services and Yellow Medicine County social services. Meeting places: Pipestone and Granite Falls, Minn.

### **Health Care subcommittee Tuesday, June 6**

*Agenda:* hearing on the interrelationship of the chiropractic and medical professions.

#### **Tuesday, June 13**

*Agenda:* testimony from the State Board of Medical Examiners, State Board of Chiropractic Examiners, and the Minnesota Chapter of the American Physical Therapy Association on the scope of chiropractic practice.

### **Health Care Cost subcommittee Friday, June 16**

*Agenda:* review of the regulation of ambulance services.

### **Social Services subcommittee Tuesday, June 13**

*Agenda:* report from State Demographer Hazel Reinhardt and second organizational meeting for the task forces studying welfare reform.

### **LOCAL & URBAN AFFAIRS Governmental Administration Monday, June 12**

*Discussion:* legal publication requirements for local governmental units. Meeting place: Brainerd.

### **RULES & LEGISLATION ADMINISTRATION Rules & Procedures subcommittee Wednesday, June 14**

*Agenda:* discussion of selection of chairmen, committee assignments, elected rules committee and reference of bills to standing committees.

### **TAXES Tax Exempt Property subcommittee**

*Agenda:* tour and hearings on state forest property. Meeting place: Walker, Minn.

### **SELECT HOUSE COMMITTEE ON ENERGY**

#### **Tuesday, June 8**

*Agenda:* Minnesota Energy Agency presentation; discussion of energy and the economy, alternative sources of energy, energy costs and pricing; select committee organization.

#### **Wednesday, June 14**

*Agenda:* update of national energy legislation and energy legislation in other states; testimony on the Mid-American Solar Energy Complex. (See next issue of *Interim* for feature on energy.)