

Inside:
Committee studies
Issues for '84
Oct. and Nov. Mini-sessions



photo by Tom Olmsheid

Flexible sessions, mini-sessions, and the power of committees:

Since Minnesota became a state in 1858, Minnesota voters have expanded the length of legislative sessions three times.

In 1860, a constitutional amendment held the Legislature to a 60-day session. In 1888, voters passed another amendment that changed the 60 days to 90. In 1961, they voted to add 30 days, allowing the Legislature to meet for 120 consecutive days (except for Saturday and Sunday) in the odd-numbered year of the biennium (two year period).

Flexible sessions

On Nov. 7, 1972, voters passed the "Flexible Sessions" amendment to the Minnesota Constitution. The amendment held the number of days the Legislature can meet in a biennium to 120, but permitted the Legislature to spread those days over the two years. Legislative days are those on which either the House or Senate meets. Days when committees meet, but neither the House or Senate convenes in their chambers, to act on legislative business, do not count against the 120 allowable days.

Mini-sessions

The 1972 amendment also allows committees to continue to work during the interim (time between meetings) with the same powers they have to act on bills during the session, thus creating "mini-sessions".

The 1984 Legislature has a schedule of five mini-sessions, one week of committee meetings in September, October, November, January, and February.

What happens to bills during mini-sessions

In the state of Minnesota, the law allows "carry-over legislation." Bills that do not pass both the House and Senate before adjournment of the Legislature in the first year of the biennium may carry over to the second year. Standing committees, therefore, can act on their carry-over bills during the interim.

House committees may hold public hearings and take testimony on bills in their possession and vote to make recommendations during the interim. Committees may recommend that the Legislature amend a bill, recommend that the Legislature pass a bill, or they may recommend that the Legislature re-refer a bill to another committee.

Committee power

Committees never pass bills. Only the Legislature, in session, can take that action. Committees can only recommend an action to the Legislature.

The committee secretary records the committee's recommendation in a committee report which goes to the Legislature. When the Legislature takes up the committee reports, as part of the order of business while in session, it either accepts or rejects the recommendations in the committee report.

If the Legislature, in session, rejects the committee report on a bill, the bill goes back to the committee. If the Legislature accepts the recommendations in the committee report, the bill gets a second reading and is on its way for further legislative consideration.

Interim bill introductions are unofficial

During the interim, legislators may introduce bills but that introduction is unofficial. In the House of Representatives, the Speaker assigns each of these bills to a committee. The bills then go to the Chief Clerk who gives every bill a House file number.

The committee gets a duplicate copy of the bill. The original copy goes into a file to wait for its constitutional first reading and official introduction into the legislative process when the Legislature meets for the second half of the 1983-84 session.

Committees may hold public hearings on the bills that have an unofficial status, but they do not act on them. That is, they do not make official recommendations to the Legislature until after the bills get their official introduction and their first reading when the House is in session. After official introduction and first reading the original copies go to the proper committees for their recommendations.

Committees, then, make their recommendations on the bills in their committee reports and return the bills to the Chief Clerk of the House in the routine manner for House action. When the House takes up committee reports in the course of its daily business, the legislators act on the committee recommendations.

The 1983-84 Legislature has used 60 days of the 120 legislative days the law allows. The Legislature met from Jan. 4, 1983 until May 23, 1983. It will reconvene on Tuesday, March 6, 1984.

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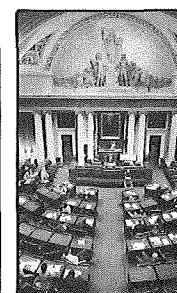
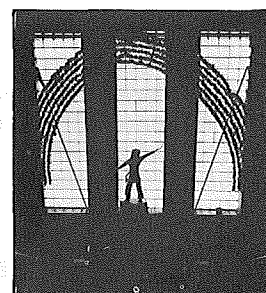
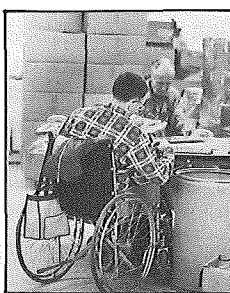
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Minnesota Peat: an energy source?

by Bonnie Kollodge

Rasjo Torv, a fuel peat production firm from Hudiksvall, Sweden has made an offer Minnesota couldn't refuse. The company plans to lease 2600 acres of state land, Fens Bog, near Zim, Minnesota to start a \$2.2 million mining and testing project on 160 acres of the land.

The state's lending \$1 million, which the Minnesota branch of Rasjo Torv, Great Lakes Peat Products Company, will pay back—if, after two years,—the company finds it can burn and market the peat.

Work to begin this winter

Working the peat bog will begin this winter for harvest in the summer of '84. In Fall of '84, Rasjo Torv wants to test burn the peat to see if it suits conventional heating methods.

Terms of the rental lease: Rasjo Torv pays a \$2 per acre rental fee for the first four years on all 2600 acres, \$5 per acre after that, with adjustments every five years. The company will pay Minnesota 75 cents a ton in royalties once mining starts—a figure they'll base on a price index and adjust annually.

What's peat?

Why's it important?

Peat is the decomposing vegetation in swamps and bogs, and Minnesota, with almost six million acres of peat land, is a national leader in peat acreage. The only state to have more is Alaska. It's a possible energy resource, but, right now, Minnesota has no commercial plants to turn peat into usable energy.

A new industry would mean new jobs, but

at this point, any ideas as to numbers is a guess.

"In Minnesota, we're very much in the pilot project phase of things," says Dennis Asmussen from the Department of Natural Resources (DNR), "but what everyone's working toward is the development of a commercial market. It would not be fair to say that the commercial market is in place yet."

Peat development not yet a large industry

According to Asmussen, Minnesota has about a half-dozen small scale mining projects, mostly on private land, the larger Rasjo Torv development proposal, and a second public land proposal in process, which Canadian interests are backing, and a medium-sized private development project that's in operation now.

"Peat developers harvested several thousand tons of peat last season," said Asmussen. They stockpile the peat and sell it to users, one of which is the state of Minnesota, for use in a test program, Asmussen said.

Commercial market is a potential

Though he feels Minnesota has "significant" potential for a commercial peat market, he says development of an industry could take about 10 years. "It's a bit speculative," he says, "but there seems to be an intense interest right now within the private sector to develop the industry."

In other countries, such as Sweden, Finland, Ireland, and Russia, peat land development includes: burning peat to produce domestic fuel, or fuel for steam boilers to generate electricity; converting peat through gasification to produce synthetic fuels; and low temperature processing of peat to provide industrial chemicals.

Other nonextractive uses of peat include agriculture; energy crops for biomass production; and sewage treatment.

Peat for energy a new idea

Peat development for energy hasn't been around all that long in Rasjo Torv's home country, Sweden. According to David Brostrom, a representative for the company, it wasn't until 1980 that Sweden started a program to develop fuels from wood, peat, and biomass to reduce the country's dependence on foreign fuels; because Sweden has no coal, oil, or natural gas of its own.

"Minnesota's moving carefully ..."

Brostrom said Rasjo Torv first became interested in Minnesota two or three years ago, in the midst of the state's research program. The company looked only at Minnesota, said Brostrom, "because Minnesota has done a very extensive job of inventorying its peat resources, and forming a management program for controlling the use of them, and because Minnesota has one heck of a lot of peat."

"The state," said Brostrom, "is moving ahead very carefully and very thoughtfully in peat development, and that comes on the heels of some very extensive research."

Swedish peat development plan different from 1975 attempts

Though Minnegasco, beginning in 1975, made an unsuccessful attempt to tap Minnesota's peat resources, Brostrom says any attempt to compare the Minnegasco program to Rasjo Torv's is "inappropriate."*

"Minnegasco," said Brostrom, "was looking at a shorter term for a development project, providing a greater percentage of the fuel mix, and using a much larger piece of land." Furthermore, Brostrom says Minnegasco was talking about a gasification program to produce synthetic fuels as a competitor to natural

gas, a technology that even today, Brostrom says, "is undemonstrated and unproven as to its technical and economic viability."

Brostrom explains process

"What Rasjo is talking about," continued Brostrom, "is the most fundamental technology in terms of fuel peat production, which is the basic extrusive (forcing out) process where the peat is harvested—forced out through an extruder into sod which is about two to three inches in diameter and several inches in length—dried out on the field, and after a couple weeks, picked up, transported, and delivered for direct combustion (burning)."

Tests will prove if peat's a usable substitute for coal

The company hopes to develop peat as a competitor to coal. In identifying potential fuel peat markets, Brostrom said the company met with representatives of industrial facilities which currently burn coal.

"The reason for that is because those who currently burn coal are most likely to be those who can burn peat directly, with little or no modification of their existing boiler systems. You can't really come in and ask people to invest large sums of money to convert their boiler systems to burn a fuel they're not even sure will work.

"So in our tests we have to first determine if peat will successfully burn in combustion systems, and second whether production costs associated with fuel peat in Minnesota will make it able to compete, price-wise, with other fuels, most immediately coal," says Brostrom.

House Environment Committee chairman isn't convinced

Chairman of the House Environment Committee, Rep. Willard Munger (DFL-Duluth), isn't as enthusiastic about this direction in peat development. As Munger sees it, Minnesota has two alternatives: to either burn peat for energy, or develop renewable energy resources from peat, such as willows, cattails, and forestry. Munger says he prefers the latter because, "Once you burn the peat, it's gone forever, and what are you going to do then?"

Munger's "go slow on peat" policy stems from lack of solid information, he says, on the environmental impacts of large scale peat development.

When the peat's gone, then what?

"I'm not for doing nothing," Munger says, "but I don't want to be in the position to have my grandchildren or great-grandchildren say to themselves 50 years from now that their great-grandfather, who served in the Legislature, allowed Minnesota's peat resources to be destroyed so they don't have anything left.

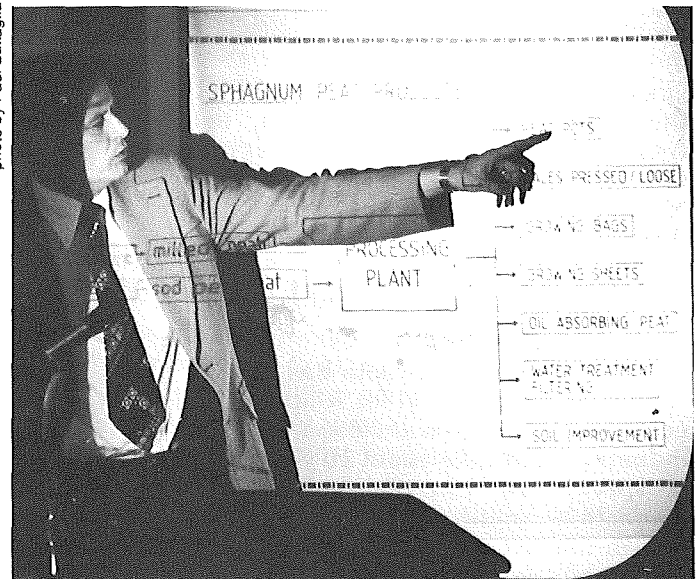
"I'm not opposed to using natural resources, but I don't believe in killing the goose to get the golden egg," says Munger.

Land and water quality are considerations

Water quality and the conversion of land use are two environmental concerns that Asmussen points out. "We haven't

Mikko Valli, head of engineering and planning for Rasjo Torv, a Swedish fuel peat production firm, reviews procedures for peat processing Oct. 17 at the State Office Building.

photo by Paul Battaglia



demonstrated that water quality will be a problem. The DNR wants to make sure water coming out of the peatlands goes through treatment if it can't meet water quality standards, so the issue will need further looking into," says Asmussen. On the conversion of land use, from an area where trees grow and wildlife lives to a peat mine, Asmussen says the Rasjo Torv project is dealing with a small fraction of the total area of peatlands, and says, "I wouldn't overrate the issue in this case."

Company will have to comply with standards

In its undertakings with Minnesota, Asmussen says Rasjo Torv will have to comply with air and water quality standards and stick to a reclamation provision in the lease that requires the company to do something with the land after mining it. That could mean draining for tree planting, or flooding for producing water crops, such as cattails or wild rice.

Is there or isn't there enough information on environmental impact of harvesting peat?

"There is and there isn't," says Chairman of the House Energy Committee, Rep. Gordon Voss (DFL-Blaine). According to Voss, much depends on the size of the project. "We know very little about the operation out of a huge bog like the Red Lake Bog, and we ought to resist movement into that kind of development.

"However, we know quite a bit about the environmental effects of draining and operating small bogs. Farmers have been doing that for years."

Energy chairman says Swedish plan "appropriate project"

Voss calls the Rasjo Torv agreement an "appropriate project." "The scale is better than that in some other proposals we've heard in terms of size," he says. "It's better to look at a couple hundred acres to start with, versus say 50,000, and developing that to see if the development is, in fact, an economical operation.

"Extractive and non-extractive uses of peat can be compatible," says Voss. "I think it's possible to extract peat on a smaller scale like Rasjo Torv is talking about, and use that resource for awhile, and, then, when you're done with that program, you can convert it over to a renewable."

Peat energy's a possibility

As for the future, Voss says, "It's my guess that we'll end up with a peat program in Minnesota a lot like the one designed in Sweden. In Sweden they're talking about a peat energy program in about 25 years that might provide about five percent of their energy supply. I wouldn't be surprised if that's what happens in Minnesota as well."

"I would love to give an answer (on how many acres of peat Rasjo Torv could mine and how much of the fuel mix it could provide)," said Brostrom, "but it's 100 percent speculation at this time, and it will be entirely a function of the market demand for peat in the years to come."

*In 1975, Minnegasco requested a lease for several hundred thousand acres of state-owned peat land to set up a demonstration plant. The project would have used about 18,000 tons of peat a day during the harvesting season, over a 20-year period.

By the end of the project, the company found that the gas it could produce would cost so much more than natural gas (at the time), that the product wouldn't sell.



Consultant David Brostrom outlines Rasjo Torv's plans for peat production in Minnesota at Oct. meeting at the State Office Building.

Tourism: Does Minnesota show the way?

by Nancy J. Miller



"Minnesota's got no gumption when it comes to tourism, and I'm about ready to pack off to South Dakota," said Ernie Tuff, owner/operator of a museum near Rushford MN that he says has over 7,000 items of interest for persons passing through the community near Winona.

Tuff claims his business is suffering because Minnesota's restrictions on highway sign advertising are too tough. He says Minnesota needs to loosen those restrictions to promote the state's tourism industry.

"Without directional signs on the highway, it's virtually impossible to get any tourists to stop," said Tuff.

Tuff told his story to members of the Transportation Committee Nov. 17 when the committee met to hear testimony on House Advisory 15 (Johnson, IR-Caledonia), a proposal for an interim study of directional signing on roads and highways.

Federal Beautification Act

President Lyndon Johnson signed the Highway Beautification Act, or "Ladybird Law", into effect late in 1965, a few months after Minnesota adopted its own outdoor advertising law. The objective of the law, in part, is to "protect the public investment on highways, and promote the safety and recreational value of public travel, and to preserve natural beauty."

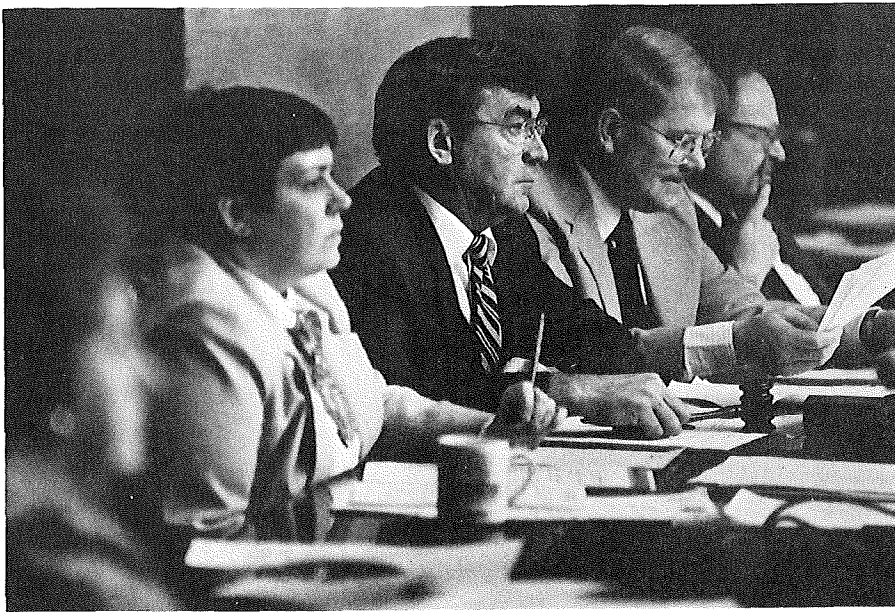
In 1967 Minnesota amended the state law to conform with federal law requiring states to provide "effective control" of outdoor advertising. The act controls all signing on interstate highways and all highways on the federal aid primary system. It allows signs on the property where the goods, property, or services actually are.

The act also allows landmark signs, official state or local government signs, religious and service club signs, public event/interest area signs, signs whose removal would cause a severe hardship, and signs in zoned commercial and industrial areas that conform to state specifications.

Rural businesses would benefit

The problem for Tuff, and other rural businesses, is the law doesn't mention agriculture or non-commercial and industrial zoned areas for signing. And, only publicly owned operations, such as the Minnesota Zoo, can put up directional signs to guide motorists to their destinations.

"The rural districts need some type of signing to help their economy," said Michael Collins from Collins Signs of LaCrosse WI. Wisconsin's law allows signing in rural areas provided they stay within size and distance requirements.



Transportation Committee hears business owners' appeal for expanded highway advertising laws Nov. 17 at State Office Building.

photo by Tom Olmsheid

"It wouldn't cost the state one more cent because it (the state) would be getting revenue from permits and additional sales tax from the business the signs would generate," said Collins.

Private business signs needed

David Paradeau, vice president of marketing from Valley Fair, agrees signing laws need relaxing. Current law allowing only publicly owned businesses to appear on highway directional signs keeps people from finding the amusement park and results in poor community relations.

Paradeau told members too many visitors, especially from greater Minnesota, have trouble finding the park once they're in the metro-area because of the lack of signs. Visitors have to stop at nearby businesses and ask directions, which, considering the overall traffic to the park each season, annoys neighbors and visitors alike, said Paradeau.

He would like to see a sign reading simply "amusement park" at strategic traffic intersections on the way to Shakopee. To let private businesses use such highway directional signs, the Legislature would have to amend state law.

A closer look

"It's time the state of Minnesota took a close look at our signing laws again," said Rep. Johnson, who says he's gotten requests from businesses to evaluate current law. "That's the purpose of this advisory."

The Highway Safety subcommittee will next take up HA15, study the issue further, and make a recommendation to the full committee.



photo by Paul Battaglia

Private businesses need signs just as publicly owned attractions do, says David Paradeau from Valley Fair amusement park at Nov. 17 meeting.

Jobs: sheltered workshops and workers' rights

by Lisa Lissimore



photo by Tom Olmsheid

An interim study of the state's long-term sheltered workshops is underway in the House Labor-Management Relations Committee. In two mini-session hearings, committee members listened to public testimony on sheltered workshops that employ the disabled.

Surfacing as problem areas for sheltered workshop employees are wages, job benefits, new fields of work, job placement, contract bidding, safety, layoff procedures, and ways for workers to present grievances.

Will new legislation solve some problems?

At a Sept. 19 committee meeting many people testified in support of HF470, a bill Rep. Janet Clark (DFL—Mpls) introduced during the last legislative session that would give handicapped employees in sheltered workshops the right to collective bargaining.

Clark decided on an interim study to see if HF470 would help improve conditions or whether to propose another bill because of all the different opinions that came from individuals and organizations.

Sam Horowitz, executive director of the Joint Religious Legislative Coalition, told lawmakers his organization supports HF470, which would include sheltered workers within the definition of employee in the Labor Relations Act of Minnesota.

Horowitz says investigations by the General Accounting Office (GAO) reported that the cause of most sheltered workshop violations were low wages or failure to operate under terms and conditions of an approved Department of Labor Certificate.

Grievance procedures get support

Joyce Scalon, president of the Minnesota Federation of the Blind (MFB) says the federation strongly supports the right of sheltered workers to collective bargaining and a grievance procedure.

"We've passed numerous resolutions over the years to work toward grievance procedures for people in sheltered shops," says Scalon.

"Much of the legislation on the books today goes back to the 1930s and we have no law to guarantee collective bargaining rights. We believe HF470 is a reasonable and appropriate approach to acquire bargaining rights, and it would allow workers a voice in determining their own destiny. We urge this law be adopted," says Scalon.

Minnesota has made some gains

"Rep. Janet Clark's bill provides sheltered workers with a right to choose which is clearly a right that should be open to them. It's simply a measure of normalized justice," says Mel Duncan a volunteer for Advocating Change Together (ACT).

"Minnesota over the last 10 years," he says, "has made extremely good gains in terms of expanding opportunities for people who are mentally retarded. One principle that's guided this change is normalization which has had a profound impact on services and facilities concerned with mentally retarded people."

State Labor Code classification a solution?

Emil Angelica, executive director of Minnesota Association of Retarded Citizens (MARC), says MARC is a strong supporter of sheltered workshops and seeks to strengthen and expand this community-based service.

"We recognize long-term sheltered workers as employees who have the same rights and responsibilities as other workers in Minnesota. But we can't support the legislation to classify them as employees under the State Labor Code as the best alternative to obtaining these rights," says Angelica.

According to MARC, for long-term sheltered workers to make a difference in their own working conditions, they must be able to: 1) meet and discuss issues separate from supervisors and management and express their concerns to them; 2) have a voice in setting policies that affect employment conditions and have a system of recourse when practice differs from policy and when they disagree with decisions about conditions of employment; 3) have free access to information and people who support their views.

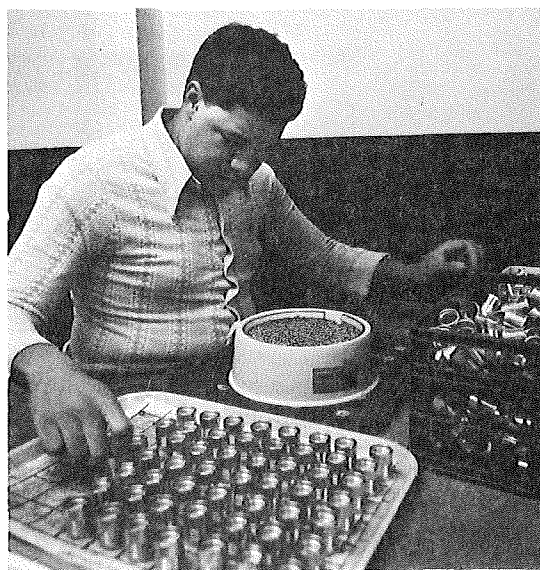
Workers testify: "The system's the burden."

Some workers testified that the real handicap sheltered workers face is the one the system burdens them with.

"The worst problem of sheltered workshops is it's a "dead end" kind of employment because people who go there very often stay there and few are placed in competitive employment," Scalon said.

Other workers talked about the need to treat workers as adults and suggested establishing a union to improve communication between management and workers.

photo by Tom Olmsheid



HF470 would give sheltered workers the right to collective bargaining.

Action on workshops follows '83 legislative direction

Testimony continued at an Oct. 20 meeting. Barbara Beerhalter and Edward Opheim from the Department of Economic Security, Division of Vocational Rehabilitation (DVR), discussed 1983 legislation that established an ad hoc task force to help with setting up guidelines for a grievance procedure in the sheltered work place.

Beerhalter says a rider on the 1983 legislation requires any long-term

sheltered workshop that gets funds through the Department of Economic Security to provide sheltered workers with: grievance procedures with binding arbitration; fundamental personnel benefits (paid sick leave, vacation, and holiday leave), wages certified to subminimum wage rates as the Federal Fair Labor Standards Act requires, and an annual report in January to the House Appropriations and Senate Finance Committees on the operation of long-term sheltered workshops.

"We recognize there's room for improvement and room for assessing whether this is the way we should continue to go or whether there are other options," says Beerhalter.

directors endorsed the model and forwarded it to sheltered workshops around the state for consideration and use. Opheim says DVR has not endorsed the model but believes it does meet legislative requirements.

Focus is on grievance procedures

"We do not intend to prescribe or endorse any specific procedure," says Opheim. "Rather, it is our intent to develop the standards which must be met in the implementation of the grievance procedure."

"We discussed the implementation plan with directors and key staff people of all

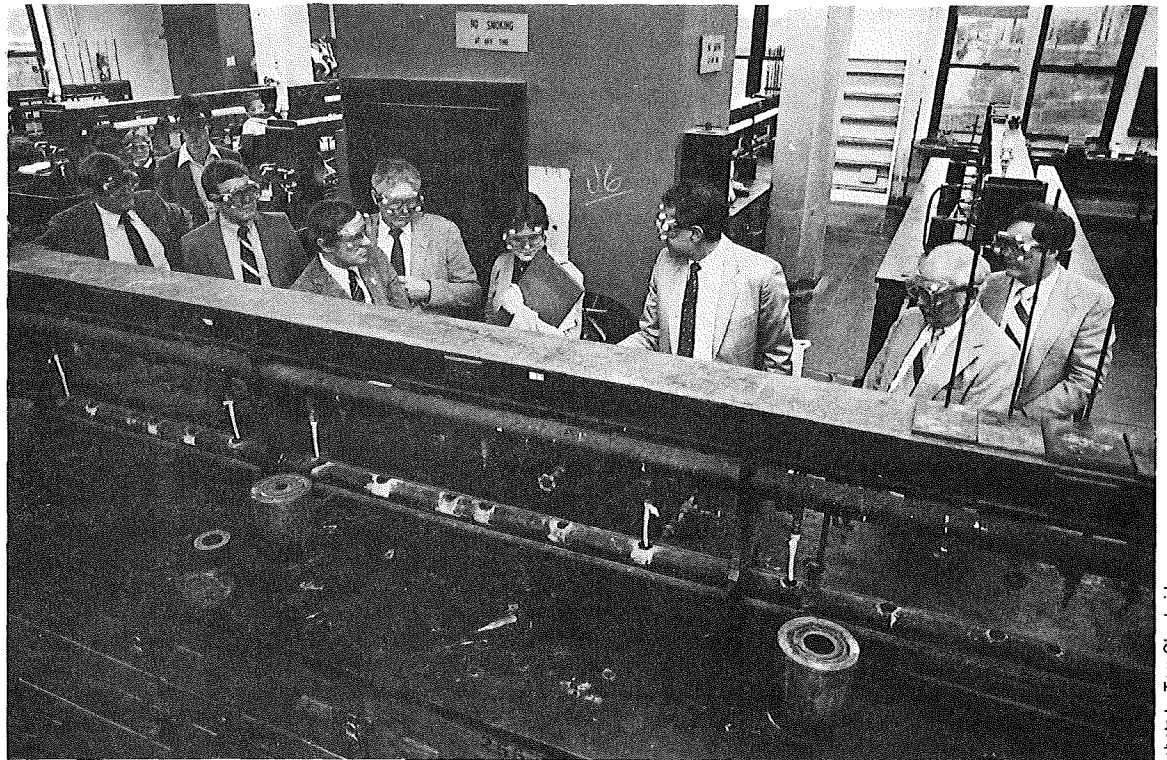


photo by Tom Omscheid

Members of the Labor-Management Relations Committee toured twin-city sheltered workshops.

Study finds: All workshops have grievance procedures of some kind

Opheim said, to put the legislation into effect, the DVR developed a plan and reviewed it with the Consumer Advisory Council on Vocational Rehabilitation; met with division facility director advisory committees and other representatives of Minnesota Association of Rehabilitation Facilities (MARF), and got copies of personnel policies from all sheltered workshops in Minnesota. They found that all of them have some form of grievance procedure in their personnel policies but vary in practice.

Shortly after talks with MARF, Opheim said they conducted a training program in binding arbitration and drafted a model grievance procedure similar to one in use in New York. MARF board of

rehabilitation facilities in the state," he says, "and a variety of organizations and individuals expressed several concerns regarding it and the draft grievance procedure."

"They want to know how the workers would be made aware of the grievance procedure as well as other personnel policies, how to ensure the language would be understandable to workers, how to conduct in-service training to explain the policy to workers, and to what extent an arbitrator could make decisions about wage payments and other concerns."

Task force to help work on problems

Opheim says an ad hoc task force now exists to help with "developing guidelines for implementing a grievance procedure, assuring provisions of fundamental personnel benefits, and to advise DVR

how to improve the monitoring of wages paid to sheltered workers.

"Workshops today are probably facing one of the most difficult times in their existence," says Opheim. "The most significant issue is the impact of high technology with the accompanying decline of manufacturing and other industrial jobs."

"Workshops should train for independence"

Bob Johnson, special education, University of Minnesota, says if DVR is going to train handicapped persons, they should start thinking about supporting programs that train them to become independent or semi-dependent and function in society.

"An alternative to current vocational programs for handicapped persons," says Johnson, "is placing people in real-world on-job-site training programs."

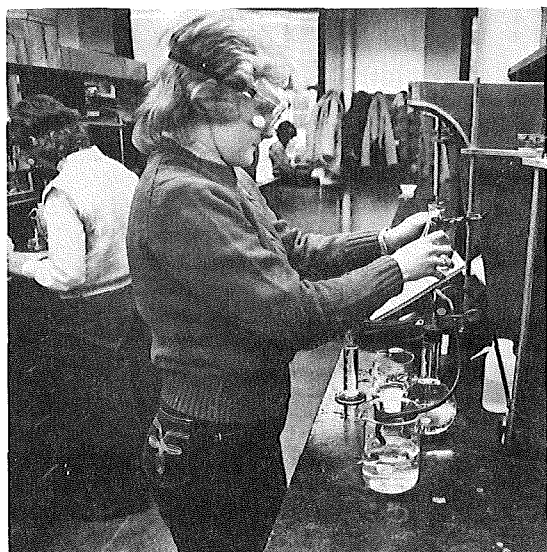


photo by Tom Oimsheid

"The most significant issue is impact of high technology and decline of industrial jobs."
Edward Opheim

Program's mission may need change

"The basic operational philosophy of the sheltered employment program in the last 8 or 10 years has been to provide continuous employment opportunities for disabled people who can't be placed in competitive employment," says Marv Spears, administrator of the long-term sheltered employment program.

"What you've heard in these hearings is that the mission in place in the sheltered employment program is what needs to be looked at and perhaps needs changing."

Wages, layoffs, placements, grievances, and funding

Spears responded to a long list of questions Rep. Janet Clark had sent to DVR about wages, job placement, layoff and grievance procedures. He explained



photo by Tom Oimsheid

Workers say they need a voice in working conditions.

charts that showed the differences between the programs and services in rehabilitation facilities throughout the state and how closely DVR works with them.

He also described the basic formula for allocating sheltered workshop funds which he said does not measure workshop effectiveness and the Ombudsman Project.

"If the workshop is doing well it will get its allocation and if it's not, they get nothing. There's no sliding scale," says Spears.

Ombudsman Project serves sheltered employees

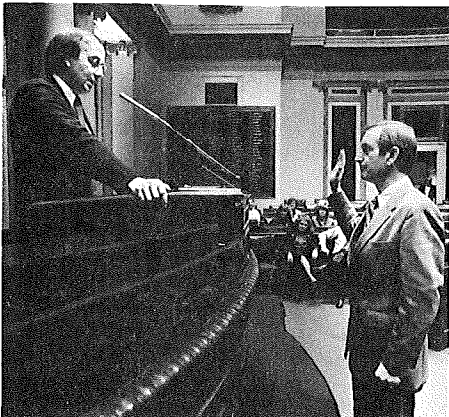
DVR response to Clark's question about the Ombudsman Project was that DVR views it as a valuable service for sheltered employees. Ombudsmen hear worker problems or complaints and help solve them.

Last year, the project lost federal funds, but because DVR sees it as a needed project, the agency budgeted for it from other sources. Right now, the program has 1.5 ombudsmen. In fiscal year 1984, that number will be 2.5.

When the program started in Minnesota, in 1978, federal funds supported 80 percent of the cost. Spears said the loss of funding caused reduction in staff for the ombudsman program. He recommends looking at alternatives and deciding if the project is valid, and, if so, upgrading it.

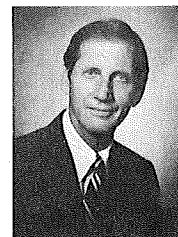
New Faces

photo by Tom Olmsheid



For placement in the Official Directory of the Minnesota Legislature.

BOO, Ben (IR) **8B**
 360 State Office Building **296-2228**
 *Home: Duluth
 102 E. Arrowhead Rd. 55803 (218) 728-2977
 Born: 1/25. Married. Education: U of M, U of Mo., C &
 GS. Occupation: legislator. Elected: 1983. Term: 1st.
 Committees: Education, Health/Welfare.



Representative Ben Boo takes office

In a special election Nov. 8 voters from district 8B elected Ben Boo (IR-Duluth) to fill the House seat Tom Berkelman (DFL-Duluth) resigned. Nov. 17 House Minority Leader David Jennings (IR-Truman) administered the oath of office to Representative-Elect Boo in the House chambers at the Capitol.

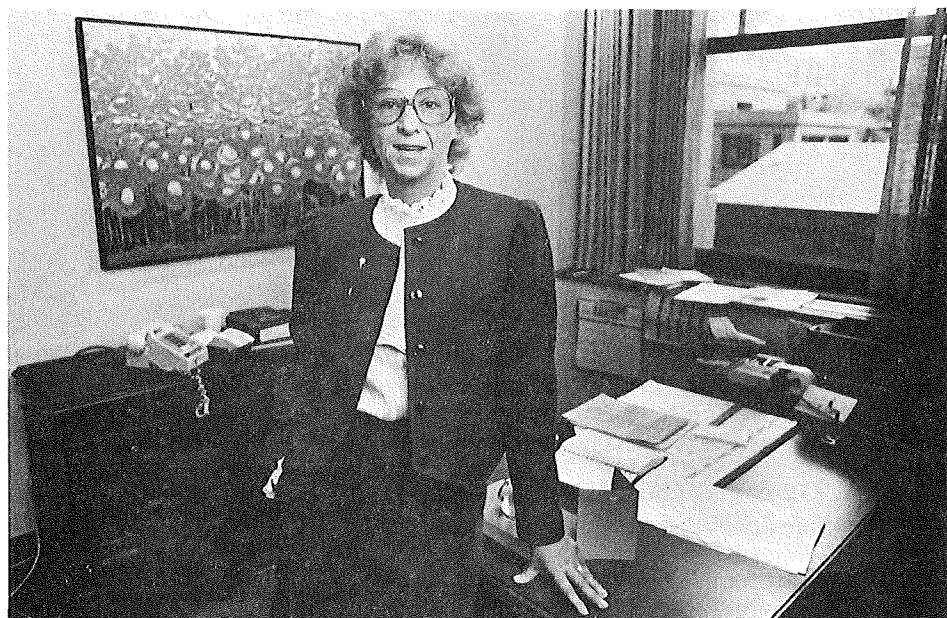
Carole Pagones becomes House research director

Carole Pagones is a product of a small rural town in South Dakota where, early in life, she learned the value of hard work.

"I'm a workaholic," she says. "I enjoy work and challenges, and I've loved every job I've ever had."

Pagones is the new director of House Research, a department within the Minnesota House of Representatives that provides legislators and staff with information and background research on bills and laws. Over 20 legislative analysts work closely with committees as consultants on the impact of proposed bills and report on issues legislators need to be on top of.

Pagones holds masters degrees in public administration, business, and counseling, and has completed 70 hours of law school at the University of Arkansas.



House Research Director Carole Pagones

She's worked for the South Dakota legislative and executive branches, and as associate director of Colleges of Mid-America, a consortium of midwest private colleges.

Pagones says she welcomes her move to Minnesota because of what the Twin Cities have to offer culturally and recreationally. But, perhaps, for her, an even bigger

plus are the people who work with the Legislature.

"In all the places I've worked in government, never have I seen such a strong, bright, or committed staff," Pagones says. "I couldn't have asked for a more well-suited position. It capitalizes on my strengths and lets me work to my heart's content."

October

Interim committees

Division action

A good impression of Minnesota, encouragement of tourism, and promotion of safety are some of the reasons for rest areas along the roads and highways in this state, Dennis Adams, Department of Transportation (DOT), told the Agriculture, Transportation and Semi-State Division of Appropriations Oct. 18.

Adams reviewed background information on Minnesota's rest area programs (interstate and non-interstate) which started in 1967. He says 26 full-service, class-one (Minnesota has four classes of rest areas), interstate rest areas and five rest-area-travel-information centers are now operating. DOT, says Adams, would like to increase the number of rest areas to 30 and rest-travel-information centers to 6.

Surveys show traveler use of rest areas

According to usage surveys, 10 to 16 percent of traffic stops at rest areas. A significant fact, Adams says, is that 55 to as much as 76 percent of all traffic using a rest area is from out of state. Seventy to 80 percent of those who stop use the rest rooms, 13 percent use the picnic grounds and the average stay is 15 to 17 minutes.

DOT plans to update the non-interstate rest area development program, determine the need for added facilities, and eliminate duplicate sites.



Agriculture

Agricultural land preservation and soil conservation issues were on the agenda for the Oct. 19 meeting of the Agriculture Committee.

People from farm agencies and associations gave their views on protecting Minnesota farm land. Rep. Elton Redalen (IR-Fountain) reviewed HF432, a bill the Environment subcommittee heard Oct. 18. He says it will be a major farm land bill in the upcoming legislative session.

If HF432 passes, it would serve as a model land-use ordinance that Minnesota counties would have to adopt by 1988 or 1989. According to Redalen, county commissioner boards would have the authority to manage and enforce the law through their zoning administrators. Or by mutual agreement, the boards could transfer the authority to the local

soil and water conservation board.

The committee also took up a resolution Rep. Wally Sparby (DFL-Thief River Falls) is sponsoring which calls for federal assistance for northwestern Minnesota farmers who suffered economic hardship because of disastrous weather conditions.

Other meetings

Oct. 12: Agriculture Committee held hearings in Thief River Falls and Fergus Falls to discuss farm disaster relief and current dairy legislation.



Appropriations

The full Appropriations Committee met with the Energy and Environment & Natural Resources Committees to hear a presentation on peat. See story on peat.

“Approximately 130,000 to 180,000 tons of hazardous industrial wastes are produced in Minnesota each year. Many of these materials are generated by small but growing high technology firms which need a place to dispose of their wastes safely. Landfilling is one alternative, but there are other methods to deal with a good portion of wastes. One obvious method is combustion incineration,” says Jim Rutzik from Controlled Sciences.

Rutzik presented a proposal to develop a hazardous waste combustion program to the State Department Division of Appropriations Oct. 19. The proposal suggests that the University of Minnesota develop a full-time resource and research

center and make a concurrent study of the feasibility of establishing a commercial waste incineration facility in the state.

Burning waste "a good alternative"

Frank Altman, special assistant to the governor, says the program will promote economic development in the state by providing for safe disposal of hazardous waste that could also be a source of alternative energy through the heat the process would generate.

Bob Dunn, chairman, Waste Management Board says combustion is a good alternative, the best method for one-ninth of Minnesota waste.

Dunn says the board would like to evaluate this project and fold it in with other plans to develop a waste disposal process.

The committee planned no further discussion of the proposed project until the full Legislature meets in March.

"Our department faces a tremendous challenge," says Connie Lewis of the new Department of Energy and Economic Development (DEED), "but we feel we have the organizational fabric in place to accept this challenge."

Lewis, who serves as assistant to Commissioner Mark Dayton, head of the department, testified at an Oct. 20 meeting of the State Departments Division of Appropriations when legislators reviewed progress of DEED.

"DEED has a strong mandate from the Legislature and governor to develop good financing programs and assist with economic development in this state," said Lewis.

"We feel we have a good strong staff that is willing to gear up for new and expanded activities," she said.

Legislation in 1983 combined energy conservation and development, economic development, finance management, rural development, community development, tourism, and science and technology into the new department.

At a joint meeting Oct. 21 the State Departments Division and the Telecommunications and Information Systems subcommittee of Appropriations, heard a presentation by the Department of Administration (DOA) on managing the information services of Minnesota state government.

Nancy Abraham, DOA, discussed the structure of the Information System Bureau (ISB), and current computer use. She also described accomplishments of DOA and ISB, issues confronting state government information services, and goals and strategies for the future.

She says ISB provides centralized management services in three general areas: (1) computer applications and facilities, (2) telecommunications services, and (3) records management services. She says the state is spending about 30 million for these services statewide.

Services to agencies improve

Abrahams says ISB in the last three years has had some major accomplishments such as opening a ISB Training and Information Center. She says these accomplishments show ISB is improving the quality of services to state agencies.

She says four issues DOA will approach in the '80's are determining what information people need, where they need data and equipment, working with microcomputers, and keeping management in tune with sophisticated technology. Also she says ISB identified 11 goals to ensure that state government information services are available, up-to-date, that they meet information requirements and are cost effective.

Users plan the '80s

Judy Pinke from the Department of Transportation, representing the User Advisory Council (UAC) identified five major issues for the 80s. She also gave examples of major state agency accomplishments in planning and management, policy coordination, and word processing and office automation as a result of ISB services.

Divisions review budget requests

The Education Division of Appropriations toured the University of Minnesota's St. Paul campus on Oct. 19 and on Oct. 22 the campuses at Moorhead, Crookston, and Bemidji to review capital requests.

Oct. 20 the State Department Division of Appropriations toured KTCA, Channel 2, the St. Paul Armory, and state judicial court facilities to review capital budget requests.

Members of the Health, Welfare & Corrections Division of the Appropriations Committee met during the October mini-session to hear American Indian leaders discuss chemical dependency programs. See p.34.



Commerce/Economic Development

The Buy Minnesota Law discussion brought a standing-room-only crowd to the Commerce and Economic Development Committee Oct. 20. The law, which took effect July 1, requires state agencies to give preference to Minnesota businesses in awarding state construction or purchasing contracts.

Though it passed the House and Senate by a large majority, lawmakers and state contractors are now concerned about the effects of adopting preference legislation.

Rep. Pat Beard (DFL-Cottage Grove), House author of the law, says, "The Legislature approved it to help stimulate business activity and create jobs in Minnesota. Now, some drafters claim it will result in our paying more for public contracts."

Opposition cites problems

Associated General Contractors (AGC), which opposes the law, argues it will create problems down the road for Minnesota businesses and consumers, and

may cause other states to retaliate with their own preference laws.

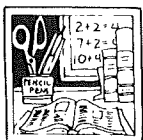
"The intent of the law is good," says Doug Franzen, AGC, "but we think it's a terrible law. It hurts the industry and will create a loss of jobs for Minnesota workers."

Some opponents say retaliation may limit the number of bidders on Minnesota purchasing or construction contracts, and other states may deny bids from Minnesota contractors.

Retaliation could hurt

Had North Dakota's executive order to retaliate with a 10 percent penalty on Minnesota firms gone into effect any earlier, Dale Shiers, president of Moorhead Construction Co, said he would have lost a \$1 million contract to build a dam in North Dakota, and as many as 150 employees.

Forty-two states have some kind of preference laws on their books, according to a House Research survey. Minnesota's preference law will expire June 30, 1985 unless the Legislature repeals or extends it. See also November committees.



Education

Education is back on the front burner of state and federal policy agendas; the new imperative is education excellence said Allan Odden from the national Education Commission of the States. Between the September and October mini-sessions, Odden reviewed, for the Education Finance Division, his plan for financing education excellence.

Odden stressed that policy makers must realize that the country has moved into an international economy and that economic growth in America depends on international competitiveness that begins with a reformed education system.

In a draft of his report "Financing Education", Odden points out that, for the first time in over a decade, national leaders realize the need for improving education efforts and are willing to raise taxes to pay for it.

Committee looks at longer school day

Odden's report stresses the need to raise teachers' pay to competitive levels and to re-evaluate the length of the school year. And while lengthening the school day may be an alternative, Odden says a less expensive way to improve learning would be to make the school day we now have academically stronger and more productive overall.

Partnership between school finance and education excellence efforts is also necessary to make large educational gains, Odden says. He sees insuring the merging of education equity and excellence issues, moving toward high quality education for all students as the major challenge for education.

Commissioner proposes learning measurement

The key to Minnesota's educational success is through "learner outcomes", what students learn and how well they learn, says Commissioner of Education Ruth Randall. Randall outlined proposals for changing the educational system in Minnesota at two mini-session meetings with the Education Committee Oct. 17 and 19.

"I think learning is measurable," said Randall, "and I have no problem thinking learner outcomes can be measured." Randall suggested Minnesota adopt an attitude of accountability for students, teachers, and parents by using a test to measure how well students do in school. The state-wide Minnesota Achievement Test (MAT) would gauge student progress in three integrated levels: functional skills, basic skills, and higher-level thinking skills. The test would be more difficult than achievement tests now in use, and persons directly involved with schools would develop it, said Randall.

Instruction needs beyond minimum requirements

All students need individualized instruction plans and course offerings that go beyond minimum state requirements, said Randall. William Ridley, State Board of Education chairman, suggested steps to increase the number of available high-school

courses in areas such as math, science, English, and social studies, so students can take more academic courses if they choose. Ridley also proposed increasing the required 9th grade minimum hours of career assistance and said the Board expects schools to promote computer literacy in all study areas.

The Education Finance Division met Oct. 17 to hear progress of statewide telecommunication efforts in schools. Gil Valdez, from the Department of Education, said schools tend to focus on computers in the high-tech improvement areas, but telecommunications, such as cable TV and video taping and transmitting, will pull the whole high-tech package for schools together.

Telecommunications could build bridges

Media sharing may help schools bridge curriculum and distance barriers between schools, and help smaller schools offer more courses they otherwise couldn't afford to provide. For example, one teacher presenting a French lesson could reach several schools via satellite. Students in remote areas could ask and answer questions over the telephone or through a video monitor return system.

Districts need help to set up communications networks

To establish communications networks, districts need statewide planning and technical assistance, said Valdez, something the Department and Educational Cooperative Service Units (ECSU's) are working on. Districts, such as Dawson, Minnesota, have already begun setting up systems but need expertise and funds to coordinate plans. Committee members voiced concern over whether statewide planning allows local districts enough flexibility to meet local needs, and encouraged interested districts to seek aid through high-tech provisions in Article 8 of the school aids bill that passed last session.



Environment & Natural Resources

“Minnesota has \$1 billion worth of sewage facility construction needs,” Mike Robertson from the Pollution Control Agency told members of the House Environment Committee. Of 850 municipalities in the state, Robertson said 350 still have a serious need for facilities.

In his Oct. 20 testimony, Robertson suggested that dwindling federal monies will require the 1984 Legislature to evaluate questions about how to meet these needs, and where the money will come from.

“Should the state fill the gap from federal government cuts, and how?” he asked.

Construction grants program

According to Robertson, the federal construction grants program began in 1956 under the Clean Water Act and appropriated \$50 million nationwide, \$1 million of which went to Minnesota. Dollars that went into the program increased over the years, and, in 1971, Minnesota began to provide municipalities with state dollars to go along with the federal.

The ‘73 Legislature came up with the current matching system of 10 percent local municipality, 15 percent state, and 75 percent federal for construction programs.

Federal dollars cut

“The high point of federal funding,” said Robertson, “came in 1976 when the federal government appropriated \$9 billion, nationally, of which Minnesota got \$172 million.” But that all changed when, in 1981, Congress amended the law to provide \$2.4 billion nationally for construction grants, \$45 million of which would go to Minnesota per year, and to reduce the federal match to 55 percent in 1984.

Financing alternatives

Current EPA (Environmental Protection Agency) funding won’t resolve our cities’ pollution problems,” said Perry Beaton

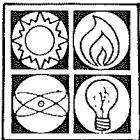
Hi-rises not only rental housing

“Rental housing is not just the big huge high-rise structure we all think of,” Solem says. “The production, availability, and affordability of rental housing in the middle-to-late 80s is the toughest housing issue facing this state and country. We need to make efforts to change national housing policies and develop programs for folks who want to maintain existing buildings as rental buildings in terms of either re-financing or rehabilitation.”

Lower income housing may need federal help

“We’ll see rental housing programs evolve in the 80s” Solem says, “through a combination of voucher programs and block grant programs with substantial state and local involvement at the federal level.” But, Solem says, we need federal assistance to help with lower income housing.

Lynn Burton, Northland Mortgage Company, reviewed a case study of financing rental housing to demonstrate why almost no new housing is under construction in Minnesota. According to Burton, Minnesota hasn’t had a conventional apartment loan program of any value in a decade. She says projects don’t work in the state at 14 percent interest rates and 30-year amortization with a 20 percent cash in.



Energy

“It’s possible that fewer people will be able to afford homeownership in the ‘80s than in the ‘70s, and because of this, more are likely to be renters,” Jim Solem from the Minnesota Housing Finance Agency (MHFA), told the House Energy and Financial Institutions and Insurance Committees Oct. 18.

According to Solem, in the late 70s, the largest number of people ever in the history of this country became homeowners. Today, he says, home-ownership is on a downward trend. Figures show home rental increased 21 percent from 1970 to 1980.

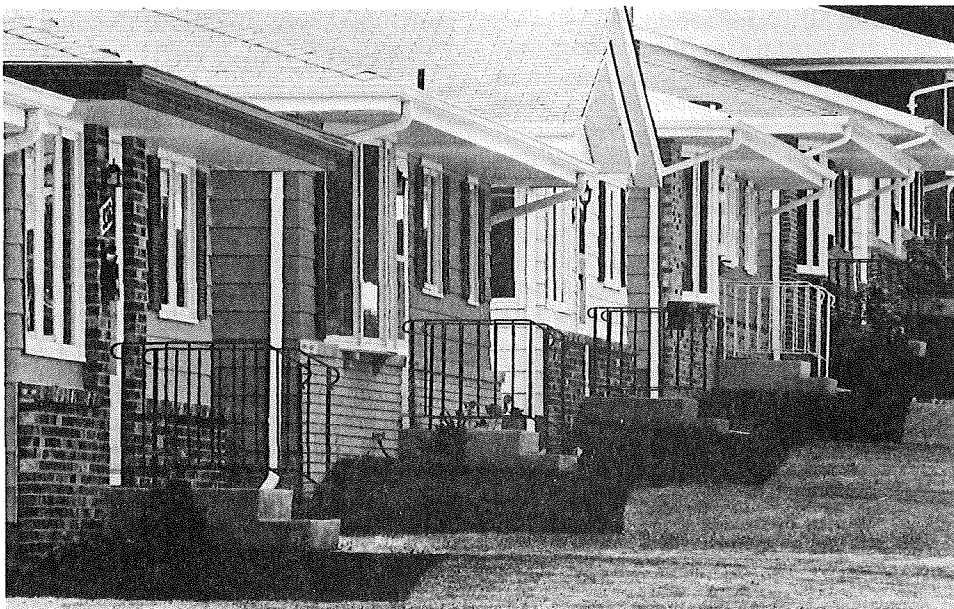


photo by Tom Olmsheid

Rental housing in the 80s is a tough issue Energy Committee members heard at an October mini-session meeting.

from the Pollution Control Agency's (PCA) Division of Water Quality. Minnesota cities are facing lingering pollution problems, frustration over the construction grants process, and upcoming problems of limited treatment capacity, said Beaton.

The PCA hired the consulting firm Peat, Marwick and Mitchell to develop financing alternatives for the state to consider, Beaton said. Their alternatives fall under the three major areas of: grant programs; loan and interest subsidy programs, and alternative assistance programs.

The committee also met with the Appropriations and Energy Committees in an Oct. 17 meeting to review a proposal from a Swedish fuel peat production firm. See story on peat p.

Subcommittee action

Oct. 5: House Environment subcommittee and Senate Environmental Protection subcommittee, in Andover, MN heard testimony on HF688 (Larsen, DFL-Anoka) and SF697 (Dahl, DFL-Lino Lakes) on the disposal and reuse of waste tires.

Oct. 18: Environment subcommittee discussed HF432 (Redalen, IR-Fountain) which would provide counties with enforcement authority over soil erosion control practices. Subcommittee planned to take up the issue again Nov. 15.

Oct. 19: Game & Fish subcommittee amended and recommended to pass SF1048 (Peterson, C., DFL-Detroit Lakes) and indefinitely postponed HF1143 (Battaglia, DFL-Two Harbors). Both bills concerned transporting wild animals.



Governmental Operations

The Financial Institutions and Insurance Committee met Oct. 18 with the Energy Committee to hear a presentation on multi-family housing. See Energy.



Financial Institutions & Insurance

“Developing jobs, especially in the private sector, takes time,” said Joe Samargia, state coordinator of the \$70 million Minnesota Emergency Employment Development (MEED) Program the Legislature approved last session.

In an Oct. 18 meeting of the House Governmental Operations Committee, Samargia defended the program's ability to create jobs in the private sector against criticism he's heard that the program isn't achieving the 40 percent private sector involvement goal, or moving fast enough to employ people.

Statistics show as of Oct. 14 the program put 2738 people to work: 2160 in the public sector, and 578 in the private sector. Samargia said the program is 1300 short of its goal to employ 4000 by Nov. 1 goal, but has two weeks to get there. (Total employment goals are 12,600.)

Program looks toward private sector

Samargia says he's confident the program can reach its private sector goals in many parts of the state, but, he says, “The difficulty in creating private sector jobs stems from the time involved in notifying and working with private employers, and the fact that in some parts of the state, such as the Iron Range and Indian reservations, private sector employment is just not there.”

Along with a media campaign to alert employers to the program, Samargia said, “We almost have to knock on each door to notify them of it, and explain the program to them.”

Personal contact essential

“Personal contact with employers will make or break the program,” agreed Larry Buboltz, director of Rural Minnesota CEP, Inc. (Concentrated Employment

Program), which services a 19-county area in North Central Minnesota. Buboltz said the program is working well in his area. However, a two to four week lag between establishing contact with employers and getting their decisions, may help explain why private sector job development is taking longer.

Though Bill Brumfield, director of Training and Employment Assistance in Hennepin County, called the program a “resounding success in the private sector,” Nancy Christensen, Minneapolis Chamber of Commerce, disagrees.

Chamber of Commerce response

Christensen said she hears two arguments from some small businesses: “I don't want the paperwork,” and “I won't put someone in a make-work job.”

People she's talked to, Christensen said, won't base a decision to hire on legislation to subsidize them, but rather on the needs of the company.

The Governmental Operations Committee will continue to follow the progress of the MEED program. See also, Appropriations, November committees.

Subcommittee action

Oct. 19: Personnel & Administration subcommittee of Governmental Operations Committee heard Department of Administration's response to “Legislative Auditor's Report on State Purchasing,” and about Department's progress on small business set-aside program; heard from House Information Systems Coordinator and University Computer Systems on cooperation between departments; and from president of Minnesota State Workers' Compensation Mutual Insurance Company on company administration.

Oct. 20: Subcommittee toured ISB (Information Services Bureau) and the Department of Transportation for look at computer equipment.



Judiciary

Gun legislation under consideration in the House, HF1363 (Vanasek, DFL-New Prague) would prohibit municipalities and counties from passing local ordinances banning ownership of guns.

On Oct. 17 the House Judiciary Committee heard testimony on HF1363 and opened discussion on current gun legislation.

"HF1363, would act as a preventive measure," said House author Bob Vanasek. Though the Minneapolis City Council recently considered such an ordinance, Vanasek said Minneapolis and other Minnesota cities haven't been successful in outlawing guns.

"It doesn't do any good for some cities to enact a policy to ban guns when neighboring cities don't do so," said Vanasek. "State policy on ownership of guns should be consistent."

Current law needs changes, some say

Provisions in 1977 gun legislation are unclear about local government discretion, said David

photo by Kay Seelhoff



Judiciary Committee Chairman Bob Vanasek (DFL-New Prague).

Gross, a Minneapolis city attorney, who spoke on his own behalf. The '77 gun law provided for a seven-day waiting period before someone who applies for a handgun permit can get the permit, prohibits convicted felons and mentally ill or chemically dependent persons from owning guns, and places restrictions on minors.

Gross said he would like to see statewide uniformity on all firearm policy. To clear up some of the discrepancies in present law, Gross suggested that lawmakers "take a scissors" to all references to cities of the first class and local units of government.

Others agree

Jon Willand, secretary of the Minnesota Committee for Effective Crime Control, echoed Gross's concerns about local regulation of guns. "HF1363 is necessary to put the lid on first-class cities so they can't prohibit gun ownership. But it doesn't deal with the two major problems in the 1975 and '77 gun legislation—lack of uniformity and discretionary power of local governments," said Willand.

Willand proposed amendments to ease restrictions on firearms, and testified that current law is discriminatory because it prevents women from carrying handguns for protection. "Some portions of the law," said Willand, "do nothing to deter crime."

Legislation on crimes against children

The committee discussed HF1279 (Levi, IR-Dellwood), a bill that would make changes in laws on sexual misconduct and crimes against children. Portions of the bill would clarify that contributing to a child's status as a habitual truant, runaway, or petty offender is a misdemeanor offense. And the bill extends present law which provides that children under 10 can testify in civil and criminal cases about any act of sexual contact someone performs on or with them.

Under the bill, prosecutors could, in certain cases, admit as evidence any out-of-court statement the child makes about any sexual contact that involves the child.

The Judiciary Committee took no action on HF1363 or HF1279, but planned to continue hearings on the issues. See also Judiciary, November committees.



Labor-Management Relations

The Labor-Management Relations Committee met Oct. 17 to hear a proposal for a study of long-term sheltered workshops. See story on p.10.



Local & Urban Affairs

House Advisory 41 (Anderson, G., DFL-Bellingham) a proposal to study functions and fees of deputy registrars of motor vehicles, and possible transfer of their duties to local governments was a topic of an Oct. 18 meeting of the Local and Urban Affairs Committee.

Motor vehicle registration was at one time a responsibility of the secretary of state, Commissioner of Public Safety Paul Tschida told the committee. Then, in 1970, the state created the Department of Public Safety. Its commissioner became the state registrar of motor vehicles, and appointed deputy registrars.

Counties have a choice

In 1973, Tschida said, the state authorized county governments to provide licensing bureaus if they chose, and in 1976, legislation gave county auditors the option to act as registrars, or appoint deputy registrars. Since passage of the '76 law, if a county auditor chooses not to act as registrar, and not to appoint a deputy registrar, the commissioner of public safety has authority to appoint.

Of 156 deputy registrars in the state, Tschida says about half are private and receive a \$3.25 service fee for each motor vehicle they register. The other half are public, which means local county employees register vehicles, and service fees go to the county.

Private versus public registrars

"Whenever possible, deputy registrars should be public," said Tschida, but he says, "That is a decision counties do and should make. Only the county can really determine whether it's in the best interests of the people in that county to operate a public registrar or to have that privately handled."

The committee doesn't yet have a bill before them to make any changes to current law on deputy registrars.

In other action, the committee reconsidered HF1153 (Simoneau, DFL-Fridley), and voted to recommend re-referral to the House Taxes Committee. The bill, which the committee had recommended to pass in September's mini-session, would authorize the Anoka County Board to issue bonds to pay for purchase, improvement, and construction of libraries.

"Fiscally, Minnesota is quite sound," said Mike Dougherty of the investment firm Dougherty, Dawkins, Strand and Yost, when the House State-Local Fiscal Affairs Division of the Local & Urban Affairs Committee met on Oct. 19.

Dougherty reported his company's findings on public debt in Minnesota and said gathering such information was quite difficult because of "lack of any data base to work from."

Local governments are wise debtors

According to the study, state and local units of governments are wise users of general obligation debt. "The size of the general obligation debt is relatively low for two reasons," said Dougherty.

"First," he said, "growth in assessed property value has given cities and counties a higher tax base, allowing them to have a higher level of bonded debt. And, second, state and municipalities make greater use of special revenue bonds, which users benefit from, and pay for, rather than the entire public."

Federal tax on bonds is issue

"Minnesota," said Dougherty, "has been a heavy user of industrial revenue bonding,

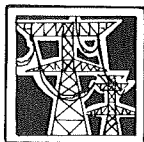
though it's dropped off some relative to neighboring states that have, in recent years, begun to use them more."

An issue now facing states, Dougherty told the committee, is the role of the federal government. Dougherty said the Public Securities Association is taking the position that the federal government cannot tax bonds the state issues for public purposes.

The division will continue to study the public debt issue in upcoming mini-session meetings.

Subcommittee action

Oct. 20: The Governmental Administration and Structures Subcommittee heard a House Research presentation on recodification of township laws.



Regulated Industries

Kee regulations on old natural gas is the message Minnesota natural gas consumers and suppliers have been asking members of the Regulated Industries Committee to take to federal leadership in Washington. At an Oct. 17 meeting, representatives from the Public Utilities Commission (PUC) and the Department of Public Service (DPS) told committee members that decontrolling "old" gas, or gas the industry produced since 1977, would cause prices in Minnesota to double.

"It does the gas producers no good to sell no gas at very high prices, and drive the pipeline companies and consumers out of the market," said Stuart Mitchell from the PUC. If prices continue to rise, consumers will conserve more and gas sales and the market will drop. According to Ray Bohn, director of DPS, most natural gas in Minnesota is old gas.

State wants voice in federal policy

Last session the Minnesota House passed a resolution asking Congress to freeze gas prices and take a hard look at where deregulation, which passed in 1978, is taking natural gas consumers and producers. At the state level, the Legislature passed a bill setting up the Energy Issues Intervention Office.

"This office was created out of a pressing need for Minnesota to have a voice in federal energy policies which could ease the burden on the Minnesota economy," said Bohn. He said natural gas prices have risen 134 percent since 1978, and gas bills increased an average of \$150 per household last heating season.

PUC against rolled-in rates

Bohn also said the PUC is against rolled-in rates—standard consumer rates averaged between higher-priced northern Minnesota gas prices and lower-priced metro area gas. With rolled-in rates, both consumer groups would pay the same rate, although charges to metro-area customers would be slightly more than actual non-rolled-in rates. Northern Minnesotans would pay less than actual rates.

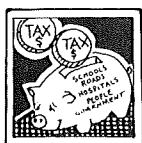
Subcommittee action

Oct. 20: Special Projects subcommittee heard the AFL-CIO, COACT, the Senior Federation, and the Farmer's Union voice concerns about rising natural gas prices.

photo by Paul Battaglia



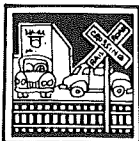
Toby Lapakko, from AFL-CIO and Citizen Labor Farmer Senior Energy Coalition (CLFSEC) testified on natural gas pricing at Special Projects subcommittee meeting Oct. 20.



Taxes

Subcommittee action

Oct. 18: Two subcommittees of the Tax Laws Division of the Taxes Committee met. The Property Tax System subcommittee heard a presentation on farmland valuation, and the Property Tax Policy and Administration subcommittee heard an overview of current tax policies for railroad property.



Transportation

"Everybody is very busy moving grain," said Bill Newstrand, Department of Transportation. "As of the end of September, grain shipments in Minnesota exceeded those of the entire preceding year."

Transportation Committee members listened to testimony on the importance of the Mississippi waterway system at an Oct. 18 meeting where they talked about barge and river issues.

Dredging permits

Gene Hollenstein, from the Department of Natural Resources, reported on how the DNR issues river dredging permits to the Army Corps of Engineers to maintain the river.

DNR issued the Corps a tentative permit Oct. 4 to dispose of dredge materials from navigable areas of the Mississippi, St. Croix, and Minnesota rivers. Four other permits are pending that involve installing mooring posts, or barge tie-up poles, and dredging the Redrock area of the Mississippi for industrial fill.

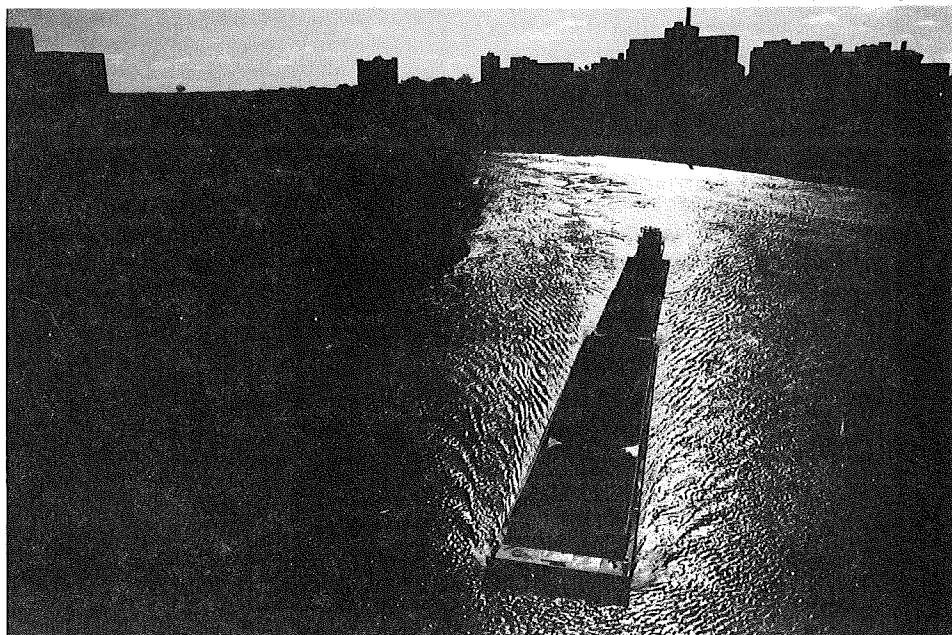
Dredging and environment

Pigseye Coalition member Merrill Robinson opposes dredging the Mississippi because of a Heron rookery on Pigseye Lake. Robinson fears dredging the river will increase barge traffic on the river corridor and endanger the environment. The Environmental Quality Board will hear a report on the recreational, industrial, and environmental conflicts of the area.

Barge safety

The committee also heard Greg Adams from the U. S. Coast Guard report on barge safety rules the Guard established in 1981. Adams said no changes are under consideration, but he acknowledged that communication needs to improve between barges as they pass on the river.

photo by Paul Battaglia



Barge on the Mississippi near St. Paul.

November

Interim

committees



Agriculture

The House Agriculture Committee listened to testimony Nov. 16 on HF1376 (Bergstrom, DFL-Big Lake), a bill that would establish a state agricultural resource energy loan guaranty program, board, and fund.

Majority Leader Willis Eken said the bill had a lot of discussion in the 1983 legislative session. He says, although there was support for the concept, the problem was how to make HF1376 work and still protect the interests of the state that commitment to a guaranteed loan program would involve.

Under HF1376, financial guarantees would allow qualified developers and operators to borrow funds for agricultural projects for which private financing otherwise would not be available.

Ag commissioner favors the bill

Commissioner of Agriculture, Jim Nichols, testified that we have a tremendous need for more processing of agriculture products in Minnesota. After talking to about 50 different groups who would build in this state, he says it turns out most of them couldn't build, even if we repealed the sales tax, because they can't get the financing to build the plant anyhow.

"You can consider repealing the sales tax," Nichols told the committee, "but you will not necessarily get more plants built because developers and operators can't cross the first hurdle of securing the finance to build a plant here. So, we had to come up with a way to encourage people to build here. That's what this legislation is—essentially taking the sales tax, the tax increment financing, and the one percent origination fee, and putting them into a loan guarantee fund."

If you have a fund, he says, you can draw off it, and you're not on the hook for the full \$150 million, or whatever the amount. You're only on the hook for payment and interest until you can sell the plant and recover your losses.

Borrowers and lenders testify

Eugene Sander representing Innovative Food Processors (IFP) says, "With a bill like HF1376 in the background, people like me have hope that there is possibly some low-interest money available." He says he would like to really see that the bill does not necessarily focus strictly on ethanol production.

Frank Ziegler, from First Bank System, says, as lenders, they don't look solely to a guarantee. He says a state guarantee would not assure financing of projects, but it would be a consideration in determining whether to lend.

Subcommittee action

Nov. 3: Exports and Marketing subcommittee of Agriculture held hearings in Thief River Falls and Princeton to discuss the minimum price bill.

Nov. 9: Farm Policies and Programs subcommittee of Agriculture met in Lake City to discuss HF975 (Waltman, IR-Elgin) providing income tax incentives to landowners who sell or lease agricultural land to eligible beginning farmers.

Nov. 16 and 17: Agricultural Exports and Marketing subcommittee held a seminar on grain trade. See trade story p.



Appropriations

"I think the state of Minnesota has the best people running the jobs program," said Joe Samargia, director of the Minnesota Emergency Employment Development (MEED) program, "but it takes time to get a program up and running."

Samargia gave members of the Health, Welfare, and Corrections Division of the Appropriations Committee an update, Nov. 15, on the success of the \$70 million jobs program to put qualified unemployed persons to work in government or private sector jobs.

Although private-sector employers aren't enrolling in the program as quickly as expected, Samargia said he's confident the private-sector area of the program will pick up. Currently, 25 percent of all placed workers are in the private sector, down 15 percent from projections made last session.

Workers learn skills

Donna Harris, who administers the Minneapolis MEED program, stressed that despite the trend towards public job placement now, in the future many of the public employees will find positions in private-sector jobs. Harris also said those in public jobs are gaining skills that will make transition into the regular job market easier.

The majority of positions fall in the public-job category: jobs specifically working for local governments and governmental agencies, or non-profit private employers, such as local community action organizations. The discrepancy between private and public jobs will level off, and private jobs will increase with more advertising and word-of-mouth success stories, state MEED directors predict.

Business owner tells success story

Steven Carlton, a private business owner from Emily, Minnesota, said his business was able to expand and become more secure by hiring four full-time workers whose wages are state-subsidized. He expects to keep the workers after the subsidy period runs out.

Other meetings

Nov. 16: Division toured Minnesota Department of Health.

Nov. 16: Division met with Health & Welfare Committee, heard an update on Medicaid Demonstration Project and prospective reimbursement program for hospitals.

Testimony continued Nov. 15 on the state's highway safety rest areas. Dennis Adams from the Department of Transportation (DOT) in his appearance before the Agriculture, Transportation, and Semi-State Division of Appropriations, presented a summary of the 1984 capital budget request for interstate and non-interstate rest area routes.

The first priority of the budget request, Adams says, is to construct one rest area and travel information center and two rest areas on the interstate route. He says DOT identified the cost for the buildings, only, at \$708,210.

The non-interstate program, he says, currently operates 12 class-one rest areas, 2 rest-area-and-travel-information centers, and 23 class-two vault-toilet rest areas. He says the budget request is proposing to add 4 rest-area-and-travel-information centers, 2 rest areas and 1 cooperative Iron Range Interpretative Center and information rest area to the existing program. He says the estimated cost for complete development is \$5,780,120.

The DOT presentation included description of the four classes of rest areas which range from heated buildings with pressurized water systems and complete picnic areas (on main interstate systems) to wayside stops with no toilets and few picnic tables.

"We're trying to blanket the state with facilities to satisfy the highest demand for rest area services," Adams says.

Program employs elderly

Percy Hagen, director of the Greenview program, a program that provides maintenance service for rest areas, says state statutes enable Greenview to employ needy elderly persons.

"We've had contracts with the Department of Transportation since 1969," he says. The total cost to the Highway Department in the last contract was \$5.74 per hour."

According to Adams other states have a keen interest in the Greenview Program which employees about 315 people in rest area facilities.

Program has good acceptance

Corie Dacus, program director of Info-Stop, a division of Heritage Communications, says the two-year-old program is very well accepted statewide. She says they currently have 14 buildings operating.

Adams says Heritage Communications constructs the rest area buildings and are responsible for the maintenance, (in cooperation with the Greenview Program), plus they sell advertising space and share revenues with DOT. He says DOT selected them on a competitive bidding process.

Other meetings:

Nov. 15 Education Division of Appropriations toured 916 AVTI; the University of Minnesota Institute of Technology Facilities, Nov. 16; and, Nov. 19, the campuses in Ely and Duluth to review capital budget requests.

Nov. 16 Health, Welfare, and Corrections Division toured the Minnesota Dept. of Health.



Commerce/Economic Development

The "Buy Minnesota" law was up for discussion in a Nov. 17 meeting of the House Commerce Committee.

"We've had a lot of comment on this law from businesses and other states," said Babak Armajani from the Department of Administration. "To be frank, most of it has been negative."

Law needs to be clearer

Armajani said some of the problems with the law are: confusion over whether it includes

commodities in buy Minnesota preference, when the law actually indicates buy America with regard to commodities and buy Minnesota with regard to construction contracts; concern over possible retaliation from other states; and confusion over who's a resident Minnesota company under the preference law regarding construction contracts, and who's a resident American company under the law regarding commodities.

On his last point, Armajani said some companies that do a lot of business in Minnesota even though they're headquartered elsewhere, and some companies that serve as foreign-goods distributors are finding themselves excluded from preference under the bill.

Suggested changes

Department of Administration suggestions for change in the law include: clearer statement that the law provides a preference for Minnesota contractors only on construction contracts, and a preference for American products, not just Minnesota, when buying commodities; broader definition of resident companies eligible for construction preference; reduced preference for Minnesota contractors and American-made products from 10 percent to 5 percent; and elimination of the reference to "municipalities" in the definition section of the bill.

"Other ideas the department has heard," said Armajani, "is to make the bill a 'labor content' bill that would require companies that get an award to do a project, using state money, to hire a certain percent of Minnesotans; include foreign-products distributors in the buy American preference; negotiate reciprocity agreements with our neighbors to set up a regional preference; and repeal the law altogether."

Opinions about the law differ

Though Rep. Jim Heap (IR-Golden Valley) argues there's a strong case for repeal of the law, Rep. John Sarna (DFL-Sarna) asked "Why, if 41 states have some form of preference law on their books, is it bad when Minnesota passes them?"

Sarna, who chairs the committee, said he hopes to start holding hearings on a bill in January's mini-session to make some changes in the Buy Minnesota law.

photo by Kay Seelhoff



Rep. John Sarna and staff heard the Department of Administration's update on the "Buy Minnesota Law" Nov. 17 at the State Office Building.

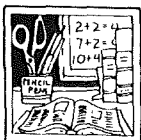
Subcommittee action

Nov. 15: License and Regulation subcommittee of Commerce and Economic Development Committee discussed HF1288 (Brinkman, DFL-Richmond) exempting certain petroleum pumps and meters from certain inspection fees, and HF963 (Cohen, DFL-St. Paul) regarding regulation and operation of taxicabs within the seven-county metropolitan area.

photo by Paul Battaglia



Education Committee members Rep. Sally Olsen (IR-St. Louis Park) and Rep. Dick Kostohryz (DFL-North St. Paul) discussed a proposed voucher system for low-income students. Nov. 16 Education Committee Meeting.



Education

“There’s widespread dissatisfaction with schooling in Minnesota. We know that not just from test scores, but from recent reports on education and opinion polls,” said Rep. John Brandl (DFL-Mpls) at a Nov. 16 meeting of the House Education Committee.

Brandl says he’s sponsoring a bill, HF1072, that’s not the solution to the education problems in Minnesota, but one small part of a change in direction. The change, says Brandl, would mean offering low-income students a choice in where they want to go to school.

“Again and again,” said Brandl, “we find that as we add resources to education, we don’t get results

We started a new categorical aid program in the ‘83 session—attaching money to things we think will work, such as teacher training, math, and computers, but it doesn’t necessarily yield results.

Organization part of the problem

“Another part of the problem lies in the way we organize education. Schooling has become a service provided by a bureaucracy, which we hold accountable not for their results, not by people choosing, but by rules. In a bureaucracy, there’s room for people to seek their private agendas, and the public agenda gets lost.”

“The structure,” said Brandl, “is not responding to demands on it with enough diversity.”

Brandl suggests improving education through stressing learner outcomes. Teachers and schools would get funds on how well they meet specific requirements. Parents would decide how and where to educate their children, placing accountability, not with

educators, but with parents.

Bill would let low-income parents choose

Under Brandl’s bill, low-income children would get a voucher, which Brandl describes as an education stamp—similar to a food stamp, to apply to an education in any school of the parent’s choice. To participate, a school would have to take the vouchers as full payment and admit any student who applies for available room.

Brandl says he doesn’t, however, support a voucher system for all students, because such a strategy would skim away wealthy and motivated students to private schools, leaving public schools with harder-to-educate children with less political support.

Supporters of the legislation applaud the bill as a means to offer better education opportunities to minorities, the poor, and the disadvantaged; as an incentive to provide quality education; as a means to further involve parents in education; and as a chance to provide a variety of educational environments, without making a radical departure from the public education system.

MEA opposes voucher system

But representatives of public school and teacher organizations aren’t enthusiastic. “Any kind of voucher system stands as an indictment of the present system, which is unproven and unwarranted,” said Gene Mammenga, Minnesota Education Association. “We also don’t believe Rep. Brandl’s broad, sweeping premise—‘there is widespread agreement in Minnesota that our schools are not doing a good job,’ is accurate.”

Mammenga and others who oppose the bill agreed that Minnesota’s education system is in trouble and changes are necessary, but HF1072 is the wrong approach.

Teacher pay an issue

Opponents propose increases in teacher pay to attract and keep able teachers, instead of diverting resources away from the already suffering public education system. “We need to look more into the educational environment,” said Mammenga. “Quality faculty is the key, and good starting salaries is a factor.”

Commissioner suggests restructuring

Ruth Randall, commissioner of the Department of Education, suggests a restructuring in education to include greater use of technology, possibly eliminating kindergarten or the senior year, restructuring of the bureaucracy, and combining students on the basis of learner outcomes instead of ages.

The committee, which has yet to talk about some of the mechanics of making such legislation work, took no action on the bill and planned to continue discussion at a later date.

Quality and quantity of education was the issue when Education Finance Division members met Nov. 14 to hear a report from the Department of Education on extending the school year to improve Minnesota's educational system.

Rep. Ken Nelson (DFL-Mpls.), division chairman, last Spring proposed lengthening the school year to provide students more "time on task" to increase learning. Overall, Minnesota requires schools to provide comparatively fewer student-contact school days, 170 minimum per year. Some states, such as Michigan and Kansas, offer 180 per year. However, Minnesota's students are actually getting as many, if not more, instructional hours because the minimum length of the school day is longer here than in many states.

The cost of extending the school year (an estimated \$9.4 million per day) has led division members to look into improving the quality rather than the quantity of classroom instruction. According to the Education Department report, legislators should examine the quality and effectiveness of time students spend in school in addition to considering extending the school year.

Model school sites and research programs should either be available to or be a requirement for districts to determine ways to use existing time more effectively and/or to extend the school year or school day, according to the report. And, if Minnesota considers a state-wide extension

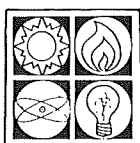
policy, that policy should reflect parental and school staff concerns, budget and equity limitations, and fall within an overall school-improvement plan. The policy should also primarily increase student learning and hold up under tests on how well it's working.

National report: "A Nation at Risk"

Commissioner of Education Ruth Randall and Barry Schaffer, Office of Planning and Research, reviewed the cost of putting curriculum recommendations from a national report, "A Nation at Risk", into effect. They said districts would need over \$27 million to upgrade curriculum and hire teachers, if available, in the areas of science, math, computer science, and foreign language.

Subcommittee Action

Nov. 14: Teaching and Learning subcommittee continued hearings on the Planning, Evaluation, and Reporting (PER) program. Education groups and selected school districts testified.



Energy

Several members of the House Energy Committee attended an unofficial information meeting to look at a slide presentation by Representatives Gordon Voss (DFL-Blaine) and David Bishop (R-Rochester) of how Sweden uses peat as an energy source as the study of the development of peat as a major Minnesota resource continues.

While in Sweden, Voss and Bishop talked with the Swedish governor about peat and environmental controls and reviewed the Swedish hazardous waste treatment program. In Denmark they looked at a new municipal garbage burning facility and at Danish district

heating systems. In Ireland, they visited Bord Na Mona, an Irish peat company.

Subcommittee action

Nov. 17: Energy and Economics subcommittee of the Energy Committee discussed shared savings that has to do with putting conservation equipment into a building at no cost to the energy users. Payment for the equipment comes from the energy shared savings of the user and energy service company that installs the equipment.



Environment & Natural Resources

"The state is losing 100 million tons of top-soil a year to soil erosion," said Rep. Elton Redalen (R-Fountain) at a Nov. 15 meeting of the House Environment Committee. "It's not only depleting our farms. It's polluting our lakes and streams." To prevent this damage, Redalen said he supports controls in a bill he's sponsoring, HF432, and encouraged committee members to do the same. "For too long," said Redalen, "we've been reluctant to take the initiative to do what we have to do."

The bill sets standards to prohibit excessive soil erosion and sedimentation on farmland, in woodlands, and at construction sites. Under the bill, the State Soil and Water Conservation Board would establish rules, including a model ordinance, which counties would adopt and enforce by Aug. 1, 1989. People who cause or allow excessive erosion could find themselves guilty of a misdemeanor.

First settlers saw no limit to land use

According to Jim Schneider, a regional fisheries supervisor in Rochester, Minnesota's first settlers thought productivity of the land had no end. They farmed straight up and down the hills. In the 1930s, limits became apparent and an education program on conservation farming went into effect that continues today.

A nation of consumers

"It's hard to believe, however, that 40 years of top-soil conservation teaching and volunteer conservation programs have been in effect," said Schneider. "Still our most precious national heritage is selfishly wasted, and we have problems of fish kill from fertilizers and lake sedimentation from the run-off."

Others who testified in support of the legislation encouraged conservation measures in farming. "We're a nation of consumers. We take," said Father Paul Halloran, Catholic Rural Life director, Winona Diocese. "But, it's time we start giving to the land."

The committee voted to recommend passage of the bill. The full House can act on it once session begins in March.

Subcommittee action

Nov. 3: House Environment subcommittee and Senate Environmental Protection subcommittee heard testimony in Austin, MN on HF695 (Nelson, D., DFL-Champalin) which would provide a comprehensive resource recovery program, and on HF1361 (Nelson, D.) regarding a landfill surcharge.

Nov. 16: The Game & Fish subcommittee of Environment held a public hearing in Silver Bay, MN, on general issues, such as, Lake Superior fishing, regulations for transporting deer carcasses, and stocking fish in Lake Superior.



Governmental Operations

In Minnesota, the Legislature often gives state agencies authority to adopt rules that put legislative policy into effect.

At a Nov. 30 meeting of the Governmental Operations Committee, House members heard testimony on agency rule-making under the state's Administrative Procedures Act (APA) which gives the affected public a chance to have something to say about rules through public testimony.

Though public testimony and official review during the rule-making process is the democratic way, the procedure costs time and money.

Some participants in the rule-making process and state agency officials would like to see the Legislature make that process faster and less costly. Others maintain that public input, though time-consuming and cumbersome, is important to the process.

Agency working to cut cost and time

Tom Triplett, director of the State Planning Agency (SPA), says SPA is working on plans that reduce costs and time in the rule-making process, and recommend: retaining the current basic structure for rule-making;

separation of powers between the Legislature and state agencies; and maintaining a commitment to uniformity and standardization in rule-making procedures.

"Compliance with the APA is not a major problem," said James Solem, director of the Minnesota Housing Finance Agency. But, he feels that for many of his agency rules, "the procedures do involve a lot of paper shuffling without any substantial review of the rules."

Uniformity may be slipping

Solem favors reducing the time it takes agencies to put rules into effect. But Duane Harves, chief hearing examiner, says he worries that rule-making procedures are becoming less uniform, and that state agencies are moving back to "pre-1975 rule-making chaos."

Harves suggests stricter legislative review of exemptions from the APA, alternatives to the high cost of publishing notice of proposed rules, and some changes in the review of agency rules.

The committee will continue to hear the issue during January's mini-session, and chairman, Rep. Fred Norton (DFL-St. Paul), expects a committee bill, making changes to the APA, will come out of the hearings.

Subcommittee action

Nov. 15: Pensions & Investments subcommittee heard a presentation from the Department of Finance on the Winklevoss Study on state pension funds and funding recommendations, and on the "Executive Summary Analysis of Minnesota Pension Funds and Benefits."



Health & Welfare

Last session the Legislature passed a bill (Chapter 295) directing the Department of Welfare to set up a demonstration project, or pilot program, to see if paying hospitals a set rate for each type of procedure for Medicaid patients on a prepayment basis would save money. Nov. 16 the Health, Welfare, and Corrections Division of the Appropriations Committee and the Health and Welfare

Committee met to hear how the program is going. Tom Jolicoeur, Department of Welfare (DPW), said project plans are underway for paying hospitals before hand for each assistance case. DPW will base payment on what the hospital has charged in the past for such care, rather than an overall average cost among all hospitals.

Diagnostic Related Groups get standard payment schedule

To date, DPW is working on Diagnostic Related Groups (DRGs), a schedule to group together, for payment purposes, similar types of services hospitals provide. Jolicoeur said Jan. 1, 1984 is the target date to have the DRG schedule complete and in conformity with federal Medicare DRGs.

The committees raised issues of cost-containment, the main objective of the project, according to Gary Bleichner, Health and Welfare Committee administrator, and committees will be looking at the program closely in months to come. According to Jolicoeur, the system is still developing but should be more competitive in a year.

Subcommittee action

Nov. 15: Social Services subcommittee met with Criminal Justice Division of the Judiciary Committee. Continued hearings on out-of-home placement of children. See Judiciary.



Judiciary

In an effort to crack down on sexual abuse of children, lawmakers on the House Judiciary Committee, Nov. 14, looked at HF1279 (Levi, IR-Dellwood), a bill that would make it easier to prosecute people who sexually abuse children.

Some of the problems prosecutors and authorities face in attempting to prosecute and punish violators, is getting testimony from young children who are too frightened, or too young, to testify against their offender or about their experience.

In some cases, children block out the experience and forget details

of their sexual attack, so by the time a trial comes around, they can't give effective testimony.

Out-of-court statements as evidence

To overcome this obstacle, HF1279 would admit as evidence any out-of-court statement children make about any sexual contact someone performs on or with them if: the court finds the statement reliable; the child testifies at the proceedings, or is legally unavailable as a witness; and the other party gets advance notice of the statement and its contents.

However, the issue became a little more muddled as members questioned whether an out-of-court statement, or "hearsay evidence" is admissible in court, and whether the new provision would violate the Sixth Amendment to the United States Constitution which grants the accused the right "to be confronted with the witnesses against him."

Question of Constitutionality

The only way to test the constitutionality of a law is to wait and see whether it holds up in the courts when it comes to trial. But according to Gordon Shumacher, Ramsey County District Judge, the bill wouldn't present a real hearsay or constitutional problem because of safeguards in the bill and in the judicial system.

"The court must find the hearsay reliable before it is admissible evidence," said Shumacher, "and hearsay can be admissible without violating the Sixth Amendment if use of the hearsay is necessary."

According to Bill Neiman from the Hennepin County Attorney's Office, "The law would be a valuable tool in prosecuting violators, when the child is too frightened to talk on the stand. Generally," said Neiman, "the younger and more inept the child, the more difficult it is to prosecute the violator."

The committee recommended HF1279 to pass as amended.

HF1279 would: clarify that contributing to a child's status as a habitual truant, run-away, or petty offender is a misdemeanor offense; allow prosecutors, in certain sexual abuse cases, to admit as evidence an out-of-court statement a child makes about any sexual contact involving the child; prohibit people in positions of authority over children from engaging in sexual activities with persons between ages 16 and 18 (children under 16 have protection under the current law); expand the child abuse reporting law to allow in court any evidence of child abuse or neglect in addition to evidence of physical injury, and would permit nurses and psychologists to testify concerning child abuse or neglect, despite the privileged nature of their communication with the child.

“Minnesota is one of only two states in which child abduction by a parent turns into a felony offense, from a misdemeanor status, after a 14-day waiting period. Only after the 14 days, when the offense becomes a felony, can the FBI get involved,” Rep. Gloria Segal (DFL-St. Louis Park) told members on the House Criminal Justice Committee at a Nov. 16 meeting. “I think it’s time that Minnesota upgrade its law, as most other states have done,” Segal says.

Segal is author on HF1347, a bill that toughens Minnesota’s child abduction laws. Current law provides that a parent who takes a child without the consent of the custodial parent is guilty of a misdemeanor if a court order for child custody exists. After 14 days the offense becomes a felony, and the local authorities can call on the FBI for help in locating the child, and they can begin looking out of state.

Child abduction by a parent currently is not a crime in cases where the parents aren’t married, or a divorce is pending.

Abduction could come under child abuse law

HF1347 would provide that parental abduction is an immediate felony where the penalty would range from one year to three, depending on whether the abducting parent hides the child. The proposal would also include parental abduction under child abuse law to allow children to get counseling for the fear and possible abuse they’ve suffered.

“Currently in Minnesota,” said Bill Neiman from the Hennepin County Attorney’s Office, “everything rests on the existence of a court order. The bill would change the focus from a violation of the court, to a violation of the child. The theory being that the real victim isn’t the victim parent or the court, but it is the child who is taken.”

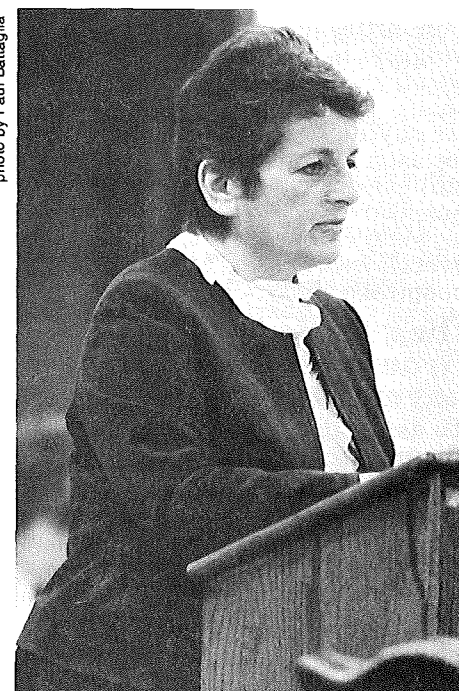
Love not the reason for abduction

“Love,” said Neiman, “has little to do with why parents do this. My perception is that a parent recognizes this as an ultimate weapon, a means of striking out against the victim parent. There is little regard to the child at all, or for seeing the child more.”

“We need some teeth in Minnesota’s law,” agreed JoAnn Thatcher Swanson, a family law practitioner. “There’s a general perception that it’s okay to steal your kids because nothing will happen. We can’t let a biological connection make a difference in the fact that kidnapping is a crime.”

Neighborhoods and crime reduction

In other testimony, the committee heard from community crime prevention authorities. Some of the problems in prevention, according to Don Tweedy from the Bureau of Criminal Apprehension (BCA) are getting citizens and



Rep. Gloria Segal (DFL-St. Louis Park) testified for HF1347, a bill to toughen Minnesota’s child abduction laws, at a Criminal Justice Division meeting in November.

police officers involved in proactive prevention measures. Some solutions, he said, are to continue promoting awareness and encourage incentives for citizens and police officers.

According to Linda Miller, a Bloomington police officer, an approach that’s worked in Bloomington is to put the responsibility on citizens to protect against crime. Volunteers get training, and donations finance the large citizen organization.

“The power to reduce crime lies in the neighborhood,” said Miller.

Joint meetings on out-of-home placement of children continued through the interim between the Criminal Justice Division of the Judiciary Committee and the Social Services subcommittee of the Health & Welfare Committee.

“Keeping children at home is no more or less harmful than out-of-home placement as long as services continue to be provided to the family,” said Jim Abts, from Ramsey County Social Services at a Nov. 15 meeting.

Abts explained that working with families and keeping children in homes, rather than placing them in juvenile facilities, is less expensive and more effective as long as local agencies furnish home-based counseling and care.

photo by Paul Battaglia

Also, workers involved with such children tend to be more effective because they feel less like "brokers" turning children over from one environment to another. They feel more directly involved with helping the children and families, said Abts.

Keeping children at home may help families

"The structure of the service determines the service type and quality," said Abts. "Keeping children in the home, and helping the entire family through intervention, is also more effective because families learn how to work out problems, and prevent problems that may arise in the future, rather than simply removing the child from the home."

Abts warned, though, that continued strong support services must be intensive and on-going to serve the best interests of the child.

Dakota County program keeps families together

Greg Mathison from Dakota County Social Services reviewed his county's placement alternatives program (PAP) that aims to prevent out-of-home placement and keep the family unit intact. He said the program has saved the county over \$1 million dollars and has received favorable evaluations from families and juvenile caseworkers.

Domestic Abuse Act and juvenile cases

The committee also heard Janeen Rosas, assistant Hennepin County attorney, review expanding the Domestic Abuse Act to cover crimes the juvenile court hears. Currently, the act covers removing an abusive person from the premises. Its purpose is to protect families that eventually bring lawsuits to family courts.

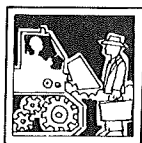
By extending the act to juvenile court jurisdiction, authorities could remove persons abusing children from the home, as in domestic disturbances heard in family court, and leave the remaining family intact.

"I think this idea would be a real advantage to local welfare agencies and county attorney offices," said Rosas, "and would be a real benefit to the children involved in abusive households."

Advantages to extending the act would be keeping children in their own environment with siblings,

familiar surroundings, in the same schools; and keeping costs down by not placing children out of the home.

The committee also heard problems in placing handicapped children in foster homes and insurance reimbursement inequities for emotionally disturbed juveniles in mental health treatment facilities.



Labor-Management Relations

Upgrading positions and recruiting competent people are his top priorities in carrying out the new workers' compensation legislation that passed last Spring, says Commissioner of Labor and Industry Steve Keefe.

In a joint House-Senate mini-session meeting Nov. 17, Keefe said the department has hired a substantial number of new staff persons and expects to hire 15 more by Jan. 1, 1984. To attract qualified applicants to fill compensation specialist positions, Keefe said the department is working on upgrading the position to reflect the increasing importance of the job.

"They are the first line of contact with an injured worker, and they have to be good at their job," said Keefe. "They have to be good enough at this job to be fair and helpful to everybody, whether it's an injured worker, an employer, or anyone else."

Medical Services Review Board ready

Membership of the Medical Services Review Board is complete and reflects Governor Perpich's affirmative action goals said Keefe. The Department is also working on disability, rehabilitation, assessment, medical fee, and independent contractor rules.

Keefe said disability schedules will be effective Dec. 31, as the law requires, although recent hearings on the rules have resulted in some union dissatisfaction because rules don't allow for compensating for a worker's pain in settlements for injury.

"There are no permanent conditions that cannot be measured by objective tests," said Keefe. Occasionally, Keefe said, pain may result from an undetected, unmeasurable injury. But the number of those types of cases balances with malingerer cases where a worker gets compensation for a false or disprovable claim, Keefe said.



Local & Urban Affairs

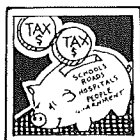
The Local & Urban Committee met Nov. 15. to hear HF1010 (Sparby, DFL-Thief River Falls), a bill to allow the recording of deeds for sale of land by metes and bounds (where the owner legally describes a parcel of land rather than refer to a lot in a plat) in municipalities with a population of 15,000 or less.

The land parcel would have to be a single parcel of residential or agricultural land, not less than five acres, and the sale could not divide the parcel into two or more parcels, any one of which is less than five acres in area or 250 feet in width.

The committee didn't take any action on the legislation and may take it up again in January's mini-session.

Subcommittee action

Nov. 17: Governmental Administration & Structures subcommittee of Local & Urban Affairs Committee discussed HF1055 (Johnson, IR-Caledonia), on remonumentation of the state. The subcommittee will take up the bill again in January.

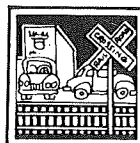


Taxes

Subcommittee action

Nov 15: State-Local Fiscal Affairs subcommittee recommended to pass HF1377 (Scheid, DFL-Brooklyn Park), as amended. The bill would restore local government aids that local governments lost in the early 1980s budget shortfalls.

Nov. 17: Property Tax System subcommittee continued to hear a presentation on farmland valuation.



Transportation

Transportation Committee met Nov. 15 to hear a proposal for an interim study on highway signing. See story on signing, p.8.

What's the best way to free Minnesota roads and highways of snow and ice? A mixture of sand and salt is normally the answer, but lawmakers and representatives from a variety of state departments looked at other ways to control winter skids and slides at a joint House and Senate Transportation Committee meeting Nov. 30.

Commissioner of Transportation, Richard Braun, told the joint meeting that keeping roads and highways safe is a complicated problem. Braun says it's important to reduce the use of chemicals when we try to keep our roads clean and, he says, mechanical removal of snow and ice, operator awareness, and guidelines for chemical use will do that.

Cost as a factor

Dave Hunt from the Citizens League, says there's no other deicer as cost effective as salt, but cost shouldn't rule out others. Hunt said the committees ought to look at what the airport is doing with prilled urea to remove snow and ice from runways.

Paul Vaccaro representing Cargill Salt, the largest salt supplier in Minnesota, says any program examining the use of salt as a deicer must look at the importance and value of ice free roads, the causes of and factors influencing deterioration and corrosion, and the true costs of alternative deicers, as well as their real and potential risks.

Management as a factor

Dr. David Minsk, from the Army Corps of Engineers Cold Regions Research and Engineering Laboratory, told legislators that Minnesota is taking great strides to find a solution to winter maintenance problems. He says the key to effective control of snow and ice is management.

Minsk says salt as a road deicer will be around for a long time because it's effective and inexpensive compared to other chemicals such as prilled urea or calcium chloride. But, says Minsk, Minnesota should increase mechanical removal, such as plowing, to minimize chemical use.

Other Meetings

• **Joint Select Legislative Committee on Livestock Weighing**, Sept. 23, State Capitol: Testimony regarding state livestock weighing.

• **Joint Select Legislative Committee on Forestry**, Sept. 30, State Capitol: Reviewed 1982 Forest Management Act.

September

• **Joint House and Senate Subcommittee on Claims**, Oct. 17, State Office Building: Claims against the state.

• **House Information Systems Task Force**, Oct. 19, State Office building: (1) progress report, (2)

administrative/accounting data processing system (3) discussion and decision.

• **Low Level Radioactive Waste Advisory Committee**, Oct. 21, 3:00, State Office Building: Preview of upcoming Compact Commission Meeting and review of past actions.

October

• **The Joint Legislative Committee on Agriculture Land Preservation and Conservation**, Nov. 1, State Capitol: Discussion of soil erosion. Also met Monday, Nov. 14: Heard testimony regarding forest land.

• **St. Paul Legislative Delegation**, Nov. 14, State Office Building: Discussion with representatives of the City of St. Paul and the St. Paul Public School District on the impact of recent legislation, financial aid and stability, and property taxes.

• **Hydropower Task Force**, Nov. 15, Legal Center Building, William Mitchell College of Law: Met with the Federal Energy Regulatory Agency, including an explanation of FERC's licensing and exemption process and a discussion of hydropower

development on the Upper Mississippi.

• **Ramsey County Legislative Delegation**, Nov. 15, State Office Building: Discussion with representatives of the Ramsey County Board of commissioners on the impact of recent legislation, financial stability and property taxes.

• **Gaming Division of the House General Legislation and Veterans Affairs Committee** sat in on a Senate subcommittee on Lottery hearing Nov. 16, State Capitol: Heard discussion of the state-run lottery systems and the lottery industry.

• **State Compensation Council**, Nov. 21, State Office Building: A public hearing on the subject of compensation for legislators, judges, and constitutional officers.

November

People: Indian culture strengthens programs

by Nancy J. Miller

"The only place that Indian alcoholism programs have to go for money is the state Legislature. That's our basic foundation for funding," said Ron Head, assistant to the special assistant director of the American Indian Section of the Department of Public Welfare.

During the October mini-session, the Health, Welfare, and Corrections Division of the Appropriations Committee met with state American Indian leaders to renew budget considerations for American Indian chemical dependency treatment programs. Following proposed provisions in House Advisory 33 (Clark, K., DFL-Mpls), which the division considered last

session, members began to look further into the problem of American Indian chemical dependency, the effects of program cuts in the last few years, and the plight of American Indian people in general.

Nutrition, culture, society

According to the American Indian Policy Review Commission's Task Force 11 report, death rates from alcohol use are as much as 5.5 times that of the general United States population. The majority of accidents, assaults, homicides, and suicides; plus arrests, fines, and prison sentences among Indians directly relate to alcohol.

Figures from an executive study on Indian needs from the Minnesota State Planning Agency estimate that 40 percent of American Indians have serious alcohol problems, 31.5 percent higher than among the general population.

Although no one can pinpoint one cause of the high American Indian chemical dependency rates, Joe Big Bear, assistant to the American Indian Section director, and Ron Head look to a combination of possible reasons: nutrition and diet, culture, and the effects of oppression.

Nutrition

National studies suggest American Indians metabolize alcohol and carbohydrates differently than the overall Caucasian population. For centuries, they lived on a high-protein diet. They just weren't used to the foods and liquor the settlers introduced.

Populations need time, Head says, to adjust to a new substance. Until they do, the substance may cause problems, like the high diabetes rate among American Indians, that don't show up in populations where people have been using a substance, such as alcohol, for generations.

Culture

Culture is also a factor. American Indians, especially in Minnesota, rarely used alcohol or any other mind-altering substance except in controlled religious rituals. Task Force 11 reports: "Although acts of aggression to the family and community were common, the Indian community had no traditional way of coping with the actions of their people while under the influence of liquor."

Indian people weren't ready for alcohol, so like any other inexperienced drinkers, they guzzled and hid it, said Head. The fact that federal law kept American Indians from buying or consuming alcohol from 1832 to 1953 may have added to alcohol abuse and irresponsible behavior.

Society

White traders, using liquor to barter for valuable goods, and modern-day problems the American Indian faces, such as discrimination, unemployment, incarceration, and family break-ups contributed, too, to a cycle of chemical dependency.

"The cause of alcoholism is alcohol," says Joe Big Bear, who, with Head, is quick to point out that whatever the suggested causes of the problem, either past or present, the real issue is what to do about it today.

Renewed efforts needed

In 1976 the Legislature acknowledged the need for treatment centers specifically for needs of American Indians and their culture. An appropriation of \$500,000 provided seed money for a center which later became the Mash-ka-wisen culture-

based treatment center where results have been encouraging.

Such centers, with specially designed programs that reach beyond regular chemical dependency treatment into the roots of the American Indian culture, succeed much more often than traditional centers that have very low success rates for Indians, says Margaret Sandberg, assistant commissioner of the Department of Public Welfare (DPW) Mental Health Bureau.

State funding cut in half

Mash-ka-wisen got a \$500,000 per year operating appropriation until the 1982-83 biennium when the state cut the funds 40 percent. Currently, the program operates at a 50 percent reduction in state funding.

Last biennium, the Chemical Dependency Division of DPW asked for \$200,000 more per year for the Mash-ka-wisen center which the Appropriations Division denied because of severe budget restraints.

Instead, the division promised to look into funding problems and needs of American Indian programs and the overall effectiveness of culture-based treatment programs, through House Advisory 33.

House Advisory 33 calls attention to problems

Although some federal and private dollars go into Indian programs, and other state programs, such as General Assistance and Medical Assistance, indirectly contribute to treatment populations, treatment centers still need funds to keep established programs up and running, said Big Bear.



photo by Paul Battaglia

Juel Fairbanks Center, St. Paul, offers residence and outpatient programs, information, counseling, and referral services.

photo by Paul Battaglia



Rep. Karen Clark (DFL-Mpls) author of HA33, a recommendation to look at American Indian chemical dependency needs.

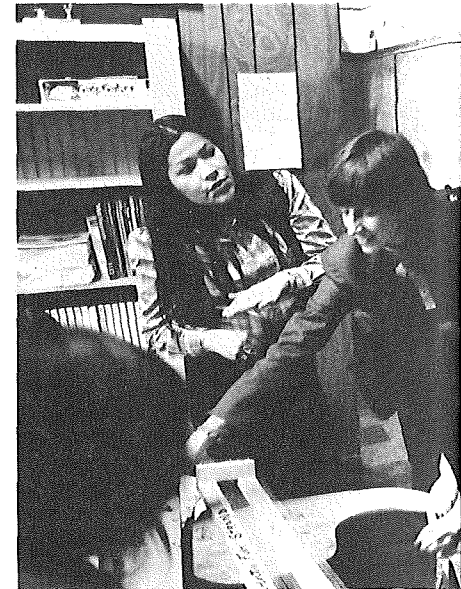


photo by Paul Battaglia

Rep. Karen Clark (DFL-Mpls), who sponsored the defeated appropriations bill last session, authored HA33 in an effort to bring the needs of the American Indian community to the attention of the Legislature.

"The concern I have about Indian chemical dependency programs is that the state agency is very substantially underfunded, and the fact that chemical dependency, an illness among Indian people, is extremely high," says Clark.

Culture-based programs

"One of the factors that became real clear at the hearing last session was, not only are the programs underfunded," says Clark, "but the ones that seem to have worked best are ones that are based in Indian culture or Indian religion, or have that as part of the resources and healing process being used in the treatment programs."

Clark and DPW officials agree that another funding problem exists because counties refer Indian people to state hospitals for treatment to save money. Culture-based programs in state hospitals are very weak, or non-existent, but the state picks up all but 10 percent of the bill.

"I authored House Advisory 33 because I wanted the subcommittee of the Appropriations Committee, where the funding bill failed last session because of the budget crunch, to get a first-hand look at culture-based program successes and to get recent, up-to-date information on the problem," says Clark.

A first-hand look

Members of the Appropriations Division had an informational meeting Oct. 19 and then toured metro-area Indian schools, projects, and treatment centers

to find out what they offer Indians, and why funding for alternative culture-based programs should continue or increase.

Chuck Robertson, principal of The Red School House, a St. Paul alternative school that focuses on culture and religion, says an alternative atmosphere where students surround themselves with their own ways, helps them gain strength to cope with life in a culture different from their own.

Division members visited with staff and students and attended a pow-wow demonstration. They learned about the Indian culture movement toward abstinence, prevention, and education in chemical-free living as models for children—models another alternative school in Minneapolis, the Neighborhood Center School, is also using to curb chemical abuse.

Religious focus works

Alternative programs stress music, a major part of Indian religion. Educators and counselors believe that bringing back religious ceremonies and encouraging community-wide participation may offer alternatives to alcohol use and abuse.

Juel Fairbanks Center, St. Paul, and New Visions Treatment Center, Minneapolis, two culture-based centers and half-way houses, gave the legislative division members a tour and briefed them on their strategies and successes, especially in helping chronic alcoholics who habitually fail in traditional treatment programs and have no where to turn.

Since Indians commit many crimes while intoxicated, Project Director Herbert Sam told members, the American Indian Chemical Dependency (CD) Diversion Project intervenes in police and court proceedings to get at underlying problems of chemical dependency, rather than just considering the criminal



Committee members visit with staff and students at The Red School House, St. Paul, in October.



photo by Paul Battaglia

Student at The Red School House, an alternative St. Paul school.

behavior of their clients. Sam says intervention offers offenders a way out of the criminal justice and penal cycle.

Funding and the needs of American Indian women

Keeping current programs up and running is a priority, according to Big Bear, but division members also heard plans for new programs to train more counselors and focus on the problem of chemical dependency in American Indian women.

"The cirrhosis death rate for Indian women is 25 percent higher than for Indian males," said Margaret Peake Raymond, director of First Phoenix American Corporation. Speaking on behalf of the Task Force at the Appropriations Division's information meeting, Raymond presented "American Indian Women in Minnesota: An Overview of Chemical Dependency Problems and Unmet Service Needs," a report from the Women's Task Force of the American Indian Chemical Dependency Advisory Board.

According to the report, Indian women do not receive direct treatment services for their problem as do Indian males. And, compared to the general population, Indian women die younger from alcohol-related deaths and are 35 times more likely to be chronic alcoholics than women of other races.

Fear of having their children go into foster homes, or having no one to care for them while they're going through treatment, is the reason many Indian

women don't enter treatment facilities or take part in any direct treatment programs.

Also, Raymond suggested that, because most Indian CD counselors are male, they perhaps cannot relate to special problems of Indian women, much like the culture barrier surrounding traditional White programs and Indian clients.

"The Women's Task Force of the American Indian Chemical Dependency Advisory Board recommends the immediate implementation of a single statewide resource and training center for Indian women," said Raymond. "Current research in the field still tends to support the idea that women, most of the time, do better when they work with female counselors," she said.

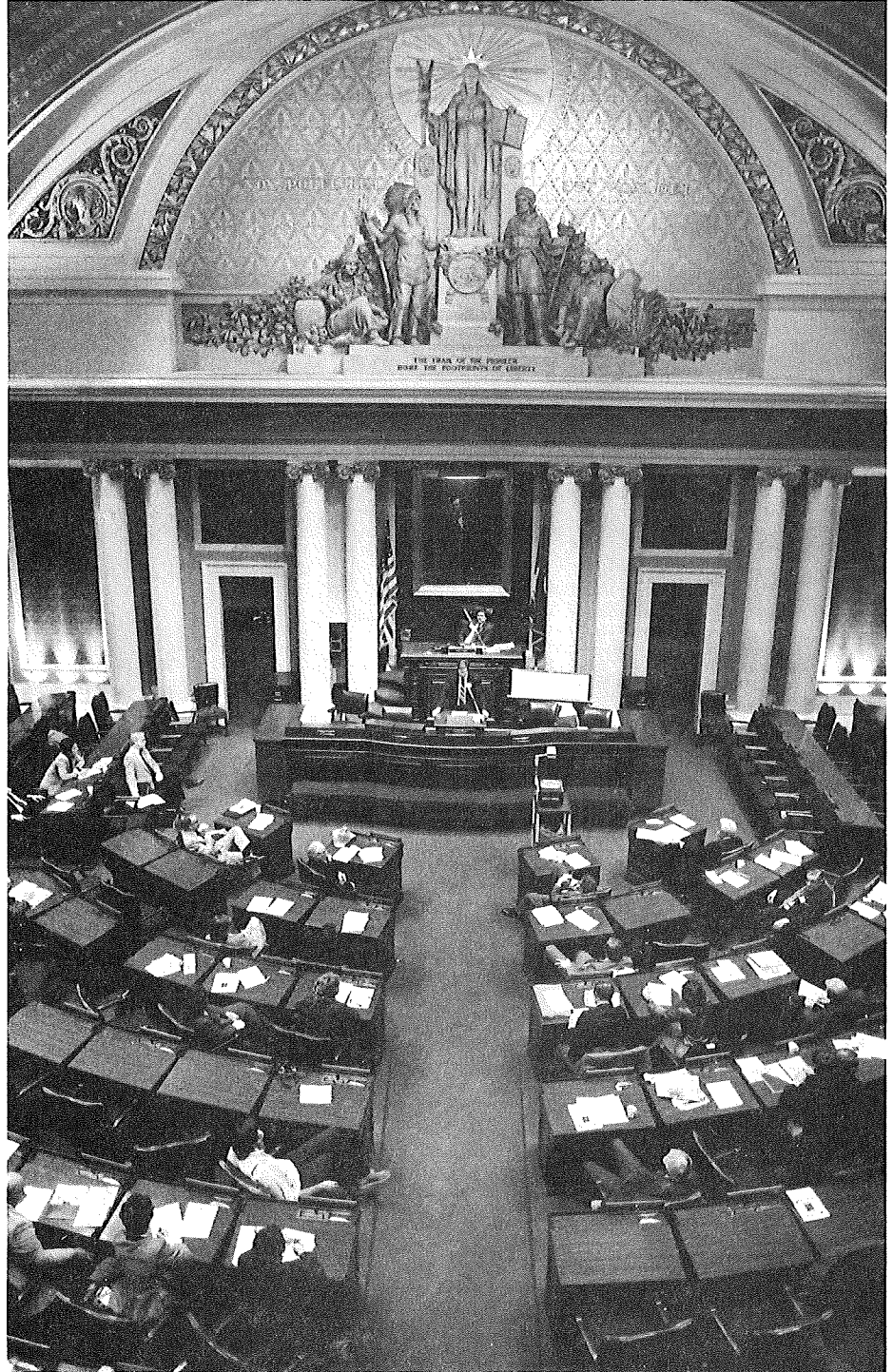
More women need outreach programs with a design that gets to women's issues, such as pre-natal and family services, as they relate to alcoholism, Raymond said.

Hope for the future: prevention and education

The future of the American Indian depends on prevention and education, according to Linda Welch from the Minnesota Sioux Tribe. She said more counselors and instructors are needed to work with children to break the chemical dependency cycle and stop problems before they begin.

"I've worked with and learned a lot about the Indian people suffering the effects of alcoholism," said Welch, "and what I see is the children suffering. That's what really concerns me."

European, Canadian, and American grain industry leaders gathered at the Capitol to discuss problems and solutions, Nov. 16 and 17.



Agriculture 'Round the World

leaders meet at the Capitol

by Lisa Lissimore

"We need a better common understanding of our customers and our competition if any of us are going to be effective in solving mutual problems like those that plague much of global

agriculture," Rep. Tom Shea (DFL-Owatonna) told legislators, farmers and traders who came to the State Capital Nov. 16 and 17 for a two-day world grain production and trade seminar.

The House Agricultural Exports and Marketing subcommittee sponsored the seminar that brought together world agriculture leaders from Canada, France, the Netherlands, and the United States. Low farm prices surfaced again and again throughout the seminar as a basic problem in global agriculture today. Low prices, according to seminar delegates, cause other dilemmas for farmers such as over production of certain commodities and high interests rates and property taxes.

According to Shea, low farm prices are a tremendous problem in our country. He says producers of raw materials are underpaid, while processors, distributors, and retailers make profits.

Farmers need fair prices, equality, and justice

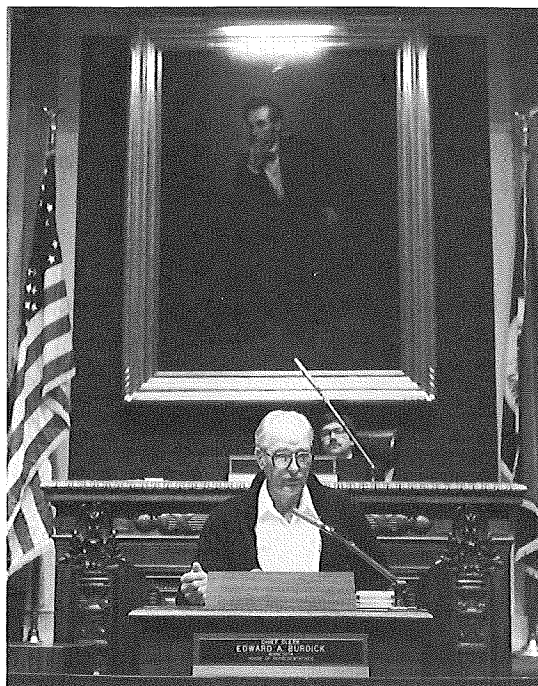
Rep. Wally Sparby (DFL-Thief River Falls) in his report on the first International Farm Summit that met in July in Ottawa, Canada, said, "Farmers, whether they're in France, the Netherlands, Canada, Australia or the United States, need to know from year to year whether they're going to be able to sell a product at a price that returns their cost plus a profit." He said the Ottawa Summit emphasized that agriculture policies must ensure farmers a fair price, equality, and justice in the marketplace. Andre Saby, French minister of agriculture, representing the European Economic Community (EEC), said they're losing family farms in Europe because agriculture prices are too low for European farmers to survive. He says the farm problem in his country is a social one and leaves thousands of people out of work. Because the EEC feels it's good social policy to have a strong number of family farms in France, they directly subsidize these farms. But, he said, they subsidize them from a social perspective while the United States subsidizes for economic reasons.

Saby, questions why the United States allows revenue from secondary industries, such as processed foods, outdo revenues from its primary export industry, farming.

Canadians agree

Vic Althause and Jaci Skelton, representing Canada, also agree that agriculture prices are too low for farmers. Skelton a member of the Canadian National Farmers Union, says farmers don't get decent prices because they're not organized. She says farmers in

Canada are pursuing ways to capture and maintain the value of their products. "We (Canadian farmers) feel the direct effects of the pricing supply situation for each crop on our farms—effects that are shared by all farmers alike in our country," said Althause, a Saskatchewan member of the Canadian Parliament. "At least the U.S. has the advantage of size. Any attempt you make to influence prices by altering supply can have some effect. However, for Canada to influence prices by discouraging production on a unilateral basis would be futile," he said. According to Althause, this year's supply and demand situation in the United States and the world will change very little. He expects both production and trade to be at least at the same level as a year ago and carryover to increase for the third year in a row.+



Merle Hansen, Nebraskan farmer, gave a view of grain farming in America.

photo by Paul Battaglia

Worldwide price system is a need

Full cost production grain prices in the world economy would encourage production; land prices would recover and flourish. Farmers in the third world countries would get a reward for increasing their production and their economy would benefit said Althause. But, there would be hardship for some of the poorest consuming countries. For a price system to work, countries like the United States would have to initiate a quota system, similar to Canada, to share the market, said Althause.

At the close of the price issue debate, farm leaders agreed that a real need for some kind of basic price system exists in this country and in other countries around the world.

Global ag policy would help

Another issue affecting global agriculture, according to Arie Van den Brand, a farmer from the Netherlands, is agricultural policy, which carries different meanings in the Netherlands than it does in Canada, and the United States.

Brand told the gathering that the agriculture policy in Europe today is a "race without a finish," and its effects show on his 43-acre farm.

"If the policy doesn't change, in the next 10 years, 50 percent of the young farmers in my country will have to leave the farm land," Brand warned. "And where they'll go, I don't know. There are no alternative jobs in town."

Brand says policies are of particular concern to the farm unions in the Netherlands and the farm movements in Europe where farmers claim they need fundamental reform of agricultural policy because they're facing unemployment. He recommended a policy that guarantees employment of the land.

U. S. policies must help U.S. farmers

On the U.S. side, Rep. Sparby said, "Agricultural policies have been on a collision course with disaster in recent years. Something must be done in the near future before we have more bankruptcy and the loss of many more farmers.

"We can't compete with expansion policies that may develop in other

World grain leaders Andre Saby, Vic Althause, Arie Van den Brand, Jaci Skelton



photo by Paul Battaglia

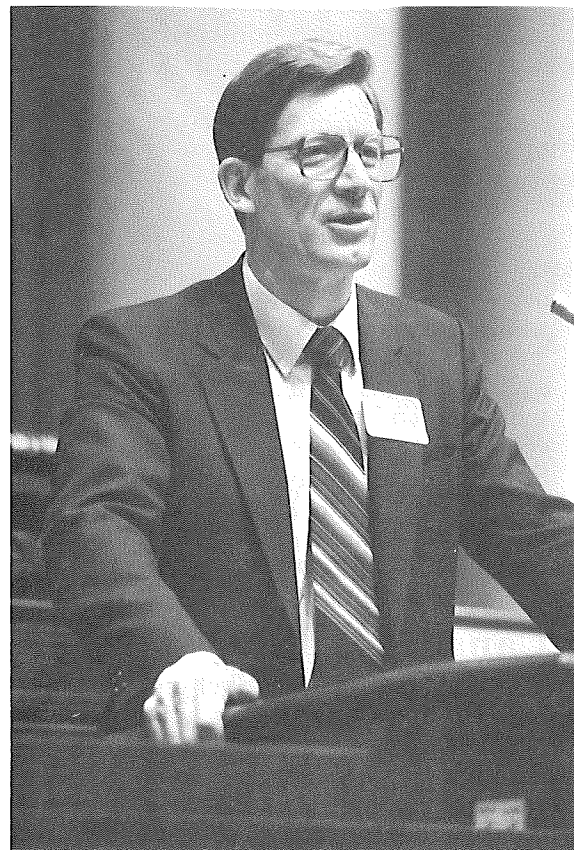


photo by Paul Battaglia

countries. Instead, we must adopt programs to meet situations in our countries to benefit the farmers we represent," Sparby said.

A Nebraska farmer, Merle Hansen, representing the U.S. Farmers Association, testified that the United States is pursuing a "senseless policy of absolute runaway greed" that's destroying the structure of our country. He says the assumption that a good farm policy costs a lot of money isn't true. The real cost is keeping farm prices down. He'd like to see farm policies like those of the 1940s which were cheapest for taxpayers, and the best for the customers, government, and international trade.

U.S. "Strong dollar" affects world trade

Foreign leaders expressed concern over U.S. efforts to keep inflation in line, and a more stable economy, which have increased the value of the dollar in foreign markets. Called "strong dollar" in the marketplace, the problem has cost importers to pay more for U.S. grain. Saby says the strong U.S. dollar causes Europe to pay 32 percent more of the average cost for U.S. exports than in the

past and France 63 percent more. This negative effect, he says, is greater in underdeveloped countries whose payment situation is growing worse.

He says the U.S. controls the world price, and other countries can only submit themselves to these prices. However, the strong dollar helps countries that import to the U.S. and trade for dollars that are increasing in value in their economies.

Farm problems need international solutions

"We must at the international level move toward a new international grain agreement with buffer stocks and an adequate floor price," said Althause.

To create international harmony in the grain industry, he says, countries must move toward a new cooperative international grain agreement that provides financial security for farmers and food security for consumers.

The seminar ended with discussion groups that focused on cooperative efforts among states for export promotion, maintaining fair farm prices, cooperation between farmer organizations and state governments, and farm policy.

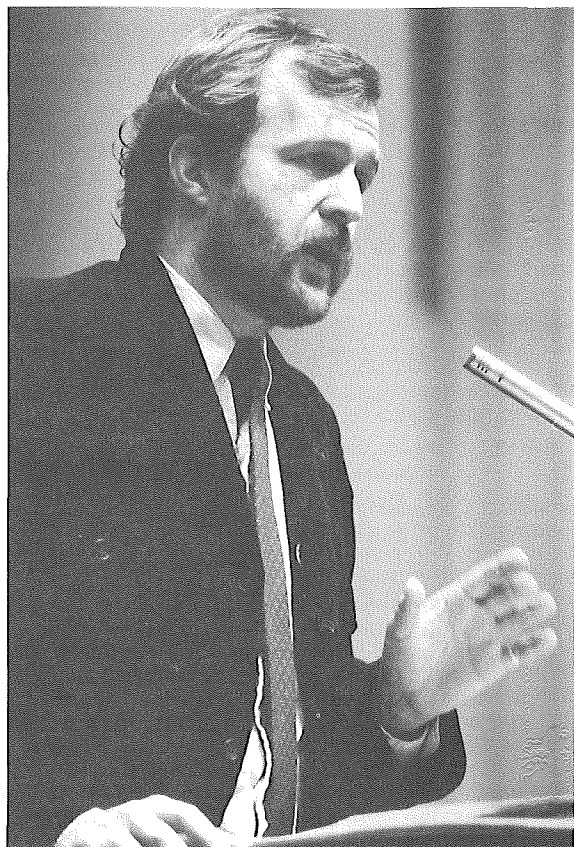


photo by Paul Battaglia



photo by Paul Battaglia



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