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Perspectives

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SESSION '80

What's in store for the state Senate

by Karen L. Clark

The beginning of a new decade – and the second half of a legislative session – will find Senators still grappling with some of the more stubborn problems of the seventies. Energy related issues, for instance, are almost certain to dominate the 1980 session of the Legislature. In fact, battle lines have been drawn since last fall between the Senate and the governor over the question of how much, and to whom, emergency financial assistance for home heating bills will go. Other energy questions, such as an increase in the state gasoline tax, weatherization programs and aid to schools to offset increased transportation costs are sure to cause controversy. Although most senators agree that there is an energy crisis differences of opinion on how best to deal with the crisis are a continuing source of confrontation.

In addition, it is a virtual certainty that a great deal of discussion will be generated by four proposed constitutional amendments. Those proposals, ranging from the reapportionment of legislative districts to limiting the state's spending, all have ardent and vocal opponents and proponents.

There are other issues, though, which will generate their share of controversy. An informal survey of Senate committee chairmen reveals a broad spectrum of issues and problems before the Legislature this year. Although there was an overwhelming consensus among committee chairmen as to the main issues before the Legislature as a whole (Nearly all cited emergency fuel aid, the constitutional amendments and highways funding as the top priorities.) Each

chairman also indicated those issues before his committee he felt were likely to be of most significance.

Agriculture & Natural Resources

Sen. Gerald Willet (DFL-Park Rapids), speaking for the Agriculture and Natural Resources Committee, said that a major item before the committee would be legislation dealing with solid and hazardous waste. A joint committee has been at work preparing a comprehensive package which will be heard, and acted upon, this year. In addition, the Environmental Protection Subcommittee, in conjunction with the Energy Subcommittee, held a number of hearings during the interim on the incident at the Prairie Island nuclear plant and the state's emergency plan. Legislation dealing with the emergency plan will also be heard this year. The committee will also consider legislation to create a coordinating body for water planning in the state. Willet also indicated that one of his personal priorities is a bill creating a "land owners bill of rights" to protect willing sellers involved in land transactions with the Department of Natural Resources.

Commerce

The Commerce Committee, chaired by Sen. Robert Tennesen (DFL-Mpls.) will once again this year consider modifications in the state's detached banking facility law. In addition, committee members will consider a proposal prohibiting refiner-owned and operated auto service stations. Utility regulations and the Public Service Commission will also be subjects for discussion by committee members. High on Tennesen's list of

personal priorities are additional modifications of the state's privacy laws and the successful conclusion of the energy assistance proposal.

Education

Sen. Jerome Hughes (DFL-Maplewood) feels that the increased costs of school transportation will be one of the most important issues to come before the Education Committee. Many districts have found themselves without adequate funds because of the skyrocketing price of gasoline over the last few months. Hughes also regards the research and development of the quality education program as a primary area for committee action. Chemical abuse and school discipline are two additional issues that will be before the group this year. In the matter of personal priorities, Hughes cites successful action on the Board of Teaching bill as one of his most important goals.

Elections

There is a possibility that a bill dealing with PACs (political action committees) may be returned to the Elections Committee for further work this year, according to Chairman Edward Gearty (DFL-Mpls.). Such action would be the result of an upcoming court case brought by the Minnesota Association of Commerce and Industry. Gearty also mentioned several housekeeping bills and some minor substantive changes brought about by the work done by the Recodification Task Force as being subjects for committee action this year.

Employment

Questions facing the Employment Committee this session are primarily outgrowths of the group's interim activities. Chairman Roger Laufenburger (DFL-Lewiston) views the work done by the Economic Development Subcommittee, the Labor Subcommittee and the Subcommittee on Minorities Employment as laying the groundwork for the major legislation that will come before the committee. Small business concerns, consideration of the state's business climate and worker's compensation housekeeping changes will certainly be major items of discussion. A special subcommittee on minorities held a number of hearings throughout the state and at least four bills dealing with minority employment will come before the committee. Laufenburger stated that Minnesota's fairly low official unemployment rate is masking the reality, especially where minorities and the structurally unemployed are concerned.

Energy and Housing

The spotlight will be on the Energy and Housing Committee a great deal throughout the session this year. Already, the emergency energy assistance bill has been approved and moved out of the committee. The measure provides assistance for fuel bills to those not eligible under federal assistance guidelines. (During the interim, the full committee, along with a special ad hoc committee, dealt extensively with the various emergency fuel assistance proposals in preparation for a special session should one be called.)

The committee will also be considering a long range energy program, incentives and assistance for weatherization and incentives for other energy related housing improvements.

Jerald Anderson (DFL-North Branch), chairman of the committee, is also interested in pending legislation enabling up to 25 percent of retirement fund in single family conventional mortgages with the mortgages not to exceed 80 percent of the appraised value.

Finance

Although the bulk of the work done by the Finance Committee in setting departmental budgets was completed last year the 1980 session promises its share of activity for the committee. Sen. Roger Moe (DFL-Ada), chairman, said the committee will concentrate on methods of funding the state's highway programs and on discussions of the financial problems encountered by the Metropolitan Transit Commission (the MTC foresees a deficit of \$20 million for the last half of 1979 and all of 1980). The committee also plans to work on the completion of the capital budget bill which allocates funds for state building construction. And, of course, the Finance Committee must hear all bills requiring any expenditure of state monies.

General Legislation and Administrative Rules

How to reduce government regulation and paper work will be one of the primary activities of the General Legislation and

Administrative Rules Committee said Chairman Howard Olson (DFL-St. James). The group also plans to study the economic impact of the arts in Minnesota. Several hearings were held last year outlining the significance of the arts and their impact on the quality of life in Minnesota and this year's work will use those hearings as a basis for further work. Olson also emphasized his continued commitment to rural concerns before his committee and the legislature. Once again this year the committee expects to hear a controversial bill that would, in effect, legalize pari-mutual betting in Minnesota.

Governmental Operations

Sen. David Schaaf (DFL-Fridley) has outlined a number of priority items he expects to come before his Governmental Operations Committee. Chief among them will be legislation drafted by the Legislative Commission on Employee Relations dealing with the bargaining procedures between the state and its employees (See article p. 6). One of Schaaf's personal priorities as well as a committee priority is the revision of the statutes governing the State Board of Investment. He expects, also, to hear a number of pension bills recommended by the Commission on Pensions and Retirement.

Health, Welfare and Corrections

Health care cost containment will be a primary area of activity for members of the Health, Welfare and Corrections Committee during the session. A major bill dealing with Health Maintenance Organizations will be an important tool in dealing with cost containment and will be heard by the committee this session.

In other areas, Chairman George Perpich (DFL-Chisholm) is also particularly interested in legislation regulating home health care agencies and establishing a department of public welfare program to aid families who care for severely disabled children in their homes. There is also a possibility that the committee will undertake consideration of the community corrections formula and issues relating to juvenile justice (See article p. 4).

Local Government

Sen. Myrton Wegener (DFL-Bertha) and the Local Government Committee spent much of the interim studying legislation pertaining to subdivision regulations and he expects the resulting bill to be one of the committee's chief accomplishments this year. Also being considered is a measure providing a mechanism for consolidations between cities and towns. Finally, along with the large numbers of local bills heard by the committee every year, members will be asked to consider a proposal to allow free distribution newspapers to qualify as legal newspapers.



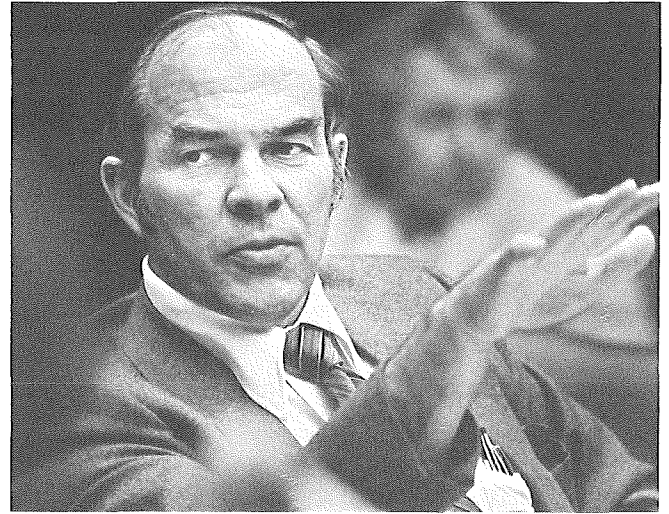
Sen. Nicholas Coleman (DFL-St. Paul) and Governor Al Quie discussed their differences on energy policies last fall.

See Senate, page 7

Committee drafts recommendations

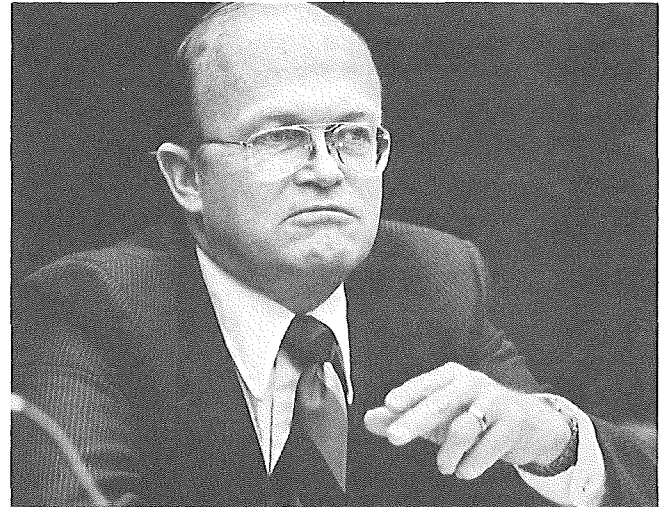
McCutcheon

"I think visiting the correctional facilities and holding public hearings were good ideas because you get a better feel for the process by getting out of this domed marvel."



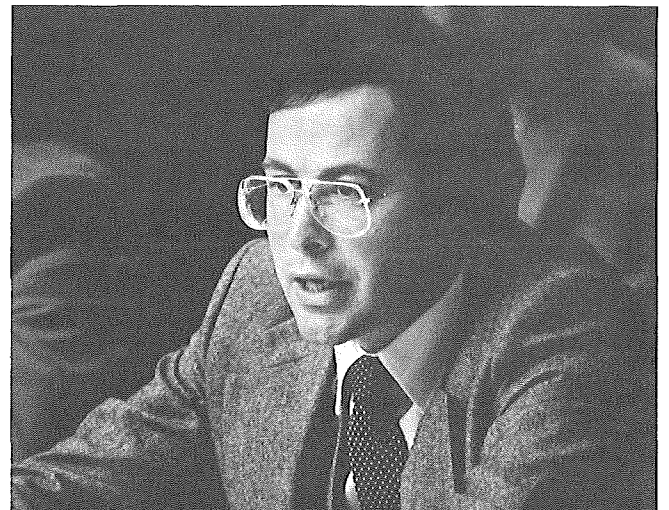
Knutson

"If we really look at this as an opportunity to affect some lives we should expand the treatment as well as improve the facilities."



Sikorski

"We don't intend to let our recommendations sit on the shelf and collect dust. We want the legislators to make some decisions or at least focus on the reform of the juvenile justice system in this state."



Photos by Mark M. Nelson

by Judith M. Strobel

Minnesota's juvenile justice system has run into a philosophical fork in the road.

The dilemma is how to treat the small number of juvenile offenders who commit the majority of serious juvenile offenses.

Many citizens, practitioners and policy makers want to change the direction of the system which has served traditionally as a father figure for wayward youth. They believe the system has not been successful in dealing with the serious juvenile offender. They feel today's youth should take more responsibility for their actions because they are more sophisticated and better educated than ever before.

Select committee

In response to these and other concerns about the juvenile justice system, the Senate formed a Select Committee on Juvenile Justice. The 14-member committee, chaired by Sen. Gerry Sikorski (DFL-Stillwater), began meeting last October and is presently drafting recommendations for this session.

In an effort to examine the existing system and explore possible alternatives, the committee members visited several juvenile correctional facilities and held public hearings throughout the state.

"You get a better feel for the process by getting out of this domed marvel," said Sen. William McCutcheon (DFL-St. Paul).

The members also analyzed 100 reports prepared by state, federal and private agencies about Minnesota's juvenile justice system.

Serious offenders

The committee's first task in addressing the problem of the serious offender was to decide which juveniles should be considered serious offenders. This is a necessary step, according to Pat Johnson, senate counsel, because "you have to decide whom to include and exclude when making recommendations and drafting laws."

Many states have had difficulty in defining the serious offender and have started defining them by the seriousness of their acts. One of the committee's most controversial preliminary recommendations follows this trend.

The recommendation concerns certification, the process for transferring juveniles to adult court for prosecution. An offender is certified if he doesn't fit the profile of the juveniles for whom the system was designed.

During the committee's research, the members learned that discrepancies exist in the certification process. They found that first-time offenders in rural areas tend to receive tougher sentences than urban youths.

"There's a great difference in the treatment of these youths who often have the same sex, age and track record," according to Sikorski. "It's inequitable to treat them differently depending on where they live rather than on what they did."

He said these judges are abusing the certification process in order to fine them for alcohol - and drug-related offenses.

Under present law, juveniles may be certified if the prosecuting attorney proves that they are either a threat to society or not suitable to treatment in the juvenile justice system. These criteria are difficult to prove because of their strict interpretation by the Supreme Court.

The recommendation would clarify the existing standards but the decision to certify as an adult would still be discretionary with the judge. The recommendation also adds a third alternative test to consider the seriousness of the offense in addition to the present standards. This third standard would focus on first-time offenders who commit a very serious offense but tend to receive lighter sentences because they have no previous court record.

The recommendation regarding certification would only apply to 14- and 15-year-olds because the committee also recommends taking all 16- and 17-year-olds out of the jurisdiction of the juvenile court.

Confidentiality

A major distinction between the adult and juvenile courts is confidentiality. Many public hearing participants testified that confidentiality may abuse the rights of both the victim and the juvenile. They said no one outside of the case learns the results and victims are rarely notified about juvenile hearings.

The committee proposes to open up juvenile hearings to the public except in

cases where the judge decides to close them at the prosecuting or defense attorney's request. They recommend, however, that victims be able to attend closed hearings.

Although they did not recommend publicizing juvenile court records, the members want that information to be made available to adult court. They also propose the application of the Rules of Evidence in certification and other juvenile hearings, thereby prohibiting the introduction of most hearsay evidence.

Treatment

The committee recommends improving existing secure facilities and suggests that the legislature reaffirm the state's commitment to providing educational opportunities within them. The members unanimously oppose building a new centrally-located juvenile prison because of high costs and difficulty in transporting offenders.

Sen. Howard Knutson (IR- Burnsville) said "if we really look at this as an opportunity to affect some lives, we should expand the treatment as well as improve the facilities."

The committee wants to add fining authority to the juvenile court judge's range of options and increase the state funding of restitution programs.

Several committee members believe that juvenile offenders owe debts to the victim as well as society. However, they want judges to decide if the juvenile should pay or work for the victim, provide community service or do both.

They also recommend raising the maximum liability of parents for their children's criminal acts from \$100 to \$500 to reflect inflation. The members hope raising the potential liability will encourage parents to watch their children more closely.

Status offenders

Three types of juveniles are dealt with in the present juvenile justice system: neglected, dependent and delinquent. Minnesota is only one of seven states that still treats status offenders as delinquent juveniles.

Status offenders are truants, runaways, incorrigibles and under-age drinkers and smokers. They come to the attention of the

See Juveniles, page 12

LCER works to streamline bargaining process

by Bruce L. Singleton

As witnessed by the community college teachers' strike last spring, Minnesota's collective bargaining structure is at an impasse.

In a pragmatic address to this issue, the 1979 Legislature in a Senate-sponsored move devised a Legislative Commission on Employee Relations to examine the dilemma and to prescribe appropriate remedies.

An outgrowth of this 12-member body, chaired by Sen. Nicholas Coleman (DFL-St. Paul) is a series of recommendations that have been promulgated to streamline the current negotiating process while guaranteeing the rights of both the public employee and public employer.

Specifically, the recommendations call for a near-unlimited right to strike provision for state employees and trimming of the state's bargaining unit structure, now a myriad of some 116 bargaining units. The provision also calls for clarification of the relationship between the Public Employment Labor Relations Act (PELRA) and Civil Service; a new labor relations division situated within the Department of Personnel; and general reformation of employee health care benefits.

Expand right to strike

This provision calls for expanded right to strike for state and local (including school district) non-essential employees after expiration of contract. ("Essential employees" are statutorily defined as firefighters, police officers, guards at



The Legislative Commission on Employee Relations wound up its activities at a final meeting on Friday, Feb. 15.

correctional institutions, and employees of hospitals other than state hospitals.) Currently, the right to strike is limited allowing for a strike only when (1) an employee requests binding arbitration and the employer refuses or when (2) an arbitrator award is reached and the employer in turn refuses to accept the arbitrator's award.

Streamline bargain units

This provision calls for the reorganization of the bargaining unit structure along occupational lines rather than the present "fragmented facility by facility" framework.

Presently, it is estimated that 116 individual bargaining units exist, complicating all phases of the negotiating process. This proposal would streamline this into an as yet undetermined number of units (probably around 16) for state employees and a separate classification of units for the University of Minnesota employees. (Community college teachers and state university employees would comprise individual units in the state employee section.)

Units would then be organized along job lines, such as "clerical and office unit" and "law enforcement unit". (e.g. Under the current framework, two employees performing identical job duties in two different state departments are often classified in different bargaining units and thus likely to receive dissimilar wages and benefits. The recommendation will not exclude supervisors, confidential employees or principals from collective

bargaining. But, it will require that supervisors cannot take part in the same labor organization as those they supervise, thus eliminating conflicts of interest with respect to grievance handling.

PELRA and Civil Service

The recommendation also seeks to clarify the relationship between PELRA and Civil Service by removing the pending sunset of Civil Service section affecting the selection of employees while leaving the selection, recruitment, and promotions an exclusive Civil Service matter and not bargainable. Other sections of the measure call for:

- Represented employees to be governed exclusively by their collective bargaining agreements and for non-represented employees (estimated around 10,000) to be governed exclusively by the merit system and the compensation plan developed by the commissioner of personnel.
- Amending the current law on grievance procedures so that a represented employee must use the grievance procedure provided by contract, and cannot elect to use the Civil Service procedure, if the contract establishes a grievance procedure.
- The commissioner of personnel to prepare a plan to govern the compensation, terms and conditions of employment for all non-represented state employees.
- Repealing the existing law that restricts the salaries of deputies to 95 percent of commissioner's salary.

Labor relations division

This measure provides for a newly created division within the Department of Personnel to be renamed the Department of Employee Relations. It will deal with labor-related matters, and essentially be a co-equal of a division of personnel matters. Currently, labor negotiations are conducted by the labor negotiator, a position most Commission members believe needs more muscle. Under the provision, the position would represent the state on issues of bargaining units, eligibility, unit placement and unit clarification. The division would be responsible for the negotiation and administration of all labor agreements, including presentation of the state's position on any bargaining matters. The division would also be responsible for drafting legislation to implement agreement, and then presenting this legislation to the Commission and to the Legislature.

Health care benefit reform

The recommendations also seek to reorganize the state's health care package by introducing an incentive program aimed at keeping the state's costs down and by standardizing state payments to single and dependent coverage. As recommended, the provision calls for the commissioner of personnel, effective October 1, 1980, to make basic hospital and medical benefits available from at least three competing carriers. Several Commission members believe this competition could stimulate price containment.

Currently, the state's largest carrier, Blue Cross, also provides coverage for approximately two-thirds of the estimated 35,000 state and university employees, with Group Health a distant second and other health maintenance organizations (HMO's) picking up the remainder.

Many Commission members believe with the relative size and higher capital reserves of Blue Cross that the company can afford to take risks of offering a more attractive health care package while systematically spreading the costs of these added benefits over a longer period of time. In the past, many potential bidders were forced to include total administrative costs of preparing the bid into the bid price itself, thus throwing them into a higher cost bracket.

In another move to create incentive, a portion of the measure calls for a uniform state payment for single and dependent coverage. Under this provision, the amount of premium to be paid for basic dental and health coverage is to be negotiated

between the state and bargaining representatives, and employees who select a carrier whose premium is in excess of the state payment would then be required to pay the difference.

Another portion of the health care package is a provision which calls for the commissioner of personnel to appoint an Insurance Advisory Council of 12 members to advise the commissioner in the selection of carriers, the determination of benefits, and the implementation of collective bargaining agreements. Historically, these duties have been assigned to the commissioner of personnel, but various Commission members and employee unions feel a separate advisory board watchdogging this market is a necessity.

The issues - right or wrong

The issue of occupationally-defined bargaining units is one aspect of the recommendations which meets with most debate among commission members, but not necessarily along party lines. In original drafts of the measure, some 13 bargaining units were provided for state employees. Since that time, however, the number of bargaining units has been a subject of debate due to a feeling among many Commission members that it is unfeasible to confine all occupational lines in the state to 13 or 16 units. Also, providing a separate bargaining unit for supervisors is controversial.

The right to strike provision remains an issue as well. Proponents of the measure theorize it would be a little abused provision, generally providing the clout to call a strike upon contract expiration thus accelerating contract settlement.

Opponents disagree with this, stating the current lengthy negotiating process is adequate and all that is necessary to a mutually agreeable settlement.

Little else in the series of recommendations encounter measurable opposition from Commission members, however, few will guarantee exactly what to expect throughout debate.

Expected legislation

In spite of the controversies, Coleman and other proponents are determined to pass "reasonably significant legislation" in the area of collective bargaining this legislative session. For application during the 1981-82 contract biennium, appropriate legislation must be passed this session for the upcoming negotiating period this summer. ■

Senate

from page 3

Taxes and Tax Laws

A traditional arena for controversy, the Committee on Taxes and Tax Laws, will again be in the spotlight as members struggle to find a method of financing highway maintenance and construction. One such method, raising the state gasoline tax as proposed by the governor, has already gathered numerous proponents and opponents. Another divisive issue expected to come before the committee, chaired by Sen. William McCutcheon (DFL-St. Paul), is a proposed constitutional amendment requiring a 60 percent vote of the entire legislature to enact any tax increase. A personal priority for McCutcheon is monitoring the effects brought about by the elimination of the Limited Market Value classification on property taxes. Concurring with changes in the Internal Revenue Code will also occupy the committee as they update Minnesota's income tax statutes.

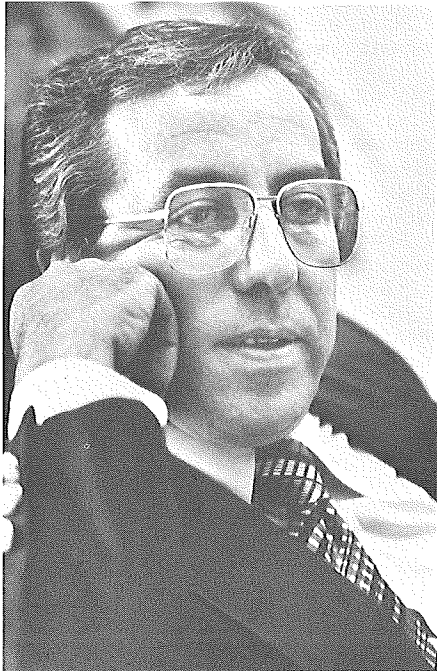
Transportation

Several critical issues face the Transportation Committee and two of the most important — funding for the state's highway programs and funding for the MTC — are among the top priorities for the entire legislature. According to committee chairman Clarence Purfeerst (DFL-Faribault) the four major solutions proposed for solving highway funding problems will all receive extensive consideration before action is taken by the committee. Another major concern for committee members will be accessible transportation services for the elderly and handicapped throughout the state.

Veterans' Affairs

A Senate resolution urging the Veterans Administration in Washington D.C. to do a study on the effects of Agent Orange, a herbicide, on Vietnam era veterans will be one of the main objectives of the Veteran's Affairs Committee. The resolution, a result of several hearings during the interim, reflects the concern of a number of veterans groups and committee members about reports of health problems resulting from use of the herbicide. Other legislation to be considered, said Sen. Florian Chmielewski (DFL-Sturgeon Lake), include a measure designed to provide a tuition exemption for veterans and a bill providing veterans home ownership assistance.

Senate welcomes three new members



Sen. Irv Stern

by Anita L. Neumann
Stern

"Politics is an avocation rather than a profession," according to Irving Stern, the new state senator from District 41.

Stern, who was elected June 19 to fill the seat created by the death of Senator B. Robert Lewis, characterizes himself as a fiscally conservative Democrat with a "deep concern over and strong belief in the provision of human services."

As the former mayor of St. Louis Park, Stern sees many differences between the local and state levels of government.

"At the municipal level you deal constantly in basic human services while the legislature is so different since you're deciding for the whole state." He views the mayor's post as "able to get things done much quicker."

Stern was elected to the mayor's office in 1976 and resigned the position upon assuming his place in the Senate.

"I had no intention of running for the legislature," said Stern. When the vacancy appeared, however, several people approached him, and, believing that "opportunities are very rare," he accepted the challenge.

Stern compared the legislature to a college education stressing that he anticipated "the involvement and opportunity for input" offered by the Senate.

Like many others, the new senator views energy and transportation problems as the main issues this session.

"There is a desperate need for both comprehensive energy and transportation plans," said Stern. He stressed, however, that the main emphasis should be placed on the private sector in order to ensure the most effective implementation of such proposals.

In addition, Stern sees the need to restructure the present disaster relief system. He hopes to see the programs take a more preventative approach to specific problems rather than concentrating solely on "relief after the fact."

The senator cited the flood problem in the Red River Valley of Minnesota as a prime example of how the current programs could be restructured to make certain changes and additions which would do much to prevent the recurring problems in the area.

Another concern outlined by the senator is the necessity of establishing a state rail bank for abandoned rail lines for future uses such as power corridors. Once this access is surrendered "it's just too hard to secure it again," he said.

As a businessman, Stern has been involved in the trucking and leasing businesses, retail store management and solid waste disposal. He said the business climate is one of his areas of special interest, along with tax reform, energy and environment.

Fortunately, corresponding to some of these concerns, the senator's committee assignments include Agriculture and Natural Resources, Energy and Housing, and Transportation. Although his immediate objective is "to learn the job very well," Stern hopes one day to attain a committee chairmanship.

Barrette

"To learn and to grow" while getting a "feel for the Senate," is the main objective this session for Emery Barrette, the newest member of the Senate.

Barrette, former chairman of the St. Paul School Board and a United Methodist Minister, represents District 66, encompassing much of the east side of St. Paul. Barrette, who joins the Senate minority, defeated DFL opponent Randy Kelly in a special election held January 8 to fill the seat vacated by John Chenoweth who resigned to head the Minneapolis Municipal Employees Retirement Fund.

Having grown up and raised his family in the area he represents, Barrette feels his ties to his community run deep and that he knows the people. Involvement in the Jaycee's and community councils have, he said, deepened his belief that the "people know what's going on."

The new senator's initial interest in politics was spawned indirectly when he chose to become a chaplain in a state workhouse rather than become the pastor of his own church.

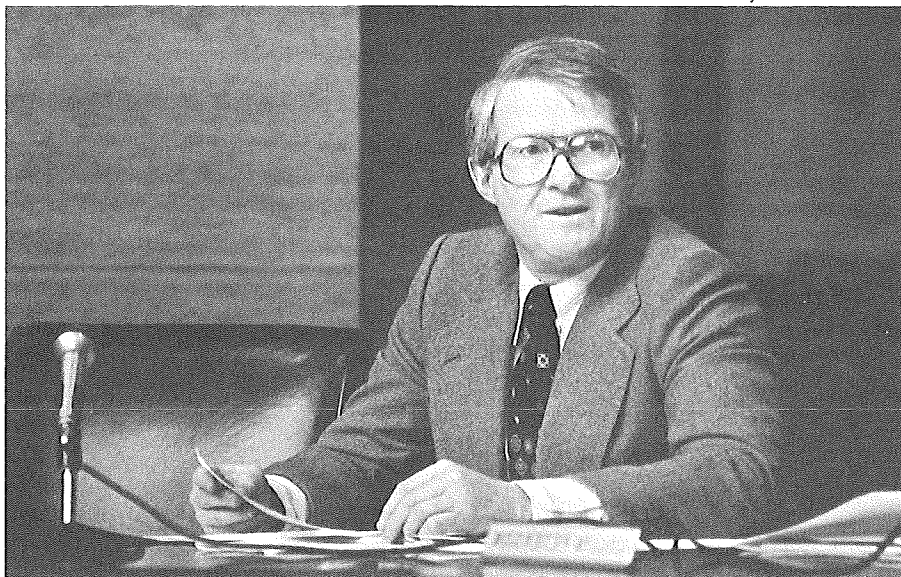
It was during the time he spent working in the state prison system that Barrette said he realized "some changes had to be made" within the system.

As a result, he ran for and was elected to the state House of Representatives for one term in 1967. His areas of special interest at the time were health, welfare and corrections, and were reflected in his work on a variety of human rights bills considered during that session.

A few years previously he served one term as chaplain of the state House of Representatives. Barrette did not seek reelection to the House, instead he was asked to run against Joe Karth for 4th District congressman.

Unsuccessful in that attempt, Barrette served on former Governor Harold Levander's "Governor's Crime Commission" (which later became the Crime Control Planning Board), where he emphasized a "metropolitan approach to crime control."

In 1970, Barrette was appointed to fill a vacancy on the St. Paul School Board. He



Sen. Emery Barrette

was reelected for three terms and has served as board chairman for the last year and a half.

In addition, he served on the Board of Directors of the State High School League and is the Executive Director of the Minnesota Foundation for Better Hearing and Speech.

Upon his election to the Senate, he retained his hearing and speech foundation position, but was forced to relinquish his school board and high school league positions. Giving up these two posts he said, "were two of the hardest things to do" because "you really get to do things," and feel a great sense of accomplishment in administering the law at that level.

Throughout his years of involvement in public affairs, Barrette said he has always "used politics to achieve goals" and views his role in the Senate in that light. Although he sees this session as the "Senate winding down," he hopes to get started on proposals to provide regional services for the handicapped and to bring uniformity to state election ballots.

"I don't know it all, but I have ideas," Barrette said.

One of the new senator's main concerns lies with the present foundation aid formula for the state educational system. The present formula is based on growth, and according to Barrette, some fundamental changes must be made so that the formula reflects the "environment of the day,"

which presently is characterized by declining rather than growing enrollments.

In addition, Barrette said, he supports "regional formulas to individualize the needs of different areas," and believes that the legislature must take care to "provide adequate resources" when mandating policy.

Barrette also stresses that he is a firm believer in the "need for an ongoing body to review the educational system" in order to keep state planning in tune with immediate needs.

Fortunately, Barrette's assignment to the Education Committee should provide him with the opportunity for input he desires. The senator also was assigned to the Governmental Operations and Judiciary Committees.

"I love working with people," Barrette said, and credits that and the help of some "fantastic people" in bringing him to the Senate. "I never thought it (the Senate seat) possible eight weeks ago," Barrette said. His family, however, was solid in urging him to seek the seat. Two of his three children, he said, are very interested in holding elective office one day.

Although Barrette said he enjoyed the brevity and excitement of the special election campaign, he admitted that there are "so many things you can't do in a short campaign" and that he is already anticipating the time he will have to knock on doors and work with the people again on his next campaign.

Stokowski

Anne Stokowski, newly elected to the state Senate from District 55, helped to establish another 'first' in Senate history by bringing the number of women simultaneously serving in the Senate to an all time high of four.

Stokowski, a DFL-er, joins Emily Anne Staples (DFL-Plymouth), Nancy Brataas (IR-Rochester) and Dee Knaak (IR-White Bear Lake) in composing the Senate's female membership this session.

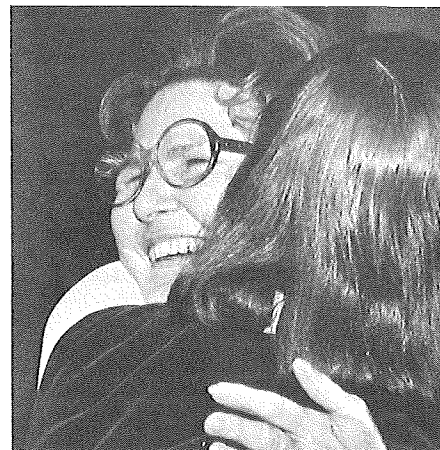
By winning the special election held November 6, Stokowski fills the vacancy created by the death of her husband Eugene last August.

The new senator is emphatic in pointing out that she views her current role as much more than that of a caretaker.

"I'm not seeking to finish Gene's work. I'm seeking this on my own merits because I want to help the elderly, and the youth and the poor families in my district," she said during the campaign.

Her "merits" include extensive involvement in DFL political activities including the management of her husband's 1976 Senate campaign. In addition, she has a record of community involvement spanning 20 years. This involvement includes work in Sacred Heart Catholic Church, the Windom Park Council, PTA, senior citizen services and the Minneapolis Council of Camp Fire Girls for whom she is serving as chairman of the organization's main fund-raising activity, the candy drive. In addition, she is on the organization's

See Stokowski, page 12



Sen. Anne Stokowski is congratulated by Sen. Emily Anne Staples (DFL-Plymouth) after taking office.

Opinion

Minority

by Sen. Dee Knaak

The 1980 session of the Minnesota Legislature promises to be short but intense, judging from the experience of the first week. Despite predictions in the media of a very partisan session we in the minority anticipate that there may be more bipartisan agreement than predicted by outside observers. For example: education issues such as transportation aids, PELRA amendments, and AVTI construction are expected to be nonpartisan.

There are obviously some important and highly controversial issues to be taken up in 1980. Early indications are that the disagreements will not necessarily follow strict party lines in the Senate.

One of the livelier debates of this session will certainly focus on Governor Al Quie's proposal to add a new state four percent sales tax to gasoline to raise funds for highway construction and repair. The second part of his proposal is to cut the existing nine cents per gallon state tax on gasoline to seven cents. There are also several other proposals in the hopper to provide funds for general highway maintenance.

Perhaps more than any other issue, it appears that a "Senate position" will develop rather than any DFL or IR position. There is not unanimous agreement within the minority caucus on how to handle this question. There are some who feel we must do something to bolster a highway maintenance fund that is getting dangerously low. Others question the seriousness of the problem and still others question the wisdom of imposing an additional tax at the same time a surplus is developing in the state treasury.

Certainly no consensus has developed in the minority caucus in support of the Governor's proposal. It seems unlikely to this Senator that the Governor's specific proposal will receive widespread support in the Senate.

More partisan lines could be drawn in the debate over four amendments to the state constitution which have been proposed by Governor Quie but even on these issues strict party votes seem unlikely.

The proposal to take reapportionment out of the legislature and give it to a special bipartisan commission has the best chance for approval. Bills to achieve this goal passed both the House and Senate with bipartisan support in 1979 but were stalled in conference committee when the session ended. If the differing versions can be comprised a bill could pass early in this session.

The most controversial amendment offered by the Governor would grant citizens the power of initiative and referendum. It is anticipated this proposal will be the subject of severe partisan bickering.

Virtually everyone in the minority caucus supports the concept of initiative and referendum, but that has not translated automatically into support for the proposal favored by the Governor.

It appears that the clearest party lines will be drawn around two proposed constitutional amendments affecting state spending. I am the chief Senate author of one amendment which would require a 60 percent vote of the legislature before new taxes could be imposed or existing rates could be raised. A second amendment would prohibit state spending from increasing faster than personal income in Minnesota.

Both of these proposals enjoy widespread support within the minority group. The constitution already requires a 60 percent vote of the legislature to pass a bond issue. Since bond issues are really indirect taxation, it seems logical that a similar vote should be required to impose direct taxation. Tying state spending increases to increase in personal income would merely insure that our budget does not increase faster than our citizens' ability to pay the bills.

The issue of energy assistance, how much and what kind, seems destined to produce a direct confrontation between the Republican governor and the DFL leadership in the legislature. Both Governor Quie and DFL legislators have offered energy assistance programs. Each proposal provides increases in

Sen. Dee Knaak



conservation and weatherization programs, and cash assistance to a greater number of people than the federal program. The difference is that Governor Quie wants to use the maximum federal dollars (from wind-fall profits) and use state general tax dollars to fill holes in the federal program. The DFL legislators feel the state should set higher income limits and spend more of the state tax dollars.

The minority caucus is in general agreement with Governor Quie and his proposal. The Governor's program is a good one. It will meet the more urgent needs and concerns of all Minnesotans.

Our feeling is that the more serious, long-range energy problem is supply *rather* than price. Minnesota is a high energy-consuming state because of its climate. At the same time, because of its geographic location, it is the state most distant from present sources of supply. With Canada having decided to cut off its shipments of crude oil to Minnesota in 1981, the state could easily face the problem of not being able to obtain fuel at any price. Putting emphasis on conservation and weatherization will help us sharply reduce our need for fuel and thereby ease the possibility that we will soon face a supply crisis in this state.

Aside from the fact that direct cash payments to help pay heating bills do not reduce energy consumption, there is the additional fact that government programs, once in place, have a tendency to continue to grow.

We in the minority believe assistance to help the poor pay their heating bills will be forthcoming and we intend to support it. However, we believe it is a wiser policy to put emphasis on providing the means to reduce the amount of fuel the average individual needs to heat his home. This is the real crux of the problem and will likely be the focus of the coming debate between the Governor and the DFL legislative leadership over the type of energy program the state should enact.

Majority

by Sen. Edward Gearty

The late John F. Kennedy once said that his experience with government was "that when things are non-controversial, beautifully coordinated and all the rest, it must be that there is not much going on."

By those standards, it is clear that there will be plenty "going on" during the 1980 session, as we consider a wide range of controversial issues ranging from a quartet of Constitutional Amendments to a gas tax increase to a change in the legal drinking age.

Overall, however, I feel the most crucial issues of the 1980 session will relate to energy and inflation, with the Legislature working to protect Minnesotans from the impact of the energy crunch and our inflationary national economy.

A key issue sure to surface early in the session — and one which has dominated the interim — will be energy purchase assistance. The 1980 Legislature must place a high priority on protecting low and middle income Minnesota households from the skyrocketing cost of home heating.

A definite split between the Governor and the Senate on this issue may very well ignite considerable controversy at the Capitol. While the Governor still prefers to rely primarily on federal funds to fill energy purchase assistance needs, the DFL-controlled Senate prefers a comprehensive state-supported program to supplement the federal effort.

I might add that information coming out of the Community Action Program agencies administering the federal program provide solid evidence that it is not meeting the total need in our state. In fact, it has been reported that close to 70 percent of those applying for energy purchase aid are being turned away because they fall outside the program's stringent income limitations. Among those being rejected are low income workers supporting families; senior citizens on Social Security; and low income families facing large medical expenses.

With those facts in mind, I think it is imperative the Legislature approve a

comprehensive energy purchase aid program early in the 1980 session. The Senate plan now calls for 20 million dollars in aid (in 1980 and 1981) for those with incomes between 125 and 150 percent of poverty level.

We will also be looking at a variety of proposals designed to help Minnesota homeowners meet the rising cost of home weatherization efforts, with legislation introduced which would provide 12 million dollars in home weatherization loans and grants over the coming two years.

In this same area, we will consider a state tax credit for home weatherization efforts. That credit would be equal to the current federal tax credit — 15 percent of the first \$2,000 spent on such projects as insulation improvements, storm window purchases and installation, weatherstripping, caulking and furnace repair.

I might add that there is also growing support for the consideration of a measure extending the weatherization credit to businesses — a move which would be a special benefit to small businesses.

Just as rising energy and weatherization costs are inflicting a growing burden on Minnesota pocketbooks, health and medical care costs are also taking an ever-larger bite from the family budget.

Therefore, the 1980 session will also see the consideration of a number of proposals designed to reduce "out-of-pocket" health expenses. Among the proposals being discussed are: more stringent rate review; incentives to competition among medical facilities and health insurers; and tax incentives designed to encourage employers to offer comprehensive health care coverage.

One area where inflation has hit particularly hard is in the cost of home care for an elderly, disabled or handicapped family member. In many cases, the cost of such home care is so high that a family is forced to institutionalize a disadvantaged family member regardless of their personal feelings. This session we will be looking at several proposals intended to provide financial assistance — in the form of tax credits or grants — to families facing the situation.

In another inflation-related area, rising construction costs coupled with reduced gas tax revenues, have severely cramped our high-way budget. Department of Transportation figures, in fact, indicate that more than 120 highway projects may have to be cancelled or deferred over the next five years, unless additional funds are found.

While there is general agreement that additional funding is necessary, there will be considerable debate on what form that funding should take. The Governor's proposal to extend the four percent sales

Sen. Edward Gearty



tax to gasoline, for example, is generating heavy criticism.

The main objection thus far has been that the Quie sales tax proposal is inflationary, and would create a tax over which state government has little or no control. The reason is that the per gallon tax levied through a sales tax would continue to increase as long as gasoline prices continue to increase. With a sales tax on gasoline in effect, the tax per gallon has the potential to increase *on its own initiative*. The Legislature, I believe, has a responsibility to ensure better control over tax levies and revenues than would be possible under the Governor's sales tax proposal.

In addition, extending the sales tax to gasoline seems to go against established trends. In recent sessions, for example, we have been working to exempt additional products and purchases from the sales tax (such as home heating costs and residential sewer and water bills), rather than extend the tax to new products. Therefore, I see the 1980 session including the consideration of a wide range of highway funding proposals ranging from a moderate increase in the gas tax to the transfer of motor vehicle excise tax revenues to the Highway Fund (from the General Fund.)

In another inflation-related area, the Department of Education has predicted rising gasoline prices will result in a shortfall of 12 million dollars in school transportation funding. With that in mind, we will be reviewing and, most likely, modifying the Transportation Aid formula this session.

These, then, are a few of the issues which will surface during the 1980 session. While there are other issues — Constitutional amendments, for example — which may generate considerably more controversy and publicity, I sincerely believe the 1980 Legislature's most pressing priority must be to protect Minnesotans from the impact of inflation and the energy crunch.

That, in itself, is a considerable challenge, and one I feel the Legislature is ready to accept and capable of meeting.

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People

On the cover is the **Rev. Nicholas J. Finn**, chaplain of the state Senate for the past seven years.

Father Finn, who is 89-years-old, has been a Catholic priest for 60 years and is the only surviving member of the 1919 graduating class of St. Paul Seminary.

Finn was born in Ireland and studied at St. John's University in Waterford before coming to St. Paul where he was ordained on June 1, 1919.

During his many years as a priest he served as pastor of St. Mary's Church in St. Paul, St. Joseph's in Montevideo, St. Mary's of the Lake in Golden Valley and St. Mary's of the Lake in White Bear Lake. Finn is now retired and living at the Regina Residence in Hastings.



In addition to his full time duties as Secretary of the Minnesota Senate, **Patrick Flahaven** is currently serving as staff vice-chairman of the National Conference of State Legislatures.

Elected last summer, Flahaven holds the second ranking position within the legislative staff division of the organization that is made up of administrative, research and legal legislative staff.

The conference is an organization composed of members and staff of the country's state legislatures and, according to Flahaven, is designed primarily as a mechanism for exchanging ideas and information.

Stokowski

from page 9

Board of Directors, Finance Committee and Executive Committee.

The new senator described herself as a housewife adding, "family pride and community pride aren't all that different." She said she has great pride in her district and feels she knows the people and their problems. "I can promise them the same type of caring representation they had when my husband served them," she said upon announcing her candidacy in September. Stokowski represents Northeast Minneapolis, part of Columbia Heights and St. Anthony.

"I'm my own person and I'll make my own decisions," she said. Those decisions will soon be evident in the duties connected with her assignment to the Education, Governmental Operations and Elections Committees. She has been named vice-chairman of the Elections Committee.

Stokowski said she first thought of running to succeed her husband when the possibility was mentioned shortly after his funeral.

"I like politics," she said, and her children "encouraged me to run as much as anyone did. They've always been involved in politics — the whole family has. After Gene died we had to pick up our lives and go on, and public service is our life."

She delayed the announcement of her decision to run, however, because of a family illness.

The DFL convention of September 17 unanimously endorsed her on the fourth ballot. Stokowski then went ahead to defeat her primary challenger, Les Betts by a 10 to one margin. She beat her IR opponent, Wally Schrader, by a three to one margin in the special election.

Juveniles

from page 5

court for offenses which wouldn't be considered crimes if they were adults.

The committee proposes to remove the truants and incorrigibles, including runaways, from the delinquent category and place them in the dependent category.

"It's important to recognize that these juveniles aren't victimizers but are victims themselves of the system — perhaps due to a family breakdown — so they shouldn't be given the delinquent stigma," said Sikorski.

The committee believes that judges will have more options to treat these juveniles and their families if they can be referred to their county social service agencies.

The members also recommend repealing the under-age smoking statute because it is impossible to enforce.

Sikorski is confident that the committee's work won't reach a dead end. "Even though the issues have been around a long time because they are so hard to define, we don't intend to let our recommendations sit on the shelf and collect dust.

"We want the legislators to make some decisions or at least focus on the reform of the juvenile justice system in this state."

Perspectives

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