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Flashback

This isn't the first time the Minnesota Legislature has been asked to deal with the Mille Lacs Band of Ojibwe Indians. The last debate occurred 80 years ago in a public tribute that many agreed was 52 years late in coming.

Tucked away on page 583 of the 1913 *General Laws of Minnesota* is an \$800 appropriation for a granite monument erected in tribute to the Ojibwe and a long-gone Mille Lacs leader, Mouzoomaunee. Although the monument is all but forgotten now in the Fort Ridgely State Park Memorial Cemetery near Fairfax, its 1914 unveiling was big news.

About 5,000 people showed up for the event, including the state attorney general, state auditor, Republican candidate for governor, old Indian fighters, and a handful of state legislators. But the guests of honor were several Mille Lacs Indians and Mouzoomaunee's descendants.

"It is a worthy commentary on the patriotism of the people of this section of Minnesota that 52 years after the outbreak, the people should cease all activities to bow in reverent memory of the Chippewa Indians, living and dead, who were loyal to the whites in the struggles of 1862, both in the Sioux Indian outbreak and in the Civil War," declared the *Fairfax Standard* of Aug. 27, 1914. To understand why the Legislature gave the money to erect the monument is to understand *the* pivotal event in the relationship between the state of Minnesota and the Mille Lacs Band. Had it never occurred, there would be few, if any, Indians living near Mille Lacs today.

In 1862, shortly after the Sioux Outbreak, or Dakota Conflict, there was widespread fear that the Ojibwe in central and northern Minnesota would join forces with their traditional enemies, the Dakota, to drive white settlers from the state. Chief Hole-in-the-Day of the Gull Lake area sent a messenger to the Mille Lacs Band to enlist its support in an attack on Fort Ripley south of present-day Brainerd. But the band declined to join in.

Instead, Mouzoumaunee and 200 men set out to defend the fort and arrived there before Hole-in-the-Day, averting a possible attack. "The commissioner of Indian Affairs, who was at the fort, was so filled with gratitude at the Mille Lacs Indians for their protection that he promised them that they should not only be rewarded by the government, but should not be removed from their reservation," wrote Bishop Henry Whipple in *Lights and Shadows of a Long Episcopate*. "Pledges to that effect were incorporated in a treaty made shortly after, but the pledges were broken."

That 1864 treaty allowed them to stay on their land as long as they "did not in any way interfere with, or in any manner molest the persons or property of the whites." They never did, but most of the band members were later pressured to move to the White Earth Reservation anyway.

At the 1914 unveiling of the monument, there was some controversy about both its location and whether there even was an Indian named Mouzoumaunee. But the monument, erected at the request of the Legislature, lent a sense of official reality to Mouzoumaunee's daring deed.

According to the *Fairfax Standard*, Darwin S. Hall, the band's former Indian agent, said: "Do you suppose that the Legislature would allow the appropriation for a myth?"

—Grant Moos

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On the cover: Rep. Bernie Lieder took a closer look at some of the damage in one of St. Paul's storm sewers while on a tour arranged by the Capital Investment Committee Feb. 11. —photo by Tom Olmscheid

Highlights

Treaty of 1837 Indians may never have forfeited rights, DNR says

Mille Lacs Ojibwe treaty rights to hunt and fish may never have been relinquished, the Department of Natural Resources (DNR) told legislators.

"After having gone through some 250,000 documents on this issue, we do not find, frankly, anywhere where the rights to hunt, fish or gather in that ceded territory are expressly eliminated," DNR Deputy Commissioner Ron Nargang told the Environment and Natural Resources Committee Feb. 9.

"That, in a nutshell, is the challenge that

More than 150 years have passed since the Ojibwe ceded 3 million acres of land between the Mississippi and St. Croix Rivers to the federal government. The 1837 treaty gave the U.S. government land rich with timber sought by loggers, and a settlement area for non-natives who already were moving onto Ojibwe land.

In return, the treaty granted the Ojibwe 8 cents per acre, and the continuing right to hunt, fish and gather in the ceded territory.

State game and fish laws were developed

"On the opening weekend of fishing season of Lake Mille Lacs, non-Indian anglers will take that number of fish on hook and line every year. This is a minute portion of the total harvest of Lake Mille Lacs. The population of walleyes in that lake cannot be affected by this level of harvest."

-Ron Nargang, DNR

we will face in a court of law in winning this case if we proceed on that course of action," he said.

Federal courts repeatedly have held that whenever a right has been reserved to an Indian tribe by treaty, that right continues in force unless it is expressly eliminated in later language, he said.

A proposed compromise between the DNR and the Ojibwe band negotiated over the past two years would help the state avoid further litigation, said Nargang.

DNR Commissioner Rod Sando told legislators that the compromise puts the department at odds with its traditional supporters — the sportsmen of Minnesota.

"We felt the department's foremost responsibility was to protect the resources that are of high value to the citizens of the state and to the (Mille Lacs) Band. We think this agreement does that," he said.

Previous DNR efforts to work out settlements with other Minnesota bands "have worked reasonably well and protected the resources," Sando said. in the 1930s, but the Ojibwe hunting and fishing rights didn't become an issue until the 1950s, when tourism became an economic tool of the state, according to Don Wedll, commissioner of natural resources for the Mille Lacs Band.

While state enforcement increased against tribal members in the 1960s, the band did not have the financial resources to take action against the state, Wedll told the committee. The band saved money and hired legal historians to work on the issue in the early 1980s, and received approval to pursue the case from the U.S. Bureau of Indian Affairs in 1988.

The band filed suit in federal court in August 1990 to require the state to cease preventing them from exercising their hunting and fishing rights.

At that time, a federal magistrate strongly urged the band and the state to reach a settlement, Nargang said. The negotiated agreement, was signed by both parties on Jan. 15, and requires the approval of both



Rod Sando, state DNR commissioner, *left*, and Don Wedll, natural resources commissioner for the Mille Lacs Band of Ojibwe Indians, explained the agreement between the state and the tribe over fishing rights in a portion of Lake Mille Lacs to members of the Environment and Natural Resources Committee Feb. 9. The map in the background shows the territory ceded by the tribe to the federal government in the Treaty of 1837.

the Legislature and the Mille Lacs Band.

All eligible members of the 2,600-member band will vote on the proposed agreement March 2.

If the agreement is not approved by both the Legislature and the band, Nargang said, the state faces continuing litigation, and a possible escalation of the confrontation, as seen recently in Wisconsin.

A court battle in Wisconsin over the same treaty lasted 17 years, and cost an estimated \$12 million in legal fees. The

Highlights of proposed Ojibwe-DNR agreement

— The Mille Lacs Band would give up all rights to commercially harvest walleye, big game and timber in the ceded 3 million-acre territory. DNR officials say this is the most important feature for protecting the state's natural resources.

— The band would regulate the fishing of its members on a 6,000-acre area of Mille Lacs Lake (4.5 percent of the lake's total surface), an area which starts and ends on the Mille Lacs Band reservation. No resorts are located within the zone, although the Legislature might be asked to compensate adjacent resort owners in the future. The band also would regulate six other lakes and 26 miles of St. Croix and Rum Rivers — all within the ceded territory. They would give up traditional intensive harvesting methods (spearing and netting) of game fish on the remainder of Lake Mille Lacs and the ceded territory.

— Access to the Treaty Fishing Zone (TFZ) would not be restricted. Non-band members can boat, ski, swim, and sail within this body of public water.

— Walleye harvesting within the Mille Lacs TFZ would be limited to the same average "take" as the rest of the lake, which currently is at 4 pounds per acre. This would allow the Ojibwe to harvest a maximum of 24,000 pounds in one year — an amount the DNR says is equal to what is taken out of the entire lake by non-Indian anglers on the opening weekend of fishing alone.

— A total of 7,500 acres of state-owned land would be transferred to the band. The land transfer represents 1.6 percent of the DNR's total holdings of nearly 500,000 acres in the area, and no private lands would be included. Arrangements would be made to allow current property owners within the Mille Lacs TFZ to be licensed to fish in the 6,000-acre area of the lake. In the six other lakes, where the band will be netting and spearing, band members will have a cap of 50 percent of the lake's harvest.

— DNR and Ojibwe conservation officers would team up as deputies and jointly ensure compliance with the band code and state game and fish laws. Game fish taken by band members within the Treaty Fishing Zone would be monitored by the band and the DNR. Ojibwe would have the right to hunt deer during the DNR's combined season of deer hunting by bow hunting and firearms.

— The band would receive a cash payment of \$10 million spread over three payments, or a one-time lump sum of \$8.6 million for relinquishing their commercial hunting and fishing rights. final judgment in 1991 granted the Ojibwe commercial fishing, netting, and spearing rights, and resulted in bitter confrontations between sportsmen and the Indians.

Under the current agreement between the Minnesota DNR and the Mille Lacs Band, tribal members would relinquish commercial fishing and hunting rights in the ceded territory in exchange for \$10 million, a transfer of 7,500 acres of land, and a 6,000-acre fishing zone on Mille Lacs Lake.

Treaty pros and cons

Striking contrasts in testimony marked the Environment and Natural Resources Committee's first public forum on the proposed agreement with the Mille Lacs Band of Ojibwe Indians Feb. 11.

Religious leaders urged the committee to respect the sovereign rights of the Ojibwe band, while representatives of sporting associations spoke of gill netting, public access, and expressed concern about the number of pounds of walleyes that could be taken from the area.

"If the band has to gill net, and this compromise goes through, why can't they limit that to 3- or 4- or 5,000 pounds of fish, and catch the rest of them like everybody else does?" asked Frank Schneider of the Twin Cities chapter of Muskies Inc.

"This compromise says you're going to permit one group of people to [net and spear]," Schneider told the committee. "I think that's unfair and discriminatory."

He also expressed concern about inadequate Ojibwe penalties should band members break game and fish laws, and protested losing a public access site located in the proposed Ojibwe zone.

"We paid for the access, let us use it 'til we get another one in place," he said.

Representatives from the Hunting and Angling Club said the matter should be settled in court rather than through negotiations.

"It should not be settled by a secretly negotiated settlement, influenced by special interest groups who stand to benefit greatly from the raping of cheap public natural resources," Mark Rotz told legislators.

Speaking in favor of the agreement, Ron Nelson, who owns a resort next to the proposed fishing zone, told legislators that he prefers the agreement to taking a chance on a court decision that could grant the band commercial fishing rights on Mille Lacs Lake.

"The band would not harm the resources at all," Nelson told legislators. "We've had a lot of dealings with the band, and it's been terrific."

Nelson said that business has been "booming" in the Mille Lacs area and that a lengthy court case "would put everything on hold." Declining property values and escalating confrontation would be the result, he said. "With the agreement," said Nelson, "there would be control." With 95 percent of the lake remaining under DNR control, he termed it "a pretty good score."

The St. Paul Area Council of Churches, Joint Religious Legislative Coalition, Minnesota League of Women Voters, the Sierra Club, and several other groups testified in favor of the agreement.

Dick Reynolds, from the Minnesota Audubon Council, said the proposed limit on Ojibwe fishing in the band zone would amount to only about 10 pounds of fish per year for each band member.

James Addington, director of the Lutheran Coalition for Public Policy in Minnesota, said churches in his association support the settlement.

When Native Americans entered into treaties with the federal government, they did so "in good faith that the treaties, as they understood them, would be carried out," he said.

But the treaties, Addington said, "in almost every case . . . have frequently been abused, and disallowed, and wriggled out of," Addington told the committee.

"It seems to us that this is not a matter of walleyes or nets, it's a matter of justice."

CHILDREN

Investing in kids

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The greatest challenge facing policymakers is to ensure that children have the necessary resources available to become productive adult citizens, according to prominent family advocate Sylvia Hewlett.

Hewlett delivered the keynote address at the Feb. 9 joint legislative forum, Our *Children, Our Families, Our Future: What is the Cost of Failure?* The forum examined



Sylvia Ann Hewlett, author of When the Bough Breaks: The Cost of Neglecting Our Children, gave the keynote address at the joint legislative forum held in the House chamber Feb. 9.

public policy issues that affect children and their families.

Hewlett had praise for several Minnesota innovations, particularly a commitment to early childhood educational programs, which she credited for the state's aboveaverage economic performance.

She warned, however, that Minnesota quickly could lose this advantage.

"It's a great mistake to imagine if you throw dollars at the problem, it will go away. The problems of our children are extremely complicated."

Citing examples from the many disadvantaged children she has met in her work, Hewlett said society has become increasingly hostile toward children and parents. She also shared painful personal examples. After losing her unborn twins during the seventh month of pregnancy, Hewlett said she was expected to return to work after only three days.

The Barnard College economist and author added that a culture which spawns "throw-away children" is costly for private employers who must spend more to compensate for a poorly educated and underachieving workforce.

"American industry is now spending \$25 billion a year on remedial education," Hewlett said. "This comes before job training and it shows up in all kinds of lost investment and low productivity rates. It eats into the prosperity of all of us."

She criticized shifts in federal spending she contends are now tipped decidedly in favor of the elderly. "Over the last 20 years, America has socialized the cost of growing old and privatized child rearing," Hewlett said. "As an economist, this makes no sense because it is the children that are the investment."

But more than only increasing familyrelated spending, Hewlett said Minnesota lawmakers can send important signals by acting to bolster measures such as the family leave legislation recently adopted by Congress.

"There is no better place for a state to begin than to make sure that there are absolute, ironclad provisions [around family leave legislation]," she said. "It not only communicates the right sort of policies but the right message also, because if we treat childbirth in a demeaning way, it's awfully hard for individual parents to give dignity and worth to their efforts to be good parents."

DEVELOPMENT

Investing in the Range

Minnesota has a world class program for increasing investment in the northeastern region of the state, according to Commissioner Jim Gustafson of the Iron Range Resources and Rehabilitation Board (IRRRB).

Gustafson noted that steel industry representatives have described the program as "one of the most innovative in the country." Under the program, money raised from a tax on taconite is deposited into a fund that is administered by the IRRRB. Businesses can then apply for the funds by proposing projects aimed at increasing productivity and employment in Minnesota.

"This time, we made them put the money back up into the plants [in the state] so they can keep pace with the world," said Rep. Tom Rukavina (DFL-Virginia).

In 1991, the tax was lowered 5 percent to \$1.95 per ton, which led to a savings of about \$4 million for Iron Range steel companies.

Gustafson added that that tax cut will allow the steel industry to upgrade their operations so they can become more efficient. The tax cut was all the more necessary because of the global taconite glut.

Gustafson said that tax reductions without production improvements could not make up for low market values. "We have to modernize and bring out new products," partly through structured tax relief programs, he contended.

However, the appropriate level of tax relief for northeastern businesses and property owners was a matter of some dispute during the hearings.

Rep. John Sarna (DFL-Mpls) said that property taxes were remarkably low in the area. "I know our former governor had a nice house and low taxes," he said.

Rukavina responded by saying that the overall effective state tax rate was the same in the Iron Range as it is in other parts of the state.

The production tax investment program is due to expire next year unless the Legislature re-authorizes it this session.

Gustafson and Rukavina testified Feb. 10 before the Economic Development, Infrastructure & Regulation Finance Committee.

EDUCATION

No tuition hikes

Students alarmed over Gov. Arne Carlson's higher education budget plans — especially any that could bring major tuition hikes — made their presence felt at the Capitol Feb. 10.

More than 300 students from Minnesota's seven state university campuses and the University of Minnesota bent lawmakers' ears during their annual "Lobbying Day."

The Higher Education Finance Division will soon begin statewide public hearings on the governor's proposal to increase student tuition and student aid.

The panel got an inkling of things to come from Steven Carswell, state chair of the Minnesota State University Student Association (MSUSA), and Frank Viggiano, its executive director.

Carswell said his group, which represents 60,000 students on the state university campuses, will rigorously oppose the tuition hikes in the governor's budget. The increases are caused by a fundamental change in how higher education is funded: The state now funds two-thirds of instructional costs, with students supplying onethird through tuition; the governor's plan flip-flops those ratios.

"We're very concerned about this," Carswell said.

Tuition hikes of the magnitude proposed by the governor, Viggiano added, are not good public policy. Though state financial aid programs would get additional funding, he said, the new costs would still be prohibitive for many students.

"Low tuition is the fairest form of financial aid," Viggiano told the panel.

MSUSA is also planning to oppose other budget cuts in higher education programs and wants to have at least three students on the new higher education board that will oversee the merged higher education systems.

In addition, the MSUSA opposes cuts in funding that encourage foreign students to come to Minnesota universities.



Anna Ahlgren, a junior at the University of Minnesota-Duluth, put the finishing touches on a sign just before the student rally began in the Capitol rotunda Feb. 10. College students from around the state gathered to protest proposed tuition increases in the governor's budget.

Mandatory teacher internships

Student teachers would need to complete an additional one-year internship before being granted licensure, under a plan proposed by the Minnesota Board of Teaching.

During the "fifth year" of teacher education, interns would work under the supervision of experienced teachers and receive mentoring, coaching, and assessments of their teaching skills.

Representatives from the Minnesota Education Association (MEA) and the Minnesota Federation of Teachers (MFT) told the Education Committee Feb. 9 that their associations favor the internship requirement.

MEA's Garnet Franklin said that new teachers have told her that student teaching doesn't provide the responsibility of setting up classrooms or planning curriculum. The internships, Franklin said, would allow new teachers to apply skills they have learned in their preparation programs.

Proponents say current graduates of teacher preparation programs are assumed to have the skills needed to be a successful teacher. Performance assessment during an internship, they say, will assure that beginning teachers can demonstrate the skills needed for effective teaching.

Some legislators questioned the requirement of an extra year of supervision before students can land permanent jobs. "My daughter will [already] have to go to school five years to get in the courses she needs," said Rep. LeRoy Koppendrayer (IR-Princeton), whose daughter currently is studying to become a teacher.

Legislators also were concerned that schools would be forced to pay increased salaries to provide intern supervision.

Interns would receive prorated salaries, depending upon the hours they work, according to the Board of Teaching. Salaries would be comparable to those of first-year teachers.

(Beginning teachers in Minnesota made an average of \$27,000, including benefits, in 1991.)

The 1991 Legislature asked the Board of Teaching to look at new ways to improve teaching. The board proposes a two-year planning time to create the internship program, and to select the subsequent 10 to 15 pilot sites to test the plan. The board will seek \$650,000 this session to begin planning for the pilot sites.

Pilot programs would be in place for the 1995-96 school year, said Judith Wain, executive secretary of the Board of Teaching.

Currently, 3,800 students graduate from teacher preparation programs in Minnesota colleges and universities each year. About 42 percent are placed in full-time teaching positions.

Youth service proposed

A statewide program to create youth apprenticeships to encourage young people to work for their communities in exchange for education grants was unveiled before the Education Committee Feb. 11.

Under the proposed "Minnesota Youth Works" program (HF2), apprenticeships for 17- to 24-year-olds would be created through partnerships between businesses and communities.

Local communities would determine what apprenticeships would be appropriate for their areas, and would be awarded state grants on a competitive basis.

Young people would be involved in assessing the community's unmet needs, and youth community service grants would be awarded to geographically diverse areas.

In exchange for their work, some young people would earn "education grants" that could be used to attend a public college in Minnesota or other public postsecondary institution.

Rep. Andy Dawkins (DFL-St. Paul), chief author of bill, told the committee that the program would include work-based learning so that young people would have the opportunity to help their communities while acquiring useful academic and technical skills.

Dawkins told the committee that 15- to 19-year-olds are the most likely to be arrested or apprehended for serious crimes in Minnesota. For every dollar invested in his proposed program, the state would save at least \$2 in prison costs, he said.

A statewide 1 percent crime reduction, Dawkins told the committee, could result in a state savings of \$100 million annually by the year 2020.

Former House Speaker Robert Vanasek was among those speaking in favor of the proposal, as were two high school students. Vanasek told the committee that not enough emphasis has been placed on young people at risk. The three most critical areas for youth, he said, are "investment, investment, investment."

Under "Minnesota Youth Works," a statewide advisory task force would seek funding sources for the program, and oversee its development. The 31-member task force would be comprised of young people, senior citizens, and representatives of business, labor and government.

HF2 was briefly presented to the committee; deliberations are expected to continue.

No penalties for Badger?

A single delinquent taxpayer finally paid \$74,000 in back taxes to Badger School District No. 676.

That normally would be good news, but the windfall subjects the school district to a state law that penalizes districts for excess fund balances. The idea behind such a penalty — called the general education fund balance reduction — is to discourage districts from levying more funds from property taxpayers than they need.

The agricultural property owner paid up in one lump sum payment during the 1991-92 school year.

The Badger district then got an exemption from the Legislature in 1991 that allowed the "excess" revenue to be spent over a two-year period, thus avoiding a penalty.

Rep. Jim Tunheim (DFL-Kennedy) has authored a bill (**HF105**) to lengthen the extension. Tunheim says his district wants to have *five* years to spend the windfall carefully. Otherwise the small district stands to be penalized up to \$44,000 annually from 1995 to 1997.

The taxpayer, by the way, lives in Switzerland, and owns about 15 percent of the property tax base in the school district. The owner was "encouraged" to pay up after the passage of a 1991 law. Under the law, failure to pay up within a two-year period would have caused the delinquent taxpayer to lose the property.

Tunheim explained the need for **HF105** to the K-12 Education Finance Division of the Education Committee. The committee will vote on the bill at a later date.

ENERGY

Prairie Island companions

Outside the Northern States Power Co. (NSP) Prairie Island power plant near Red Wing, a half-completed, high-level nuclear waste storage facility continues to generate a major controversy.

"People generally decide how they feel about nuclear energy on an emotional level," said Jim Hill, an NSP engineer who helped conduct a tour of the Prairie Island plant for the House Regulated Industries and Energy Committee Feb. 8. "For a long time [the nuclear industry] kept relatively quiet and a kind of mysticism grew up around it."

The utility insists that without the new facility it will soon run out of room for its spent uranium fuel rods and will have to shut down the 1,000-megawatt plant, losing up to one-fifth of NSP's yearly generating capacity. Replacing the 20-year-old



Dawn Campbell, a St. Paul Central High School student, and Larry Rowe, *right*, a Como Park High School student, testified before the House Education Committee Feb. 11 in favor of a bill that would create the Minnesota Youth Works program. Both Rep. Andy Dawkins, *left*, and Rep. Howard Orenstein, *background*, sponsor the bill.

plant would cost \$1 billion, according to company estimates.

The current plan would house about 40 spent fuel assemblies in each of the 17 approved 100-ton storage casks. Each cask is to be capped with a 10-inch thick, gassealed lid. Forty-eight bolts would be used to secure each cask's seal. NSP's Carl Lehman said that in the event the seals were broken and the caps removed, the escaping radiation would be less than 2 percent of allowable federal limits for shortterm, one-time exposure.

Lawmakers, however, could step in to decide if the waste storage project is ever completed. Anti-nuclear activists and the 175 residents of the Mdewakanton Sioux reservation living near the plant filed a lawsuit in November challenging the Minnesota Public Utilities Commission (PUC) decision that gave NSP the go-ahead to build the \$22 million facility. They contend that final approval for the storage facility rests with the Legislature — not the PUC.

The coalition's opposition hinges on their belief that the federal government will never follow through on its plan to build a national storage facility and that the casks holding the 287 tons of radioactive fuel rods will remain outside the plant for good.

A ruling by the state Court of Appeals could come in as few as 60 days — well before the Legislature's scheduled adjournment May 17, according to several state lawmakers who last month joined the suit with the filing of a supplemental brief.

But Lehman said lawmakers already have made their decision, voting nine years ago to amend the 1977 Radioactive Waste Policy Act to allow for nuclear waste storage at its "point of generation." He added that other state officials, including the state Department of Public Service and the PUC, agree that legislative approval is not needed for the project to proceed.

Lehman also said that fears that the Prairie Island waste will remain in the casks forever are largely unfounded. Despite the obvious political roadblocks to selecting a national depository, he said a permanent facility likely will be chosen within the next decade.

"It just doesn't make sense to have 111 separate storage sites [at each of the other operating U.S. reactors]," Lehman said.



GOVERNMENT

Accessibility costs

Meeting federal handicapped accessibility standards for public buildings may cost Minnesota an additional \$200 million, according to preliminary data collected by the Department of Administration.

Assistant Commissioner Dennis Spalla testified Feb. 9 that the state already has appropriated \$29 million for improving accessibility, but that sum is nowhere near the amount needed to modify all 6,700 state-owned or leased buildings to meet legal requirements.

Spalla told the Governmental Operations and Gaming Committee that his department has reviewed 35 percent of the state's buildings. The price tag to make them handicapped accessible would be \$127 million. The remaining 65 percent are expected to round out the estimated \$200 million in renovation costs, Spalla said.

The federal government passed the Americans with Disabilities Act (ADA) in 1990, requiring governmental bodies to accommodate the handicapped. Opponents of the law predicted large costs for implementation, especially in the private sector.

Violation of ADA provisions can result in federal investigation or civil litigation.

The consequences for failing to comply

with federal law concerned Rep. Tom Osthoff (DFL-St. Paul).

"To me, the state has been one of the worst violators of [legally required] cut curbs and door accesses to handicapped people than anyone in the rest of the state," said Osthoff.

"We are not up to where we belong," Spalla replied, and said that the department is working with the state's Council on Disabilities to prioritize remodeling projects to increase handicapped accessibility.

The findings from the Department of Administration's building reviews are being entered into a computerized database as part of the state's "capital budget reform" to aid in determining future bonding authorization.

Board consolidation

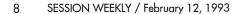
Each of the boards that license various health-related professionals would be served by one central administrative services unit under a proposal by Gov. Arne Carlson. The unit would provide administrative support activities to the 12 boards, which include the Board of Medical Practice and the Board of Podiatric Medicine.

In turn, its \$63,000 in annual costs would be funded by the boards, with specific contributions based on each board's size.

Directors of the various boards reviewed their proposed budgets with the Health



Gary Grefenberg, executive secretary of the Capitol Area Architectural and Planning Board, pointed out the territory over which the board has planning and zoning authority during his testimony before the Capital Investment Committee Feb. 9.



and Housing Finance Division of the Health and Human Services Committee Feb. 9 and 11. Board costs are covered by licensing fees, but they are still being asked by the governor to curb their expenses.

Several board directors mentioned an increase in the number of consumer complaints that need to be investigated. The Attorney General's Office works on these investigations on a contract basis, eating up a good share of the board budgets.

David Holmstrom, executive director of the Board of Pharmacy, suggested that the boards could handle some of the minor complaints on their own if the Legislature would give them the authority to do so.

HEALTH

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Contaminated beef

State agriculture and health officials are moving quickly to head off any possible outbreak caused by tainted ground beef.

The Department of Agriculture this week stepped up its meat inspections at retail stores in an attempt to isolate a bacteria identified to have seriously stricken hundreds of children in Washington and other western states late last month. One child died during the most recent outbreak.

The Department of Health also is making a similar push to monitor for the bacteria and both agencies have sent notices alerting stores and restaurants on how to curb the food poisoning.

No one in Minnesota has become ill, said Tom Masso, director of the food inspection division at the Department of Agriculture. "It's really been a concern for us," he told the House Environment and Natural Resources Finance Division Feb. 10.

Masso said one factor helping to stem a local outbreak is that Minnesota eateries are required to cook hamburgers to a higher temperature and for longer periods of time than in many other states. He said consumers at home also should more carefully prepare meals containing ground beef, taking particular care to avoid cross-contaminating other foods while cooking.

Federal agriculture officials, who are responsible for slaughterhouse inspections, last week asked Congress for additional funding to hire up to 550 new inspectors. "We are starting to re-think the entire

way we inspect meat," said Masso, empha-

sizing the need to trace the bacteria to its source. He said state inspectors find the bacteria growing in up to 4 percent of the ground beef they monitor, with the incidents climbing during summer months when cattle can suffer from heat stress.



M.D. surcharge

Retired doctors who may want to volunteer some time in free or low-cost clinics may be exempted from a new \$400 surcharge on all medical licenses.

The surcharge, which is levied against all medical licensees as part of a 1992 law, is assessed by the state Board of Medical Practice and collected by the state Department of Human Services. The money is used to increase the reimbursement rates for Medical Assistance.

H. Leonard Boche, executive director of the Board of Medical Practice, said Feb. 9 that the \$400 surcharge is burdensome for retired doctors who keep up their licenses because being a doctor is part of their identity or so they can do volunteer work.

"It doesn't seem very sensible to discourage people from giving away free services," Rep. Lee Greenfield (DFL-Mpls) told other members of the Health and Housing Finance Division of the Health and Human Services Committee Feb. 9. He said he was looking at a way to amend the law to exclude retired volunteer doctors from the surcharge.

Isolating psychopaths

Prisoners who are ordered directly to mental institutions because of their "psychopathic personalities" will be housed at a new 100-bed psychopathic personality treatment program at Moose Lake in a few years, under the governor's proposed budget plan.

Forty-seven such psychopaths are presently confined to the Minnesota Security Hospital in St. Peter, said James Stoebner, assistant commissioner in charge of the Community Mental Health and State Operated Services Administration of the Department of Human Services. Since December, four to five prisoners a month have been committed under the state's new psychopathic personality law. Under that

law, prisoners who finish serving their sentences but are still considered a threat to society can be held in mental institutions indefinitely.

The psychopaths, most of whom were sex offenders, need to be separated from another vulnerable population in the security hospital: the mentally ill and dangerous, Stoebner said. The psychopaths now occupy two units within the security hospital. But this was done at the expense of moving some of the mentally ill and dangerous to a less secure building on the St. Peter Regional Treatment Center campus.

The Moose Lake facility will take about two and a half years to construct, and will cost a total of \$20.2 million, of which \$12.8 million has already been authorized. At the same time, a 50-bed addition for the mentally ill and dangerous is proposed to be built at St. Peter, to ensure that all patients in that category will be confined within the security hospital. The projected cost of the addition is \$7.5 million.

Members of the Human Services Finance Division of the Health and Human Services Committee heard Stoebner review the governor's budget proposals for mental health services Feb. 10.

Rep. Gil Gutknecht (IR-Rochester) questioned the \$162,000-per-bed cost of the new facilities.

"You can build a pretty nice home in Rochester for \$162,000," he said.

But Committee Chair Rep. Lee Greenfield (DFL-Mpls) said \$162,000 per bed was relatively cheap. Costs will be discussed further at upcoming committee meetings.

Discrimination filings rise

With increases in the number of discrimination complaints, and decreases in staff, the state Department of Human Rights is in danger of losing its effectiveness, department administrators said Feb. 9.

An expected 10 percent per year increase in the number of charges filed in 1994-95, as well as vocal demands for more services outside the Twin Cities area, will make it increasingly difficult for the agency to fulfill its mission, Tracy Elftmann, human rights deputy commissioner, told the Health and Housing Finance Division of the Health and Human Services Committee.

The department investigates complaints

of civil rights violations and monitors the affirmative action plans of companies that do business with the state.

In the early 1980s, the agency lost public confidence when it developed a huge backlog, leaving many cases unresolved for years. Since then, it has taken measures to expedite its services. But illegal discrimination appears to be on the rise in Minnesota, in part because of the growing state minority population and heightened sensitivity to sexual harassment. With demand outstripping capacity, the department is once again in danger of accumulating a substantial backlog. At the end of fiscal year 1992, 2,612 cases remained unresolved, Elftmann said.

Timely resolutions to discrimination complaints save the department money. If a discrimination case is not resolved within 180 days, the party filing a complaint has the right to demand a hearing through the Office of Administrative Hearings — at the department's expense. Presently, 35 percent of the department's litigation budget goes to pay for such hearings, Elftmann said.

Understaffing also remains a problem. While the number of charges filed with the department increased by 55 percent between 1985 and 1991, authorization for additional staff increased only 5 percent during that same period. And with 83 percent of the total budget going to fund personnel, even a modest pay increase or budget reduction — would result in more staff reductions, Elftmann told division members.

Besides protecting the department from further staff cuts, granting it the discretion to screen out meritless charges and providing a more efficient computer system would improve productivity, Elftmann said.

Saving GA dollars

A state plan to move clients off the General Assistance (GA) rolls and into the federally funded Supplemental Security Income (SSI) program for people with disabilities has had little effect so far, according to state officials.

A 1992 law requires that counties identify GA recipients of at least two years and review their SSI eligibility. SSI recipients get \$440 a month and qualify for Medical Assistance, which removes 55 percent of



Hundreds of senior citizens rallied in the Capitol rotunda Feb. 9 to publicize and seek support for Minnesota's Older American Volunteer Programs.

the financial burden for their medical care from the county and state.

But a computer check showed that very few people have received GA for two years continuously, said Patricia Ploumen, SSI coordinator for the Department of Human Services. And applying for SSI can take up to three years, if the disability is not an obviously severe one, such as blindness.

Under the interim assistance reimbursement program, which began in mid-1992, individuals receiving GA are helped through the hurdles of applying for SSI.

Incentives are in place for private agencies, such as Catholic Charities, to help counties in identifying SSI-eligible GA recipients. For helping eligible persons in the application process, outside agencies could receive payments if the county is able to recover from SSI some of the welfare money it already has paid out. These payments are set at 25 percent of the recovered funds, plus actual costs.

State officials hope that these incentives will help to increase the number of Minnesotans leaving GA in favor of SSI.

Some progress has been noted. For every 100 Minnesotans added to the SSI program, 11 of them are leaving General Assistance to do so, said George Hoffman, director of the Reports and Forecasts office at the Department of Human Services. He spoke to the Human Services Finance Division of the Health and Human Services Committee Feb. 10.

INSURANCE

Port-wine stains covered

Treatment and removal of port-wine stains — bruise-colored birthmarks that often require extensive surgery as a person grows older — must be covered by insurers under a bill given unanimous approval Feb. 10 by a House committee.

Bill sponsor Rep. Wes Skoglund (DFL-Mpls) said insurance companies and health maintenance organizations (HMOs) now consider treatment of the stains an elective cosmetic procedure. Insurers usually will pay for surgery and other treatments if the affliction becomes severe, "but those people really have to be suffering before their insurance will cover this," Skoglund said.

Port-wine stains — such as the birthmark former Soviet President Mikhail Gorbachev has on his forehead — occur in about three out of every 1,000 births. Physicians testifying before the Financial Institutions and Insurance Committee said that if left untreated, the birthmarks, which can cover large portions of the face, neck, or other areas of the body, often can expand and cause extensive scarring, lesions, excessive bleeding or infection.

Laser "burning" of the birthmarks can significantly reduce their size and make them less noticeable, the doctors said.

Cost of the procedure depends on the size of the stain treated, said Dr. Richard Tholen, but averages about \$1,000 per hour for the out-patient procedure. Stains which develop lesions and other abnormalities often require reconstructive surgery as well and would cost "thousands" of dollars more, Tholen said.

The irony of insurers confining treatment to the more severely afflicted, Skoglund said, is that treatment is less costly and safer when the stains are smaller.

"It really is an example of the expression: 'You can pay me now or you can pay me later,' " he said.

Insurers opposing the measure said it would drive up their costs and would add another procedure to a long list of mandated treatments they now must cover. When pressed for specific costs, however, Marla Ivan of Group Health Inc., said paying for the treatment of port-wine stain patients under age 18 would raise premiums of members of that HMO about 17 cents per month.

The banking and insurance panel later expanded the original proposal to include all port-wine stain patients regardless of their age. **HF9** now moves to the House floor for consideration.



Defenders make their case

Minnesota's overburdened public defender system is not adequately serving its clients and is perilously close to being declared illegal, members of the Judiciary Finance Division were told Feb. 11.

"We are really at the last crisis point in our public defense system," said Bill Kennedy, chief public defender for Hennepin County. "Other lawyers won't say it, but I'm going to say it: We are all walking violations of the state and federal constitutions in terms of the service we give our clients."

Kennedy, along with several colleagues, told the panel that public defenders are strained to the breaking point in trying to adequately defend their clients, who are constitutionally entitled to equal justice. Without new resources, Kennedy warned, the whole system "is going to come apart. And we'll all become defendants."

Public defenders represent criminal defendants who are judged by the courts to be too poor to hire their own attorneys.

The number of serious felony cases



Christine Garcia, 5, and her mother, Patrice Garcia, testified before the Financial Institutions and Insurance Committee Feb. 10 in support of a bill that would require health insurance providers and HMOs to provide coverage for the elimination of port-wine stains for any covered person under age 18.

handled by public defenders has mushroomed in the past five years, said Lawrence Hammerling, deputy in the State Public Defender's Office, which handles all gross misdemeanor and felony appeals of indigent defendants in the state.

While the number of appellate cases has jumped 60 percent in the past five years, only one half-time position has been added during that time, he said.

Automation has eased that load somewhat, but defenders are mostly working longer hours and spreading their time on each case a bit thinner, Hammerling said.

"We simply do not have the time to provide the quality of representation to which [our clients] are legally entitled," he told the panel. "It's alarming, demoralizing and, ultimately, not legal."

Judicial standards

The number of complaints filed against judges reached an all-time high last year, but is still miniscule in terms of the number of legal actions in the state.

"You have, by and large, a hardworking, talented judiciary in this state," DePaul Willette, executive secretary of the Board on Judicial Standards, told members of the Judiciary Finance Division Feb. 9.

The board received 166 complaints last year, compared to just four in 1972, its first year of existence. Most complaints came from litigants dissatisfied with decisions made by district court judges. While 10 of those cases resulted in private reprimands or warnings, none involved stiffer penalties, Willette said.

Including Willette, the 10-member board has two employees, making it one of the smallest state agencies. But it was not spared cuts in the governor's proposed budget. The division will take up that matter later in the session.

'Progressive' court fines

Court-imposed fines would be adjusted based on a convicted criminal offender's ability to pay under a proposal presented to the Legislature by the state Sentencing Guidelines Commission Feb. 10.

"The commission strongly supports the use of means-based fines," said Debra Dailey, director of the commission, during testimony before the Judiciary Committee.

The suggested changes in fining practices by judges are based on a chart that increases the recommended penalty according to the severity of the offense and the "net daily income" of the offender. The fine chart does account for a convicted offender's number of dependents and marital status.

Dailey said the system seeks to make lawbreakers feel "the same sting" by increasing fines on the wealthy and compensating for the poor.

For example, the commission suggested that for someone convicted of disorderly conduct who has three children and earns about \$7,500 per year after taxes should be fined as little as \$29. But a married offender with two children and a net income of about \$48,000 should be fined as much as \$485.

Rep. Phil Carruthers (DFL-Brooklyn Center) said that the plan had some promise, noting that the current methods of fining cannot carefully analyze the relevant circumstances.

"It's kind of a joke right now. . . an invitation to lie," Carruthers said.

Rep. Warren Limmer (IR-Maple Grove) said that illegal income is difficult to account for. Dailey replied that the commission's plan is a suggestion and that the system needed flexibility.

"Judges need to work through those types of individual cases," she said.

Other members, concerned about the implications of reducing fines for some offenders, argued that discussions about fairness in sentencing can cloud issues of individual responsibility.

The recommendations will move forward, Dailey said, only when the state's judges indicate support for the proposal.

The commission's plan would not affect court-ordered restitution.



LOCAL GOVERNMENT

Planning for the future

What went wrong?

That was the question one lawmaker had for directors of the Metropolitan Council, who are responsible for planning and economic development in the Twin Cities metropolitan area.

"Safe streets vs. kids carrying and using guns. Decent housing vs. slums. Success in school vs. dropping out and going to prison. Money to deal with problems vs. bleeding our budgets dry," said Rep. Howard Orenstein (DFL-St. Paul), as he listed some of the problems in his city. "We're losing every one of those battles."

Members of the Metropolitan Council Subcommittee of the Local Government and Metropolitan Affairs Committee wanted planners to explain why development has occurred in a way that separates unskilled jobs from affordable housing, and low-income people from jobs.

Subcommittee Chair Rep. Myron Or-

field (DFL-Mpls) has analyzed the increase in poverty in the central cities and older suburbs. He will be proposing legislation that will try to lessen the disparity in income between those areas and what's being called the "southwest corridor" of relatively prosperous suburbs.

Anne Hurlburt, the Metropolitan Council's division manager of comprehensive planning and local assistance, said the council has two alternative policies it can use to manage change. One is to forecast trends and guide public investment to respond to those trends. The other is to shape the growth of the region by attempting to alter trends.

Committee members debated whether development of infrastructure, such as highways and sewers, determined where growth would occur, or whether the development of infrastructure followed natural growth trends. A few members expressed disappointment that the Metropolitan Council had not had the foresight to prevent the rapid increase in poverty, which they blame in part on urban sprawl.

Lyall Schwarzkopf, the Metropolitan Council's director of research and longrange planning, said he thought the council had done a good job in the area of "orderly and economic development" but not so well in stemming the increase in poverty. "It's not the role of the Metropolitan Council to manage poverty," he said, but added that the council could do a better job of providing transit and "getting jobs to where the people are."

"I hope there's a sense of urgency and passion to take care of what's happening here on the streets of Minneapolis and St. Paul," Orenstein said.

Township troubles

Maintaining roads that are beat up by cars looking for a shortcut to the casino and finding enough qualified volunteers to run an ambulance service are just two of the challenges facing the state's townships.

The Local Government Relations Subcommittee of the Local Government and Metropolitan Affairs Committee heard Feb. 9 from several township officials whose concerns ranged from the price of gravel to the designation of puddles in farmers' fields as environmentally protected wetlands.

Because ambulance volunteers must take

100 hours of training a year, it's becoming difficult to recruit volunteers in some townships. "It's getting scary," said Darold Horning, clerk of North Hero Township in Redwood County.

Annexation is another painful issue that sometimes pits cities against townships. Although annexation may help township residents pay for sewer and road services, it can also be regarded as a threat to township identity and independence. Franklin Denn, of Monticello Township in Wright County, said townships are often criticized for not getting involved in industrial growth, but may avoid such development because "it is grounds for annexation."

Lack of industry and a growing proportion of retired residents, who may want services comparable to those in the cities they moved from, put a strain on township taxpayers.

Township officials made it clear that they could use some help to improve services in their areas, but at the same time did not want the Legislature to micro-manage their townships from afar.



Tourism and gaming

Measuring the economic impact of American Indian casino gaming on the rest of Minnesota's tourism and hospitality industry is still essentially a crap shoot.

That was the message delivered in a University of Minnesota study presented Feb. 10 to the Tourism and Small Business Division of the Commerce and Economic Development Committee.

The report, developed by the Tourism Center of the Minnesota Extension Service, was expected by some to confirm or refute the concerns of various hospitality industry officials that Indian casino gaming adversely affects private business interests.

Barbara Koth, an associate professor at the University's Tourism Center, explained that the study simply couldn't be used to determine any direct relationship between casino gamblers and the way Minnesotans spend their discretionary dollars.

"I emphasize this was a preliminary study. It was a snapshot look [at the gambling industry] without a lot of investment of dollars," Koth explained. "The lack of established [statistical] patterns, the newness of the industry . . . it really is not possible to answer with great richness of detail" any questions regarding linkage between casino spending and other entertainment expenditures.

Less than \$4,000 was spent on the study, with the funds coming from the Tourism Center's endowment fund. Fund contributors include small business owners throughout the sate, as well as private tourist industry associations, Koth said.

The four-question study was conducted from October through December 1992 in an effort to secure the most recent information. The questions asked Minnesotans about the frequency of their casino visits, whether they stayed in hotels overnight if gambling, and if gambling affected their discretionary income spending.

It did not, however, provide answers to many of the questions lawmakers have. Among those questions are: do Minnesota private businesses suffer as a result of the Indian gaming industry; do tourists spend money on the way to casinos (feeding local economies along the way); and do restaurants suffer business losses if they're near casino-owned eating establishments.

Koth suggested long-term research that uses surveys, group interviewing, and selfreporting diaries before making any quick connections between Indian gaming in Minnesota and its effect on the distribution of entertainment dollars.

TRANSPORTATION

Transportation aids

Legislators are hoping that the Center for Transportation Studies (CTS) can help them with some difficult cost-benefit analysis.

Rep. Henry Kalis (DFL-Walters) said Feb. 11 that since the Legislature will likely debate a transportation funding bill again this session, any and all research done by CTS would be much appreciated. Kalis said that infrastructure improvements in less populated outstate areas, as well as infrequently used bus routes in the metro area, are tough to justify without understanding issues other than simple costs.

"It's too easy when you don't understand the overall picture just to look at the numbers," he said. "We can all add. We can all subtract."

Kalis argued that projects appearing to



Rep. Phil Carruthers (DFL-Brooklyn Center), *left*, and Sen. Randy Kelly (DFL-St. Paul), *center*, and Dennis Flaherty, executive director of the Minnesota Police and Peace Officers Association, held a press conference Feb. 2 to announce a new bill that would impose felony penalties for recklessly discharging a firearm from a passenger vehicle (drive-by shooting).

be of limited use can often be "a necessary part of our transportation system . . . a necessary part of our economic system."

Such research help need not be limited to local transportation issues since international concerns can have a profound impact on shipping in the global economy.

Bob Johnson, associate director of CTS, said that current research relating to the effects of a free trade zone with Mexico on north-south commerce patterns, as well as educational seminars "customized for legislators," should be of use in reaching decisions on transportation funding this session.

Johnson testified before the Economic Development, Infrastructure and Regulation Finance Committee.



Apparently not afraid to tackle the tough issues of the day, the House Commerce and Economic Development Committee Feb. 11 organized a subdivision with perhaps the most straightforward name possible — the "Controversial Bills Subcommittee." The nine-member panel has only one bill on its current docket, a measure that would repeal authorization for state bonds helping Northwest Airlines build a pair of maintenance bases in Hibbing and Duluth (HF144). So far, however, the bill's author has not yet asked for a hearing on the package, according to committee staff. Northwest has not moved on the project or asked that the bonds be

issued since receiving a go-ahead from the Legislative Commission on Planning and Fiscal Policy in December 1991.

The Legislature's best known beekeeper, Rep. Willard Munger of Duluth, facetiously told his colleagues during a Feb. 11 House committee discussion that University of Minnesota researchers are busy trying to mate bees with lightning bugs. "That way, they can keep working at night," Munger said. The topic arose during a discussion of the state Department of Agriculture's apiary — or bee — programs.

Volunteer firefighters in Grand Lake Township north of Duluth might have winced had they heard how a member of their township association characterized their skill Feb. 9, but he was just trying to protect them.

"You know how it is in the township: "We saved another basement," Dave Reim joked to the Local Government Relations Subcommittee of the Local Government and Metropolitan Affairs Committee.

Reim's point was that local volunteer fire departments aren't prepared to take up the slack in fighting forest fires if the state's local DNR offices are closed, as Gov. Arne Carlson has recommended. If an untrained crew of two or three with \$150,000 of equipment makes a misstep during a forest fire, "you lose both the equipment and the personnel, and real quick," he said. The \$5.1 million that might be saved by closing the offices "looks real good, but a life is worth a lot more than \$5.1 million," Reim said.

Crime tops Luther's agenda in inner-ring suburb

Legislative membership is sometimes a family affair.

Rep. Jeff Bertram's (DFL-Paynesville) brother, Joe, serves in the state Senate. Rep. Jerry Demp-



sey (IR-Hastings) follows in the footsteps of his brother, Terry; and Rep. Kathleen Blatz (IR-Bloomington) is the daughter of former Sen. Jerome Blatz, and the wife of Tom Berkelman, a former House member. But never has a mar-

Rep. Darlene Luther

ried couple simultaneously served in the Legislature. Rep. Darlene Luther (DFL-Brooklyn Park), and her husband, Bill, an assistant majority leader in the Senate, have became the first to do so.

The historic footnote makes Luther unique, but she makes it clear she's aiming to make her own distinct mark.

"I've been married to a politician for 19 years, so even though I've been involved in politics, I haven't had the opportunity to create any legislation that would benefit the citizens of Brooklyn Park or meet their needs," she said.

Brooklyn Park is a blue-collar suburb of

mostly middle- and lower-income residents, she said. About half the residents live in apartments — more than in any other suburb.

"Even though it's an inner-ring suburb, we've got major big-city problems," she said.

A growing crime problem tops the list of her constituents' concerns, along with health care, welfare reform, education funding, and jobs.

"I want to do a lot in the area of crime," said Luther. "I'm authoring the attorney general's anti-stalking bill." In addition, she is also sponsoring a bill that would make it easier for juveniles to be tried as adults in some cases.

Luther actually ran for her seat twice within a year. The seat opened in 1991 after 11-year veteran Rep. Linda Scheid resigned. Luther lost the special election, but won last November's general election. The longer general election season allowed for a more effective campaign, she said.

A Cloquet native, Luther worked 18 years as a flight attendant for Northwest Airlines. She holds a bachelor's degree in business administration from the University of St. Thomas, and worked a three-year stint as volunteer commissioner of fund-raising for the 1991 International Special Olympics held in Minnesota.

So far, the logistics of having two legislators

in the family while raising two kids has been, well, stimulating.

"It's great. I haven't had any problems at all. Bill gets the kids off for school in the morning, and I'm there in the evening with them," she said, even though that means turning down most of the invitations she gets for evening events related to her new job.

"It's almost overwhelming. I knew it was going to be a commitment, and a big responsibility, and a lot of hard work and late hours," she added. "But I didn't think it was going to be this fun."

-Jim Anderson

District 47A

Population: 31,985 Distribution: 100 percent of residents live in urban areas County: Hennepin Largest city: Brooklyn Park (portion) Location: northwest Metro 1992 presidential election results: Clinton/Gore: 44.8 percent Bush/Quayle: 29 percent Perot/Stockdale: 25.4 percent Other: 0.8 percent



Delmont keeps an open mind to aid constitutents

After more than two decades in the political chorus, Rep. Mike Delmont (DFL-Lexington) is finally taking a leading role.



Delmont decided to run for office himself after helping in numerous state campaigns. While this is his first term, his past work with both lawmakers and the Legislature (as communications coordinator for the Minnesota State Patrol) has

Rep. Mike Delmont nesota St put him at ease in his new job.

"Mostly in trenches," is how he describes his long-standing political activism. "I never did aspire to any district offices or central committees. I just felt I could do more working for candidates.

"And I was more comfortable doing that. I love going door-to-door, and I love meeting people and talking to people."

Redistricting presented an opportunity that the former Lexington City Council and Centennial School Board member couldn't pass by. Besides creating an open seat, the district was dramatically altered.

"What had grown into kind of a large district

that encompassed part of Ramsey County and Anoka County shrunk back to just Blaine and Lexington," he said. (Lexington, incidentally, is named twice in Minnesota — there's also a smaller one in Le Sueur County).

Delmont said his district runs the whole income gamut from highly affluent to very poor. At each point on the spectrum, however, the top concern is high property taxes, followed closely by jobs.

"A lot of senior citizens are afraid of losing their homes. A lot of people who have saved for years to buy homes that were a bit more expensive than the norm are afraid of losing their homes," he said. "It was across-the-board anxiety."

While keeping those concerns in mind, Delmont isn't coming to his initial term with a set agenda.

"I like to consider myself a generalist," he said. "I'm not zeroed in on any specific issues. I like to do as much as I can for as many people as I can. That's why I'm here."

Like other first-termers, Delmont said his fellow newcomers will make their presence felt.

"They're a little bit older, they have experience in civic affairs, some of them are very well educated," he said. "I think they're very bright, and they'll add a lot."

As one of 51 suburban legislators, Delmont said he is more interested in finding common ground with colleagues from rural and urban areas than in creating a separate voting bloc.

"Part of our goal here is to get people to understand what's happening in the suburbs and how we have so much in common between the inner city and the suburbs, and the suburbs and rural Minnesota," he said. "There really is a lot of commonality, and the only way we can find out about each other is to keep the lines of communication open."

-Jim Anderson

District 51A

Population: 33,075 Distribution: 99 percent of residents live in urban areas, 1 percent rural. County: Anoka Largest city: Blaine (portion) Location: north Metro 1992 presidential election results: Clinton/Gore: 44.1 percent Bush/Quayle: 28.3 percent Perot/Stockdale: 26.9 percent Other: 0.7 percent

Van Dellen urges less government to help families

As a 28-year-old father of three, Rep. H. Todd Van Dellen (IR-Plymouth) says he's a vanishing breed.



While many struggle to make ends meet, Van Dellen said young couples especially are finding it nearly impossible to work and maintain a successful family.

"Some of the people I remember most from

H. Todd van Dellen campaigning were people about my age, with kids — and there aren't many people my age anymore that have three children — and even if they disagreed with me on [the] issues, they still said, 'I want to elect you because you have some sense about what I'm going through,' "he said.

The son of a building contractor, Van Dellen was born in Springfield, Mo., and is the eldest of four children. At 13, the family moved to East Grand Forks, Minn. After graduating from the University of North Dakota in 1987, he and his wife moved to Plymouth, and he earned a law degree from the University of Minnesota. Growing up, Van Dellen's mother was able to stay home with the children — a luxury he said few people can afford today. "The next generation is suffering. A whole generation of kids is growing up in day care, without their parents, and a majority have both parents working, and a lot of them know that it's not the best way.... I don't think the government is doing very much to help with that problem."

Van Dellen argues that the current tangle of state laws has created a system that discourages having families. He suggests that those laws have failed "to deal with some of the economic problems — the burden of just complying with all those laws being chief among them — that people in the middle class face."

"I found during the campaign almost a level of revolt," he said.

Voters are "discontent with the size of government, the level of taxation, [and government's] intrusiveness and entanglement in people's lives," he added.

And while voters complained about taxes, Van Dellen said that's not the only reason they're upset with government.

"I think people are tired of being coerced by the government, know that they can get along okay by themselves, but are drowning in legislation that comes out of this body and the federal Congress in Washington. . . . I think they're begging for some changes." And he said it's getting worse.

"That's why I ran." Refining the existing body of law, rather than adding new ones, is what Van Dellen said he favors.

"Government, which is too often preoccupied with divisive parochial interests, cannot serve to rebuild a sagging value system or to reunify society. But it can throw enough additional obstacles — in the form of taxes and regulation — in people's way to ensure those things won't happen," he said.

"This generation is facing immense challenges," Van Dellen said. Attempting to tilt the scales in favor of families is one he'll try to address.

—John Tschida

District 34B

Population: 33,195 Distribution: 99.2 percent of residents live in urban areas, 0.8 percent rural. County: Hennepin Largest city: Plymouth (portion) Location: northwest Metro 1992 presidential election results: Bush/Quayle: 42.5 percent Clinton/Gore: 32.2 percent Perot/Stockdale: 24.7 percent Other: 0.6 percent

Teacher Holsten: an active student of government

Just two months ago, Rep. Mark Holsten (IR-Stillwater) was teaching in the Stillwater School District. Today, he is the Legislature's second



Rep. Mark Holsten

youngest representative, and his desk is covered with letters from some very young constituents — his students.

"These kids are talking about the same issues as adults," said Holsten. "In some cases, they are talking about them more in-depth than the

adults. They each require a personal answer," said Holsten. "It means a lot to these kids, and they want to hear back."

At 27, becoming a representative is Holsten's second job since graduating from the University of Minnesota-Duluth and the University of St. Thomas.

Holsten is certified to teach social studies, but three years of substitute teaching have brought him into a variety of classroom situations. "You name it, I've taught it — even personal band lessons," said Holsten, who admits he doesn't play an instrument.

Some of his classroom lessons about grassroots involvement he is now learning first-hand. Other

lessons he didn't anticipate. There is the trip that he and 70 other legislators took to Duluth last month, courtesy of the Duluth Area Chamber of Commerce. The furor took him by surprise.

"The *real* problem is special interest groups pumping thousands of dollars to certain individuals," said Holsten. "There is a difference between giving money to get [a candidate] elected. There's a string attached there. At some time the string is going to be pulled. I see a difference between that and business saying 'this is what your state dollars have done, this is what we're doing and here is what we need.'"

Then there is the lesson of partisanship. Partisan politics, he thought, would subside once his campaign was over.

"I understand the campaign part of politics," said Holsten. "Once we got here I thought we would be more interested in taking care of the state than we are."

His interest in public policy was developed by his parents, Holsten said, who "always discussed issues and news" and took vacations centered around historical sites. His father, Roy Holsten, served in the Senate from 1967 to 1971.

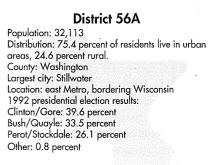
Holsten's newly created District 56A is an Independent-Republican-leaning district, and

Holsten's campaign called for a state spending freeze and no tax increases.

"The thing I heard was get a handle on state spending," said Holsten. Minnesota has been taking the wrong path and now ranks second in the nation in commercial and industrial property taxes, he said.

"We've had growth in the public sector, while we're losing business. We have to foster private business growth to employ our people. I see the role of government as helping the private sector grow — to employ our people and make their lives better."

-Joyce Peterson



Tracking the Bills . . . Jan. 5 - Feb. 11, 1993

Committee, Floor & Final Action

How a bill becomes a law in Minnesota

The bill status tracking sheet on the following page is designed to give you the latest information on bill action from Jan. 5 to Feb. 11. Hereafter, this section will provide you with information on bill action during the week preceding each issue (Thursday, 2:30 p.m.). Since it is impossible to provide a cumulative list of all bill action due to space limitations, we urge you to save each issue of the *Session Weekly* and mark the bills you want to follow.

The bill status tracking sheet provides you with the bills under current consideration, their chief authors, and titles to indicate content. They are organized first by committee or division; then, numerically by House File number. Most bills have companions in both the House and the Senate.

If certain bills are not listed during a particular week, it means that no further action has been taken on them.

Abbreviations are used throughout the bill tracking sheets to save space. Though they may seem baffling at first, a glance at the key which appears at the top of each page can quickly remedy the problem. The boldfaced terms in this introduction appear as column headings on the bill tracking sheets.

The major section headings on the bill tracking sheets are divided into three stages that parallel the lawmaking process, namely: **committee** action, **floor** action, and **final** action.

Committee action

Under committee action, bills are **introduced** in written form and **referred** to an appropriate committee for consideration. A bill on farming, for example, would most likely be sent to the Agriculture Committee. Each committee chair decides which bills will be taken up during the session.

The committee or division holds hearings and discussions on the bill, and then sends a **committee report** citing the committee's recommendation for action to the floor of the House (or Senate). Typical actions include "recommended to pass (rp)," "recommended to pass as amended (rpa)," "not recommended to pass (nrp)," and "**re-referred** (re) to another committee or division."

Floor action

When the committee report reaches the floor, the full body debates the bill and considers amendments. All legislators then **vote** on the bill in its final form. **Final passage** requires at least 68 "yes" votes in the House; 34 in the Senate.

Since companion bills are processed through both bodies concurrently, there comes a point where the House and Senate must agree on the bill. Therefore, the first body to pass a bill sends it to the other body for a **first reading** where the bill is **substituted** for its companion and replaces it in the process.

If the bills the House and Senate pass differ, either the first body agrees to accept the second body's version, or a **conference committee** is appointed to work out the differences. Typically, either three or five members of each body are named to such committees.

Once the conference committee reaches a compromise, the bill is sent back to the full House and the full Senate for approval. Sometimes the bill differs from the ones members in each body approved. But if both bodies **concur and repass** the bill, it is given a **chapter number** and sent on to the **governor** for action — approval or disapproval.

Final action

If the governor disapproves or vetoes (v) the bill, it cannot become law unless twothirds of the members in both the House and the Senate vote to override the veto. If the governor approves or **signs** the bill, it becomes law.

Copies of bills are available through the Chief Clerk's Office, 211 State Capitol, St. Paul, MN 55155, (612) 296-2314.

Committee/Division Abbreviations

AGRICULTURE AG AGR AGRICULTURE & RURAL DEVELOPMENT CAPITAL INVESTMENT CA CCP COMMERCE & CONSUMER PROTECTION CED COMMERCE & ECONOMIC DEVELOPMENT International Trade, Technology CED/itt & Economic Development Division CED/t Tourism & Small Business Division CP CRIME PREVENTION Crime Prevention Finance Division CP/cpf ECONOMIC DEVELOPMENT, ECF INFRASTRUCTURE & REGULATION FINANCE ED EDUCATION ED/ed Education Division ED/edf K-12 Education Finance Division Higher Education Finance Division ED/hif ΕN ENVIRONMENT & NATURAL RESOURCES EN/f Environment & Natural Resources Finance Division ENF ENVIRONMENT & NATURAL RESOURCES FINANCE ΕT ETHICS ETHICS & CAMPAIGN REFORM ETC FA FAMILY SERVICES FN FINANCE FN/sg State Government Division FI FINANCIAL INSTITUTIONS & INSURANCE GA GAMING REGULATION GENERAL LEGISLATION, GL VETERANS AFFAIRS & ELECTIONS GOR GOVERNMENTAL OPERATIONS & REFORM GΟ GOVERNMENTAL OPERATIONS & GAMING GO/sgf State Government Finance Division HEALTH CARE HC HC/f Health Care & Family Services Finance Div. HН HEALTH & HUMAN SERVICES HH/hhf Health & Housing Finance Division HH/hsf Human Services Finance Division HO HOUSING JOBS, ENERGY & COMMUNITY JEC DEVELOPMENT JEC/f Jobs, Energy & Community Development Finance Division IU IUDICIARY JU/jf Judiciary Finance Division LA LABOR-MANAGEMENT RELATIONS LG LOCAL GOVERNMENT & METROPOLITAN AFFAIRS MLG METROPOLITAN & LOCAL GOVERNMENT MLG/t Metropolitan and Local Government Tax Div. REGULATED INDUSTRIES & ENERGY RI RA RULES & ADMINISTRATION RU RULES & LEGISLATIVE ADMINISTRATION ΤA TAXES TAXES & TAX LAWS TT TPT TRANSPORTATION & PUBLIC TRANSIT TR TRANSPORTATION & TRANSIT TR/f Transportation & Public Transit Finance Div. VETERANS & GENERAL LEGISLATION VG WM WAYS & MEANS

1993 MINNESOTA LEGISLATURE BILL STATUS TRACKING SHEET Bill action between Jan. 5 - Feb. 11 rp - recommended to pass a - amended nrp - not recommended to pass a - amended nrp - not recommended to pass v - vetoed by governor re - rereferred to another crite:/div. t - footnote * - version under consideration t - footnote			COMMITTEE					FINAL									
			Introduction/ Cmte. Referral	Committee/Div.	Committee Report (date/action)	ke-referral	Final Passage	ę	1st reading in other body/Substitution	Referred to Conference Cmte.	Concurrence & Repassage	Governor's Signature (Chapter Number)					
File No.	Author	Committee/Division/Bill Title	ĒĒ	<u>E</u>	C at	ĘP	G at C	di d	റ്	රීම	Å.	Ë	Vote	1st bod	န္မလိ	Se Sc	မိုးရှိ
		AGRICULTURE															
HF0020	Kalis	Resolution—	1/7 AG	AG	1/28 rpa												
SF0018	Beckman	seeking higher grain prices	1/11 AGR	70	1/20104												
		COMMERCE & ECONOMIC DEVELOPMENT															
HF0051	Evans	Automobiles—	1/14 CED	CED	1/28 rpa†							1					
SF0041	Mondale	title branding requirements tightened	1/14 CCP														
		EDUCATION						•									
HF0125	Luther	Osseo high schools—	1/26 ED	ED	2/2 rp												
SF0153	Luther	statutory instruction requirements waived	1/28 ED		(<u> </u>												
		K-12 Education Finance Division EDUCATION															
HF0061	Steensma	School revenue reduction—	1/19 ED	ED/edf	2/10 h							1					
SF0080	Vickerman	formula modified	1/25 ED	·													
HF0105	Tunheim	Badger schools—	1/25 ED	ED/edf	2/10 h							1					
SF0123	Stumpf	exemption extended	1/28 ED		, í												
HF0219	Olson, K.	School fund balance reduction—	2/9 ED	ED/edf	2/10 h												
SF none		formula changed FINANCIAL INSTITUTIONS & INSURANCE	· · · · · · · · · · · · · · · · · · ·														
HF0009	Skoglund	Insurance—coverage required	1/7 FI	FI	2/10 rpa												
111 0007	JKUGIUIU	for treating port-wine stains			2/ 10 ipu												
HF0022*	Skoglund	Supplemental medicare insurance	1/7 FI	FI	1/11 rpa		1/11	126-4	1/14		1/19	1/21 (1)					
SF0002	Benson, D.	premium increases delayed	1/6 HC	ССР	1/11 rpa†		1/14	62-2				1/21(1)					
HF0030	Morrison	Car insurance—wage loss	1/11 FI	Fl	1/27 h,a			02.2									
SF0043	Knutson	exemptions extended	1/14 CCP		1/2/11/4							-					
			1/ 1 001														
		HOUSING															
HF0183	Clark	Housing Finance Agency—	2/1 HO	НО	2/10 h												
SF0054	Johnson, J.B.	mortgage, rent emergency aid	1/19 JEC		1							1					
		RULES & LEGISLATIVE ADMINISTRATION															
HF0001*	Solberg	Legislature	1/7 RU	RU	1/19 rpa		1/25	126-0	1/26								
SF0038	Luther	obsolete committee references deleted	1/14 RA	RA	2/9 rp												
		TRANSPORTATION															
HF0006	Osthoff	Drivers' license revocation	1/7 TR	TR	1/20 rpa												
SF0012	Chmielewski	opposed for drug offenses	1/7 TPT	TPT	1/21 rp												
		WAYS & MEANS															
HF0011*	Vellenga	Verdi School District-	1/7 ED	WM	1/21 rp†		1/25	129-0	1/26		1/28	1/29 (2)					
SF0047	Lesewski	levies certified	1/14 ED	ED	1/21 rpa		1/28	61-0	0 /22		. 0 /22	<u> </u>					
HF0035*	Olson, E.	Certain school districts—	1/11 ED	WM	1/28 rp†		2/9	116-7	2/11		2/11						
SF0052	Moe, R.D.	levy recertification	1/19 ED	FN	2/11 rpa†		2/11	66-0									

CED

†HF0051-CED 1/19 h, a; 1/26 h Fl †SF0002-HC 1/6 rpa, reCCP; CCP 1/11 rpa WM †HF0011-ED 1/14 rpa reTA; TA 1/19 rp, reWM †HF0035-ED/edf 1/20 rpa, reED; ED 1/21 rpa, reTA; TA 1/21 rpa, reWM †SF0052-ED 2/1 rpa, reRA; RA 2/9, reFN

Bill Introductions

Tuesday, Feb. 9

HF209-Wenzel (DFL) Judiciary

Murder of peace officer parole eliminated, shooting at homes or vehicles penalties provided, minor prostitution and assault penalties increased, juvenile adult certification age and sex offender registration modified; money appropriated.

HF210—Nelson (DFL) Agriculture

Farmer-lender mediation program extended and money appropriated.

HF211—Cooper (DFL) Governmental Operations & Gaming Compulsive gambling program grantees specified and money appropriated.

HF212-Pugh (DFL)

Judiciary Child removal from state standard provided in joint physical custody cases.

HF213—Sparby (DFL)

Gen. Leg., Veterans Affairs & Elections Omnibus election campaign and ethics reform bill, and money appropriated.

HF214—Sparby (DFL)

Gen. Leg., Veterans Affairs & Elections Omnibus election campaign and ethics reform bill, and money appropriated.

HF215—Sparby (DFL)

Gen. Leg., Veterans Affairs & Elections Omnibus election campaign and ethics reform bill, and money appropriated.

HF216—Wejcman (DFL)

Judiciary

Statute of limitations lengthened for human rights unfair discriminatory practice grievances.

HF217—Wejcman (DFL) Judiciary

Third-party child visitation rights denial restricted.

HF218—Stanius (IR)

Capital Investment Public land and building acquisition and capital improvement bond issuance authorized, bond canceling provided, appropriations reduced, and money appropriated.

HF219-Olson, K. (DFL) Education

General education revenue reduction formula modified for large fund balances and allocation provided to the transportation and community services funds.

HF220-Perlt (DFL)

Local Government & Metro. Affairs

Oakdale authorized to annex certain state land in Washington county for highway right-of-way purposes.

HF221-Tunheim (DFL) Education

Independent School District No. 437, Argyle, authorized to transfer funds from its debt redemption fund to the capital or transportation funds.

HF222-Weaver (IR) Judiciary

Reasonable force criminal and civil immunity provided to school officials, and unlawful possession of a firearm or dangerous weapon on school district property or buses provided felony penalty.

HF223—Smith (IR)

Taxes

Probate; property tax penalties and delinquency exemption provided to property under probate court jurisdiction.

HF224—Swenson (IR)

Judiciary

Inmate wage garnishment authorized to pay courtordered fines, and parent or guardian of a minor victim of harassment allowed district court restraining order.

HF225—Greenfield (DFL) Health & Human Services

Nursing home bed moratorium exception approval process modified and provided funding; resident appeal process modified; operating cost limits extended; income divestiture studied; and money appropriated.

HF226—Cooper (DFL)

Health & Human Services Comprehensive health maintenance services to include ambulance transportation services.

HF227-Bauerly (DFL)

Health and Human Services Adult foster care licensees allowed additional program operations.

HF228-Brown, C. (DFL)

Local Government & Metro. Affairs Annexation elections provided and annexation by ordinance conditions modified.

HF229---Cooper (DFL)

Health & Human Services Adult foster care group residential housing rate reimbursement modified for resident absences due to illness or injury.

HF230-Delmont (DFL)

Judiciary Chief judges conference authority repealed for charging certain misdemeanors as petty misdemeanors.

HF231—Skoglund (DFL) Local Government & Metro, Affairs

Metropolitan Airports Commission authorized to enter into agreements with local governments for providing police patrols off commission property.

HF232-Skoglund (DFL)

Gen. Leg., Veterans Affairs & Elections National guard mutual assistance counterdrug activities compact ratified.

HF209-HF324

HF233-Skoglund (DFL)

Gen. Leg., Veterans Affairs & Elections National guard use by the governor clarified for protection of persons and property.

HF234—Sviggum (IR)

Local Government & Metro. Affairs Local government increased employee costs voter ratification required, local government aids modified, appropriations limited, and money appropriated.

HF235-Tunheim (DFL)

Governmental Operations & Gaming Smear, pinochle, and whist tournaments authorized on licensed gambling organization premises for senior citizens.

HF236-Welle (DFL)

Health & Human Services Nursing facility intra-family sales authorized upon the death, disability, or retirement of the owner.

HF237—Anderson, I. (DFL)

Local Government & Metro. Affairs Auditor and treasurer office combination procedures provided for counties.

HF238-Molnau (IR)

Local Government & Metro. Affairs Town elections authorized on general election day.

HF239—Pawlenty (IR)

Governmental Operations & Gaming Eagan volunteer firefighters' relief association provided increased flexible service pension maximums.

HF240-Greenfield (DFL)

Health & Human Services Nursing home bed license surcharges and waivers modified.

HF241-Greenfield (DFL)

Health & Human Services Housing Finance Agency authorized to finance residential care facilities for elderly or physically infirm or impaired persons, and money appropriated.

HF242—Greenfield (DFL)

Health & Human Services Nursing homes authorized reimbursement of selfinsured workers' compensation program money reserves.

HF243—Pugh (DFL) Judiciary Common interest ownership act adopted.

HF244—Pugh (DFL)

Judiciary Parentage act venue of action provided in respondent's county.



HF245—Leppik (IR) Judiciary

Child abuse guardians ad litem training provided, family court child abuse allegation procedures clarified, and money appropriated.

HF246—Brown, K. (DFL) Education

Transportation; late activity transportation levy restriction removed and makeup late activity transportation levy provided.

HF247—Klinzing (DFL)

Taxes Levy limit penalties canceled.

HF248—Welle (DFL)

Local Government & Metro. Affairs Contract requirement limits increased for local government improvements.

HF249—Seagren (IR)

Education School districts authorized to levy for interest paid on abatement refunds.

HF250—Pauly (IR)

Environment & Natural Resources Infrared detection or monitoring equipment use prohibited for hunting.

HF251—Skoglund (DFL)

Judiciary Child neglect to include failure to provide education.

HF252-Murphy (DFL)

Health & Human Services Smoking prohibited in a family or group family licensed day care center.

HF253—Lasley (DFL)

Gen. Leg., Veterans Affairs & Elections Presidential primary by mail established, primary date earlier and filing fee increased, and public listing of party choice clarified.

HF254—Bauerly (DFL)

Gen. Leg., Veterans Affairs & Elections County commissioners provided district residence requirement exemptions in redistricting years.

HF255—Johnson, A. (DFL)

Labor-Management Relations Employee wage protection act established and money appropriated.

HF256---Steensma (DFL) Agriculture

Livestock activity civil liability limited.

HF257—Anderson, R. (DFL) Taxes

Investment income tax credit provided for certain qualifying property, and replacement capital equipment exempted from sales tax.

HF258—Perlt (DFL)

Environment & Natural Resources Washington County authorized to sell certain land bordering public water to Oakdale.

HF259---Dauner (DFL)

Local Government & Metro. Affairs Notice and list of delinquent property and financial statement publications modified.

HF260—Lasley (DFL) Education

Commercial-industrial property net tax capacity excluded from school district's net tax capacity, certain factors exempt districts from referendum allowance limitations, present referendum sunset provided, and money appropriated.

HF261—Cooper (DFL) Capital Investment

School building accessibility capital improvement grant act adopted, bond issuance and levies authorized, and money appropriated.

HF262-Pugh (DFL)

Judiciary

Public petition and participation civil actions provided procedures and remedies, and S.L.A.P.P. lawsuits regulated.

HF263—Rukavina (DFL)

Education Consolidated school districts provided special consolidation aid, and money appropriated.

HF264-Johnson, R. (DFL)

Judiciary Child in need of protection or services and child abuse definitions modified.

HF265—Cooper (DFL) Taxes

Agricultural property tax classification rates changed, assessment/sales ratio study modified.

HF266—Cooper (DFL) Education Property tax effects due to levie:

Property tax effects due to levies required, health and safety levy limit modified.

HF267—Macklin (IR)

Taxes Tax incentives both state and local provided for certified small business, and money appropriated.

HF268—Smith (IR)

Health & Human Services Social security number required for general assistance applicant eligibility, and county agencies to verify applicant citizenship or alien status.

HF269—Hasskamp (DFL) Environment & Natural Resources

Cuyuna country state recreation area established.

HF270—Sarna (DFL) Governmental Operations & Gaming St. Paul fire department relief association allowed to pay refund to estate of certain member.

HF271—Lasley (DFL) Gen. Leg., Veterans Affairs & Elections Voter information guide developed, toll-free election information line established, and money appropriated.

HF272—Solberg (DFL) Governmental Operations & Gaming Public safety department abolished.

Thursday, Feb. 11

HF273—Olson, E. (DFL) Taxes

General education tax levy to exclude certain land and provided based on school district modified net tax capacity, disparity reduction aid modified, and income tax rate schedules adjusted.

HF274-Onnen (IR)

Rules & Legislative Administration Initiative and referendum provided and constitutional amendment proposed.

HF275—Dauner (DFL) Taxes

Property taxes; game and fish fund disbursements and proceedings modified for payment of certain in-lieu taxes.

HF276-Peterson (DFL)

Education Joint powers district No. 6011, Lac qui Parle Valley, provided exemptions from cooperation and combination revenue use restrictions.

HF277—Peterson (DFL)

Agriculture Cervidae farming promoted as an agricultural pursuit.

HF278—Rukavina (DFL)

Housing Housing Finance Agency rehabilitation loan repayment provided for heirs and devisees of deceased borrowers.

HF279—Smith (IR)

Judiciary

Flag burning; American or state flag mutilation clarified and penalties increased.

HF280-Rukavina (DFL)

Commerce & Economic Development Affirmative enterprise program established to encourage the full-time employment of disabled persons in high unemployment areas, and money appropriated.

HF281-Mosel (DFL)

Agriculture Animal health board imposition and collection of civil penalties regulated, swine pseudorabies control program continued and expanded, and money appropriated.

HF282-Nelson (DFL)

Agriculture Farmer-lender mediation program extended and money appropriated.

HF283—Krueger (DFL)

Governmental Operations & Gaming Bonuses based on performance not paid to employees by state or quasi-state agencies.

HF284—Hausman (DFL)

Transportation & Transit Trunk highway No. 280 improvement, expansion, or reconstruction prohibited prior to environmental review process completion by Metropolitan Council, and noise standard variance exemption prohibited.

HF285-McGuire (DFL)

Judiciary Domestic abuse arrest policy requirements clarified for law enforcement agencies.

HF286—Welle (DFL) Education

Independent School District No. 345, New London-Spicer, time extended for entering into construction contracts.

HF287—Wagenius (DFL)

Environment & Natural Resources Waste management practices changed and emphasis placed on waste reduction and recycling.

HF288—Kalis (DFL) Taxes

General education tax levy to exclude certain land and provided based on school district modified net tax capacity, disparity reduction aid modified, and income tax rate schedules adjusted.

HF289—Wenzel (DFL) Taxes

General education tax levy to exclude certain land and provided based on school district modified net tax capacity, disparity reduction aid modified, and income tax rate schedules adjusted.

HF290—Klinzing (DFL) Health & Human Services

Health & Human Services Woman's right to know act adopted.

HF291—Onnen (IR)

Education

Independent School District Nos. 880, Howard Lake-Waverly, and 15, St. Francis, authorized a second day to conduct a general education revenue referendum.

HF292-Dorn (DFL)

Environment & Natural Resources Finance Sakatah Singing Hills state trail betterment appropriated money.

HF293—Beard (DFL)

Toxes Credit card payment of property taxes provided.

HF294—Simoneau (DFL)

Health & Human Services Anoka County special services licensed board and lodging establishment provided exemption to group residential housing bed moratorium.

HF295—Jacobs (DFL)

Regulated Industries & Energy Energy conservation improvement cost rate adjustments authorized for public utilities.

HF296—Bertram (DFL)

Financial Institutions & Insurance Credit union share certificate investments regulated, reverse mortgage loans authorized, and deposit authorized of various funds.

HF297—Delmont (DFL) Judiciary

Pistol permit conviction denial to include stayed sentences and pretrial diversion program placements.

HF298—Jacobs (DFL)

Local Government & Metro. Affairs Anoka county coroner office created.

HF299-Rodosovich (DFL)

Gen. Leg., Veterans Affairs & Elections Precinct boundary data procedures and requirements modified.

HF300—Delmont (DFL) Judiciary

Life imprisonment provided for kidnapping if victim is not found at time of sentencing.

HF301—Tompkins (IR)

Transportation & Transit Trunk highway route No. 279 in Dakota county redesignated and jurisdiction transferred.

HF302—Lasley (DFL)

Education

Independent School District No. 138, North Branch, appropriated money for error in debt service equalization aid.

HF303—Lasley (DFL)

Gen. Leg., Veterans Affairs & Elections Political party public subsidies allocated equally to state senator and state representative candidates, unopposed candidates not to receive public subsidy, and political contribution tax credit refund reduced.

HF304—Greenfield (DFL)

Health & Human Services Faribault and Cambridge community health clinics provided designation as federally qualified health centers, community-based program expansion encouraged, and money appropriated.

HF305—Wolf (IR) Judiciary Child abandonment provided felony criminal penalties.

HF306—Tompkins (IR) Health & Human Services Child care centers to allow use of reuseable diapers.

HF307—McCollum (DFL) Regulated Industries & Energy Military identification card allowed as proof of age for purchasing or consuming alcohol.

HF308-Bergson (DFL)

Education Youth works act adopted and money appropriated.

HF309—Osthoff (DFL) Taxes

Earned income tax credit increased, sales tax lowered, new clothing provided sales tax, baby products exempted from sales tax, and local option sales tax and local government trust fund deposit percentage lowered.

HF310-Osthoff (DFL)

Transportation & Transit Property acquisitions prohibited for construction, reconstruction, or improvement of certain portions of interstate highway Nos. 35W and 494.

HF311-Onnen (IR)

Health & Human Services Children Helped in Long-term Development (CHILD) program established for child abuse prevention and money appropriated.

HF312—Jacobs (DFL)

Taxes

MinnesotaCare health care provider tax repealed, income tax rates changed, and health care access fund deposits provided.

HF313-Kinkel (DFL)

Health & Human Services Liquor tax increased and additional funding provided to the chemical dependency treatment account.

HF314-Mariani (DFL)

Transportation & Transit Highway user tax distribution funds authorized for general transportation purposes; metropolitan area highway projects and planning prescribed; transit cost tax deductions and credits provided; light rail bonds issued; money appropriated.

HF315—Seagren (IR)

Education Instruction hour flexibility provided to school districts.

HF316—Rukavina (DFL)

Environment & Natural Resources Iron mines and production facilities maintained in salable operating condition.

HF317—Luther (DFL) Education

Youth works act adopted and money appropriated.

HF318—Bishop (IR) Governmental Operations & Gaming Optical disk storage provided for government records.

HF319—Bishop (IR) Transportation & Transit Motorcycle operators and passengers under 21 years of age required to wear helmets.

HF320-Bishop (IR)

Judiciary Kidnapping, bullet-resistant vest, burglary, and law enforcement transmission receipt crimes excluded from double jeopardy protection.

HF321—Kahn (DFL) Governmental Operations & Gaming Gambling control omnibus bill.

HF322—Ness (IR) Education Career counseling plans developed by postsecondary systems.

HF323—Osthoff (DFL) Gen. Leg., Veterans Affairs & Elections Local uniform election procedures provided.

HF324—Garcia (DFL)

Transportation & Transit Mobility trust and surface transportation funds created and retail sales tax imposed on gasoline and special fuels.

Coming Up Next Week . . . Feb. 15 - 19, 1993

Committee Schedule

This schedule is subject to change. For information updates, call House Calls at (612) 296-9283. All meetings are open to the public.

MONDAY, Feb. 15

8 a.m.

ECONOMIC DEVELOPMENT, INFRASTRUCTURE & REGULATION FINANCE

300N State Office Building Chr. Rep. Jim Rice **Agenda:** Review of agency and proposed budget, Indian Affairs Council.

Human Services Finance Division/ HEALTH & HUMAN SERVICES

10 State Office Building Chr. Rep. Lee Greenfield Agenda: Presentation of Minnesota Health Care Commission's cost containment report.

K-12 Education Finance Division/ EDUCATION

200 State Office Building Chr. Rep. Kathleen Vellenga

Agenda: Report on school lunch and breakfast programs: governor's budget recommendations 801 and 813; Minnesota School Foods Association.

HFXXXX (Johnson, A.) Funding for school lunch and breakfast.

HFXXXX (Bauerly) Funding for school breakfast. Continuation of governor's general education recommendations, Tom Melcher, education finance team leader, Minnesota Department of Education.

HF180 (Anderson, I.) Secondary sparsity revenue increased.

HFXXXX (Tunheim) Adjustment to sparsity formula.

8:30 a.m.

ENVIRONMENT & NATURAL

RESOURCES FINANCE Basement Hearing Room State Office Building

Chr. Rep. David Battaglia Agenda: Committee informational meeting (no agency testimony).

Higher Education Finance Division/ EDUCATION

5 State Office Building Chr. Rep. Peter Rodosovich Agenda: Discussion concerning the Higher Education Coordinating Board and the Private College Council.

9:55 a.m.

REGULATED INDUSTRIES & ENERGY

U.S. West Facility (St. Paul) Chr. Rep. Joel Jacobs **Agenda:** Tour of the U.S. West facility (St. Paul). Bus to be met at the east doors of the State Office Building at 9:55 a.m.

10 a.m.

AGRICULTURE

5 State Office Building Chr. Rep. Steve Wenzel **Agenda:** To be announced.

State Government Finance Division/ GOVERNMENTAL OPERATIONS & GAMING 300N State Office Building Chr. Rep. Rick Krueger Accorde: Overview of the Department of

Agenda: Overview of the Department of Trade and Economic Development.

12:30 p.m.

GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS

300N State Office Building Chr. Rep. Wally Sparby **Agenda:** Presentations by Tom Berg, Joan Higinbotham of Common Cause.

HF163 (Sparby) Campaign reforms; candidates limited to one campaign committee, challengers first time spending limits higher, contribution limit lowered, public matching subsidy provided, corporate contributions modified, and money appropriated.

HOUSING

500S State Office Building Chr. Rep. Karen Clark Agenda: Presentation by Mike Anderson of the Metropolitan Interfaith Council on Affordable Housing on a study done by the Center on Budget and Policy Priorities, "A Place to Call Home - The Crisis in Housing for the Poor." HFXXXX (Simoneau) Family homelessness prevention and assistance program. HFXXXX Mortgage foreclosure prevention program.

LABOR-MANAGEMENT RELATIONS

200 State Office Building Chr. Rep. Pat Beard

Agenda: HF199 (Winter) Workers' Compensation Reinsurance Association to provide refunds to the state fund mutual insurance company.

HF0097 (Rukavina) Public Employment Labor Relations Act (PELRA) definition modified for confidential employee.

2:30 p.m.

The House meets in Session

6 p.m.

Legislative Water Commission

500S State Office Building Dir. Susan Schmidt

Agenda: Mississippi River Headwaters Board report on 1993 legislative initiative. Discussion of CORE recommendations with a focus on water. Report on Environmental Consulting Services by MDA and the Department of Commerce.

TUESDAY, Feb. 16

8 a.m.

ECONOMIC DEVELOPMENT, INFRASTRUCTURE & REGULATION FINANCE

300N State Office Building Chr. Rep. Jim Rice **Agenda:** Review of agency and proposed budget, Ethical Practices Board.

EDUCATION

200 State Office Building

Chr. Rep. Lyndon Carlson

Agenda: Continuation of overview of youth apprenticeship. Governor's proposal on youth apprenticeship. Report from the Minnesota Task Force on Education and Employment Transitions.

ENVIRONMENT & NATURAL RESOURCES FINANCE Tour

Chr. Rep. David Battaglia Agenda: Tour of the Pollution Control Agency. Transportation available at 8 a.m., State Office Building.

Health & Housing Finance Division/ HEALTH & HUMAN SERVICES

400S State Office Building Chr. Rep. Bob Anderson **Agenda:** Discussion regarding the Housing Finance Agency and the Veterans Home Board.

TAXES

5 State Office Building Chr. Rep. Ann Rest

Agenda: Tax Research Division/Department of Revenue presentations: Minnesota individual income tax; comparison of 1991 individual income tax burdens by state; property tax regressivity in Minnesota; 1990 property tax relief for Minnesotans.

10 a.m.

ENVIRONMENT & NATURAL RESOURCES

Tour Chr. Rep. Willard Munger Agenda: St. Paul beverage container tour to Schroeder Milk Co., Roseville, and Stroh's Brewery, St. Paul (second tour tentative).

GOVERNMENTAL OPERATIONS & GAMING

10 State Office Building Chr. Rep. Phyllis Kahn Agenda: Presentation by CORE, Arend Sandbulte, chair, and others.

Judiciary Finance Division/JUDICIARY

300S State Office Building Chr. Rep. Mary Murphy Agenda: Overview of the Community Corrections Act.

12:30 p.m.

CAPITAL INVESTMENT

500N State Office Building Chr. Rep. Henry Kalis

Agenda: Department of Education, School Facilities Team to discuss maximum effort school loans, cooperative facilities grants, health and safety capital improvements, and compliance with the American Disabilities Act.

Subcommittee on Transit/ LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

200 State Office Building Chr. Rep. Thomas Pugh Agenda: Structural overview of the Regional Transit Board. 2:30 p.m.

State Government Finance Division/ GOVERNMENTAL OPERATIONS & GAMING

300N State Office Building

Chr. Rep. Rick Krueger

Agenda: Administrative hearings: overview and budget of the Minnesota Amateur Sports Commission; budget of the Capitol Area Architectural and Planning Board.

3 p.m.

Legislative Commission on Planning and Fiscal Policy

10 State Office Building

Chr. Rep. Dee Long

Agenda: 1) State Accounts Receivable Project representatives from Andersen Consulting, the Departments of Revenue, Finance, and Human Services, and the Attorney General's Office will report on current cross-agency receivables balances, recommendations for their collection, and plans to improve future collections.

2) Children & Education Services representatives from the Carlson administration will discuss the governor's proposal to consolidate the Department of Education and related functions/programs and the proposal's impact on state agencies, school districts, counties, and other government units.

WEDNESDAY, Feb. 17

8 a.m.

ECONOMIC DEVELOPMENT, INFRASTRUCTURE & REGULATION FINANCE

300N State Office Building Chr. Rep. Jim Rice Agenda: Review of agency and proposed budget, Minnesota Humanities Commission.

Human Services Finance Division/ HEALTH & HUMAN SERVICES

10 State Office Building Chr. Rep. Lee Greenfield Agenda: Department of Human Services budget presentation regarding health care management.

Higher Education Finance Division/ EDUCATION

5 State Office Building Chr. Rep. Peter Rodosovich **Agenda:** Reports by Ron Hackett, Department of Finance; Curt Johnson, Governor's Office.

K-12 Education Finance Division/ EDUCATION

200 State Office Building Chr. Rep. Kathleen Vellenga Agenda: Governor's recommendation on referenda, Tom Melcher and Gary Olson, Minnesota Department of Education. HF123 (Ness) Referenda allowed in May.

HF149 (Bauerly) Referendum revenue program to include discretionary revenue, equalization aid increased, and supplemental revenue eliminated.

HF260 (Lasley) Commercial and industrial property excluded from school district referendum levy tax base and statewide equalization property tax created; debt service levies equalized; referenda reauthorized and caps eliminated; and money appropriated.

HFXXXX (Kelso) Phase-in of market value tax base for referenda.

HF291 (Onnen) Referendum authorized for Howard Lake-Waverly and St. Francis School districts.

Governor's recommendations on cash-flow borrowing, revenue shift, and non-public aid.

8:30 a.m.

ENVIRONMENT & NATURAL

RESOURCES FINANCE Basement Hearing Room State Office Building Chr. Rep. David Battaglia Agenda: Budget presentation by the Minnesota Board of Water and Soil Resources.

10 a.m.

Subcommittee on Civil Law/JUDICIARY 300S State Office Building Chr. Rep. Thomas Pugh

Agenda: HF0047 (Dawkins) Mortgage satisfaction or release following corporate mortgagee or assignee identity change clarified, and mortgage foreclosure notices provided. HF0045 (Bishop) Health care durable power of attorney established.

Subcommittee on Criminal Justice & Family Law/JUDICIARY

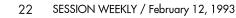
Basement Hearing Room State Office Building Chr. Rep. Phil Carruthers **Agenda:** HF178 (Carruthers) Firearm reckless discharge from a motor vehicle provided felony penalty.

HF143 (Orenstein) Firearm reckless discharge in a municipal residential area provided felony penalty.

FINANCIAL INSTITUTIONS & INSURANCE

5 State Office Building Chr. Rep. Leo Reding

Agenda: HF139 (Bauerly) Santiago authorized to establish a detached banking facility. HF146 (Reding) Detached banking facility acquisition modified for bank and savings associations.



State Government Finance Division/ GOVERNMENTAL OPERATIONS & GAMING

300N State Office Building Chr. Rep. Rick Krueger Agenda: Overviews of the Department of Finance and the governor and lieutenant governor.

12:30 p.m.

International Trade, Technology, & Economic Development Division/ COMMERCE & ECONOMIC DEVELOPMENT

500S State Office Building Chr. Rep. Mike Jaros Agenda: Presentation by James Hayes, executive director, Minnesota Project Innovation. HF167 (Bauerly) Minnesota Business Finance, Inc., created to provide capital for commercial borrowers through the Small Business Administration (SBA).

Tourism & Small Business Division/ COMMERCE &

ECONOMIC DEVELOPMENT 300N State Office Building

Chr. Rep. Jim Tunheim Agenda: HF165 (Jennings) Ski safety act adopted.

TRANSPORTATION & TRANSIT

10 State Office Building Chr. Rep. Tom Osthoff

Agenda: Reports on InterModal Surface Transportation Efficiency Act (ISTEA), Merritt Linzie, director, Office of Highway Programs for MnDOT; Minnesota Association of Townships, David A. Fricke, executive director; Opt Out Transit Systems, Diane Harberts, Southwest Metro Transit, and others.

2 p.m.

Legislative Commission on Pensions and Retirement

318 State Capitol

Chr. Sen. Phil Riveness

Agenda: Ambulance personnel longevity program.

HF0007 (Cooper)/SF0020 (Beckman) Ambulance service personnel longevity award and incentive program established, drivers' license surcharge imposed, and money appropriated.

SF214 (Stumpf)/HFXXXX Ambulance service personnel longevity award and incentive program.

HF188 (Winter)/SFXXXX Ambulance service personnel longevity award and incentive program established, drivers' license surcharge imposed, and money appropriated.

THURSDAY, Feb. 18

8 a.m.

ECONOMIC DEVELOPMENT, INFRASTRUCTURE & REGULATION FINANCE

300N State Office Building Chr. Rep. Jim Rice Agenda: To be announced.

EDUCATION

200 State Office Building Chr. Rep. Lyndon Carlson **Agenda:** Overview of proposal for the new department of children and educational services.

Health & Housing Finance Division/ HEALTH & HUMAN SERVICES 400S State Office Building Chr. Rep. Bob Anderson Agenda: Report regarding the Department of Jobs and Training.

TAXES

5 State Office Building Chr. Rep. Ann Rest **Agenda:** To be announced.

8:30 a.m.

ENVIRONMENT & NATURAL RESOURCES FINANCE

Basement Hearing Room State Office Building Chr. Rep. David Battaglia **Agenda:** Budget presentation by the Pollution Control Agency.

10 a.m.

ENVIRONMENT & NATURAL RESOURCES

200 State Office Building Chr. Rep. Willard Munger Agenda: Reports on the role and function of the Minnesota Pollution Control Agency Citizens' Board; pesticide container collection and recycling, Department of Agriculture; petrofund reimbursement for leaking storage tanks, legislative auditor, Pollution Control Agency, Department of Commerce.

GOVERNMENTAL OPERATIONS & GAMING

10 State Office Building Chr. Rep. Phyllis Kahn **Agenda:** Overview of lawful gambling and gambling taxation issues.

Judiciary Finance Division/JUDICIARY

300S State Office Building Chr. Rep. Mary Murphy Agenda: Department of Finance overview of accounts.

12:30 p.m.

Subcommittee on Metropolitan Government/ LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

200 State Office Building Chr. Rep. Linda Wejcman **Agenda**: Structural overview of the Metropolitan Waste Control Commission.

2:30 p.m.

The House meets in Session

FRIDAY, Feb. 19

8 a.m.

Human Services Finance Division/ HEALTH & HUMAN SERVICES

10 State Office Building Chr. Rep. Lee Greenfield **Agenda:** Continuation of the Department of Human Services budget presentation on health care management.

K-12 Education Finance Division/ EDUCATION

200 State Office Building

Chr. Rep. Kathleen Vellenga

Agenda: Governor's recommendations for transportation.

HF246 (Brown, K.) Transportation; late activity transportation levy restriction removed and makeup late activity transportation levy provided.

10 a.m.

TRANSPORTATION & TRANSIT

10 State Office Building

Chr. Rep. Tom Osthoff

Agenda: Report from the Minnesota Transit Commission, Mike Christenson, chief administrator; Bev Auld, assistant chief administrator; Tom Weaver, general counsel (continuation of 1/27 presentation). Presentation on toll roads by Bob Zauner, Zauner Consulting Ltd.; Bob Gabler, Norwest Bank; Bob Gregg, Hughes Aircraft; HGR Engineering.



MINNESOTA HOUSE OF REPRESENTATIVES PUBLIC INFORMATION OFFICE 175 STATE OFFICE BUILDING ST. PAUL, MN 55155-1298

Speaker of the House: Dee Long Majority Leader: Alan W. Welle Minority Leader: Steven A. Sviggum

MINNESOTA

Lakes, fishing, and treaties

Hours anglers spent on Lake Mille Lacs, 1985 in 1992, in millions	
Pounds of walleye taken from Lake Mille Lacs, May 9-June 30, 1992	
percent increase over a typical year	
Typical walleye 'harvest,' in a summer, in pounds	355,000
in number of fish	240,000
Pounds taken in 1985	
Weight of "Willie the Walleye," in Baudette, Minn., in pounds	9,853
Number of walleye 'harvested' by Wisconsin Chippewa, off-reservation	
spearing season, 1991	
Walleye caught by hook and line on Lake Mille Lacs, summer, 1992	
Ratio of those walleyes caught on Lake Mille Lacs to Minnesota residents	
Licensed sturgeon spearers on Lake Winnebago, Wis., 1989	
in 1990	8,260
Hours the average Minnesota angler spent fishing per	
walleye caught, 1985	
in 1992	4
Pounds of walleye Mille Lacs Band allowed to harvest under proposed	
DNR/Ojibwe agreement, given current catch, annually	
Pounds of walleye, per Band member	9
Percent of Lake Mille Lacs area to be under Ojibwe control as specified	4.5
by DNR/Ojibwe agreement	
Percent of Lake Mille Lacs remaining open to non-Band anglers	
Acres ceded to the U.S. by Ojibwe in 1837, in millions	
Number of those acres now owned by the state	
Number of acres that would be returned to Ojibwe, with agreement	
Acres of private land to be conveyed to Ojibwe under the proposed agree	
Members of Mille Lacs Band of Ojibwe Indians	
Number living on the Mille Lacs reservation	1,230
Percent increase in mercury contamination, per year, in northeastern Minnesota lakes	25
Minnesota lakes listed by the Department of Health	
whose fish should not be eaten more than once a month due to	
PCB and mercury contamination	300

Source: DNR News Releases, August 1992; Great Lakes Indian Fish & Wildlife Commission; Hibbing Daily Tribune; St. Paul Sunday Pioneer Press; Dec. 20. DNR presentation to House Environment and Natural Resources Committee, Feb. 9, 1993.



For more information . . .

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24-Hour Recorded Information

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