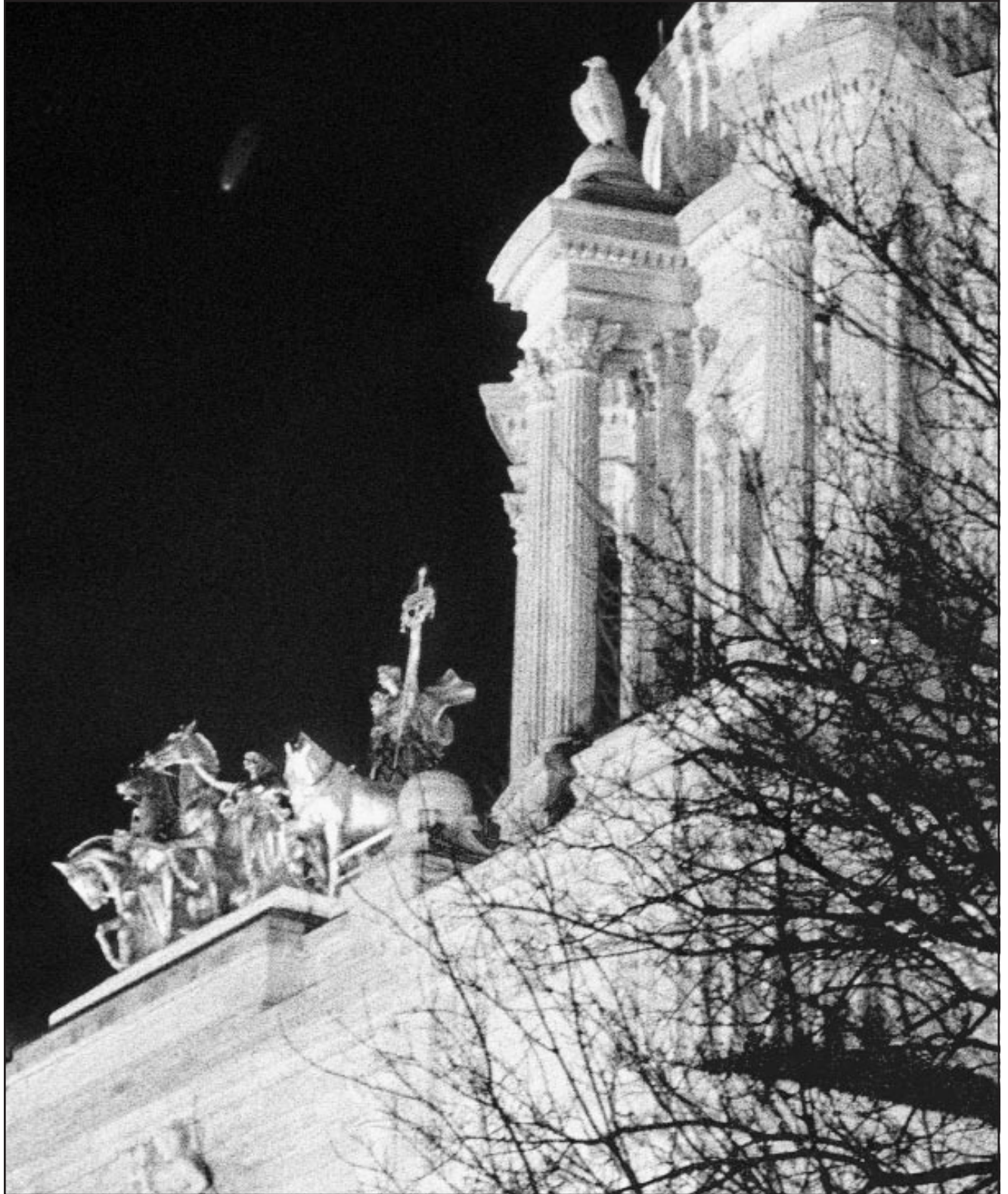


# SESSION WEEKLY

A Nonpartisan Publication of the Minnesota House of Representatives ♦ April 18, 1997 ♦ Volume 14, Number 15



# SESSION WEEKLY

Minnesota House of Representatives • April 18, 1997 • Volume 14, Number 15

*Session Weekly* is a nonpartisan publication of the Minnesota House of Representatives Public Information Office. During the 1997-98 Legislative Session, each issue reports daily House action between Thursdays of each week, lists bill introductions and upcoming committee meeting schedules, and provides other information. The publication is a service of the Minnesota House. No fee.

To subscribe, contact:  
Minnesota House of Representatives  
Public Information Office  
175 State Office Building  
St. Paul, MN 55155-1298  
(612) 296-2146 or  
1-800-657-3550  
TTY (612) 296-9896

Director  
LeClair G. Lambert

Assistant Director/Editor  
Peg Hamerston

Assistant Editors  
John T. Tschida  
K. Darcy Hanzlik

Art & Production Coordinator  
Paul Battaglia

Writers  
Steve Compton, F. J. Gallagher,  
Nick Healy, Celeste Riley

Photographers  
Tom Olmscheid, Laura Phillips,  
Andrew Von Bank

Office Manager  
Toinette L. B. Bettis

Staff Assistants  
Grant Martin, Nicole Thompson

*Session Weekly* (ISSN 1049-8176) is published weekly during the legislative session by the Minnesota House of Representatives Public Information Office, 100 Constitution Ave., St. Paul, MN 55155-1298. Periodicals postage paid at St. Paul, MN, and at additional mailing offices. POSTMASTER: Send address changes to *Session Weekly*, Public Information Office, Minnesota House of Representatives, 175 State Office Building, 100 Constitution Ave., St. Paul, MN 55155-1298.

Printed on recycled paper which is 50% recycled,  
20% post-consumer content.



## Update

The words *elusive* and *longevity* are not common words used in everyday activity in the Legislature. But both words can have a major impact on the outcome of certain ideas that get introduced as a bill. After this week's last deadline for bills to be out of committee and headed to the floor for debate, some new and elusive provisions found their way into large omnibus bills, while many legislative studies this session built up a longevity for being studied, introduced, and reshaped, but never made much headway through the entire process.

During these proceedings, the Hale-Bopp Comet was observed from the Capitol grounds this week (*See cover*), and only will be visible in the northern evening sky for a few more days. This Minnesota visitor, probably seen at the cradle of civilization thousands of years ago, is as durable as it is elusive — as intangible, yet persistent, as the effort to improve on an adequate child care/day care bill (**HF 2147**), that passed out of the House April 17. (*See page 9.*)

Just when things don't always seem what they appear to be, history repeats itself. Child care received bipartisan support and support from the governor who introduced day care legislation back in the early 1970s. And though Hale-Bopp has not been seen for about 4,000 years, a 1997 day care bill some 25 years later is now more refined, more inclusive, and finally prepared for passage into law.

Likewise, this week longevity and elusiveness reappeared for Minnesota's elder statesman and former governor, Harold E. Stassen (*See page 16*), who was 90 years old on April 13. The perennial candidate for U.S. president is the last living signer of the United Nations Charter. Three times elected as governor of the state, the statesman shares the same birthday as another well-known signer of a famous document, Thomas Jefferson.

History *does* repeat itself. Jefferson, a lawyer like Stassen, also served as governor (of Virginia) and was 36 years old in his first term. Stassen was 36 years old in his last term. Jefferson, too, ran for the U.S. presidency, but he won; the nation's highest office was not elusive to him. But Stassen's longevity is as acknowledged as Jefferson's. Their presence is a positive continuance.

Jefferson would have celebrated 254 years with Stassen last Sunday. His impressive contributions to the basic foundations of the country are, in part, why reasonable solutions to adequate child care were passed by the Legislature.

Longevity and elusiveness came together this week in different ways: to fully fund child care "for the next 100 years," according to one of the supporting legislators of the bill; to honor the legacy of one of Minnesota's great elder statesmen; and to give a striking photographic finish to a celestial visitor, millions of miles above the State Capitol dome.

— LeClair G. Lambert

## INSIDE

Highlights .....	3
Features: Harold Stassen, Capitol monuments, Pierce Butler .....	16, 17, 18
Governor's Desk (CH 1 - CH 38) .....	20
Bill Introductions (HF2136 - HF2159) .....	22
Committee Schedule (April 21-25) .....	23

**On the cover:** More than twice the size of the famed Halley's Comet, the subject of science classes nationwide when visible in 1986, Hale-Bopp was caught high above the Capitol dome. The comet, astronomers say, probably won't return for another 2,400 years.

— Photo by Laura Phillips



# Highlights

K-12 school funding . . .

## Omnibus bill stresses technology, standards, safety

**A** bill advancing in the House would provide \$6.7 billion in state aid for education, lengthen the school year for all public schools, and provide new initiatives to help students who fail the state's graduation tests.

**HF1684**, sponsored by Rep. Becky Kelso (DFL-Shakopee), would provide a total increase in state spending for K-12 education of 13.5 percent. (When enrollment growth is factored out, the proposed funding increase stands at 7.4 percent.)

The omnibus K-12 education finance bill would spend about \$225.4 million more than Gov. Arne Carlson proposed for the 1998-1999 biennium. Some of the governor's major education initiatives — including his plan to provide increased tax deductions and new tax credits for parents who send their children to private schools — are not included in the bill.

However, the bill does include provisions that would target funds to assist struggling students, improve school bus safety, and allow for the creation of more charter schools and new laboratory schools.

The bill was approved by the House Education Committee April 14 and by the House Taxes Committee April 17. It now moves to the House Ways and Means Committee.

Here's a look at some of the major provisions of the omnibus bill.

### Formula increases

A total of \$5 billion would be devoted to general education funding for school districts during the two-year budget cycle. The proposal would outspend the governor's recommendations for general education funding by \$52 million.

The bill would provide increases in per-pupil funding for each year of the biennium. Districts currently receive \$3,505 per pupil. The bill would add \$75 in 1998, bringing the sum to \$3,580. (Per-pupil funds are distributed according to "weighted" attendance counts, which provide more revenue for secondary students than for elementary students.)

In 1999, another \$8 would be added, and



The House's omnibus K-12 education finance bill has many provisions that could affect Mrs. Adams' fourth grade class at Snail Lake Elementary School in Shoreview. The proposal provides a 13.7 percent boost in K-12 funding overall, with millions in spending marked for technology and school bus safety initiatives.

other changes would impact the general education funding formula during that year. District cooperation funds that districts now receive separately would be rolled into the per pupil funding, but revenue for transportation and teacher training would be rolled out. The result is that the per-pupil amount would dip to \$3,355, but districts would show a net gain in dollars.

### Hardware, hard cash

The bill includes a total of \$86.8 million to improve technology in schools and public libraries statewide.

A provision in the bill would require each school district to create a technology plan to serve as a road map for future investments in computer equipment and related items. The plan would describe which computer skills will be taught, how technology will be integrated into the curriculum, and how technology will aid implementation of the state's graduation standards. It also would have to provide an inventory of existing technological resources and detail the district's plans for hardware and software investment.

Among other items to be included are

how each district plans to ensure that the technology is accessible to special-needs students and to involve private business, higher education institutions, and other parties in developing and supporting the use of technology use in the classroom.

Each district would be required to submit its technology plan to the Department of Children, Families and Learning for review.

The bill would provide \$30 million for one-time grants to help school districts pursue improvements consistent with their technology plan. The \$30 million would be distributed to districts on a per-pupil basis.

Another \$20 million in grant funding would be available on a competitive basis according to the needs of individual districts. Districts would have to provide matching funds to receive a share of the \$20 million, and the grant funds would have to be spent in a manner consistent with each district's technology plan.

The bill also would provide another \$19 million for telecommunication access grants to help school districts and regional public libraries get connected to the Internet.

## Help for skills tests

Students who fail or are at risk of failing the state's basic skills tests required for high school graduation would be eligible for remedial efforts to provide them more time in the classroom.

A total of \$52 million would be earmarked to provide the equivalent of three weeks additional classroom time for students who fail the basic skills tests or are likely to fail. The additional hours could be logged after school, during weekends, or during the summer.

In 1996, the state began giving basic skills tests in reading and math to eighth grade students, who must pass the tests before they are eligible to graduate from high school. The tests are administered once each year.

Statewide, eighth graders given the test in January 1997 experienced high rates of failure, with 41 percent failing in reading and 30 percent failing math. Results in 1996 were similarly disappointing.

Funds to extend classroom time would be distributed to school districts according to a formula that takes into account the number of students in the district who are receiving free lunches.

## More time in school

All students would spend three more days in the classroom, under the bill.

Current law sets no minimum for the number of days in a school year, but most districts schedule about 170 days of instruction.

The bill would require all districts to add three days of instruction during the 1997-1998 school year. No additional funding would be provided to districts for the three extra days.

Most districts already contract with teachers for more than 180 days. The bill would simply require that more of those days be used for classroom instruction, leaving fewer days available for training and other activities.

## School bus safety

The bill would provide increased funding to school districts for school bus safety improvements that could include retrofitting buses with seat belts and placing adult safety monitors on some buses.

A total of \$6.9 million would be provided to districts for transportation safety funding. That would more than double the amount currently dispersed to districts on a per-student basis.

A total of \$4 million included in that sum would be designated for any of the five following safety purposes: adding seat belts on

buses, providing adult safety monitors, installing video cameras, installing crossing arms, or adding exterior strobe lights.

Adult safety monitors and video cameras are billed as effective methods of improving discipline on buses and making it easier for bus drivers to concentrate on the road. The monitors also can assist drivers in emergency situations.

Crossing arms help to protect children getting on and off buses, and exterior strobe lights help to improve the visibility of buses stopped to pick up or drop off students.

Rep. Darlene Luther (DFL-Brooklyn Park) sponsored separate legislation this year aimed at improving school bus safety, and she successfully pushed to have the additional \$4 million in funds for specific safety measures included in the omnibus bill. (Art. 1, Sec. 69)

Luther's proposal was given additional urgency after an April 9 traffic accident involving a school bus headed for a Monticello, Minn., elementary school. Three children were killed and 13 others were injured when a truck collided with the children's bus.

## School choices

The governor's 1997 education recommendations called for a variety of changes to increase the school choices available to students and parents.

In addition to his call for tax credits and expanded tax deductions for private school tuition, Carlson proposed changes to increase the number of charter schools in the state and to support the creation of laboratory schools, which are schools run under the auspices of colleges or universities.

The governor recommended that the state provide \$7.3 million in charter school start-up grants, \$2.6 million in charter school lease aid, and \$10 million for laboratory schools.

The omnibus bill would not provide the funding Carlson sought for charter schools, and the bill would provide exactly half of what he recommended for laboratory schools.

However, the bill does include the governor's recommendation to remove a provision in current state law capping the number of charter schools allowed in Minnesota at 40.

And the bill would make it easier for existing schools to convert to charter school status. Current law requires 90 percent of teachers at an existing school to vote in favor of making the site a charter school. The bill would change state law to allow such a change as long as a simple majority of teachers favor the move.

Another provision in the bill would in-

crease the amount of state aid that follows a student to a charter school rather than having the funds remain with the student's home district. Such a change could significantly benefit the coffers of charter schools.

The bill's \$5 million for laboratory schools would provide grants to at least three post-secondary institutions for establishing schools designed to foster innovative teaching techniques.

Grant funding for laboratory schools would be available to public or private post secondary institutions.

## Statewide testing

The bill would provide \$5 million for the implementation of a statewide testing system designed to measure educational outcomes and foster accountability in public education.

Separate legislation passed earlier this year and signed into law by the governor requires that the state begin uniform statewide testing during the 1997-1998 school year.

However, that law (**CH1**) does not prescribe exactly how the statewide testing system will work. A special joint committee was created by the House and Senate to develop the framework for the statewide testing system, and the results of that committee's work are expected to be considered in separate legislation.

(Statewide testing has been touted by supporters as a way to increase accountability in public schools by providing a reliable measurement of student and school performance that can be compared to results from other districts and states.)

The House omnibus bill does not address specific characteristics of the new statewide testing requirement, such as who will be tested and what kind of test will be used. But the bill does address how the results of statewide testing would be used to gauge school performance.

Under the bill, test results from 1997-1998 would be used to establish a baseline for each individual school. The future performance of each school would then be evaluated according to its baseline.

The bill also would require the statewide testing system to include rewards for schools that show improvement and assistance for schools that do not.

## Superintendent salaries

A provision in the omnibus bill would permit larger school districts to pay their superintendents more than current state law allows.

Existing state law caps the salary of school superintendents at 95 percent of the

governor's \$114,506 annual salary. Some school districts have complained that the cap hurts their ability to compete with districts in other states for top superintendent candidates.

Rep. Mindy Greiling (DFL-Roseville), who backed the plan to allow certain districts to exceed the cap, said the proposal would allow local school boards to better compete for top superintendents and to set the salary for the position according to what is acceptable within the community.

Under the bill, any district with more than 5,000 students would be allowed to exceed the current salary cap, but only if the superintendent achieves performance incentives included in his or her employment contract.

Contract incentives would have to include goals for improving student achievement and could include other factors such as curriculum improvement and student attendance.

The salary cap for superintendents has been in place since 1983, and several legislative attempts to repeal the cap in recent years have failed.

#### Later starts

A total of \$500,000 would be devoted to grants to help school districts that establish school starting times of 8 a.m. or later.

Advocates of later start times say adolescent students benefit greatly when they are allowed to get a bit more sleep before the school day begins. Better rested students are more prepared to learn and less likely to be disruptive in school, proponents claim.

The case for later start times is supported by a Minnesota Medical Association report showing that adolescents need more sleep — at least 9.5 hours a night — than younger children or adults. And, according to the report, adolescents naturally experience a delayed sleep pattern, which means they are unable to fall asleep as early as adults or younger students.

Supporters also argue that later start times can help to alleviate some of the problems arising when teenagers are released from school early in the afternoon — often as early as 2 p.m. — and left unsupervised.

Earlier in the session, lawmakers considered a proposal backed by Rep. Matt Entenza (DFL-St. Paul) that would have required all students in grades 7 to 12 to start classes no earlier than 8 a.m. Critics of Entenza's proposal said it amounted to state micro-management of local affairs and that it would be problematic and expensive for many districts.

The bill would not mandate that schools

move to an earlier start time. It would simply provide grants to help cover increases in transportation costs in districts that elect to make the change.

Funds included in the bill would be divided into grants of \$50,000 to help 10 districts with transportation costs related to later start times.

#### Breakfast at school

A total of \$500,000 would fund a pilot program testing the benefits of providing breakfast to students at designated elementary schools, regardless of the students' economic status.

Rep. Alice Johnson (DFL-Spring Lake Park) backed the breakfast program as a way to help improve student learning. Her support centered on the belief that students who come to school hungry are unable to concentrate on learning.

Concerns have been raised about the benefits of programs that provided breakfast only to poor students because the stigma attached to participating in such programs may have kept many children away, according to Johnson.

Under the bill, schools receiving grant funding would be required to make breakfast available to all students every school day. However, only schools with at least 33 percent of students on free and reduced-price lunch programs would be eligible for grant funding.

#### Stopping hazing

The bill would require new policies to be developed aimed at preventing hazing among students.

Earlier this session, a Roseville mother and her daughter urged lawmakers to take action to deter hazing. The daughter had been a victim of hazing while a student at Roseville Area High School, and she told legislators that the event was traumatic and dangerous.

The girl claims the school did too little to prevent the hazing before it took place and did not respond appropriately when she reported it afterwards.

Under the bill, the Department of Children, Families and Learning would be required to develop a model anti-hazing policy to be made available to districts. Local school boards would have to adopt a written anti-hazing policy.

District anti-hazing policies would apply to student behavior on and off school grounds and during and after school hours. The policies would have to include disciplinary procedures severe enough to deter students from

participating in hazing.

Districts would be required to include their anti-hazing policies in the student handbook and to post the policies in conspicuous places in the schools.

The bill also would require that student hazing be included among the topics covered in each schools' violence prevention curriculum.

#### Dropping out

The bill includes a provision that would alter the state's compulsory attendance law.

Currently, the state requires anyone age 7 to 16 to be enrolled in school, but a change set to take effect for the 2000-2001 school year would expand compulsory attendance to include everyone age 7 to 18.

The bill would allow students ages 16 to 18 to withdraw from school if they follow procedures designed to inform them of other available educational opportunities.

The student and his or her parent or guardian would be required to meet with school personnel to discuss options such as alternative secondary programs, charter schools, and schools in other districts.

If the student does not elect to continue in an alternative setting, the student and a parent or guardian would be required to sign a statement confirming the student's decision to drop out.

#### Internet pornography

Rep. Charlie Weaver (R-Anoka) urged adoption this year of a requirement that schools use blocking software to shield children from obscene material on the Internet, but the omnibus bill would not go that far.

Critics of the plan to mandate the use of blocking software claim the technology is imperfect and that it denies Internet users access to useful information.

For example, software designed to block sites related to sex can be effective in denying access to pornography, but it also can block sites related to sexual harassment, sexual discrimination, and other legitimate research topics, according to critics of Weaver's proposal.

The bill would require the Department of Children, Families and Learning to develop a model policy for Internet access and use. Each school district would be required to adopt an official Internet use policy within one year of when the department's model policy is prepared.

The department also would be required to evaluate and recommend blocking software to prevent access to obscene or sexually



explicit materials, but use of such software would not be mandated.

### Dial-a-teacher

The bill would provide \$350,000 to keep the Minnesota Homework Helpline up and running for two more years.

The Homework Helpline is a statewide service giving students toll-free access to teachers who can provide assistance on a wide range of academic topics.

The service faced a financial crisis earlier this year and was just days away from shutting down when Target Stores stepped up to provide \$58,000 to keep the help line going through the 1996-97 school year.

The \$350,000 included in the bill would be directed to the Southeast Service Cooperative, which manages the help line, and would cover the help line's operating expenses for the biennium.

Another provision in the omnibus bill would provide \$250,000 to support the Metro Hotline for Homework, a separate service that assists students via the telephone or other interactive technology.

— Nick Healy



## BUSINESS

### Unauthorized switches

It's called slamming. A long-distance telephone company switches a customer's service without the customer's knowledge or approval. The methods can include sending a check, a sweepstakes form, or a survey. What the individual or business often doesn't realize is that by participating or signing, they've authorized the switch.

**HF1123**, sponsored by Rep. Mike Delmont (DFL-Lexington), would label slamming as consumer fraud, and authorize the attorney general's office to take action at a customer's request. The bill was passed by the House April 14 on a 132-0 vote.

The bill says that it is fraudulent to change a customer's service without the customer's verified consent, and that it is the responsibility of the telephone company to prove consent.

"If there's any question" on the customer's part about the switch being legally authorized, "the company has to have an authorization in writing," Delmont said.

A 1996 law required that a long-distance company reinstall a customer's original ser-

vice at no charge and then re-bill the customer at a lower rate if the original charges would have been cheaper. The new bill adds that the company could be required to absorb the long-distance costs accrued while the unauthorized service was in effect.

The bill now goes to the Senate.



## DEVELOPMENT

### Economic development

A \$376.6 million omnibus economic development bill sets aside money over the 1998-1999 state budgeting period for a diverse group of state agencies, from the Minnesota Historical Society to the Department of Economic Security.

A draft of the bill won approval from the Economic Development and International Trade Committee April 16. The provisions of the bill were later combined with the omnibus housing bill, which now moves to the House Ways and Means Committee as **HF2158**.

Among the economic development bill's provisions is a \$10 million appropriation to help Minnesota's welfare families train for jobs. Federal law now requires families to work to receive public assistance.

The bill also sets aside \$10 million to help redevelop vacated, contaminated industrial land, known as brownfields, so new businesses can move in and create jobs. The money would not be used for the cleanup of

the contaminated land (a separate fund does that). Instead, the predevelopment and job creation grant program would pay costs such as land acquisition, demolition of existing structures, and relocation of individuals or businesses.

Minnesota's film industry also would get a \$1 million boost. The money would go to the Minnesota Film Board to establish a film production jobs program. It would pay producers of long-form and narrative films who directly create new film jobs in Minnesota. The Department of Trade and Economic Development would oversee and authorize the payments.

Projects not receiving funding in the bill include the Minneapolis Convention Center and the St. Paul Civic Center. The Minneapolis Convention Center had asked for \$37.5 million to help expand its facilities and make it more competitive nationally. The St. Paul Civic Center had asked for \$51 million in state bonds to help renovate the Civic Center in the hopes of attracting a professional ice hockey franchise. Gov. Arne Carlson had recommended \$4 million in funds for the Civic Center but the Economic Development Finance Division, which put the bill together, opted for no money.

Below is a listing of some of the bill's other provisions.

- \$4 million would go to the Minnesota Youth Program which provides services year-round for young people between the ages of 14 and 21. That dollar figure is above the state base funding of about \$6

### Challenge choir



Rich Scherber is the executive director of Minnesota Teen Challenge, a Minneapolis-based program in which adolescents involved in drugs, prostitution, or gangs receive job training skills and learn to live structured lives. He introduced House members to a choir composed of current program participants April 17, after which the students sang a spiritual song.

million. Participants receive education, skills training, and other support services on an individual basis. They receive academic enrichment designed to improve reading and math skills.

- \$100,000 would go to Mankato State University to establish a rural policy and development center to research issues affecting rural Minnesota, encourage collaboration across higher education institutions to help with problem solving, and provide a resource center for rural communities.
- \$1 million would go to certain Minnesota cities in the form of grants to help combat teen curfew violations, truancy, and gang infiltration.
- \$300,000 would go to the Minnesota Historical Society to distribute locally for Minnesota's territorial sesquicentennial and millennium celebrations.
- \$250,000 would go to Ramsey County to expand the Sister-to-Sister mentoring program which pairs former welfare mothers with those currently on welfare to help them move off public assistance. The county would be required to match the money.
- \$25,000 would go to study the feasibility of a state museum to house fishing-related artifacts, equipment, and memorabilia. The Minnesota Historical Society must present study recommendations to the Legislature.



## ENVIRONMENT

### Environmental spending bill

State spending for environment and agriculture programs would total almost \$624 million over the next two-year budget cycle, under a bill approved by the Environment, Natural Resources and Agriculture Finance Committee April 14.

**HF2150**, sponsored by Rep. Tom Osthoff (DFL-St. Paul), funds the Department of Natural Resources (DNR), the Minnesota Pollution Control Agency (MPCA), the Minnesota Zoo, the Department of Agriculture, and several other state agencies.

A little more than 62 percent of the state spending in the bill — almost \$388 million — would go to the DNR. The MPCA, the next largest recipient under the bill, would receive about \$83 million. The Department of Agriculture would get \$52.4 million.

The spending bill also includes nearly \$37 million for 89 environmental and recreational programs selected by the Legislative Commission on Minnesota Resources (LCMR), which is funded from a two-cent-

per-pack cigarette tax and limited state lottery proceeds. The bill also would abolish the LCMR and transfer its authority to the House Environment, Natural Resources and Agriculture Finance Committee and the Senate Environment and Agriculture Budget Division (*See related story, page 8*).

**HF2150** now moves to the House Ways and Means Committee.

Other provisions of the bill include:

#### State parks, trails, recreation

Funding for state parks and recreation areas would total more than \$57.5 million, a spending increase of \$3.5 million over the previous two-year budget.

A total of \$9 million — \$4.5 million each year — would go to acquire land and improve the metropolitan regional park system. Nearly \$5.1 million would go to expand and improve state park and recreational areas. (An additional \$7 million from the LCMR would supplement the funds for metropolitan and state parks.)

New connections costing \$1.2 million would be added linking the Willard Munger Trail to North St. Paul High School property and to the city of Roseville trail system. Another \$800,000 would be appropriated for other state trail improvements.

The LCMR budget also includes \$1 million for new trail acquisition.

#### Ethanol production

The bill would appropriate \$52.4 million — \$27.4 million in fiscal year 1998 and \$25 million in fiscal year 1999 — for agriculture programs. Of that amount, \$44.6 million would subsidize ethanol producers over the two-year period.

Ethanol is made from the fermentation of corn and other agricultural products and has been used as an additive in gasoline to make it burn more cleanly.

There are currently six major ethanol plants in Minnesota that produce a total of 92 million gallons of ethanol per year. That is still short of the 120 million gallon state goal which would allow Minnesota to become ethanol self-sufficient. The state still imports ethanol from plants in Illinois, Iowa, and Nebraska.

Since October 1995, automobiles in the 10-county metropolitan area have been required to burn "oxygenated fuel" year round. (The law was enacted in 1991 because the Twin Cities was in violation of federal Environmental Protection Agency clean air requirements. Adding one part ethanol for every 10 parts of gas is one way to oxygenate gas.)

Beginning Oct. 1, 1997, all gasoline sold in the state will have to be oxygenated, which will further increase demand for ethanol.

#### Snowmobile trails

Minnesota's snowmobile trail fund has an operating deficit of \$2.5 million for the 1997 fiscal year, according to a report from the Minnesota Snowmobile Advisory Committee. Dennis Asmussen, director of Trails and Waterways for the DNR, testified at a January committee hearing that the state's Snowmobile Trail Enforcement Account has not been adequate to operate and maintain the existing 18,047 mile trail system.

At the same time, the number of registered snowmobile users in the state increased 41 percent over the past 10 years. Today's snowmobiles are bigger and more powerful than when many of the state's snowmobile trails were built.

The bill would appropriate \$5.1 million each year for snowmobile trails and enforcement. Most of the money would go to local snowmobile clubs to pay for trail grooming under the state grants-in-aid program.

#### Fish and wildlife

More than \$86.5 million would be spent in fiscal years 1998 and 1999 on programs for lake, stream, and wildlife area management.

Nearly \$2 million would be marked for non-game wildlife management programs. Another \$2.7 million would be marked to fund game and fish critical habitat programs and wetlands protection under the Reinvest in Minnesota (RIM) program.

The LCMR recommendations add another \$3.2 million for RIM programs.

#### Clean air and water

The MPCA would continue existing programs to clean up Minnesota lakes and rivers with \$23.3 million in state funds, under the bill. It would receive another \$15.4 million for air pollution programs, and almost \$31.2 million for protection of groundwater and management of solid waste.

#### Agricultural potpourri

Other agriculture programs that would be funded include:

- \$8.3 million for the Agricultural Utilization Research Institute, including \$150,000 for marketing a value-added agricultural product by a community-based youth program, and \$200,000 each year to develop a program for hybrid tree plantations.
- \$1 million for teams of dairy experts to provide professional consulting services to

- small- and medium-sized dairy farms;
- \$500,000 for the University of Minnesota to study livestock odor and low-emission alternative management techniques for swine farrowing and feeder pig production; and
- \$700,000 for the Board of Animal Health, including \$40,000 to identify cattle herds infected with para-tuberculosis or “Johne’s disease” and \$89,000 for the University of Minnesota College of Veterinary Medicine for a companion animal resource education program.

## Lottery funding unstuck

The third time was a charm for a bill to extend the dedication of state lottery revenue for environmental purposes. **HF113** won approval from the House Environment, Natural Resources and Agriculture Finance Committee April 14.

The bill, sponsored by Rep. Willard Munger (DFL-Duluth), would extend the dedication of 40 percent of net lottery proceeds to the trust fund for environmental projects until the year 2020. Under the Minnesota Constitution, that dedication is set to expire in 2000. As originally written, the bill extended the fund dedication until 2050.

**HF113** also would allow up to 25 percent of the annual revenues deposited in the environmental fund to be used for land acquisition and development until 2020. Munger’s original bill would have authorized such expenditures only through fiscal year 1997.

Changes made to the original bill led Munger to withdraw the proposal on two previous occasions, stalling its progress for weeks. This time around, everyone was agreeable. Munger said that while he dislikes the amendments, he still wants the bill to move forward. Greta Gauthier, director of the Environmental Trust Fund Coalition, said her group supports extending the lottery dedication for as long as possible, but is not committed to a specific date.

According to a report from the Legislative Commission on Minnesota Resources (LCMR), the lottery has contributed \$149 million to the trust fund since it began in 1991. The fund is currently worth about \$140 million. Given stable lottery sales, the LCMR projects that the trust fund will reach \$1 billion in assets by 2016.

To date, the trust fund has contributed approximately \$60.5 million to 87 environmental projects. Forty more projects are proposed for 1998-99, which would increase total trust fund expenditures to about \$81 million.

The bill now goes to the House Ways and Means Committee.

## Changes to state parks

Land would be added to four state parks, an additional park would get a new name, and another would be allowed to sell beer in its lodge, under a bill passed by the House April 14. The vote was 118-15.

**HF299**, sponsored by Rep. Tom Bakk (DFL-Cook), authorizes the Department of Natural Resources to add land to the following state parks:

- Bear Head Lake State Park in St. Louis County which would add 160 acres of adjacent undeveloped land, wooded with mature red and white pine trees. The addition would prevent a proposed housing development near the Taconite State Trail.
- Forestville State Park in Fillmore County which would get an adjacent 40-acre parcel on the south branch of the Root River. The river is a designated trout stream and the surrounding bluffs contain excellent habitat for the endangered timber rattlesnake.
- John Latsch State Park in Winona County which would gain access to the Mississippi River with a 120-acre parcel that includes privately owned water access, a resort, and campground. The resort would continue to be privately operated under contract with the state.
- Split Rock Lighthouse State Park in Lake County which would acquire 80 acres of land along the Lake Superior shore northeast of the park. The land is currently owned by the Congdon family and includes Gold Rock Point, the largest of the few exposed granite cliffs on the North Shore. It also contains 3,700 feet of lake shore and access to the Madeira shipwreck, one of the most popular diving sites in the Great Lakes.

The bill also would change the name of O.L. Kipp State Park in Winona County to Great River Bluffs State Park. O.L. Kipp is the first state park encountered by travelers entering the state from the east on Interstate 90. Great River Bluffs is a more descriptive name that park officials believe will attract more tourists to the park.

Another provision of the bill would allow Itasca State Park in Clearwater County to add beer to the wine menu in its restaurant. And visitors to Tettegouche State Park would be allowed to use the parking lot for one hour without buying a state park permit.

The bill now moves to the Senate.

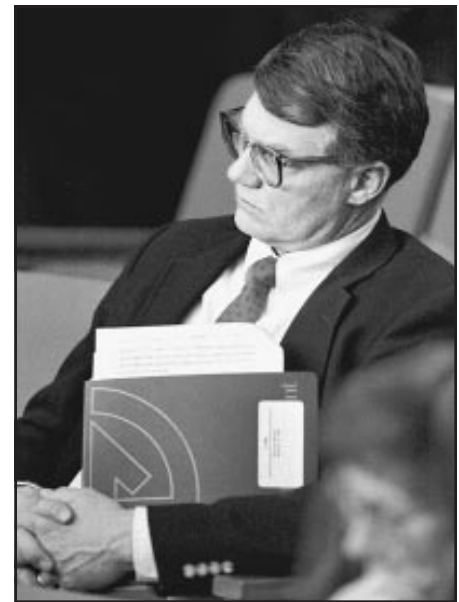
## LCMR changes

The Legislative Commission on Minnesota Resources (LCMR) may soon be no more. An amendment added to the House Environment, Natural Resources and Agriculture Finance Committee’s omnibus bill (**HF2150**) April 14 would technically eliminate the commission, often a source of controversy.

The LCMR, established in 1963, comprises 16 legislators; half House members and half senators. The commission draws on four state revenue sources and recommends funding for projects to enhance and protect the state’s natural resources. LCMR recommendations are developed through an extensive public review process including input from a variety of individuals and groups interested in the environment. The recommendations then must be adopted by the Legislature. Last year the commission recommended projects totaling \$36 million in state spending.

The amendment, offered by Rep. Mark Holsten (R-Stillwater), would replace the LCMR membership with the House Environment, Natural Resources and Agriculture Finance Committee and the Senate Environment and Agriculture Budget Division. In all 27 members sit on the committees.

Rep. Willard Munger (DFL-Duluth), chair of the House Environment and Natural Re-



John Velin, director of the Legislative Commission on Minnesota Resources (LCMR), listened April 14 as the Environment, Natural Resources and Agriculture Finance Committee approved an amendment that would significantly alter the composition of the LCMR. The panel recommends the spending of tens of millions of state dollars for environmental projects throughout the state.



sources Committee and a member of the LCMR, said that the commission is doing just fine. He characterized the Holsten amendment as a power grab by the finance committee and said such a policy change should first go through the Environment and Natural Resources Committee, which he chairs.

Holsten argued that his amendment would leave the current public advisory process and support staff in place but put the decision-making authority in the hands of a group more geographically and ideologically diverse than the LCMR. The current LCMR is composed of 12 DFLers and four Republicans. The proposal would make it a 16-11 DFL majority.

The omnibus bill now moves to the House Ways and Means Committee.



## FAMILY

### Early childhood funding

A bill that sets aside a record \$200 million to pay for the child care needs of welfare and working-poor families passed the House April 17. The vote was 122-11.

The measure also would pay some parents to stay at home with their newborns for the first year of life.

In all, the omnibus early childhood and family education bill (**HF2147**) would spend \$393.6 million over the state's 1998-1999 two-year budgeting period.

Sponsored by Rep. Tony Kinkel (DFL-Park Rapids), the bill, in addition to child care, appropriates money for programs such as early childhood education, community education, after school programs, adult basic education, Head Start, food shelves, and homeless shelters.

The more money the state invests in its children early in life, "the easier it will be on all of our budgets" later on, said Rep. Mary Jo McGuire (DFL-Falcon Heights) referring to the cost of Minnesota's judicial and welfare budgets.

Providing the dollars for child care is in the state's best interest, lawmakers say. Under a new federal welfare law, states are punished for not moving their welfare parents to work. Specifically, Minnesota could lose millions in federal aid. Logically, if Minnesota expects its welfare parents to work, child care assistance is essential.

Part of the \$200 million for child care — \$98 million — would pay for the child care needs of welfare parents now required to work under federal law. The new work re-

quirement is expected to move another 12,500 Minnesota children into day care over the next few years.

About \$89.5 million would be placed in an existing program that helps low- and moderate-income working families pay for child care using an income-based, sliding fee scale. There are currently about 5,600 Minnesota families on a waiting list for the program, which is called Basic Sliding Fee child care. The money in the bill is expected to eliminate most, if not all, of the waiting list.

Another \$2 million would be used to administer the programs. The remaining \$410,000 would be spent to encourage stay-at-home parenting for some low- and moderate-income families. In effect, it would pay parents on the Basic Sliding Fee child care program to stay at home with their child for the first year of life.

Eligible families already would have had to qualify for the Basic Sliding Fee program and received child care help for at least 30 days. They'd receive 75 percent of the average cost of licensed family home day care for an infant in their county. The bill instructs the Department of Children, Families and Learning to begin the program by March 1, 1998.

The Basic Sliding Fee program has become a vital part of the state's effort to trim its welfare rolls. Without the program, the cost of child care can often push a working poor family onto welfare.

An unsuccessful attempt to delete the stay-

at-home provision was sponsored by Rep. Ron Kraus (R-Albert Lea) who said that tough choices needed to be made. While Kraus said he didn't feel the program was a bad idea, he thought it best to pay parents who want to work.

Rep. Richard Mulder (R-Ivanhoe), who sponsored the stay-at-home provision, defended the measure by noting that the first three years of life are vital in a child's development into a healthy, productive adult. Having one parent stay home to raise the child would prevent societal problems later. "The little baby benefits the most..." Mulder said.

Other unsuccessful amendments included one to cut programs in the bill by 1 percent across the board and another to cut child care funding by \$10 million to save the taxpayers money.

Below is a listing of some of the bill's highlights.

- \$10 million would be spent to encourage people to enter the child care profession by offering forgivable loans for course work and training. A portion of the money also would be used to expand child care facilities. All of this is in preparation for the expected onslaught of new children into day care. Based on past experience, more children in day care will mean an estimated 90 more child care centers, 650 more family child care homes, and 3,875 more legal unlicensed relatives and neighbors to take care of the children are needed, according to the Department of Children, Families and Learning.
- \$30.5 million over the two-year budgeting period would pay for a program that brings babies and toddlers together with their parents to learn about a child's emotional, physical, mental, and educational development. The Early Childhood Family Education (ECFE) program is a 23-year-old program designed for children from birth to kindergarten and their parents.
- \$12 million would pay for after-school enrichment programs. Grants are provided to select neighborhoods so they may offer after-school programs for 9- to 13-year-olds. The amount is \$7 million more than the 1996-1997 budgeting period. The program's purpose is to reduce juvenile crime, school suspensions, and increase student achievement.
- \$30.2 million would pay for Head Start, a 31 percent increase from the previous budget. Head Start is a federal/state program that provides low income preschool children with emotional, social, health, nutritional, and psychological services.

### Speech training



Minority Leader Steve Sviggum gave 11-month-old Megan Danaher Wright, daughter of Jeanne Danaher, executive director of the House Republican Caucus, a lesson in speechmaking April 11 on the House floor.

- \$24.6 million would pay for adult basic education over the biennium. The program provides educational opportunities for adults with low educational levels. Services such as literacy training, work force education, and General Educational Development (GED) preparation.
- \$2.3 million would pay for Minnesota food shelves, a 65 percent increase over the previous two-year budget. The increase is in anticipation of an even greater demand on food shelves this spring when many of Minnesota's poor will see a cut in their federal food stamps.  
(See April 11, 1997, *Session Weekly*, page 3.)



## GAME & FISH

### Assistant anglers allowed

Anglers who need help wetting their fishing lines due to age, blindness, or disability are given a break by a bill (**HF311**) approved April 14 by the House Environment, Natural Resources and Agriculture Finance Committee.

Seniors and disabled people currently receive free fishing licenses, but those assisting them often must pay for a separate license. The bill, sponsored by Rep. Darlene Luther (DFL-Brooklyn Park), would allow aged and disabled people to be assisted by an unlicensed person as long as only one line is in the water.

"One of my constituents, Mark Jacobson, of Brooklyn Park, brought the problem to my attention," Luther said. Jacobson's mother is disabled and needs assistance to pursue her favorite sport. Since she has several assistants, Jacobson found he would have to pay for a separate fishing license for each assistant.

The bill now moves to the house floor.



## GOVERNMENT

### State government funding

The House Governmental Operations Committee approved a wide-ranging omnibus bill April 17 that doles out nearly \$632 million to fund the state's governmental functions and contains a number of substantial policy revisions.

**SF1905**, sponsored in the House by committee chair Rep. Phyllis Kahn (DFL-Mpls), appropriates funding through the 1998-99 biennium for virtually every aspect of state government activity: the legislature, courts

and administrative agencies, as well as numerous offices, boards, and commissions. It also funds several new government endeavors, including \$700,000 to the city of Wabasha to develop the American Bald Eagle Center, and \$250,000 to International Falls, Minn., to design an interpretive library and conference center.

The omnibus state government finance bill also contains:

- more than \$1 million to remodel the Capitol cafeteria;
- nearly \$8 million for public television throughout Minnesota;
- \$300,000 to shore up the struggling Hockey Hall of Fame in Eveleth, Minn.;
- \$20 million to the Minneapolis Employee Retirement Fund; and
- almost \$9 million to fund amateur and youth sports projects.

"This is a good bill," said the committee's State Government Finance Division chair Rep. Tom Rukavina (DFL-Virginia) in response to critics of the version that emerged from his division April 16. "Everything was done out in the open."

The full Governmental Operations Committee, though, considered more than a dozen amendments to **SF1905**, and ultimately removed what some called the bill's most controversial aspect. By a 13-6 vote, the committee deleted the provision allowing the state to purchase the Minnesota Twins — if the team came up for sale — with \$100 million from the budget surplus and the general fund.

Still in the bill is language that would raise the state's minimum wage. (Members sent an identical minimum wage proposal (**HF1389**) on to the House Ways and Means Committee for consideration as a separate bill. Effective Sept. 1, 1997, both would force the state's large employers to pay workers at least \$5.40 per hour. Small employers would have to pay at least \$5.15 per hour.

The committee also left in place a provision that would repeal the state's price-of-government legislation. The Legislature enacted the price-of-government law, which expresses as a percentage the maximum share of personal income to be collected in taxes and other revenues, in 1995. Lawmakers use the percentage as a target to assemble the state's budget.

"It's really written very badly," Kahn said of the law, "and the tax committee has said they would take it up. This would make sure they do."

Other provisions follow.

### Expanding technology

Under **SF1905**, authority over the state's technology infrastructure would fall to the Office of Technology, which would be elevated to the status of a full state agency that answers directly to the governor.

The bill defines the nature and extent of the office's responsibilities and would require the office's executive director to coordinate all of Minnesota's information and technology systems. The office also would evaluate technology proposals, along with hardware and software purchases, made by other state agencies to ensure a comprehensive approach to technology applications.

Minnesota's North Star on-line service, with its biennial budget of more than \$8 million, also would come under the aegis of the technology office. **SF1905** would require governmental units considering on-line initiatives to use North Star. The service would have to develop a secure means of conducting government business on-line.

North Star also would be charged with the task of creating an information and technology community resource development program. Designed to encourage economic development, the resource program would promote technology applications in health care, education, and commerce. The office also would award grants to increase public/private technology partnerships around the state.

**SF1905** also would appropriate \$23 million through the biennium for the state's Year 2000 project to cope with anticipated computer problems brought on by the approaching end of the millennium.

### Planning community development

Earlier in the session, Rep. Dee Long (DFL-Mpls) and Rep. Joe Opatz (DFL-St. Cloud) introduced bills aimed at coordinating Minnesota's burgeoning development efforts. Both bills adopt the 10 planning guidelines issued by the Metropolitan Council and appear in **SF1905**.

The community planning provisions contained in **SF1905** would allow municipalities to create joint planning districts that would control development decisions. The Office of Strategic and Long-Range Planning would oversee the districts, which would have to agree to submit a comprehensive plan for review. The bill also requires communities to define urban growth areas and details a mediation process designed to mitigate any conflicts that arise out of development initiatives.

The bill also contains a \$250,000 appropriation to establish at least two joint-planning pilot projects.



## HIGHER EDUCATION

### Higher education funding

The House passed the omnibus higher education finance bill April 16. The vote was 112-20.

One of the main thrusts of the bill (**HF2136/SF1888\***) is to stem the tide of spiraling college costs to make attendance feasible for more low- and middle-income students.

"This bill makes a commitment . . . toward affordable and accessible higher education," said bill sponsor Rep. Gene Pelowski (DFL-Winona), who noted postsecondary spending has dipped from 15 percent of the state budget to its current 11 percent over the last decade. As a result, he said, there have been double-digit tuition increases across Minnesota's higher education systems.

"With the commitment that the Minnesota House of Representatives made to [spending] \$70 million dollars over the governor['s recommendations], this bill ensures that tuition — if there are increases — will be at or less than the rate of inflation. This is a huge change from what has happened in the past," Pelowski said.

The final total for bill is \$2.3 billion. That includes over \$1 billion for Minnesota State Colleges and Universities (MnSCU), \$1.1 billion for the University of Minnesota (U of M), and \$2.4 million for the Mayo Medical Foundation.

Other bill provisions include a \$1.6 million appropriation to establish the Coya Knutson endowed chair in political science at the U of M. Knutson was the first and only woman from Minnesota elected to the U.S. House of Representatives. Her career was derailed after her husband launched a public campaign to persuade her to come home.

Several bill supporters said that educational institutions in Minnesota, a state considered an agricultural leader, have fallen behind in maintaining high-quality agricultural programs. The bill seeks to remedy the problem through the broadbased Minnesota Agriculture Education Leadership Council, which would establish a grant program to develop agriculture education programs, develop legislative recommendations, coordinate agriculture policy, identify critical needs for educators, and link the agribusiness and the educational sectors. The work would be coordinated through the proposed Minnesota Center for Agriculture Education.

Successful floor amendments included one

by Rep. Mindy Greiling (DFL-Roseville) that would require colleges and universities with NCAA Division I men's hockey programs to develop women's varsity hockey programs.

Rep. Todd Van Dellen (R-Plymouth) successfully proposed an amendment that enhances the free-speech rights of students against institutional policies.

Before the final vote on the bill, Rep. Hilda Bettermann (R-Brandon) said. "This is a good bill. It attempts to make up for a lack of higher education funding in the last few years and upholds many of the governor's initiatives."

Other provisions are detailed below.

### Helping families save

The bill exempts \$25,000 in family assets from consideration when a student applies for financial aid. Two more bill initiatives would add another \$25,000 exemption and provide other savings boosts.

The firm. Gopher State Bonds program, would allow the sale of state general obligation bonds, which are exempt from state and federal taxes, in increments as low as \$500. Normally, the bonds are available at \$5,000 or more.

While the bonds would be available for purchase to anyone, several provisions would encourage their purchase for college savings: the \$25,000 that would be exempt in determining state grant eligibility, and payroll withholding employees could deduct from the purchase of the bonds.

"Not only will families get a tax break, they get a break in their needs assessment when a student applies for aid," Rep. Lyndon Carlson (DFL-Crystal) has said. Similar programs operate in 24 other states.

The Gopher State savings bonds program would apply to all higher education programs.

A second program, Edvest, would provide state matching grants of up to 15 percent — for a maximum benefit of \$300 — of college savings. The interest earned would be taxed at a lower rate that would apply to students when it is used for college costs.

The program would encourage matching contributions from individuals, foundations and businesses to provide additional grants to participating students.

### Keeping technologically fit

The omnibus higher education finance bill includes three technology initiatives:

A total of \$1 million would be appropriated for the Minnesota Career and Education Planning System, a program to allow K-12 and college students to access career

Under **SF1905's** community-based planning act, communities could receive technical and financial assistance from the strategic planning office in exchange for embracing the agency's procedures. Communities would prepare their development policies, submit them to the strategic planning office for review, and coordinate their efforts with the surrounding local governments. A local government could not implement a plan until it has been approved by the state office.

The community-based planning act also would create a 22-member advisory council to develop the overall framework of the state's development strategy. The advisory council would be required to propose legislation for the 1998 session to place that framework in statute.

### Buying prescription drugs

Another section of the law would direct the commissioner of the Department of Administration to establish a contracting alliance that would purchase pharmaceuticals in bulk and re-sell them less expensively.

The alliance, which could take advantage of volume discounts, would make the drugs available at the lower price to pharmacies across the state. Participating pharmacies would be required to pass on to consumers at least 75 percent of the contract price's savings.

The bill also prohibits health plans from discriminating against consumers who buy drugs through the program and requires that lower priced generic compounds be made available whenever possible.

### Public sector pay raises

Many of Minnesota's public servants would see fatter paychecks under **SF1905**.

The bill increases the pay of legislators by 5 percent, effective Jan. 4, 1999. The bump would raise the current salary of \$29,658 to \$31,140.

The salaries of judges go up by 2.5 percent in 1998, again in 1999, and are tied to the average general salary adjustment for state employees in 2000 and 2001.

**SF1905** also would hike the maximum pay of state agency heads, who haven't seen a pay scale increase in nearly a decade. Proponents say top candidates for the jobs are escaping due to insufficient salaries.

If you have Internet access, visit the Legislature's web page at: <http://www.leg.state.mn.us>



information that would help them devise educational plans.

The second, MNLink, which Pelowski called "the mother of all on-line services for library access," would provide Internet linkage among public libraries, school and private libraries, and U of M and MnSCU libraries. The higher education institutions would provide staff and technical support. The bill appropriates \$12 million for the plan.

The bill also appropriates money to develop courses that could be delivered through the Virtual University which would be a collaboration between the U of M, MnSCU and private colleges that will enable students to register for classes via the Internet at almost every college and university in the state.

"This would serve as a gateway leading to all higher education existing in Minnesota," Pelowski explained at an earlier meeting. "It's the first time the three entities have worked together to enhance higher education in the state."

The plan is based on the World Wide Web page currently used by the University of Minnesota. According to information from John Gunyou of the Minnesota Office of Technology, the plan is meant to improve access to course offerings, expand choices in degree programs, allow for the transfer of credits between schools, and increase off-campus learning opportunities.

The bill funds research for adding course work to the program.

#### Other provisions:

- \$250,000 each year would fund grants to minority students enrolled in nursing programs and programs to recruit persons of color.
- \$50,000 in non-recurring funds would be marked for the loan repayment assistance program for law school graduates working for economically disadvantaged groups, tribal governments, court systems, public interest organizations, public defense corporations, or the state board of public defense.
- \$3 million would go to design, construct, and equip a recreation facility at the Minneapolis campus of the U of M that would include an ice rink for use by the women's athletic program.
- The bill allows students to gain work-study credits through work with qualified private employers. Formerly, only educational or nonprofit organizations qualified in work-study programs.
- The bill encourages schools to expand work-study programs by sending higher education students into public elementary and

secondary schools for activities such as tutoring.



## HOUSING

### Omnibus housing finance bill

A \$63 million proposal to fund state housing programs that aid the homeless, the disabled, first-time home buyers, and others won approval from the Housing and Housing Finance Division of the House Economic Development and International Trade Committee April 15.

The bill would appropriate \$36.6 million in fiscal year 1998 and \$26.4 in fiscal year 1999 for programs administered by the Minnesota Housing Finance Agency.

The provisions of the omnibus housing finance bill were later combined with the omnibus bill assembled by the committee's Economic Development Finance Division. That bill (**HF2158**) now moves to the House Ways and Means Committee. Below are some of the bill's key housing sections.

### Service funds



**Nellie, a trained service dog, rests under the witness table as her owner, Lois Weber, of Mankato, testified April 16 in favor of a bill before the House Health and Human Services Finance Division that would provide funds to organizations that train or provide service dogs for people with disabilities.**

### Homeless assistance, prevention

According to Department of Economic Security figures, the number of people using emergency shelters and transitional housing in the state has tripled over the past 11 years. Of the 4,981 Minnesotans needing services in 1996, 44 percent were children. Any increase in homelessness triggered by federal and state welfare reforms going into effect this year could strain an already overburdened support system.

The bill includes several programs to aid the homeless and prevent homelessness. The largest such appropriation would mark \$5.7 million for grants to organizations providing case management to help low-income people with poor rental histories rehabilitate their rental records and find housing. Part of the funding would also go to innovative approaches for housing people with poor rental histories.

Mental illness can often lead to homelessness. Under the bill, \$1.7 million per year would go to rental housing assistance for mentally ill persons with housing problems.

The Family Homeless Prevention and Assistance Program would get \$2.7 million per year to assist families who are homeless or are at imminent risk of homelessness. This program provides grants and encourages innovative responses to homelessness at county, regional, and local levels.

Another \$583,000 per year would go to the Foreclosure Prevention and Rental Assistance Program to provide borrower counseling and interest-free loans for renters and homeowners who are facing eviction or foreclosure due to a temporary financial hardship.

### Affordable rental housing

The Affordable Rental Investment Fund would get \$16.4 million for the biennium to provide no-interest first mortgages or deferred loans for low-income rental housing. Households earning 80 percent of the state median income and in need of affordable housing are the target of this program.

### Housing Trust Fund

The bill would provide \$2.3 million per year for the Housing Trust Fund. The fund makes deferred interest loans for the development and rehabilitation of low-income rental housing, limited equity cooperatives, and home ownership through community housing organizations.

## Indian housing programs

Home ownership and rental opportunities for low- and moderate-income American Indians are provided by two programs. The Urban Indian Housing Program would receive \$187,000 per year to assist Indians living in urban areas. The Tribal Indian Housing Program would get \$1.7 million to help Indians living in Greater Minnesota.

## Homestead support

The Minnesota Urban and Rural Homesteading Program would get \$186,000 per year to acquire vacant, condemned, or abandoned single family homes for rehabilitation and sale. The properties are offered to first-time homeowners on a contract-for-deed basis.

## Accessibility Loan Program

A program that provides deferred payment loans to low-income homeowners for improvements directly related to the basic housing needs of physically disabled persons would receive \$4.3 million per year. The program is operated by local agencies and is limited to households in which one or more persons have a long-term disability that substantially affects functioning in the home.

## Housing demolition

A \$1 million appropriation requested by House Speaker Phil Carruthers (DFL-Brooklyn Center) would pay for the acquisition, demolition, and removal of substandard multi-unit rental property. The measure was added to the bill even though some members questioned whether it would run counter to existing state housing policy and lead to an actual decrease in available low-income housing.

## Lead poisoning prevention

The bill would establish a state advisory task force on lead hazard reduction. The 15-member task force would study and propose a program to certify residential rental property as lead-safe (meaning that no lead contaminants are accessible to children).

According to the U.S. Centers for Disease Control, lead poisoning is the number one environmental threat to America's children. Children are typically exposed to lead in the form of paint chips or dust inside the home. Exposure to even a small amount of lead can have devastating effects on a young child, potentially leading to a slower growth rate, lower intelligence, impaired hearing, behavioral disorders, and metabolic problems.

The task force would propose essential maintenance practices to ensure that a resi-

dence remains lead-safe after certification. The legal rights and liabilities of tenants and landlords also would be studied in regard to providing lead-safe housing and in cases where a child is lead poisoned.

A one-time appropriation of \$50,000 would fund the task force's activities.

## Committee resolution

In an unusual move, the committee approved a resolution sponsored by Rep. Carlos Mariani (DFL-St. Paul) protesting the fact that the Housing and Housing Finance Division was not given an opportunity to review a provision of the state's welfare reform bill (**HF159**) which would reduce benefits to families living in federally subsidized housing by \$100 per month. Mariani called this provision, now contained in both the House and Senate welfare proposals, the "most significant housing policy and funding decision in the 1997 legislative session."

The resolution, which was signed by six members of the committee, states that the provision may result in the statewide loss of 1,000 publicly subsidized housing units, substantially reducing access to affordable housing in the state.

The resolution calls on House leadership and the House Ways and Means Committee to take measures to offset the negative impact of this policy on welfare recipients living in subsidized housing.

## Protecting tenants

A bill that would prohibit landlords from penalizing tenants for calling 911 for emergency help was passed by the House on April 14 on a 132-0 vote.

The bill responds to a problem that developed after some cities passed anticrime ordinances that penalize landlords whose properties are subject to frequent police visits. As a result, some landlords began warning tenants against calling police, often with the threat of eviction. Many targets of the warnings have been women who suffer domestic abuse.

**HF686**, sponsored by Rep. Michael Paymar (DFL-St. Paul), says that a landlord may not impose a penalty on a tenant for calling 911 in response to domestic abuse or any other conduct, and that landlords and tenants cannot enter into agreements that would permit the practice. The legislation supersedes local regulations and authorizes the attorney general's office to investigate and prosecute violations. It would slap landlords with civil penalties for actual damages

or \$500, whichever is greater, and would award them to tenants, in addition to any attorneys' fees incurred to obtain them.

The bill states that its provisions do not protect tenants from penalties for lease breaches or disruptive behavior.

**HF686** now goes to the Senate.



## HUMAN SERVICES

### Welfare proposal advances

Just how much money Minnesota's poor and legal immigrants should receive in their monthly welfare checks is now in the hands of a small panel of lawmakers.

A conference committee is meeting to work out the differences between the House and Senate versions of a welfare reform bill (**SF1\*/HF159**).

Both bills use Minnesota dollars to make up for some of the federal cuts to legal immigrants and require welfare families to work or be penalized. As it stands now, the House would spend about \$732.6 million over the 1998-1999 state budgeting period. The Senate, \$760 million.

Neither version allocates money, however. The omnibus human services spending bill in both the House and Senate is expected to carry the appropriations.

Aside from the money differences, there are policy differences as well.

The House bill, for instance, discourages welfare moms from having another child while on public assistance. The Senate version does not.

The House bill also requires legal immigrants to have lived in Minnesota on March 1, 1997, to receive public assistance. The Senate bill does not.

Compared to the Senate, the House version would move people off welfare more quickly by reducing the amount of money they can earn while receiving benefits.

The House bill also would more severely punish people on welfare who are not working.

The Senate bill would exempt certain people from the federal 5-year lifetime limit on welfare benefits due to advanced age, illness, pregnancy, or family crisis. The House bill does not.

Unlike the Senate bill, the House bill authorizes a truancy prevention pilot program in two school districts across the state for children who are under age 13, frequently tardy or truant, and whose families are on public assistance.

While both bills exempt from work the



House research analyst Elisabeth M. Loehrke, *right*, prepares an amendment for one of the many bills awaiting action by the House Health and Human Services Finance Division April 15.

caregiver of a newborn for one year, the House bill only offers the exemption as a once-in-a-lifetime opportunity. The Senate bill sets no limits.

Overall, both bills would expand statewide an experimental welfare-to-work program operating in a handful of Minnesota counties over the past few years. The Minnesota Family Investment Program (MFIP) would become permanent in all 87 Minnesota counties.

MFIP allows families to accept lower-paying jobs while receiving some public assistance such as extra monthly cash and subsidized child and health care. In theory, allowing someone to work while still receiving benefits helps a low-skilled parent gain work experience and eventually obtain a better job.

MFIP statewide would replace the traditional Aid to Families with Dependent Children program done away with by the 1996 federal welfare law.

States across the country are hurrying to pass new welfare laws after the federal government scrapped the long-standing welfare system in August 1996.

The House passed the bill April 11 by a vote of 118-14. The Senate passed the bill March 20, by a vote of 67-0.

(See Jan. 24, 1997, *Session Weekly*, page 9; Feb. 7, 1997, *Session Weekly*, page 3 and page 12; March 7, 1997, *Session Weekly*, page 17; March 21, 1997, *Session Weekly*, page 15; and March 28, 1997, *Session Weekly*, page 11).

**Need a copy of a bill?**  
Call the Chief Clerks Office at  
(612) 296-2314



## LABOR

### Strawberry workers supported

The House went on record April 16 in favor of better treatment of California strawberry workers. A bill (**HF1877/SF1675\***) already approved in the Senate passed the House on a vote of 76-54. It was sponsored by Rep. Richard Jefferson (DFL-Mpls), chair of the House Labor-Management Relations Committee.

Strawberry workers, represented by the United Farm Workers Union, are conducting a national campaign to call attention to their plight. The typical strawberry worker earns about \$8,500 per season for working as many as 12 hours a day, stooped over the low berry plants. Despite record production levels and sales revenue of \$650 million per year in the strawberry industry, most workers have not had a significant raise in 10 years.

According to the bill, workers also claim a variety of workplace abuses including: demand for sexual favors in exchange for employment; hiring and firing on whim; lack of fresh water and clean toilet facilities; and lack of health care in an occupation that exposes them to hazardous pesticides and chronic back injuries.

Strawberry workers who have struggled to change these practices and organize a union have faced firing and blacklisting. Workers who have voted for union representation have seen the fields they work plowed under.

The House resolution would put the state on record along with a number of other states, consumer groups, environmental organizations, churches, labor organizations,

and others in support of the strawberry workers' cause.

The bill now goes to Gov. Arne Carlson. If approved, the secretary of state would be directed to transmit the resolution to President Bill Clinton and to the governor of California.



## MILITARY

### Enlist and enroll

A bill to increase the amount of individual education grants for Minnesota National Guard members was approved by the House Ways and Means Committee April 14.

**HF297** would enhance a standing program that reimburses guard members for their tuition costs. Under the current program, participants can receive a maximum grant equivalent to up to 75 percent of the cost of lower-division undergraduate tuition in the college of liberal arts at the University of Minnesota (U of M).

At one time, the program also covered up to 50 percent of tuition costs for more expensive programs, such as medical school. **HF297** would restore the organization's authority to pay for some of those programs. It would cover up to 50 percent of actual tuition costs for programs at any Minnesota public educational institution or a comparable program at the U of M, including graduate degree programs approved by the guard.

Bill sponsors said the provision is necessary to keep the guard attractive to future members of the medical or other professions the guard needs.

In the case of medical school, for example, the 50 percent reimbursement rate would be higher than the current maximum grant amount tied to the cost of lower division courses at the U of M.

According to bill sponsor Rep. Loren Jennings (DFL-Harris), the initial change can be made with money currently in the program. The organization has discretion over the number of students who are reimbursed and the educational programs that qualify.

Rep. Bruce Anderson (R-Buffalo Township), an Air National Guard member and bill co-sponsor, said the education grant program is an important incentive to attract new members. "We have an all-voluntary military. This is an attempt to allow people to serve and reap a reward for doing so," he said.

**HF297** next will be heard on the House floor.





## TRANSPORTATION

### Omnibus transportation bill

Financial support for the state's road, bridge, aviation, and public safety projects won approval from the House Transportation and Transit Finance Division April 15. The bill recommends \$3 billion in state spending for transportation and public safety purposes over the next two years.

**HF19**, sponsored by Rep. Bernie Lieder (DFL-Crookston), now moves to the House Ways and Means Committee.

#### Public safety

The bill calls for \$111.6 million in spending for the Minnesota State Patrol. Included is \$3.5 million to fund an additional 30 state troopers — not the full complement requested by the governor, but 30 more than the Legislature authorized last year. The governor refused to enact a speed limit increase called for by lawmakers in 1996 because the trooper funding was missing.

Also included is \$2 million for computer-aided dispatching and records management and \$1.7 million to install video cameras in state patrol vehicles. Another \$69.5 million would go to the department's Driver and Vehicle Services Division over the next biennium. Also, \$2.6 million would go to the Department of Public Safety and the Minnesota Safety Council for various public safety programs.

The bill includes \$652,000 to provide survivor benefits to the families of state patrol officers who have died or been disabled in the line of duty. Though they are eligible for pensions, many of these officers and their families lost their health care benefits once they could no longer serve as peace officers. An average of three officers per year lose their lives in the line of duty in Minnesota.

#### Road and bridge construction

State road construction projects would receive \$1.2 billion for the next two years. Local roads would get \$841.6 million and local bridges \$39.8 million in state aid.

#### Transit

The Metropolitan Council, which runs the metropolitan area's public transportation system, would receive \$130.1 million over the next biennium. Of that money, \$34.6 million would go to Metro Mobility, which provides rides to approximately 25,000 metropolitan-area people with disabilities. The bill also authorizes and would fund a \$100,000 study of coordinating public tran-

sit and school transportation in Minneapolis and St. Paul.

The Met Council had requested and the governor had recommended \$138.1 million for the next biennium in state funds to run its transportation programs.

An additional \$29.6 million would go to assist transit programs in Greater Minnesota.

#### Aviation

The bill appropriates \$36.3 million for air transportation programs, including \$26 million for airport development and assistance. Other funds support the Civil Air Patrol and provide general support for aviation in the state.

#### Railroads and waterways

A total of \$6.9 million would go to fund rail and water transportation. This includes a \$1 million study to look at utilizing existing freight railroad corridors for a commuter rail service in the metropolitan area.

### Young drivers

A bill to ensure that 15-year-olds are allowed restricted driver's licenses to help out on the family farm was approved April 16 by the House. The vote was 134-0.

The bill (**SF475\*/HF768**), sponsored by Rep. Torrey Westrom (R-Elbow Lake), would provide an exception to a new state law requiring anyone under age 18 to hold a

learner's permit for at least six months before becoming eligible for a driver's license.

The 1996 Legislature passed the new learner's permit requirements, which took effect Feb. 1, 1997, with hopes that the law would give teenagers more driving experience before they can hit the road on their own.

But the law had an unintended side effect, according to Westrom. It cut in half the time farm families can benefit from a state law allowing 15-year-olds to get restricted driver's licenses allowing them to help with farm business.

Restrictions placed on such licenses allow 15-year-olds whose parents are farmers to drive only during daylight hours and only within 20 miles of the family farm.

Westrom's bill would exempt 15-year-olds who are otherwise eligible for a restricted farm driver's license from the new six-month learner's permit requirement.

The bill now goes to the governor.



**Late nights, long hours, and many amendments** are just a part of the recipe needed to craft an omnibus finance bill in time to meet the final committee deadline. During such a stressful time, a sense of humor can fit nicely into the mix as well.

Article 8, Section 13, on page 120 of the omnibus state government finance bill (**SF1905**) instructs the Board of Government Innovation and Cooperation to study the creation of the Tommy Rukavina High Tech Iron Range Info Center.

"Visitors to the center will learn how to find the computer in a room full of office equipment; how to turn the thing on; why it costs so much; what a computer can do that a pencil and a piece of paper can't; and where the Internet is," the bill says of the institution that would bear the name of Rep. Tom Rukavina (DFL-Virginia), who chairs the committee's State Government Finance Division.

Rep. Kevin Knight (R-Bloomington), who wrote the bill's info center language and sits on the finance division, said he and the division members have heard so much testimony on dozens of technology initiatives this session, many of which prompted Rukavina to proclaim his exasperation with things technological.

"When you think of Rukavina, you think of technology," Knight said with a grin. "It's about time that people know that Tommy Rukavina is a high-tech genius."

The section was later deleted.

### Rural rights



**Susan Coultrap McQuin, Ph.D., dean of the College of Social and Behavioral Sciences, and professor of women's studies at Mankato State University, testified April 14 before the Economic Development Finance Division in support of a bill that would establish a rural policy and development center designed to promote research relating to issues confronting rural Minnesota.**

Would-be president . . .

## Gov. Harold Stassen has proud, progressive legacy

**T**he *Encyclopedia Americana* is less than kind to Harold Stassen. While rightfully characterizing him as an American political leader, the brief entry also notes, “He is known chiefly for his persistent and futile pursuit of the office of president of the United States.”

Stassen did seek the Oval Office nine times, coming closest during his first campaign, when, in 1948, he lost the Republican nomination to Thomas Dewey. But his quixotic attempts should not define his place in history. Harold Stassen, who turned 90 on April 13, was a visionary on international issues and a consistent progressive voice in the Republican party. His long and storied political career, spanning generations and continents, stems from humble beginnings on a West St. Paul farm.

Born the third of five children in 1907, Harold Edward Stassen was raised in a strong Baptist family, where dinner table conversation touched on weighty issues with implications far beyond Minnesota’s borders. Politics was in Harold’s blood. His father, William, served as head of the local school board and as mayor of West St. Paul.

An excellent student, Stassen the “wonder boy” completed high school at 15, his undergraduate studies at 19, and emerged from the University of Minnesota with law degree in hand at age 21. Two years later, in 1930, he would win his first election, and served as Dakota County attorney. After a second term, Stassen prepared for his first statewide election. The victory, by more than 291,000 votes, would make him, at age 31, the youngest governor in the nation.

Candidate Stassen ran a good-government campaign, promising Minnesotans that the patronage system for state government jobs would end. Upon election, he called the establishment of the civil service system “one of the first and foremost problems” facing his administration.

“A place on the state payroll must be based upon doing a good day’s work for the people of the state, for a day’s pay received . . . There must be no percentage collections by political bosses,” he said in his first inaugural address. He was true to his word, and later signed landmark legislation which established the basis for today’s state government employment system.

While he enjoyed success as a governor, and easily won re-election to the office in both 1940 and 1942, it was on the national



**Harold Stassen, three-term Minnesota governor, internationalist, and adviser to presidents, addressed the Minnesota House March 10, 1992, in the midst of his final run for the presidency. His subject: seven mighty moves to make America great. Rep. Dee Long looks on from the speaker’s chair.**

and international stage where Stassen shined brightest, beginning with his speech before the Republican National Convention in June 1940.

In his keynote address, delivered just nine days after the Germans entered Paris, Stassen told delegates that “once again the black shadow of despotism falls over the world.” While many in the Republican party banged the drum of isolationism, Stassen said it was “clear that our interests lie with the encouragement of freedom and progress for all mankind and the development of order among nations . . .” It is this vision of internationalism that led Franklin D. Roosevelt to send Stassen to San Francisco five years later, where, as one of seven U.S. delegates, he would help draft a charter for the United Nations.

Stassen had been championing such an organization for years, writing in the *Saturday Evening Post* in May 1943 of the “need to develop a new and higher level of government to serve mankind.” He believed “the nations of the world must not merely agree that they wish to live together in peace; they must establish a mechanism of government to achieve this end.” On July 2, 1945, the United Nations Charter was presented to the U.S. Senate for confirmation.

The charter’s preamble states the organization exists to “save succeeding generations from the scourge of war.” Halting the arms race, reducing and eventually eliminating all

weapons of war remain major concerns of the United Nations. These were also major concerns of Stassen’s, when in 1954 he assumed the position as chief of arms negotiations in the Eisenhower administration.

Again, his voice of internationalism rose above the fray, which often put him at odds with others in the administration, particularly Secretary of State John Foster Dulles, “who wanted only formal, diplomatic exchanges” with post-Stalinist Russia, Stassen said. Stassen wanted the lines of communication wide open.

“I was convinced . . . that if you opened up exchange in the world between the communist areas and the non-communist areas and you got an exchange of people and ideas and information, and you would maintain a very alert and powerful military position at the same time, and develop trade, that you had a better chance of a gradual modification of the communist system away from absolute dictatorships, and that you had a better chance of evolution of the world without the tragedy of a nuclear war,” he told Dr. Thomas Soapes, of the Eisenhower Library in 1977.

Stassen also was a war hero himself, resigning as governor in 1943 to join the Navy and its Pacific Fleet. He was in Tokyo Bay in August 1945 to free American prisoners of war.

But instead of returning home to Minne-

*Continued on page 19*

A Capitol honor . . .

## Monuments, memorials, guidelines for immortality

Ever since its completion in 1905, the Capitol and its surrounding grounds have been viewed as the perfect setting for memorials to various historic figures and events.

In recent years, though, that sentiment has grown, along with the number of monuments — now holding at 15 — spread over the Capitol mall. In fact, this year the House Governmental Operations Committee's State Government Finance Division heard funding requests for three additional memorials to be placed in or around the Capitol, causing some critics to wonder if, perhaps, monument mania has gotten out of control.

The first monument appeared on the Capitol grounds in 1912, when admirers of former Gov. John A. Johnson placed a statue of him near the building's front entrance, according to *North Star Statehouse: An Armchair Guide to the Minnesota State Capitol*, by Thomas O'Sullivan. The larger-than-life tribute to

bus and Leif Erikson, the two men who "discovered" America, albeit more than 400 years apart.

Over the years, additional monuments were placed on the mall, and lawmakers created the Capitol Area Architectural and Planning Commission in 1967 to oversee the process. To the commission, which later became a board, falls the task of maintaining and preserving the Capitol building and grounds. The board, according to Minnesota statute, serves as the Capitol area's planning and design review agency.

Mary Duroche, a planner with the architectural board, said the agency tries to remain true to Capitol architect Cass Gilbert's original vision for the institution. In 1993, Duroche said, the board adopted a monument plan based on grouping the tributes by theme. Memorials to former governors and other distinguished men and women of state, for example, would continue to be placed near

on the surrounding grounds.

The board adopted the guidelines in 1993, Duroche said, at the behest of the Legislature, where a growing number of members had become concerned about the proliferation of monuments that had sprouted up on the Capitol grounds.

"Nobody wants to be against these things. But if somebody proposes a monument to Mother Teresa, who could vote against that?" Rep. Wes Skoglund (DFL-Mpls) told the *St. Paul Pioneer Press* in 1992.

The policy describes not only the aesthetic considerations by which a monument's design will be judged, but also the specific criteria that must be met before an individual can be memorialized.

For example, an individual has to have been dead for at least 10 years, according to the board's policy, before a monument on the grounds to the person could even be considered, and a minimum of 25 years to be eligible for a commemoration to be placed inside the building. The Capitol, Duroche said, has a finite amount of space in which to place memorials, including a number of alcoves designed for just that purpose — hence the restrictions.

"They [the Legislature] decided they better set up some standards and rules to assure that there would be some spaces left for others," who emerge as significant influences in the future, Duroche said.

The Legislature, though, did not place the board's policies in statute. Instead, only a description of the board's mission and responsibilities received the force of law. The policies remain mere guidelines to be observed at the Legislature's discretion, which is why people continue to come before the finance division to seek funding for more memorials. Some meet the criteria established by the board. Others don't.

"We don't have the authority to originate these things," Duroche said. "We . . . wait until somebody comes along with some grand plan."

— F.J. Gallagher



The Capitol grounds hold 15 monuments and memorials, honoring Christopher Columbus, left, Gov. Floyd B. Olson, right, and Vietnam veterans, among others. Additional honorees may soon join them, given provisions contained in omnibus bills now moving through the Legislature.

Johnson features a quartet of workmen who represent four of Minnesota's vital industries and is meant to honor both the stalwart laborers and tremendous natural resources of the state.

A second statue, erected in 1928 and honoring former Gov. Knute Nelson, flanks the Johnson memorial, while a third Minnesota governor, Floyd B. Olson — the state's first third-party chief executive — was honored with a monument in 1958. In between, the state also erected permanent memorials on the Capitol grounds to Christopher Colum-

bus and Leif Erikson, the two men who "discovered" America, albeit more than 400 years apart. The ones on the Capitol mall are more apt to be devoted to a movement or an event," Duroche said of the monuments. "There haven't been any statues, as such, since the 1985 Lindbergh."

In addition to the overall design plan, Duroche said, the board also developed a policy for installing new commemorative works, both inside the Capitol building and

If you will be visiting the Capitol in the near future, call the Capitol Historic Site Program at (612) 296-2881 to schedule a tour.



Early statesman . . .

## Pierce Butler: first Minnesotan on nation's high court

Every day in St. Paul, Minn., thousands of travelers on Snelling Avenue pass the signs for the Pierce Butler Route, a 3.5 mile stretch that runs through the Energy Park area of town, starting where Cleveland Avenue ends under Interstate-94 and running east to Como Avenue. The signs commemorate Pierce Butler Jr., a St. Paul lawyer and civic leader.

But without the "Jr." on the signs, they also serve as the most visible reminder in the state of Butler's father, Pierce Sr., who became the first Minnesotan to serve on the U.S. Supreme Court.

The elder Butler was born in 1866 in Dakota County, Minnesota, when it was still part of the frontier, and where, according to David Danelski in *A Supreme Court Justice is Appointed*, "hostile bands of the Sioux and Ojibway Indians still roamed." His parents, Patrick and Mary, were Irish immigrants who came to the area to farm. Butler was the sixth of nine children.

Patrick Butler was an educated man and former school teacher, who, according to Danelski, tutored his children in the three R's, as well as in Latin, German, and mathematics. Later, Pierce Butler enrolled at Carleton College in Northfield, Minn., five miles from the Butler farm. A month after graduation, he came to St. Paul where he studied law at the firm of Pinch and Twohy. In 1888, St. Paul attorney Walter H. Sanborn approved Butler's admission to the bar "after quizzing him in open court, as was the custom in those days," Danelski writes.

That same year, Butler cast his vote for Grover Cleveland as president "and henceforth was a Democrat."

While Butler was making a name for himself in St. Paul, his five brothers were heavily involved in mining in the Mesabi and Cuyuna ranges "and by 1914 had eighteen mines under contract," according to *Minnesota: A History of the State* by Theodore C. Blegen. "In later years . . . they employed a thousand or more men. Contractors, builders, and engineers, they created a Minnesota firm that has left its mark not only on the iron-ore industry but also on vast building operations, including Minnesota's State Capitol."

By 1894, Butler was cited in the *Minnesota Law Journal* as "one of the best in the history of Ramsey County." The magazine said "he has no equal for his age as a criminal lawyer in the state," and "he has a charming and agreeable manner, is an eloquent speaker,



Pierce Butler, the first Minnesotan to win appointment to the nation's highest court.

Photo courtesy Legislative Manual 1973-1974

and his integrity, ability, and fearlessness . . . made him what he is today." From 1893 to 1897, Butler served as Ramsey County attorney, his only elective post.

Soon after beginning his law practice, Butler gained detractors but more admirers, for his fierce reputation in the courtroom, which, by some accounts, was extreme. "Another critic called Butler 'a veritable bully, aggress-

***"He has no equal for his age as a criminal lawyer in the state, . . . he has a charming and agreeable manner, is an eloquent speaker, and his integrity, ability, and fearlessness . . . made him what he is today."***

—*Minnesota Law Journal*, 1894

sive to the point of being insulting,' who treated 'witnesses with a ruthlessness seldom seen in court,'" Danelski writes.

Years later, one man, William A. Schaper, head of the Department of Political Science at the University of Minnesota, would come to know Butler's ruthless side. Butler, who served on the university's board of regents from 1907 to 1924, led the board in what would become a permanent stain on its record by almost destroying Schaper's career and reputation in the course of a day.

In 1917, the board received a letter from a member of the Public Safety Commission that included Schaper's name on a list of

professors "whose loyalty was suspect." The regents immediately requested a meeting with Schaper. "He was rigorously cross-examined by Butler on his views concerning the war," Danelski writes. The cross-examination included accusations and innuendo that Schaper was a patriot only to the extent that would keep him out of jail; that he was a lackey for the German Kaiser, whom he wanted to dominate the world; that, as a University employee, he lived off public money; and was a draft dodger, even though he was past draft age.

Schaper told the board that he considered it his duty to "abide by the law and not hinder in any manner the government's conduct of the war." He had encouraged students to enlist. He had advised them against peace activities. He would not, however, as an avowed pacifist, "boost" for the war, he said.

The same day, the board of regents informed Schaper that it had voted unanimously that he should resign on the grounds that he was a disloyal American citizen, permanently ending his career at the university, Danelski writes.

For years to come, Schaper struggled financially and fought to have his name and his position restored. But it took almost two decades before the board of regents would vote to make Schaper a professor emeritus and pay him \$5,000 in compensation. The Legislature had begun to investigate the ear-

lier board's actions. By that time Schaper had found work as a professor of finance at the University of Oklahoma.

Still, the incident didn't seem to have implicated Butler directly as it did the board of regents, except, perhaps, in Schaper's mind. He later would fight vigorously against Butler's nomination to the high court.

Years before the Schaper incident, however, and after his term as Ramsey County attorney, Butler's career went into higher gear as a corporate attorney. He had already successfully represented the federal government in an important case against Midwest millers for selling tainted flour, and in a case

against midwest meat packers for violations of the Sherman Antitrust Act.

In 1915, the Canadian government enlisted his aid in effort to take over the Grand Trunk Railroad. "One of the arbitrators in the Grand Trunk arbitration was former president William Howard Taft," Danelski writes. "For several weeks Taft watched Butler in action and was impressed by what he saw; the St. Paul lawyer more than held his own with the best barristers in Canada. The two Americans soon became friends . . . . When, near the end of the arbitration, Taft received word that he had been nominated Chief Justice of the United States, he and Butler celebrated the occasion." Taft would later play a major role in Butler's passage to the U.S. Supreme Court.

Danelski writes of the tortuous process by which Butler was ultimately appointed to the high court, in which many other candi-

dates and groups with varied interests lobbied for influence. He was ultimately nominated by President Warren G. Harding, a Republican. The U.S. Senate confirmed the nomination in a 61-8 vote, with 27 abstentions. On Jan. 2, 1923, Butler was sworn in as associate justice.

His tenure on the court confirmed some fears about him and dispelled others. Contrary to his behavior in the Schaper incident, he proved a champion of due process. But, Danelski writes, "in cases involving substantive issues of freedom, however, was a curious reversal of his due-process record." He voted for the individual only 29 percent of the time, compared with the court's average of 50 percent. In cases regarding government and the economy, he was a conservative and was in the majority in a 5-4 decision that invalidated New York's minimum wage law for women. Further, "the progressives'

expectation that Butler would side with the railroads . . . was also correct," Danelski says. Finally, "Butler's activity in economic cases was consistent with his value of laissez faire" government.

Butler died on Nov. 16, 1939, while still serving on the court. He had raised eight children with his wife, Annie M. Cronin. In 1961, the St. Paul City Council changed the name of the Northern Route to the Pierce Butler Route, in honor of a son, born in 1893, who would follow in his father's footsteps as a public servant.

Since Butler's term, two more Minnesotans have served on the U.S. Supreme Court. Warren Burger, of St. Paul, served from 1969-1986, and was named chief justice. Harry Blackmun, who was raised in Rochester, has been serving on the court since 1970.

— Celeste Riley

---

---

### Continued from page 16

sota to continue his political career, where many say he could have handily won a U.S. Senate seat in a 1948 match against Minneapolis Mayor Hubert Humphrey, Stassen aimed higher. He wanted to be president.

In the race against New York Gov. Thomas Dewey to carry the party banner, Stassen held his own in a series of presidential primaries, until the Oregon contest in May 1948.

Beginning May 1, Dewey launched a three-week offensive designed to weaken Stassen. In response, Stassen delivered a strong anti-Communist speech on May 12 in Portland, in which he said "for the best hope of a future of peace and freedom . . . Communist organizations should be promptly outlawed in America and in all freedom-loving countries." Dewey held the opposite position.

Many say it was their nationwide radio debate — the first of its kind, marking the birth of modern-day, face-to-face presiden-

tial debates — that marked the turning point in the contest. Newspapers and pundits gave Dewey the edge. Three days later, Stassen lost the Oregon primary — his first electoral defeat. He would come no closer to winning the U.S. presidency.

Instead, he turned to academic life, accepting the role of president of the University of Pennsylvania, where he served until 1953. After joining the Eisenhower administration, Stassen served as director of the Mutual Security Agency, director of the Foreign Operations Administration, and assistant to the president on disarmament.

Stassen would unsuccessfully seek a number of local, state, and federal elective offices over the succeeding three decades. His run for the presidency in 1992, which brought him to Minnesota's House chamber to address state lawmakers, was his last.

Newspaper accounts of his many campaign efforts all hold similar quotes.

"I have become increasingly concerned

that none of the candidates in my view have been discussing and coming up with solutions for the real issues before the country," he told the *Minneapolis Star Tribune* in 1987.

While many, from Johnny Carson to editorial writers throughout Minnesota and elsewhere, have pilloried Stassen for chasing the White House, no one can criticize him for lacking ideas.

Those ideas, particularly his progressive views of American foreign policy in an era of cold war protectionism, helped forge the creation of the United Nations, as well as open lines of communication with post-Stalinist Russia.

"He runs," Stassen's wife, Esther, told the *Minneapolis Tribune* in 1978, "because he isn't happy unless he's speaking out, getting his ideas across. He's happy doing it. That's what counts."

— John Tschida

### Committee deadlines

Each year the House and Senate set deadlines by which most bills must be heard in a committee and forwarded through the process. The deadlines serve to weed out some of the several thousand bills introduced each year.

The third and final deadline has come and gone.

By **Friday, April 18**, all appropriations bills must have cleared their policy and finance committees and moved to either

the Taxes Committee or Ways and Means Committee.

Of course, there are exceptions to the deadlines. Any lawmaker may try to convince the Rules and Legislative Administration Committee, which includes leaders from both party caucuses, to hear a bill after the deadline.

While some committees will continue to meet, much of the legislative action now moves from the hearing rooms to the House floor.

When lawmakers convened Jan. 7,

floor sessions were held twice weekly. The week of April 14-18 was the first this year in which floor sessions were held each day. The pace is expected to quicken. The daily sessions will continue to lengthen.

The only remaining deadline date is now **Monday, May 19**, the anticipated date for adjournment. The Minnesota Constitution prohibits the Legislature from meeting after the first Monday following the third Saturday in May. This year, that date is May 19.

# Governor's Desk

CH 1-CH 38

## Bills await governor's action

Once a bill has passed both the House and the Senate in identical form, it's ready to be sent to the governor for consideration. The governor has several options when considering a bill. The governor can:

- sign the bill and it will become law;
- veto the bill;
- line-item veto individual items within an appropriations bill; or
- do nothing, which results in the bill becoming law in the first year of the biennium.

The timing of these actions is as significant as the actions themselves.

In the first year of the biennium, the

important thing to remember is that the governor has three days from the time of "presentment" to veto a bill. If the governor doesn't sign the bill within this time frame, it will become law with or without his signature. (Sundays are not counted in the three-day time limit, but holidays are.)

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he objects. As with all vetoes, the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is within three days after the governor receives the bill.

A two-thirds vote of the members in each

house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until the next year.

The governor's veto authority is outlined in the Minnesota Constitution (Article IV, Section 23).

**Internet access to this information is available at:**  
<http://www.governor.state.mn.us> (select "legislative issues" folder)

**Key:**  
**CH=Chapter; SF=Senate File; HF=House File**

CH	HF	SF	Description	Signed	Vetoed
Res. 1	538*	1239	Resolution to mitigate economic competition among states.	4/16/97	
1	1*	3	Education caps removal.	2/14/97	
2	13*	17	Revisor's bill.	2/19/97	
3	121*	109	Youth initiative grant; neighborhood addition provided.	2/25/97	
4	343	264*	Housing Finance Agency; providing temporary approval for home improvement loans.	2/25/97	
5	631*	508	Hopkins performing arts center modified.	3/5/97	
6	125*	160	Kenyon tax levy recertification authorized.	3/11/97	
7	35*	12	Revisor's bill.	3/11/97	
8	374	274*	Adoption assistance.	3/11/97	
9	220	202*	Property disposition modification.	3/13/97	
10	431	315*	Business corporations and limited liability companies technical modifications.	3/18/97	
11	441*	299	Uniform commercial code changes.	3/18/97	
12	100*	114	Emergency snow removal.	3/19/97	
13	40	129*	Minnesota ID cards for minors.	3/19/97	



CH	HF	SF	Description	Signed	Vetoed
14	582	463*	St. Paul teacher training institute building rental authority.	Recalled by Senate 3/26/97	
15	564	417*	Becker County economic development authority.	3/26/97	
16	483	124*	Towns emergency service charges.	3/26/97	
17	105	85*	Payment of claims against state.	4/3/97	
18	1088*	1030	Candidate name rotation allowed on ballots.	4/4/97	
19	1093*	1104	Metropolitan town election date change authorized.	4/4/97	
20	219*	118	Civil Air Patrol members provided unpaid leaves of absence from employers	4/4/97	
21	640	504*	Nashwauk gas utility establishment authority.	4/8/97	
22	794	624*	Minnesota professional firms act.	4/8/97	
23	941	700*	City mayor and fire chief positions compatibility.	4/8/97	
24	453*	99	Military provisions modifications.	4/8/97	
25	281*	147	Natural gas public utilities performance regulation plans.	4/8/97	
26	447*	398	Direct patient access to obstetric and gynecologic services.	4/8/97	
27	265*	1371	Farm crisis assistance personnel employment status clarified.	4/11/97	
28	266*	796	BWSR voting membership increase.	4/11/97	
29	439	368*	Alternative dispute resolution presiders liability immunity.	4/11/97	
30	1885	1645*	Mille Lacs treaty implementation costs.	4/11/97	
31	293*	216	Tax provisions technical corrections and administrative changes.	4/15/97	
32	1213	1052*	Moorhead land transfer authorized.	4/16/97	
33	908	305*	Prison inmate lawsuit provisions clarified.	4/16/97	
34	2132*	1904	Income tax filing extension for flood disaster area residents.	4/15/97	
35	90*	61	Commercial drivers license requirements exemption for snowplows.	4/16/97	
36	835*	754	County operated day training and habilitation program audit exception.	4/16/97	
37	958*	748	St. Louis County unorganized territory attachment authorized.	4/16/97	
38	1382*	1051	Show boiler and engine inspection provisions modified.	4/16/96	

# Bill Introductions

HF2136-HF2159

## Monday, April 14

**HF2136—Pelowski (DFL)**  
Ways & Means  
Omnibus higher education appropriations bill.

**HF2137—Garcia (DFL)**  
Taxes  
Minneapolis Convention Center construction materials and equipment sales tax exemption provided.

**HF2138—McCollum (DFL)**  
Education  
Independent School District No. 622, North St. Paul-Maplewood, lease levy authorized.

**HF2139—Wenzel (DFL)**  
Ways & Means  
Federal flood disaster relief matching funds provided, and money appropriated.

**HF2140—Kalis (DFL)**  
Ways & Means  
Omnibus bonding bill providing public improvements of a capital nature, bonds issued, and money appropriated.

**HF2141—Marko (DFL)**  
Ways & Means  
Flood-related disaster relief provided, and money appropriated.

**HF2142—Chaudhary (DFL)**  
Taxes  
Omnibus property tax and education financing reform provided, senior citizen property tax deferral provided, and money appropriated.

**HF2143—Westrom (R)**  
General Legislation, Veterans Affairs & Elections  
State senate district size provisions modified, and constitutional amendment proposed.

**HF2144—Lieder (DFL)**  
Ways & Means  
Flood-related disaster relief provided, and money appropriated.

**HF2145—Kelso (DFL)**  
Ways & Means  
Flood-related disaster relief provided, and money appropriated.

**HF2146—Johnson, R. (DFL)**  
Ways & Means  
Flood-related disaster relief provided, and money appropriated.

**HF2147—Kinkel (DFL)**  
Taxes  
Omnibus early childhood and family education appropriations bill.

## Tuesday, April 15

**HF2148—Bishop (R)**  
Capital Investment  
University Center Rochester capital improvements requirements consolidated.

**HF2149—Jennings (DFL)**  
Regulated Industries & Energy  
Minnesota electric industry restructuring act adopted.

**HF2150—Osthoff (DFL)**  
Ways & Means  
Omnibus environment and natural resources and agriculture appropriations bill.

## Wednesday, April 16

**HF2151—Wenzel (DFL)**  
Transportation & Transit  
Jim Rice Memorial Expressway designated on Interstate Highway No. 94 in Minneapolis.

**HF2152—Davids (R)**  
Financial Institutions & Insurance  
Insurance agent contract termination regulated.

## Thursday, April 17

**HF2153—Evans (DFL)**  
Local Government & Metropolitan Affairs  
Anoka County airport jet aircraft ban imposed, and penalty provided.

**HF2154—Pugh (DFL)**  
Education  
Locally controlled graduation rule aid and district assistance provided, locally controlled graduation rule offered, and money appropriated.

**HF2155—Abrams (R)**  
Taxes  
Business taxation studied, and money appropriated.

**HF2156—Commers (R)**  
Education  
Locally controlled graduation rule aid and district assistance provided, locally controlled graduation rule offered, and money appropriated.

**HF2157—Jennings (DFL)**  
Ways & Means  
Public employee and official compensation regulated.

**HF2158—Jaros (DFL)**  
Ways & Means  
Omnibus economic development and housing bill, and money appropriated.

**HF2159—Skoglund (DFL)**  
Judiciary  
Violent crime offense penalty provisions modified, and mandatory sentence provisions recodified.

### Where to find information

#### House Public Information Office

175 State Office Building  
(612) 296-2146 or 1-800-657-3550

This nonpartisan office provides committee meeting schedules, legislator information, publications including the *Session Weekly* newsmagazine, educational brochures for all ages, and member directories. All information is available at no charge.

Most publications can be viewed on the Legislature's World Wide Web page. To connect, point your web browser at: <http://www.leg.state.mn.us>

#### Senate Information Office

231 State Capitol (612) 296-0504

This office is responsible for all information about the Senate, including the committee schedule, bill status, legislator information, and the distribution of bill copies.

#### Senate Media Services

B-44 State Capitol (612) 296-0264

This bipartisan office produces television programs, multi-media production, scriptwriting, photography and graphics. It offers live coverage of the Senate floor sessions and some committee hearings.

# Committee Schedule

Schedule is subject to change.  
 For information updates, call  
 House Calls at **(612) 296-9283**.  
 All meetings are open to the public.  
 Sign language interpreter services:  
**(612) 282-2331 v/tty**  
 To have the daily and weekly schedules  
 delivered to your e-mail address, send a  
 message to:  
**listserv@hsched.house.leg.state.mn.us**  
 In the body of the message type:  
**subscribe h-schedules**

## MONDAY, April 21

8 a.m.

### TAXES

200 State Office Building  
 Chr. Rep. Dee Long  
**Agenda:** Omnibus Tax Bill.

8:30 a.m.

### WAYS & MEANS

5 State Office Building  
 Chr. Rep. Loren Solberg  
**Agenda:** State Government Finance Division  
 Omnibus Bill.  
 Additional bills may be added.

10 a.m.

### GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS

300N State Office Building  
 Chr. Rep. Bob Milbert  
**Agenda:** Confirmation of Charles Slocum to  
 the Ethical Practices Board.

11 a.m.

The House meets in session.

11:30 a.m.

### Conference Committee Employee Health and Wellness Bill/ HF473/SF197

316 State Capitol  
 Chrs. Rep. Satveer Chaudhary,  
 Sen. Charles Wiger

## TUESDAY, April 22

7 a.m.

### TAXES

200 State Office Building  
 Chr. Rep. Dee Long  
**Agenda:** Mark-up of Omnibus Tax Bill.

8:30 a.m.

### CAPITAL INVESTMENT

500S State Office Building  
 Chr. Rep. Henry Kalis  
**Agenda:** Judiciary Finance Division  
 recommendations for Thistledeew Camp.  
 Bill re-referred under House Rule 5.09.

### WAYS & MEANS

5 State Office Building  
 Chr. Rep. Loren Solberg  
**Agenda:** To be announced.

11 a.m.

The House meets in session.

## WEDNESDAY, April 23

8:30 a.m.

### WAYS & MEANS

5 State Office Building  
 Chr. Rep. Loren Solberg  
**Agenda:** Health and Human Services Finance  
 Division Omnibus Bill.  
 Judiciary Finance Division Omnibus Bill.  
 Additional bills may be added.

11 a.m.

The House meets in session.

## THURSDAY, April 24

8:30 a.m.

### CAPITAL INVESTMENT

500S State Office Building  
 Chr. Rep. Henry Kalis  
**Agenda:** Bills re-referred under House Rule  
 5.09.

### WAYS & MEANS

5 State Office Building  
 Chr. Rep. Loren Solberg  
**Agenda:** Omnibus Tax Bill.  
 Additional bills may be added.

10 a.m.

The House meets in session.

## FRIDAY, April 25

10 a.m.

The House meets in session.

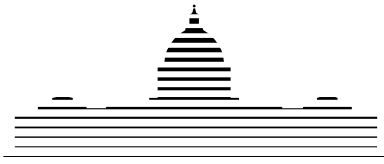
## Frequently called numbers

**Secretary of the Senate**  
 231 Capitol ..... 296-0271  
 Voice mail/order bills ..... 296-2343  
**Chief Clerk of the House**  
 211 Capitol ..... 296-2314  
**Index, Senate**  
 110 Capitol ..... 296-2887  
**Index, House**  
 211 Capitol ..... 296-6646  
**Information, Senate**  
 231 Capitol ..... 296-0504  
**Information, House**  
 175 State Office Building ..... 296-2146  
**Committee Hotline, Senate** ... 296-8088

**Committee Hotline, House** .... 296-9283  
**Sergeant at Arms, Senate**  
 Senate Chamber ..... 296-7159/6-1119  
**Sergeant at Arms, House**  
 45 State Office Building ..... 296-4860  
**Counsel and Research, Senate**  
 G-17 Capitol ..... 296-4791  
**Research, House**  
 600 State Office Building ..... 296-6753  
**Legislative Reference Library**  
 645 State Office Building ..... 296-3398  
**Revisor of Statutes**  
 700 State Office Building ..... 296-2868

**Governor's Office**  
 130 Capitol ..... 296-3391  
**Attorney General's Office**  
 102 Capitol ..... 296-6196  
**Secretary of State's Office**  
 180 State Office Building ..... 296-9208  
**Capitol Security**  
 B-4 Capitol ..... 296-6741  
**Emergency** ..... 296-2100  
**TTY\*, Senate** ..... 296-0250  
 Toll free ..... 1-888-234-1216  
**TTY\*, House** ..... 296-9896  
 Toll free ..... 1-800-657-3550





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

Speaker of the House: Phil Carruthers  
Majority Leader: Ted Winter  
Minority Leader: Steve Sviggum

## MINNESOTA INDEX

### University of Minnesota

Enrollment at the University of Minnesota's Twin Cities campus, fall 1996 ....	37,018
Percent of those students from Minnesota .....	74
Undergraduates enrolled at the Twin Cities campus .....	23,715
Undergraduates enrolled throughout the state of Vermont .....	23,408
Enrollment at all U of M campuses .....	48,690
Population of Minnetonka, Minn. ....	50,569
Additional students enrolled in continuing education and extension courses .	18,522
Different countries represented by U of M international students .....	126
Bachelor of Arts degrees conferred at the U of M's first commencement in 1873 ....	2
Total U of M degrees awarded through June 1996.....	505,023
Number of those that were PhDs .....	22,779
Degrees awarded in 1995-96 .....	10,755
Student services fees, per quarter, Twin Cities campus .....	\$156.71
Crookston campus .....	\$76.10
Library systems in North America larger than the U of M's .....	16
Full-time academic staff, all campuses, Nov. 1996.....	5,759
Number of endowed chairs and professorships, 1996 .....	241
in 1985 .....	17
Full-time civil service/bargaining unit employees, all campuses, Nov. 1996 ....	10,435
State appropriations to the U of M, in millions, 1995-96 .....	\$471
Dollars collected by the U of M in student tuition and fees, in millions, 1995-96 .....	\$217.4
Number of U of M presidents since the University was founded .....	13
Number of rooms in Eastcliff, the official home for the University president .....	21
Year the home was turned over to the University .....	1958
Year the "Minnesota Rouser" was written by Floyd M. Hutsell.....	1909
Amount Hutsell won in the <i>Minneapolis Tribune</i> -sponsored contest to choose a fight song for the U of M .....	\$100
Years between the time U of M English instructor Augusta Norwood Smith chose maroon and gold as the school's colors (1880) and their official approval by the Board of Regents (1940) .....	60

Sources: University of Minnesota (<http://www.umn.edu/system/facts.html>); Minnesota Planning; Profiles of American Colleges, compiled and edited by the College Division of Barron's Educational Series.

### For more information

For general information, call:  
**House Information Office**  
(612) 296-2146 or  
1-800-657-3550

To obtain a copy of a bill, call:  
**Chief Clerk's Office**  
(612) 296-2314

To find out about bill introductions or  
the status of a specific bill, call:  
**House Index Office**  
(612) 296-6646

For up-to-date recorded message  
giving committee meeting times and  
agendas, call:  
**Committee Hotline**  
(612) 296-9283



The House of Representatives can be  
reached on the World Wide Web at:  
<http://www.house.leg.state.mn.us>



Teletypewriter for the hearing impaired.  
To ask questions or leave messages,  
call:  
**TTY Line (612) 296-9896 or**  
**1-800-657-3550**

Check your local listings to watch  
House committee and floor sessions  
on TV.

This document can be made available  
in alternative formats.