



Irene Gomez-Bethke Papers.

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STEVE KEEFE

Assistant Majority Whip  
Senator 59th District  
301 State Capitol  
St. Paul, Minnesota 55155  
Phone: 296-4190

**Senate**

**State of Minnesota**

November 21, 1978

Mr. Eugene Buckanaga  
Urban Coalition of Minneapolis  
1009 Nicollet Mall  
Minneapolis, MN 55403

Dear Gene:

This is the latest draft of the scholarship bill we talked about. Of course, since the last election, it is becoming much more questionable whether we can pass it or not. Nevertheless, I am willing to keep working on it, if you are. It is such a clearly desirable program that I would think we could sell it to the House and the Governor.

Let me know what you think about the details of the bill. It seems to me it could be narrowed down a little bit, both as to who would be eligible for scholarships and for members of the board who would award scholarships. I will wait to hear from you and we will try to put together another meeting for mid-December. I appreciate your help on this.

Sincerely,

*Steve Keefe*

Steve Keefe

SK/lm

Sample Phone Call

Good Morning \_\_\_\_\_. My name is \_\_\_\_\_.

I would like to speak with you today about a piece of legislation that is of great interest to me. Representative Ken Nelson has introduced House File 420 which would authorize school districts to make certain terminations and reinstatements on the basis of affirmative action goals, as well as on the basis of seniority.

I strongly urge you to support this bill. In the larger urban school district, the minority student population is increasing while the whole student population is decreasing. There is a greater need for minority teachers because of this trend. However, because of overall declining enrollment, teacher lay-offs have been made. And because of seniority laws, those teachers with less seniority have been layed-off first. This has severely affected minority teachers. I feel very strongly that we need to find a way to retain minority teachers, given the increasing minority student population. Representative Nelson's bill does not eliminate the seniority system, but it does allow for affirmative action to also be used by districts in deciding which teachers will be layed-off. I feel this bill would be very helpful in reversing the disturbing situation we currently face. I strongly urge you to support H. F. 420.

Because of the importance of the discussion on the legislative program of the Coalition, my report for the Education Committee will be very brief.

I would like only to update the Board on the activities of the committee and the current efforts of the staff.

Since the last Board meeting, the Education Committee has met twice and will be meeting again on February 4.

The topics we have been considering are the following:

- 1) Pratt/Glendale organizing and how to bolster our efforts. Staff has identified some new support from parents in Glendale and we should have a written update by the March Board meeting.
- 2) Development of a Talent Search proposal is moving along well with an initial draft to be presented to the Committee in February.
- 3) We have begun discussions of possible special interest activities that UCM could sponsor such as:
  - a) a conference on competency in public education
  - b) a merit program for teachers who excel in their field

As these possibilities develop, we will report more fully on them.

- 4) By far the most important effort of the Committee is to discuss the various possibilities that UCM has for a posture on education issues. Our February 4 meeting will be devoted to the discussing possible roles for UCM staff and Board to play in the area of education.



## Additions to Legislative Program

### Energy

#### Lower Income Energy Demonstration Projects

Appropriate dollars for experimentation in lower income models of alternative energy applications, with an emphasis on job creation. Support within context of budget debate.

#### Appropriation for Weatherization

In order to maintain weatherization at its current level (18 million per year; 9 million federal, 9 million state), a 9 million dollar state appropriation is necessary for FY '82 and 18 million for FY '83. The \$18 million is based on an anticipated end to weatherization aid in FY '83. Moderate effort to sustain level of activity for low income people.

#### Appropriation for Lower Income Energy Assistance

Continuation of the State Energy Assistance Program (SEAP) requires an appropriation of \$6.1 million. This provides energy assistance for persons just above the income guidelines for the Federal program. Moderate support within context of budget.

#### Continued Weatherization Through MHFA

An appropriation of \$2 million is necessary for weatherization funds that would be administered through the MHFA. These funds would 1) permit structural repairs to be completed which are necessary to conduct weatherization but are excluded under the Federal Regulations; and 2) permit weatherization of residences of low- and moderate-income households where the fuel bill is in excess of 120 percent of the regional average for that type of fuel. Moderate support within context of budget.

Rental Property Energy Efficiency  
The Coalition is also exploring the following legislative ideas based upon a DOE-funded study we have been conducting on the weatherization of rental properties:

1. Tax credit for rental investment in energy conservation.
2. Insurance pool for rental properties held on contract for deed.
3. Appropriation for enforcement of rental property standards.
4. Necessary changes in rental property standards.
5. Inclusion of rental loans in all utility investment programs.
6. Legislative changes in
7. Requirement that landlords who pay utility bills post bills in public place.

Major effort to develop legislation; perhaps link with weatherization and deduct bill to form omnibus rental energy bill.

MISCELLANEOUS

Sliding Fee Schedule for Day Care:

Child care services are provided free of charge for a limited number of low-income working families under Title XX funding. Maximum annual income for Title XX eligibility is presently about \$10,000 for a family of three. As soon as one dollar over this amount is earned, a family typically loses all child care assistance under Title XX. The Greater Minneapolis Day Care Association Parents' Assistance Fund offers a limited number of sliding-fee subsidies for the purpose of minimizing the hardship of Title XX cut-off. However, the Parents' Assistance Fund only serves families in Neighborhood Strategy Areas, and these areas presently include only about 12% of the city's population.

The 1979 Minnesota Legislature established an experimental program to reduce the hardships of losing Title XX benefits for families living outside Neighborhood Strategy Areas. The appropriation for this experimental program was 1.5 million dollars for the 1980-1981 biennium. The program uses a sliding-fee schedule for families earning between 60% and 70% of the state-wide median income. For example, the eligibility income bracket for a family of four would be about \$12,800 to \$15,000. Within this range, the amount paid by the client for day care would increase with higher incomes.

The 1979 law requires the Commissioner of Welfare to report on the effectiveness of the program no later than January 15, 1981. The program will expire June 30, 1981 under the current law.

Because funding did not become available to counties until January of 1980, and the cut-off date for data collection will be the late fall of 1980, the period of evaluation will be only ten months.

Sliding-fee schedule grants to Hennepin County now serve 101 families in Minneapolis. If the program expires, these families would face the following eventualities: a loss of income by assuming the total day care bill; a cut-back of work to gain Title XX eligibility; cessation of work altogether for access to AFDC benefits; or leaving children unsupervised.

Seventy-three of the 101 Minneapolis families using the sliding-fee program are headed by a single parent. These families in particular face the possibility that work may simply become too expensive without a sliding-fee program.


UCM should support the efforts of the City of Minneapolis and others in getting this program extended.



EARL D. CRAIG, JR.

*President*

January 16, 1981

TO: Members of the Board  
FROM: Earl D. Craig, Jr.   
RE: Legislative Program of UCM for 1981

The legislative program will be the primary item on the agenda of the January 21 Board meeting. After reviewing the comments from members of the Board regarding my first list of legislative ideas and incorporating additional ideas that have surfaced since the first list was prepared, the other members of the staff and I have prepared the following packet for use at the meeting.

Attached are two lists. One includes all significant items the staff has reviewed for possible inclusion in the legislative program but recommends rejecting. An attempt has been made to indicate the reason for the rejection. The other includes all items the staff is recommending be included in the program and the type and level of activity in which we would engage. There are three major levels of activity noted: 1) lead role -- bearing a major responsibility in the formulation and advocacy of a bill; 2) moderate role -- bearing some responsibility for the content and advocacy of a bill but not assuming the primary role; and 3) supportive role -- submitting letters or making brief contacts based on the suggestions of other advocating the bill.

The lists are long and have grown since my initial memorandum, but I wanted to give you some sense of the culling process staff completed. Please review these items in at least the following respects: 1) agreement/disagreement with the proposed position on the issue; 2) level or type of activity by UCM on the particular item; and 3) suggestions regarding specific elements of the bill or approaches to the problem.

One final item. You will note that a number of suggestions regarding housing have been included in the list of recommended items. I feel this is necessary even though you have not received the final report of the Housing Task Force. The recommendations we have included are consistent with the staff's current thinking and understanding of the Task Force. These recommendations are in no way intended to preempt the work of the Task Force, but timing considerations require action by the Board on this legislation at the January meeting.

I look forward to a good session on Wednesday.

/cda

Attachments

Legislation Recommended for Action by UCM

HOUSING

*an*

Anti-Speculation Tax: This tax would be aimed at decreasing the incentive for frequent purchase, sale and refinancing of rental property which results in higher rents and possible displacement of low-income tenants. Four alternative forms of this tax are under consideration:

1. Taxation of capital gains on high turnover rental property (sold within, for example, 5 years of purchase) as regular income instead of at the lower capital gains rate. The maximum tax rate in Minnesota would be 18 percent. This option rejected because state tax is insignificant compared to federal.
- ✓ 2. Assessment of a "transaction charge" on the sale of high turnover rental property. This option allows for greater potential charges and, therefore, impact than does option one. This could be enacted as a local government option or statewide.
3. Forfeiture of accelerated depreciation tax benefits received on high turnover rental property. Would parallel existing federal law.
4. Denial of mortgage interest and depreciation deductions on high turnover rental property. This would expand Chapter 290.101, which currently allows denial of such benefits to substandard rental property.

Major effort

- 1 Restriction of Tax-Exempt Financing for Upper Income Housing: Ceilings on the amount of tax-exempt financing available for housing construction make it important to target such financing to low-income housing. To correct past patterns of use of tax-exempt financing, stricter regulation was proposed. These restrictions could include lower purchase price limits, low downpayment requirements and elimination of participation by upper-income households for housing financed with tax-exempt bond proceeds. Major role

Regulation of Contracts for Deed: Since many of the proposals aimed at reducing rental property speculation depend on access to information on property turnover, it was suggested that contracts for deed be publicly registered to ensure greater access. Such registration would indicate both turnover rates and current ownership of rental property. Moderate role

\* HRA Authority to Discourage Speculation: HRA is currently prohibited from using tax increment and revenue bond financing to acquire rental property for the purpose of removing it from the speculative market. It was suggested that such authority be granted, with provisions to limit potential abuse of property acquisition. Supportive role

*eliminate  
Capital gains  
16%  
Transaction 8-  
Ch. - assessed*



Repair and Deduct: In the past, legislation has been introduced to ensure tenants' ability to make necessary repairs to rented property and deduct the costs incurred from rent payments. Because these attempts have failed, similar legislation is proposed for the 1981 session. Under such legislation, tenants could deduct up to a specified proportion of their rent for repair of substandard items. The possibility of using this procedure for weatherization is also being explored. Supportive role because of work by others.

Emergency Housing: Obtaining an appropriation for the acquisition and rehabilitation of emergency housing units (emergency housing is provided for a few days while more permanent accommodations are identified). Last year the Legislature authorized the Minnesota Housing Finance Agency to operate a program of this kind and appropriated \$2 million. The Governor signed the authorizing legislation but line item vetoed the appropriation. Thus, there are no funds available to operate this program. The UCM's Housing Task Force is examining this issue and will include recommendations regarding this matter in its report. Supportive role

Indian Housing: Some as yet undetermined changes in the existing Indian Housing legislation are being discussed by various Indian groups. UCM should play a supportive role after reviewing specific suggestions.

Battered Women's Centers: There is a documented need for three additional battered women's centers. We are investigating whether this would require additional enabling legislation or merely an increased appropriation. Supportive role. Coordinate with budget effort.

Housing Appropriation: Part of overall budget struggle. Housing appropriation should be examined closely as part of this effort and incorporated in UCM's overall budget-related activities.

#### ENERGY

Energy Finance Commission: Creation of a state energy finance commission that would issue tax exempt bonds to finance energy conservation and alternative energy investments by individuals and small businesses and help in setting up small, energy-related businesses.

Alternative Finance Commission: As an alternative to the Finance Commission, redefine the mandates of various existing state agencies, such as the Minnesota Housing Finance Agency, the Department of Economic Development and the Minnesota Energy Agency, to mandate energy-related activities.

Major role because of need to establish a complete framework for energy-related investment which attempts to create jobs in Minnesota through energy and maximizes the economical investment in conservation and alternative energy.

Energy-Related Training: Creation of a scholarship fund or some other mechanism to assist lower income individuals seeking energy-related training from vocational schools or community colleges. Also, seek to assure that energy-related training is available in urban areas.

We are now seeking comprehensive information on the availability and cost of energy-related training. Once this is received, a legislative approach ranging from administrative changes, new legislation which we carry or initiatives through the Higher Education Coordinating Board would be pursued. Moderate effort

Energy Repair and Deduct: The State now has an energy efficiency standard for rental property that is poorly enforced. Some required repairs could easily be made by tenants if the owner refuses to comply. This legislation would permit tenants, after giving proper notice, to correct violations of the state energy code and subtract the cost of their investment from their rent. Maximum deductions from rent would be imposed. Given the large numbers of low-income people who are renters, UCM would provide moderate support for this legislation.

Corporate Tax Credit for Energy Contributions to Non-Profits: Provision of a state tax credit to corporations which contribute to energy conservation or alternative energy investments by non-profits serving lower income people. This credit would be in addition to the current deduction from corporate income now provided for all construction to non-profits. This proposal is modelled after a Pennsylvania law which applies to all contributions to non-profits serving lower income areas.

There are some doubts that such a bill would elicit additional contributions. It would obviously tend to skew contributions toward energy. The lack of effective governmental incentives for non-profits to make energy investments, their lack of resources and the likelihood that no new appropriations will be made for this purpose argues for this more indirect approach. Dollar limits on the credits to individual corporations and aggregate credits provided by the state are contemplated.

Because of dire financial straits of many non-profits and the lack of other effective responses, UCM should provide a moderate effort in support of this proposal.

Utility Rate of Return on Conservation Investment: This legislation would direct the Public Utilities Commission to grant a higher rate of return on investment to utilities that aggressively invest in conservation. UCM has consistently advocated conservation as the most cost effective means of meeting the energy needs of Minnesota residents while providing the most employment opportunities for lower income and minority people. This bill would further institutionalize that position.

Because others will be involved in this debate, UCM should provide a moderate level of support by indicating the employment implications of this legislation.

Minnesota COACT, a group of rural community activists, is proposing legislation to alter the manner in which oil corporations doing business in Minnesota are taxed. COACT argues that various special exemptions resulted in oil corporations paying less than half of Minnesota's 12 percent corporate income tax rate on their income. Staff has just received a copy of their proposed bill and will investigate this matter prior to Wednesday's meeting.

Electrical Rates: Minnesota statutes currently provides little explicit direction to the PUC to establish rates that take into account either economic need or conservation. The courts have indicated that such rate structures are permitted under state law but not mandated. The PUC has ordered such rates, but as the PUC's majority shifts, there is no guarantee that such policies will persist. NSP argues that rates such as the existing Conservation Rate Break provides benefits to middle and upper income households and don't induce conservation. As UCM indicated in testimony last fall, a disproportionate share of the benefits of the existing rate have accrued, according to NSP's data, to lower income households.

While this is a complicated issue, I believe it is essential that the low-income perspective be included in the debate. Historically, UCM has provided that voice on electrical rate matters. Therefore, staff recommends a moderate level of effort by UCM.

#### STATE BUDGET

General monitoring and advocacy as appropriate on matters of state taxation and spending. The state is confronted with an estimated deficit of \$1 billion. Major spending cuts are likely. Social welfare programs are likely targets. Some tax increases are also likely. The UCM's role would be to help assure that lower income people's interests are not sacrificed to balance the budget. We would pick and choose among the spending and taxing proposals to identify the most important ones. In all likelihood, UCM would be working with other groups on this issue, which looks like it will be complex but critically important. UCM would attempt to provide a major effort regarding taxes, a topic often neglected by lower income advocates. This topic had by far the highest level of support in the responses from Board members.

#### EDUCATION

Linkage of Appropriations Increase and Evaluation: Major increases in education funding are being sought from the Legislature. This comes at a time when there continues to be stiff resistance to the evaluation of all teachers and school administrators, a position UCM has advocated since completion of the Education Task Force Report. Based on comments in response to my survey, I recommend that UCM not attempt to alter the State's tenure law to create, but that mandatory evaluation of all school personnel, tenured and untenured, be mandated as a condition to receiving additional state aid.

Because of the importance of this issue to our constituency and the relative lack of organized support for this effort, I recommend a major effort by the Coalition.

Combining of Community Colleges and AVTI Under a Single Commissioner: A recent study by the Higher Education Coordinating Board advocated the eventual coordination of community college and AVTI administration and the designation of a single Chancellor to oversee these activities. This will be a controversial issue that will have serious and as yet unclear implications for our constituency. UCM should therefore monitor closely this proposal.



Other Recommendations Regarding Minorities from Higher Education Coordinating Board (HECB): The 1979 Legislature directed HECB to study conditions affecting participation of Chicano/Latino students to develop means of increasing the success of Chicano/Latino students in post-secondary education. The results of this study have implications for all minority students in Minnesota; the recommendations provide a potential means of advancing UCM's educational goals for elementary and secondary students as well. The most important recommendations are listed below.

First, all school districts and post-secondary institutions in Minnesota should maintain enrollment, attrition, and graduation data on each student with references to racial/ethnic origin. This was a recommendation of the UCM Education Task Force; and UCM should support the efforts of the HECB to have it adopted.

Second, institutional support services for minority students should be measured in terms of the successful achievement of student educational objectives as well as initial and projected enrollments. By institutionalizing student achievement as a measure of success, this recommendation could set the stage for use of similar measures in elementary and secondary schools. The latter was a recommendation of the Education Task Force. UCM should support this recommendation in whatever form, administrative or legislative, it is carried forward.

Third, the HECB, and the systems of post-secondary and secondary schools continue and improve their efforts to provide accurate, timely and accessible information about post-secondary opportunities and financial assistance to all potential students and their families. This effort would support and be in keeping with the existing efforts of UCM through the Financial Aid Pilot Project and the anticipated work through the Talent Search Program. The specific legislative issue will be extension of HECB appropriation for publication and dispersal of information regarding higher educational opportunities and financial aid.

UCM should support the efforts of HECB in each of these areas.

Computer Systems: The state recently passed legislation that compels the Minneapolis Public Schools to become part of a regional computer system. Serious questions regarding the efficiency of such a change have been raised within the district and elsewhere in the state. Dr. August Rivera, a member of our Board, has been a leader on this issue. Staff is unable at this time to assess the merits of this matter and will present it to the Education Committee at its meeting on January 20. More details will be made available to the Board on the 21 in conjunction with the Committee's recommendations.

Discipline Bill: During the 1980 legislative session, UCM served as a major source of opposition to a bill that would have permitted teachers to dismiss pupils from the classroom for disciplinary reasons without providing an adequate system for handling them after. The proposed bill would likewise have given teachers broad discretion with little recourse or supervision from the school administration. UCM's opposition was based on the fear that minority students would bear the brunt of these dismissals. Patterns of suspensions were cited as documentation for this position. This year a similar bill will again be presented. UCM should take a major role in shaping and, depending on the content, ultimately defeating this legislation.

\*\*\*\*\*  
PLEASE NOTE: All recommendations regarding education were made prior to the January 20 meeting of the UCM Education Committee. Thus, the oral presentation to the Board on these matters could change.  
\*\*\*\*\*

#### Employment

Lower State Minimum Wage for Youth: The affect of minimum wage laws on youth, particularly minority youth, unemployment has been a hotly debated issue. While I know of no specific state legislation on the topic at this time, one could easily be introduced. In anticipation of this fact and at the suggestion of a member of the Board, I recommend that this topic be submitted to the UCM Employment Committee and staff for research and development of a recommendation to the Board.

Increase CETA Income Eligibility: CETA eligibility is currently limited to individuals from households with income at or below 70 percent of the Bureau of Labor Statistics Lower Living Standard. Staff is now investigating a proposed change to 100 percent of the standard and will report its findings and recommendations to the Board meeting.

Revision in Indian Business Development Loan Program: This program uses tax receipts from severed mineral rights of land in northern Minnesota to provide business loans to enrolled members of tribes from whom the land was taken. Originally, decisions regarding the use of these funds was delegated to the local RCBs for applications from reservation residents and to the Department of Economic Development for non-reservation Indians. This policy was revised before any loans could be disbursed. DED was given final decision-making authority in all cases. The Indian Affairs Intertribal Board is seeking to have delegated the authority to approve all loans, regardless of place of residence, to the RCBs. It also seeks to have the program provide 75 percent of the total loan package for an individual borrower. UCM should support the efforts of the Intertribal Board.

#### Miscellaneous

Affirmative Action: The suggestion was made in the Board survey that additional "teeth" are needed in existing affirmative action laws to make them more effective. As yet, staff has not identified specific proposals that could be pursued, but additional research will be completed prior to the Board meeting.

Child Support Collection System: Less than 25 percent of the court orders for child support in Minnesota are paid, and those are often not paid regularly. Currently, the only families that have any governmental collection mechanism to aid them are those on welfare. As a result, many families are forced onto welfare by the non-payment. Then and only then does the government step in to assist in the collection of a judicially order payment.

Michigan has adopted a collection system for all support orders that could serve as a model in Minnesota. Staff found that it pays for itself and earns a \$4 million surplus. In Wayne County, the largest county in Michigan, 90 percent of the support orders are paid.

The League of Women Voters recently completed a study of this matter. Staff will consult with them prior to the Board meeting and formulate a specific recommendation.

Transit Fares: The Metropolitan Transit Commission (MTC) recently proposed that fares for urban routes be increased by a dime to help reduce MTC's deficit. Suburban routes would remain at current levels because the level of suburban service in relation to the existing property tax subsidy is extremely low, according to the MTC.

There are several reasons why this action appears to discriminate against lower income urban residents. Lower income residents tend to live and travel in areas subject to the fare increase. Lower income residents tend to ride the bus more. Suburban routes receive a much larger subsidy per rider than urban routes, some of which almost pay for themselves at current fares. Lower income people tend to have fewer transportation options. MTC has failed to aggressively pursue lower cost options for serving suburban areas.

Because the low income perspective has never been fully developed and articulated, and because transit is of crucial importance to the lives and employment opportunities of our constituency, staff recommends that UCM expend a moderate to high level of effort in presenting this perspective.

## Legislation Recommended for No Action by UCM

### HOUSING

Property Tax Assessment Formula Revision: Current assessment classifications result in higher taxes on rental property than on non-rental property. Revision of these formulas was suggested to allow tax savings on rental property to be passed through to tenants in the form of lower rents. Pass-through of the savings to the tenants would be mandated in the legislation. Not clear how benefits could be guaranteed to tenants. Could be linked to other changes, such as anti-speculation tax, to form rental tax package.

Tax Incentives for Cooperative Housing and Land Trusts: A housekeeping amendment to current law is being drafted to ensure that the land, as well as the structured owned by neighborhood real estate trusts, is assessed at homestead tax rates. Rejected because others will carry this bill.

MHFA Loans for Cooperative and "Nonprofit" Housing: The MHFA is currently allowed to promote co-ops and nonprofit housing through loans. To rectify current inactivity in this area, a legislative mandate for such action was suggested. Rejected because others will carry this bill.

Pension Fund Capital Investment: Most of Minnesota's pension fund capital is currently invested in traditional stock and bond portfolios, much of it in non-Minnesota entities. Pension fund capital, as well as other state investment capital, is viewed as a major potential source of finance for production of low and moderate income housing. It was suggested, therefore, that at least a pilot program be established to assess the viability of this opportunity. Such a program could include formation of a state-backed guarantee fund to protect these investments against inadequate rates of return. Rejected unless research uncovers major role during this session.

Strengthening of Retaliatory Eviction Law: Tenants currently enjoy certain protections against retaliatory evictions. Since it was suggested that current provisions are often, in practice, inadequate, remedial measures are being developed. These measures include clarification of allowable causes for eviction and extension of the period during which the burden of proof for justifying evictions rests with the landlord. Such measures are intended to facilitate enforcement of tenant protections. Rejected because of greater priorities in housing.

Collective Bargaining for Tenants: This proposal is intended to increase the power of tenants vis-a-vis large landlords. Tenants with mutual grievances would be allowed to collectively seek redress in disputes with landlords. Rejected because of lack of background at this point.



## ENERGY

Rates Under Bond: Utilities are now permitted to begin collecting increased rates within a specified period after filing for the increase. If the PUC does not grant the full rate increase, excess collections are returned to the customer with interest through subsequent rate adjustments. Evidence of the economic costs and benefits of the elimination of rates under bond is a matter of contention. Utilities argue that elimination would inhibit their ability to compete in the financial markets. Proponents of elimination argue that unapproved increases in rates exact a hardship on customers. The Legislative Audit Commission questioned the utilities' contention in a recent report. The other major arguments for elimination is that the ability to begin collecting prior to approval makes a mockery of the regulation process and should therefore be eliminated.

Because the economic case is unclear and many other groups appear ready to work on this legislation, UCM should not participate in the resolution of this issue.

## MISCELLANEOUS

Corporate Tax Credit for Contributions to Non-Profits Serving Lower Income Neighborhoods: Pennsylvania now provides a corporate income tax credit for contributions to non-profits serving lower income neighborhoods. The credit is in addition to the deduction to income now provided. It's essential purpose is to increase the flow of philanthropic contributions to lower income neighborhoods. By imposing a limit on such claims, the effects on the budget are controlled while avoiding a direct appropriation.

Some questions have been raised concerning the continued commitment of the public sector to low income neighborhoods if a private sector mechanism of some kind, however modest, were in place. There are likewise questions concerning the level of support for those non-profits that are in some senses less popular with the private sector.

Because of fundamental questions concerning the need to maintain the responsibility of the private sector for lower income neighborhoods and the existence of the tax deduction provisions, staff recommends that UCM not become involved in this issue and, if asked, indicate our opposition.

S. F. 2361

2/20/78

## 1 A bill for an act

2 relating to peace officers; setting forth criteria  
3 for the use of deadly force by peace officers;  
4 amending Minnesota Statutes 1976, Sections  
5 609.065; and 629.33; and Chapter 609, by adding a  
6 section.

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

9 Section 1. Minnesota Statutes 1976, Section 609.065,  
10 is amended to read:

11 609.065 [JUSTIFIABLE TAKING OF LIFE.] The intentional  
12 taking of the life of another is not authorized by section  
13 609.06, except when necessary in the following cases:

14 (1) In resisting or preventing an offense which the  
15 actor reasonably believes exposes him or another to great  
16 bodily harm or death, or preventing the commission of a  
17 felony in his place of abode; or

18 (2) By a public officer or person assisting him to  
19 overcome resistance to the execution of legal process or  
20 order of a court when he reasonably believes that such  
21 resistance exposes him or another to great bodily harm or  
22 death; or

23 (3) By a public officer or person assisting him in

~~effecting a lawful arrest for a felony or in preventing an escape of a person held therefor.~~

Sec. 2. Minnesota Statutes 1976, Chapter 609, is amended by adding a section to read:

[609.0651] [AUTHORIZED USE OF DEADLY FORCE BY PEACE OFFICERS.] Subdivision 1. [DEADLY FORCE DEFINED.] For the purposes of this section, "deadly force" means force which the actor uses with the purpose of causing, or which the actor should reasonably know creates a substantial risk of causing, death or great bodily harm. The intentional discharge of a firearm in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force.

Subd. 2. [USE OF DEADLY FORCE.] Notwithstanding the provisions of sections 609.06 or 609.065, the use of deadly force by a peace officer in the line of duty is justified only when necessary:

(1) To protect himself or another from death or great bodily harm;

(2) To effect the arrest or capture, or prevent the escape or rescue, of a person whom the peace officer knows or has reasonable grounds to believe has committed or attempted to commit a felony involving the use or threatened use of deadly force;

(3) To effect the arrest or capture, or prevent the escape or rescue, of a person whom the officer knows or has reasonable grounds to believe has committed or attempted to commit a felony if the officer reasonably believes that the person will cause death or great bodily harm if his apprehension is delayed and if the use of deadly force will create no risk of bodily harm to innocent persons.

Sec. 3. Minnesota Statutes 1976, Section 629.33, is



1 amended to read:

2       629.33 [MEANS USED.] If, after notice of intention to  
3 arrest defendant, he shall flee or forcibly resist, the  
4 officer may use all necessary and lawful means to effect his  
5 arrest, provided the officer may not use deadly force  
6 unless authorized to do so under section 2 of this act. He  
7 may break open an inner or outer door or window of a  
8 dwelling house to execute ~~the~~ a warrant if, after notice of  
9 his authority and purpose, he ~~shall be~~ is refused  
10 admittance, or when necessary for his own liberation, or for  
11 the purpose of liberating another person who, having entered  
12 to make an arrest, ~~shall be~~ is detained therein.

13       Sec 4. [DUTIES OF PEACE OFFICER TRAINING BOARD.] By  
14 August 1, 1978, the peace officer training board shall  
15 notify every peace officer employed in this state of the  
16 provisions of this act.

17       Sec. 5. [EFFECTIVE DATE.] Sections 1 to 3 are  
18 effective August 1, 1978. Section 4 is effective the day  
19 following final enactment.

TO: Gov. Perpich

April 12, 1978

FROM: Eldred Sweet

MINNESOTA SENTENCING GUIDELINES COMMISSION - 9 members; 4 appointed by Governor

The first substantial change in Minnesota's sentencing laws since 1963. The new law is aimed at providing minimum terms for most serious crimes. The Commission will set sentencing guidelines for judges by Jan. 1, 1980. Judges would be allowed to deviate 15% from the guidelines without explanation. Greater variances would require written explanations to the Supreme Court.

The Commission will consist of 9 members; appointed to 4-year terms, and are as follows:

Chief Justice of the Supreme Court or his designee.

2 District Court Judges appointed by the Chief Justice

Commissioner of Corrections or designee

Chairman of the Minnesota Corrections Board (Richard Mulchrone)

GOVERNORS' APPOINTMENTS

2 public members

1 public defender

1 county attorney upon recommendation of the board of governors  
of the County Attorneys Council

THE GOVERNOR APPOINTS THE CHAIRMAN

Public members receive \$50 per diem.

## SUMMARY OF NEW SENTENCING LAW

Effective Date: 5/1/80

Sentencing Guidelines: Establishes a nine member Judicial Sentencing Guidelines Commission consisting of:

- (a) Chief Justice, or designee
- (b) Two District Court Judges appointed by Chief Justice
- (c) One County Attorney, and
- (d) One Public Defender, appointed by Governor
- (e) Two Citizens, appointed by Governor
- (f) Commissioner of Corrections
- (g) Chairman of Minnesota Corrections Board

\$200,000 is appropriated to pay staff salaries and Commission expenses.

By 1/1/80 Commission submits to Legislature sentencing guidelines which indicate (1) when the imposition of a sentence is appropriate, and (2) if the sentence is imposed, an appropriate presumptive period of imprisonment. The guidelines are to be based on reasonable offense and offender characteristics, and should take into substantial consideration current sentencing and releasing practices and correctional resources. The Legislature will review and comment on the guidelines, which become effective 5/1/80 unless the Legislature directs otherwise.

The Commission may also develop guidelines covering alternative dispositions available for those not sentenced to prison.

The guidelines are advisory to judges. Judges may deviate  $\pm 15\%$  from the presumptive sentence, and, for cause, may depart from the guidelines.

The Defendant or the State may appeal any sentence to the Supreme Court. In reviewing, the Supreme Court determines whether the sentence is unreasonable or unjustifiably disparate.

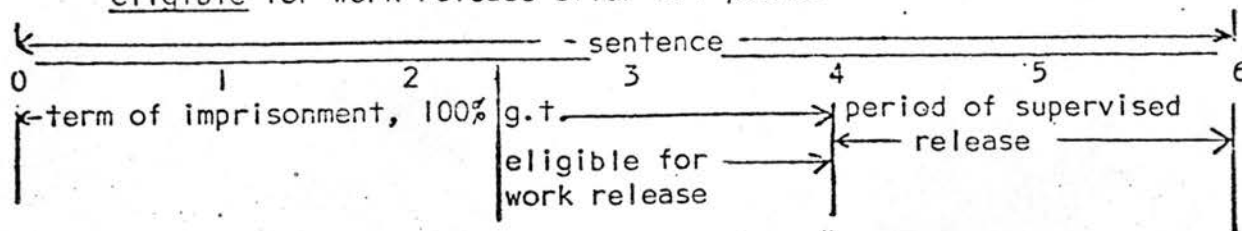
NOTE: The Commission is required to meet at least twice a year after 5/1/80 to review, modify, and improve the guidelines. They are empowered to evaluate the guidelines, to serve as an information clearinghouse, to conduct on-going research on sentencing, plea bargaining, and other matters regarding the improvement of the criminal justice system, and may make recommendations to the Legislature regarding same.

Terms of Imprisonment: An individual sentenced to prison serves the sentence imposed by the Court, less good time, which is awarded at the rate of one day for every two days of good behavior.

Upon completion of the term of imprisonment (that is, sentence less good time) the inmate is placed on supervised release under conditions set by the MCB. The MCB may revoke supervised release and return the inmate to prison if the conditions are violated.

The MCB may grant work release after the inmate has served one-half the sentence as reduced by good time earned.

EXAMPLE: Inmate X receives a six year sentence. With all good time earned, the inmate's term of imprisonment is four years, and the inmate must spend two years on supervised release. The inmate is eligible for work release after 2.4 years.



#### Role of MCB:

- (1) Establishes conditions of supervised release, revokes if conditions are violated.
- (2) Determines granting of work release after minimum eligibility. Revokes for violation of work release agreement.
- (3) Grant extraordinary discharge - senility, serious health problems, other extraordinary circumstances - with approval of Pardon Board.
- (4) Continuing jurisdiction (full current powers) over those convicted of crimes committed before 5/1/80.
- (5) MCB may not:
  - (a) Grant temporary paroles - furlough power given solely to Commissioner.
  - (b) Discharge prior to expiration of sentence.

#### Other Features:

- (1) Current offenses and statutory maximum sentences remain generally unchanged.
- (2) After 5/1/80, MAP contracts are "voluntary" - i.e., no reduction in terms of imprisonment upon MAP contract completion.

Terms of Imprisonment, Work Release Eligibility Dates, and Periods of  
Mandatory Supervised Release Under New Sentencing Law

Sentence Imposed Years (Mo)		Terms of Impri- sonment (Sent. Less Good Time) (Mo.)	Earliest Work Release Eligibility (Mo.)	Period of Supervised Release (Mo.) (Sent. Minus Term of Imp.)
1	(12)	8	4.8	4
2	(24)	16	9.6	8
3	(36)	24	14.4	12
4	(48)	32	19.2	16
5	(60)	40	24.0	20
6	(72)	48	28.8	24
7	(84)	56	33.6	28
8	(96)	64	38.4	32
9	(108)	72	43.2	36
10	(120)	80	48.0	40
15	(180)	120	72.0	60
20	(240)	160	96.0	80
25	(300)	200	120.0	100
30	(360)	240	144.0	120
40	(480)	320	192.0	160



*Presented  
+  
Discussion  
Peter McLaughlin*

CITIZENS UTILITY COALITION  
1951 University  
St. Paul, MN 55104

PROPOSED LEGISLATION FOR THE 1978 LEGISLATIVE SESSION

Rate Reform:

Principles:

1. The "cost of service" is no longer the proper standard to use for determining the rate to be charged for an essential amount of energy consumption for residential customers.
2. All classes of consumers should bear the cost of providing an essential amount of energy to residential consumers.
3. The escalation of the cost of essential energy for residential consumers should be slowed.
4. Conservation should be encouraged.

Recommendations:

1. The service charge should be eliminated for all principal residences (occupied for six months or longer). All classes should pick up this loss in revenue.
2. There should be established a "lifeline" amount of essential residential energy consumption of 400 kwh/mo. The rate for this amount of electricity should be equal to the average rate for all classes of customers. The rate for additional residential consumption shall be an inverted rate structure, i.e. more will be charged per KWH as consumption increases. All classes of users will pick up the cost of the lifeline rate.
3. The lifeline rate will be frozen at its initial level until all other rates increase at an average of 25%. At that time the lifeline rate will be re-established at the average rate for all classes of use.
4. Increases in the non-lifeline rates of all classes should be made on a "straight cents" basis, not a percentage increase basis, i.e. the per kilowatt charge should be increased by, for example, 1¢/kwh instead of by, for example, 15%.

Rate Break:

Principles:

*400-1500 kwh  
for light etc.  
less 400, 1500 kwh  
would pay less*

The cost of energy is rising so quickly and the amount of state control over the cost of heating fuels is so limited that financial assistance must be afforded to low and modest income people. Special assistance must be given to people whose energy consumption is above average because of medical conditions. Financial aid should be available as a supplement to rate reform.

Spec.  
for energy  
purposes

H W  
Dept

Based  
on  
family  
size pinomic

Seasonal <sup>act.</sup> ~~amounts~~ to pay how Dec.  
to be sent in



Weatherization (continued)

B. Weatherization Assistance

*Cellulose  
treated  
boric acid  
Flammable*

1. In conjunction with an adequate assistance program such as that outlined in items (B.3.) and (B.4) below, the Legislature should adopt a requirement that all rental properties meet infiltration standards by 1980 and insulation standards by 1985. These standards should be promulgated jointly by the Department of Administration and MEA.
2. The Legislature should require that a written assessment of the quality of the weatherization of all owner occupied property and a statement of the previous years heating costs be prepared by the seller of an owner-occupied housing unit and presented to the buyer prior to any sale. (This parallels the procedures under the Minneapolis Truth in Housing Ordinance.)
3. The Legislature should mandate that Minnesota Housing Finance Agency Loan and Grant funds be directed toward the weatherization of rental housing occupied predominately by low and moderate income households. The MHFA should develop a mechanism for passing the benefits of the assistance to the tenants.
4. The MHFA Loan and Grant Program funding should keep pace with the need for funds generated by the state weatherization requirements.
5. In order to encourage the development of solar energy generating capacity the Legislature should exempt all residential solar equipment from property tax assessment.
6. In order to encourage the installation of insulation and other energy-saving materials and alternatives residential energy producing systems, the sales tax on such items should be removed.

C. Employment and Economic Development Related to Energy

1. The employment implications of various types of energy systems should be fully investigated by the Department of Economic Security and the MEA so that the State can move as much as possible to labor intensive forms of energy generation.
2. The legislature should encourage and support the creation of employment opportunities in energy-related activities, such as newsprint recycling for use in insulation manufacturing, manufacture of cellulose insulation, building weatherization and manufacture of alternative technologies by such State agencies and programs as the Department of Economic Development, Community Development Corporation program, Department of Economic Security, Minnesota Energy Agency, Pollution Control Agency and by private enterprise.

Utility Shutoffs:

Principles:

Minnesotans must be guaranteed freedom from heating and electricity shutoffs that endanger health and life. Landlords must be made responsible for keeping their properties adequately heated and lighted.

Utility Shutoffs (continued)

Recommendations:

1. Utility and heating fuel distributors must inquire of parties seeking service whether or not a landlord-tenant relationship exists.
2. If a residential service is to be disconnected, the utility and heating fuel distributors shall inform the customer of the appropriate local welfare department's emergency services or provide financial assistance without interest. In addition, the utility and heating fuel distributor shall notify the local law enforcement department, the appropriate county welfare department and other appropriate services. In these cases, the utility and heating fuel distributor shall provide the name, address, telephone number and the disconnection date of the customer affected at least ten days prior to disconnection.
3. Utility and heating service may not be disconnected nor refused between Sept. 1 thru April 30, provided there are reasonable grounds to believe that such disconnection or refusal will endanger human life or health. Residential customers may not be disconnected or refused service for non-payment of a delinquent account, a deferred payment agreement or failure to comply with deposit or guarantee arrangements during the effective period.
4. Notices of impending action by the utility or fuel distributor shall be by first class certified mail, return receipt requested. This notice is not in effect until the receipt has been signed.
5. All notices must precede any action to be taken by at least 10 days excluding Sundays and legal holidays. No notice may be given until the condition of which it informs presently exists.
6. If disconnection is the result of a landlord's negligence, then any reconnection fee shall be billed to the landlord.



Utility Shutoffs (continued)

Recommendations (continued)

7. If a dispute is not resolved to the satisfaction of the customer, he/she must submit the undisputed portion to the utility or heating fuel distributor. The customer may file with the Public Service Commission and/or small claims court. The P.S.C. shall investigate and make a determination as to whether or not the utility has a probable claim to the disputed portion of the bill. The company shall not consider the customer delinquent, nor can any shutoffs occur, until the dispute is resolved.
8. If the Commission determines that the customer has a probable claim in a dispute or that unusual hardship may result in the event of disconnection, it may declare an emergency status to exist and order the utility or heating fuel distributor to continue service for as long as unusual hardship may exist or until the dispute is settled.
9. If a utility is found to have disconnected service without following P.S.C. rules, regulations and applicable legislation, no reconnection fee can be charged and a \$50.00 credit for punitive damages shall be applied to the customer's next bill. In the event that the consumer costs and damages above the reconnection fee, the company is responsible for three times the amount of damages.
10. Utility and fuel distributors shall be required to inform the consumer at least once a year through their monthly billing of the shutoff procedures which must be followed by the companies.

Sales Tax-

Recommendations

1. The Coalition supports legislation to remove the sales tax on utilities and heating fuels

### Consumer Advocate Legislation

PURPOSE: To provide consumers with the expertise and financial resources to contest utility rate increase requests, to participate in the regulatory process, and to advocate consumer interests on utility issues before the state legislature.

This bill would provide for an independent office, funded and run by consumers, to offset industry influence in utility regulation.

FUNDING: The Office of Consumer's Counsel will be funded by a \$1.00 per year surcharge on electric bills. This amount allows for each consumer to contribute toward the budget of the office, insulated from political pressure and appropriations in the state legislature.

This amount would cost consumers only \$.08 a month, but result in a \$1 million statewide budget.

\$.09

STRUCTURE: The Office of Consumer's Counsel will be an independent office, not part of state government. Policy will be set by a board of directors, who shall also select the counsel responsible for its implementation.

The consumer's counsel will hire a staff of attorneys, economists, scientist and rate experts to take action on issues selected by the board of directors.

The board of directors will consist of 17 members; 9 appointed by the Governor, and 8 elected by ballots distributed in utility bills. The 9 directors appointed by the Governor shall consist of 2 farmers, 2 union members, and 5 members of the following special interest groups: tenants, senior citizens, handicapped, urban poor, minorities, religious, and students.

The eight directors elected by consumers shall represent the eight Congressional districts of Minnesota. They shall be nominated through a petition process to place their names on the utility bill ballot.

The first year of operation of the Office of Consumer's Counsel shall be directed by a board of six directors to oversee the startup of the office, to supervise the first elections, and to make initial staff selections. The six transitional directors shall be appointed by the Governor.

SCOPE: The Office of Consumer's Counsel shall appear in rate cases before state regulatory agencies and the courts; it shall handle citizen complaints and support and conduct research, public information activities, and demonstration projects; appear in power line and power plan siting cases; investigate certificates of need, etc., involving electric, telephone, natural gas, or water utilities.

*agency  
for equal  
rep -*



## COMMUNITY FORUM

### "Quality Education for All"

Wednesday, October 10  
7:00pm

Wishart Bldg. Auditorium  
2636 Portland

#### I. Guest Panel

Earl Craig, Jr., Executive Director, Urban Coalition of Minneapolis  
Vernon Indehar, Deputy Superintendent, Minneapolis Public Schools  
Judith Paine, First Vice-President, Minneapolis Federation of Teachers  
Donovan Schwichtenberg, President, Minneapolis Principals Forum  
Marilyn Borea, Chairman, Minneapolis School Board  
Maxine Nathanson, Executive Director, Minneapolis Citizens Committee on  
Public Education

#### II. Guest Moderator

State Representative Ken Nelson (59B), Vice-Chairman, House Education  
Committee

#### III. Program Format

- 2.5 A. Welcome and Introduction of Moderator - Lewis Freeman, Chair, Powderhorn Community Council
- 2.5 B. Introduction of Earl Craig, Jr. - Nelson
- (10) C. Overview of "Quality Education for All," a report of the Education Task Force of the Urban Coalition of Minneapolis, May 29, 1979 - Craig
- 2.5 D. Introduction of Panel Members - Nelson
- (10) E. Discussion of Student Achievement
  - 10 1. Presentation of Report Findings and Recommendations - Craig
  - 10 2. Response - Indehar
- (10) F. Discussion of Evaluation of Teachers, Principals and Administrators
  - 10 1. Presentation of Report Findings and Recommendations - Craig
  - 5 2. Response - Paine (Teachers)
  - 5 Response - Schwichtenberg (Principals)
  - 5 Response - Indehar (Administrators)
- (10) G. Discussion of System Accountability
  - 10 1. Presentation of Report Findings and Recommendations - Craig
  - 5 2. Response - Borea
  - 5 Response - Nathanson
- 10 H. Wrap Up and Summary - Nelson
- 15 I. Questions and Answers among Panel Members
- 30 J. Questions and Answers from Audience and Panel Members

#### IV. Refreshments and Entertainment (South Singers)



URBAN  
COALITION  
OF MINNEAPOLIS

November 28, 1979

Dear Friend of the Coalition,

On Wednesday, November 21, 1979 the Minnesota Sentencing Guidelines Commission announced that it had drafted its recommendations which it would present to the legislature in 1980. The Commission has been working for a year and a half to develop guidelines judges will use to sentence all felony offenders in Minnesota.

*Counsel*  
*Spanish* We at the Urban Coalition feel it is vitally important that the non-white community have a chance to review and comment on the guidelines before the Sentencing Commission's final meeting on December 17, 1979. If the guidelines have any negative connotations or potential for bias against non-white defendants, it is up to us to point them out and to strongly urge that they be changed. *Spanish Spdy*

The Urban Coalition of Minneapolis will be sponsoring a meeting of representatives of the non-white community and members of the Sentencing Guidelines Commission on Tuesday, December 11, 1979, 6:30 p.m., at the UCM Office, 89 South 10th Street, 2nd Floor, in Minneapolis. Commission members will be in attendance to listen to comments and recommendations.

We sincerely hope you will take this final opportunity to speak to the Sentencing Commission concerning their sentencing guidelines recommendations and their potential impact on non-white defendants. If you are interested in attending, please contact Eunice at (612) 348-8550 to confirm your attendance.

We hope to see you on December 11.

Sincerely,

*Earl D. Craig, Jr.*  
Earl D. Craig, Jr.  
President



MEMORANDUM

TO: Education Committee

FROM: Michael Cohen

RE: Fair Pupil Dismissal Act (FPDA) -- Bill to Modify

DATE: January 9, 1980

The Coalition for the Protection for Youth Rights (CPYR) has adopted this issue as a top priority and is devoting considerable time and effort to prevent any revisions of the FPDA. I will maintain contact with James Wilkenson the CYPR attorney working on this, and continue to monitor the progress of this bill. As requested at the last meeting of the Education Committee, I have pulled together the following data on suspensions in the MPS:

During the 1978-79 school year 2,271 students were suspended for one full day or longer. There were 1,511 students suspended once and only once, while 760 students were suspended more than once during the school year.

STUDENT SUSPENSION DATA

	<u>Indian Students</u>	<u>Black Students</u>	<u>Hispanic Students</u>	<u>Total Minority</u>	<u>Total Suspensions</u>	<u>Percent Minority</u>
<u>Once and Only Once</u>						
1-3 days	80	468	11	559	1,342	41.6%
4-10 days	23	66	1	90	149	60.4%
11 or more	1	13	-	14	20	70.0% ✓
Total	104	547	12	663	1,511	43.9%
<u>More Than Once</u>						
1-3 days	107	780	19	906	1,841	49.2%
4-10 days	21	149	4	174	248	70.2% ✓
11 or more	5	24	-	29	35	82.9% ✓
Total*	48	337	8	393	760	51.7%
TOTAL	152	884	20	1,064	2,271	46.8%

\*Since these data are for students who were suspended more than one time during the school year, the total is not for the number of suspensions but for the total number of students suspended more than once.

The House Education Committee will be hearing further testimony on this bill when the legislature resumes. According to Mark Mullander, staff for the House Committee, this bill will be voted on early in the session.



MR. CHAIRPERSON, MEMBERS OF THE COMMITTEE. MY NAME IS EARL ROGERS.

I AM COMMUNITY OUTREACH DIRECTOR FOR THE MINNEAPOLIS URBAN COALITION. THE URBAN COALITION IS A RESEARCH AND ADVOCACY ORGANIZATION FOR POOR PEOPLE IN MINNEAPOLIS. OUR PRINCIPAL CONCERNS ARE FOR THE CITY'S BLACK, AMERICAN INDIAN AND HISPANIC RESIDENTS WHO CONTINUE TO BE HIGHLY AND DISPROPORTIONATELY REPRESENTED IN THE RANKS OF THE POOR. WE ARE ONE OF 35 COALITIONS AND AFFILIATES LOCATED IN MAJOR URBAN AREAS THROUGHOUT THE COUNTRY, WITH THE NATIONAL URBAN COALITION OFFICE IN WASHINGTON, D. C.

I APPEAR BEFORE YOU TODAY IN BEHALF OF EARL D. CRAIG, JR., THE PRESIDENT, AND JOHN PEARSON, THE CHAIRPERSON OF THE COALITION BOARD OF DIRECTORS. FOR THEM AND FOR OUR LOCAL AND NATIONAL BLACK CONSTITUENCY, I URGE YOUR SUPPORT FOR THE CONSTITUTIONAL AMENDMENT GRANTING FULL CONGRESSIONAL REPRESENTATION AND VOTING RIGHTS TO THE DISTRICT OF COLUMBIA.

TWENTY-THREE TIMES SINCE 1800, CONGRESSIONAL REPRESENTATION FOR THE DISTRICT HAS BEEN SOUGHT, MAINLY ON THE GROUNDS THAT TAXATION WITHOUT REPRESENTATION IN CONGRESS WAS UNDEMOCRATIC. BUT IT WAS NOT UNTIL THE 95TH

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CONGRESS THAT THE PROTRACTED STRUGGLE FOR VOTING RIGHTS IN THE DISTRICT WAS ENDED, PASSING BOTH THE HOUSE AND THE SENATE, 289-127 AND 67-32, RESPECTIVELY.

OF COURSE THE DEBATE IS STILL NOT OVER. IN FACT THAT IS WHY WE ARE HERE TODAY. BUT IT IS IMPORTANT THAT WE TAKE NOTE OF SOME POINTS OF INTEREST RELATED TO THAT VOTE:

FIRSTLY, IT WAS CLEARLY A BI-PARTISAN EFFORT; 19 OF THE 67 VOTES CAST IN THE SENATE WERE CAST BY REPUBLICANS.

SECONDLY, IN VIEW OF THE U. S. PRESSURE FOR HUMAN RIGHTS ELSEWHERE IN THE WORLD, I THINK THE VOTE OF CONGRESS REFLECTS A GROWING UNDERSTANDING OF THE MORAL WRONG TO DENY D. C., WITH A POPULATION LARGER THAN 7-10 STATES IN THE U. S., THE SAME REPRESENTATION AS OTHER U. S. CITIZENS.

AND THIRDLY, IN MANY WAYS THE VOTE WAS A SYMBOLIC COMING-OF-AGE FOR THE VOTING RIGHTS ACT OF 1965, WHICH SPURRED BLACK VOTER REGISTRATION AND BROUGHT MANY YOUNG BLACKS ACTIVELY INTO THE POLITICAL SYSTEM.

THIS BRING ME BACK TO THE DEBATE. I WOULD BE REMISS IN MY APPEARANCE BEFORE YOU THIS AFTERNOON IF I DID NOT MAKE ONE FURTHER EDITORIAL COMMENT. IN THE MONDAY EDITION OF THE MINNEAPOLIS TRIBUNE, THERE WAS AN ARTICLE ON ABORTION. IN THE CONTEXT OF THAT ARTICLE THERE WERE STATEMENTS ATTRIBUTED TO A MS. DARLA ST. MARTIN, CHIEF LOBBYIST FOR THE MINNESOTA CITIZENS CONCERNED

FOR LIFE. SHE WAS BEING ASKED ABOUT LEGISLATION THAT MCCL WOULD SUPPORT OR OPPOSE IN THIS LEGISLATIVE SESSION. AMONG THE LEGISLATIVE ITEMS SHE RESPONDED IN OPPOSITION TO WAS THIS CONSTITUTIONAL AMENDMENT THAT WE ARE ADDRESSING TODAY. WHEN ASKED WHY, MS. ST. MARTIN SAID, AND I QUOTE, "THERE ARE MORE ABORTIONS THAN LIVE BIRTHS IN THE DISTRICT. WE'RE CONCERNED ABOUT THE PHILOSOPHY OF THE PEOPLE WHO LIVE THERE."

WELL FOR YOUR EDIFICATION, D. C.'S POPULATION IS OVER 80% BLACK. NOT ONLY IS IT THE CAPITAL OF THE NATION, IT IS ALSO VIEWED AS THE CAPITAL OF BLACK AMERICA, AFFECTIONATELY REFERRED TO BY MANY BLACKS AS "CHOCOLATE CITY." THEREFORE, I AM COMPELLED TO EXPOSE THOSE REMARKS BY MS. ST. MARTIN AS RACISM IN ITS MOST INCIDIOUS AND OPERATIVE FORM. -THE FORM WHICH DEHUMANIZES A PEOPLE, GENERATING DIABOLICAL MYTHS TO DISENFRANCHISE THEM AND KEEP THEM SO DISENFRANCHISED. IT IS THE SAME FORM OF RACISM, BY THE WAY, THAT SUBMITTED THE ANCESTORS OF BLACK AMERICANS AND D. C. RESIDENTS INTO CHATTEL SLAVERY AND FORED THEM TO BREED.

I BELIEVE I ECHO THE SENTIMENTS OF MANY BLACK MINNESOTANS WHEN I URGE YOU TO HASTEN THE FULL CONSTITUTIONAL ENTITLEMENTS OF D. C. RESIDENTS, BY SUPPORTING RATIFICATION OF THIS IMPORTANT HUMAN RIGHTS LEGISLATION BEFORE THE MINNESOTA LEGISLATURE.



[redacted]  
[redacted]  
Dear [redacted]

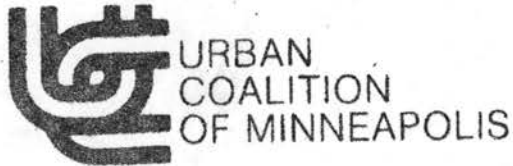
I am writing you today about a piece of legislation that is of great interest to me. Representative Ken Nelson has introduced H. F. 420 which essentially says that School Districts are authorized to make certain teacher termination and reinstatements on the basis of affirmative action goals, as well as on the basis of seniority.

I strongly support this legislation for a variety of reasons. Currently school districts, particularly in the larger urban areas are experiencing declining enrollment, a trend which has precipitated the laying-off of teachers. Because of seniority laws, the teachers with the least seniority are the first to go. Because minority teachers are the newest additions to the school faculty, they are heavily affected by school lay-offs. Even though affirmative action goals exist in school districts, they are superseded by seniority laws.

I feel it is imperative, given the fact that in larger urban school districts the minority student population is increasing while the white student population is decreasing, that H. F. 420 be adopted. As a school district becomes more heavily minority, there is a critical need for minority teachers who not only provide a positive role model for minority students, but who also are able to understand and relate to the particular educational problems of minority students.

For all of the aforementioned reasons, I strongly urge you to vote for the passage of H. F. 420. Thank you very much for your time and consideration.

Sincerely,  
  
[redacted]



EARL D. CRAIG, JR.

President

February 29, 1980

Dear Friend of the Coalition,

We are writing you regarding a piece of legislation which is of critical importance to the minority communities. Representative Ken Nelson has introduced H. F. 420 which essentially says that school districts are authorized to make certain teacher termination and reinstatements on the basis of affirmative action goals, as well as on the basis of seniority.

We are all aware of the teacher terminations which have been occurring due to declining enrollment and budget cuts. Tragically, minority teachers have been the primary victims because they usually have the least seniority. Even though school districts have affirmative action goals to meet, they are superseded by tenure and seniority laws. If the jobs of minority teachers are to be saved, there must be a way to reverse this trend. We believe Representative Ken Nelson's bill speaks effectively to this issue.

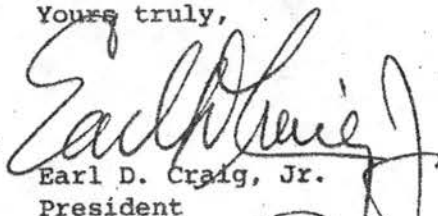
In order for this important legislation to pass, your help is needed. We hope you will be able to find the time to write and speak to your Representative and Senator, stating your support for H. F. 420. For your convenience we have enclosed a copy of the bill, as well as a sample letter and sample telephone conversation you may use in your communications with legislators.

Quite clearly this will involve a little time and effort, but the potential benefits to American Indian, Black and Latino students is definitely worth the effort. We sincerely hope you will be able to offer your assistance in support of this bill. We will be happy to provide you with any additional support data you feel you may need.

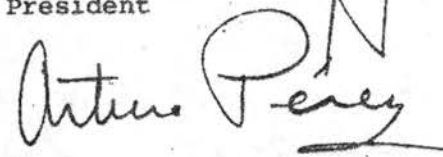
If you have any questions regarding the bill or would like to discuss it in more detail, please feel free to call our office.

Thank you for your interest and help.

Yours truly,



Earl D. Craig, Jr.  
President



Arturo Perez, Director  
Issue Advocacy and Outreach

March 5, 1980

Dear Member of the Minnesota State Legislature:

The non-white communities of Minneapolis and St. Paul are aware of and concerned about Governor Quie's initiative and referendum proposal (S. F. 1018) currently being heard before the Senate Judiciary Committee.

The Governor has suggested that initiative and referendum would allow "the people's" voice to be heard, increase their knowledge and involvement in the legislative process, and assure that the Legislature does not lose touch with the people it represents. In the twenty-six states which have instituted initiative and referendum, it has not been demonstrated that any of this occurred more so than in other states.

As heads of organizations representing the interests of the American Indian, Black and Latino communities of Minneapolis and St. Paul, we, the undersigned strongly oppose instituting initiative and referendum in any form in Minnesota for the following reasons:

- (1) We believe that the initiative and referendum process presents a grave threat to the economic and social welfare and civil rights of poor and minority people.

(2) *Proposition 13 - Hurt the Hispanic com. the most*  
Initiative and referendum will give unfair and grossly disproportionate advantage to groups with simplistic solutions to complex problems and large amounts of money. *so far I have been organizing organizations*

- (3) No clear need for initiative and referendum has been demonstrated in Minnesota. Almost anyone who has an idea and desires to can get a bill introduced in the current system. Serious problems do not currently exist in the present system, although it is far from perfect.

(4) *We have the press of testimony from concerned citizens*  
It has not been demonstrated that significant changes in the types of legislation enacted occur with initiative and referendum.

It is our belief that initiative and referendum is not worth the risk, especially the risk that legislation could be enacted that would effect the rights and welfare of non-white persons. For that reason and those listed above we oppose initiative and referendum being adopted in Minnesota in any form.

Please direct any questions or responses to Earl Craig or Margaret Simmons at the Urban Coalition, 348-8550.

*Prop 13*  
*Employment Discrimination Housing*  
*Action*  
*Lack of Services*  
*Money*

- 1 to lobby
- 2 to publicize
- 3 to organize effort.

*POOR PEOPLE*  
*Process*

*We now use the BEST DANKER*  
*1/2 TRUTHS*

*SOUNDS GOOD*

*Change in Constitution would not be in the best interests of the poor and people of color.*

*appropriations shall not be subject to the omnibus*



DFL SENATE TAX PLAN

1. Repate plan where most people get \$75; total = \$225 million.
2. Permanent income tax rate reductions and inflation -- proofing of the tax system starting January 1, 1980; total = \$270 million.
3. A pass through of federal capital gain changes, allowing senior citizens to sell their homes without declaring the profits as income; \$7.5 million.
4. Extending a \$140 tax credit to all military reservists, the same as Quie; \$2.8 million.
5. Eliminating Minnesota income taxes for military persons living out of state; \$3 million.
6. Increasing aids to local government by \$30 million, rather than the \$23 million proposed by Quie, plus another \$20 million for counties; total = \$23 million.
7. Improving circuit breaker plan, especially for seniors; total = \$10 million.
8. Changing railroads to a property tax and income system, giving local government added revenues and reducing railroad taxes; total = \$30 million.
9. State payments in lieu of taxes for counties with large acreages of state-owned land; total = \$7 million.
10. Reducing the sales tax on farm machinery and parts to 2 percent immediately; Quie had proposed a two-step reduction; total = \$16 million.
11. Reducing corporate income tax to 6% on first \$20,000 of income; total = \$30 million.
12. Inheritance tax changes; total = \$22 million.
13. Bracket indexing of income taxes; reduce income tax rates by 10%.

Total of 670 million

## TAXES -- QUIE

### Income Tax

1. 10% permanent reduction in income taxes. Lowest income brackets receive up to 100% tax reduction, incomes up \$33,000 will receive at least 10% reduction. Median tax reduction of 16.3%.  
-- reduces revenue derived from incomes taxes by 10%.  
-- retroactive 1979.
2. Family of four up to \$8,300 pays not taxes.
3. Indexing
4. Total income tax cut of \$416 million for biennium.

### Property Tax

1. Sufficient aid to education, enabling 1 mill decrease in school property taxes for each year of the biennium.
2. \$89 million in additional aid to local government.
3. "Property tax freeze credit" for senior citizens. All homeowners reaching 65 will have property taxes frozen. No senior would pay property taxes at a rate higher than 1.5% of the limited market of this primary residence.

### Agriculture

1. Phasing down sales tax on farm machinery. Total of 11.4 million in tax relief on this tax. All told for agriculture = \$15 million.

### Military

1. \$140 tax credit extended to all military reservists. \$2.8 million in tax relief.

### Pensioners

1. Tax exclusion increased from \$7,200 in income to \$10,000 in income. \$32.2 million in tax relief.

Inheritance Tax

1. Spouses presumed to share ownership equally in joint tenancy property and that 50% of property received by a surviving spouse be exempt.  
\$10.6 million in tax relief.

Solar Energy

1. 10% tax credit up to \$1,000 for persons buying solar energy equipment.

Business

1. Reduction in corporate tax rate to 6% on first \$20,000 of income.
2. No firm pay more than 10% of total net income in corporate taxes.  
\*\$58.8 million in tax relief.

Railroads

1. Ad valorem tax in place of 5% gross earnings.





URBAN  
COALITION  
OF MINNEAPOLIS

MEMORANDUM

TO: Education Committee Members

FROM: Michael Cohen

RE: Update

DATE: December 14, 1979

Bill on Student Dismissals

At the last Education Committee meeting (November 12) we discussed the implications of a bill introduced in the House Education Committee, that deals specifically with the suspension of students from class (copy of the bill sent in last mailing).

H.F. 959 → The proposed bill would allow elementary and secondary school teachers to dismiss a student from class without first referring the situation to the school principal. If this power was granted teachers, it would substantially alter the present due process provisions granted students and parents under the Fair Pupil Dismissal Act (FPDA). The FPDA mandates teacher referral to the principal for any dismissal, requires a meeting with parents and student, and a formal hearing must be held if the suspension is to last more than one day. If a student presents a potential physical threat to others, these due process requirements do not prevail.

While discipline has not been addressed either in our Task Force report or within the context of the Education Committee's work plan or previous discussions, this is an issue which merits attention by our constituency. (Suspension data in the Minneapolis Public Schools indicates a disproportionate number of non-white students). Discipline is the top priority of the teachers organizations, and testimony before the House Education Committee has already been strongly supportive of the new bill. It provides a control mechanism to teachers but at the same time usurps due process guarantees for parents and students.

Both Ron McKinley and Dr. Arveson stated that they would like to see us continue monitoring the progress of this bill. It is still in its formative stages and constantly being amended by the authors -- Levi, Nelsen and Kelly.

There are already some preliminary hearings on the bill, but no action will be taken until the regular legislative session resumes in January when further hearings will be held.

*Mr. Full of teachers*



## Resolution

Recently State Representative K. J. McDonald introduced a bill (H. F. 43) in the Minnesota legislature which petitions the United States Congress to call a Constitutional Convention for the purpose of balancing the Federal Budget. The Urban Coalition Board of Directors is strongly opposed to this measure.

It is our belief that locking in a balanced budget provision into the Constitution would present many potential fiscal, as well as social problems. It is certain that defense spending would not be cut in order to balance the budget. The real victims of this action would be the poor in this country, many of whom would be severely hurt by the cutting of assistance programs geared toward easing the problem of hunger and poverty. Recognizing the major arguments supporting a balanced Federal budget, we believe that the potential for severe harm to come to the poor is a significant enough reason to oppose this legislation.

A second problem we have with the bill is a more fundamental concern about calling a Constitutional Convention. A Constitutional Convention has never been called before. Guidelines and procedures for the conducting, delegate selection and voting process have never been developed by the Congress. There is also the ominous possibility that a Constitutional Convention called to balance the Federal Budget could be opened up to deal with many other issues which might cut back Civil Rights guarantees.

For the aforementioned reasons the Urban Coalition of Minneapolis Board of Directors goes on record as opposing Minnesota H. F. 43 which petitions the United States Congress, on behalf of the Citizens of Minnesota, to call a Constitutional Convention for the purposes of balancing the Federal budget.



URBAN  
COALITION  
OF MINNEAPOLIS

EARL D. CRAIG JR.

President

January 9, 1980

TO: Members of the Board

FROM: Earl D. Craig, Jr.

RE: Staff Recommendations for 1980 Legislative Program

Listed below are the staff's recommendations for the Coalition's 1980 legislative program. The individual items are grouped according to the level of importance to the Coalition's constituency and the extent of the Coalition's involvement in seeking adoption or defeat of a particular measure. The "major" items would in some cases involve UCM leadership in developing the needed legislative coalition. In others it would simply require extensive staff efforts in conjunction with other organizations and individuals taking the lead. The "moderate" items would require UCM efforts in conjunction with other groups or individuals or in the limited forms of testimony or letters. The "exploratory" item would be examined in some detail during the legislative session to determine its feasibility as amendments to other pending legislation.

The order within each of the categories is in no way indicative of the relative importance of the item.

Major Effort

- ext*
1. Defeat of proposed constitutional amendments providing for initiative and referendum in the State of Minnesota. Consistent with UCM's previous position. Assume some leadership on this issue.
  - energy*  
2. Adoption of a continuum of financing mechanisms, encompassing all income classes, for investment in residential weatherization and alternative energy systems. Consistent with previous efforts. Work with committees dealing with major energy legislation to insure inclusion.
  - energy*  
3. Adoption of an adequate, equitable system of long-term, direct energy assistance for lower income Minnesotans that works effectively with the system of federal assistance. Consistent with previous positions. Former long-term plan not fully compatible with existing federal program. Work with committees in developing new approach.
  - empl.*  
4. Creation of a Commission on Structural Unemployment, modelled after the Commission on the Status of Women. UCM has been major advocate of this type of legislation in the past. Precise nature of the body to be created is now uncertain. Work with relevant legislative committees and UCM Employment Committee on final proposal.

- ed.*
- energy*
5. Adoption of state legislation requiring the evaluation of teachers and other school personnel on a regular basis. First major legislative follow-up to UCM Education Task Force Report. Details would be worked out with UCM Education Committee, sponsors and supporters.
  6. Monitoring of all major energy proposals with respect to their impact on lower income and non-white Minnesotans. Necessary because numerous energy bills of uncertain content and impact will come before the session. The UCM's role would be to make certain that its constituency is positively affected by whatever bills are enacted.

Moderate Effort

1. Provision of additional state funds for weatherization of lower income people's homes through the community action agency programs. \$3 million in state funds were appropriated in 1978. Additional funds will be necessary to keep the weatherization programs, including the UCM's, operating effectively.
2. Defeat of efforts to reduce the due process protections afforded students through the Fair Pupil Dismissal Act. Attempts to give teachers greater authority to dismiss students without benefit of a hearing or consultation with the principal are anticipated. UCM would work with the Coalition for the Protection of Youth Rights and other interested groups to defeat these efforts.
3. Adoption of a ban on discrimination in housing against families with children. A coalition of organizations supporting this legislation is being formed. UCM would participate in this coalition and testify or provide letters of support as necessary.
4. Defeat of the resolution calling for a U. S. constitutional convention to require a balanced federal budget. UCM would present the perspective of lower income and non-white people in this measure at appropriate forums.

Exploratory Items

1. Provision of state funds for lower income solar retrofit demonstration program. Such a fund could finance the creation of Minnesota models for inclusion of lower income people's homes and non-white workers in the upcoming change to solar energy systems.

In order to give you a better idea of the recommended priorities, I have also listed below several items that were considered for inclusion but ultimately rejected by the staff.

Rejected Items

1. Defeat of a resolution authorizing a referendum on a constitutional amendment requiring a 60% vote of each house of the legislature to raise taxes.

MEMORANDUM  
Page Three  
January 8, 1980

2. Defeat of a resolution authorizing a referendum on a constitutional amendment limiting the growth of state spending to the rate of growth of personal income.
3. Adoption of resolution authorizing a referendum on a constitutional amendment providing for the creation of a bi-partisan reapportionment commission.
4. Enactment of bill prohibiting insurance red-lining.
5. Enactment of legislation governing condominium conversions.

/cda





URBAN  
COALITION  
OF MINNEAPOLIS

DRAFT RESOLUTION

INITIATIVE - REFERENDUM

*California*  
*Tax*  
*proposition 13 = 8 Billion*  
*6 to corporation*  
*2 to homeowners*

*way of forcing on  
issuance to be  
voted on  
issue already  
voted on*

*tabled*

Whereas the Initiative - Referendum bill introduced  
by State Senator Robert Benedict calls for a constitutional  
amendment.

Whereas the Initiative - Referendum has a high potential  
of severely affecting the minority and poor people of the State  
of Minnesota, not only on an economic level, but civil rights  
as well.

Whereas the Initiative - Referendum leaves no room for  
compromise or debate, as does the present system of legislative  
debate;

*best*

Therefore, be it resolved that the Urban Coalition of  
Minneapolis hereby goes on record to oppose any constitutional  
amendment of Initiative - Referendum in the State of Minnesota to  
the Governor and State Legislature.

*Dist of Columbia*

DRAFT RESOLUTIONELECTIVE ABORTIONS FOR POOR WOMEN

Whereas, the decision by the Congress not to allow Federal dollars to pay for abortions done through the medicaid program except under severely limited circumstances; and

Whereas, this federal action discriminates against poor women by creating different constraints on them not existing for other women to obtain abortions;

Therefore, be it resolved that the Urban Coalition of Minneapolis urges repeal of this action by the Congress; and

Be it further resolved, and most importantly, we urge the State Legislature not to cut off state funds for this purpose; however, if they do so, we prevail upon Governor Perpich to veto state legislation that prohibits elective abortions for poor women.

DRAFT RESOLUTION

DEADLY FORCE

Whereas, police officers in the State of Minnesota have been operating under an archaic rule of governing their use of deadly force. It is their prerogative to shoot to kill a fleeing felon. A certain degree of discretion is of course required in a profession such as law enforcement. However, when it contributes to the proliferation of unfortunate shooting incidents, then clear guidelines for the use of deadly force have to be spelled out; and

Whereas, Representative Ken Nelson will again introduce legislation that would seek to limit police use of deadly force. The legislation would attempt to provide clear, consistent guidance to police officers in the use of deadly weapons. The main intent of the bill is not to inhibit the law enforcement process, but seeks to protect the most important of all resources: human life;

Therefore, be it resolved that the Urban Coalition of Minneapolis is convinced that there must be a limit set on the extent to which police can use deadly force; and

Be it further resolved that Representative Nelson's legislation has spelled out a clear set of guidelines that will check abuses and will allow adequate discretion for police officers. We strongly support the bill and urge its passage.

SUBJECT: Proposed Legislation sought by Latino/Hispanic Community

The following bills are supported and endorsed by the state's Spanish Speaking community.

SPANISH SPEAKING AFFAIRS BOARD S.F. 336

Creates a state board on affairs of the Spanish-speaking people; appropriates \$144,000; will have existing Governor's Office for Spanish Speaking People incorporated into board. The board shall advise the governor and serve as a liaison for Spanish speaking. The bill has passed the Senate and is now in the House.

ROMAN  
GOMBZ →

SCHOLARSHIPS FOR SPANISH SPEAKING PERSONS S.F. 736, H.F. 956

Provides scholarships for Spanish-surnamed American students. Appropriates money to Higher Education Coordinating Board. The requested appropriation is \$250,000 for the first year and \$500,000 for the second year.

MIGRANT CONTRACT BILL H.F. 1061

Provides contract requirements for agricultural workers; outlines the recruitment procedures; prescribes penalties; provides for private causes of action; appropriates funds. Appropriates \$15,000 to the department of labor and industry for the enforcement of the act.

MINIMUM WAGE FOR MIGRATORY WORKERS H.F. 540

Specifies a minimum wage rate for agricultural sugar beet workers; regulates hours for minor sugar beet employees.

AGRICULTURAL LABOR RIGHTS S.F. 1541, H.F. 1596

Provides for the rights of agricultural workers the full freedom of association, self organization and designation of representation of their own choosing to negotiate the terms and conditions of their employment.

VOCATIONAL EDUCATION FOR HANDICAPPED AND DISADVANTAGED PERSON H.F. 951

Provides programs for certain handicapped and disadvantaged persons, including individuals of Limited-English speaking ability. This was part of the Omnibus Education Bill but was not included when the bill passed. Efforts will be made to set up a separate bill for Vocational education for Latinos and others of limited English speaking ability.

DEFINITION OF MIGRATORY WORKERS H.F. 421, S.F. 462

Would change definition of migratory worker from a person who has left the migrant stream within the previous year to a five year (60 month) period. Amends Minnesota Section 145.912, Community Health Services Act.

ROMAN  
GOMBZ →

Collective  
Bargaining

2-3 years ago  
was stronger ruling  
go federal to raise wages  
yes  
yes



DRAFT RESOLUTION

SPANISH SPEAKING AFFAIRS BOARD

Whereas, Minnesota Latinos have contributed much to the economy, culture and development of this state. The Latino is one of the largest and fastest growing minority groups in the State. The influx of seasonal migrant workers tends to provide a constant increase of Latino residents. However, affirmative action in Minnesota has not included Latinos. The economic state of the Latino is very serious, but little attention has been paid to it; and

Whereas, the proposed Spanish Speaking Affairs Board would bring the needs and concerns of the Minnesota Latino population to the attention of the Governor and the Legislature. Specifically, its duties would be the following:

- a) Advise the Governor and the Legislature on the nature of the issues and disabilities confronting the Spanish-speaking migrant agricultural workers;
- b) Advise the Governor and the Legislature on statutes or rules necessary to insure Spanish-speaking people access to benefits and services provided to people in this State;
- c) Recommend to the Governor and the Legislature legislation designed to improve the economic and social condition of Spanish-speaking people;
- d) Serve as a conduit to State government for organizations of Spanish-speaking people in the state;
- e) Serve as a referral agency to assist Spanish-speaking people in securing access to State agencies and programs;

- f) Serve as a liaison with the Federal government, local government units and private organizations on matters relating to the Spanish-speaking people of this state;
- g) Perform or contract for the performance of studies designed to suggest solutions to problems of Spanish-speaking people in the areas of education, employment, human rights, health, housing, social welfare, and other related programs;
- h) Implement programs designed to solve problems of Spanish-speaking people when so authorized by other statutes, rules or orders;
- i) Publicize the accomplishments of Spanish-speaking people and the contributions made by them to this State; and

Whereas, it is our belief that the Latino community in the State of Minnesota has not received adequate attention from State government; and

Whereas, we feel very strongly that the Latino community should receive acknowledgment from the Legislature and the Governor;

Therefore, be it resolved that the DFL Party of New Hope supports the bill that would create a Spanish Speaking Affairs Board.

11/14/78

1                   A bill for an act  
2           relating to education; providing for scholarships  
3           for disadvantaged students; appropriating money;  
4           amending Minnesota Statutes 1978, Chapter 124, by  
5           adding a section.

6

7   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

8           Section 1. Minnesota Statutes 1978, Chapter 124, is  
9   amended by adding a section to read:

10           [124.481] [ASSISTANCE FOR THE DISADVANTAGED.]

11   Subdivision 1. [PURPOSE.] It is in the interest of the  
12   State of Minnesota to assure that every resident, regardless  
13   of financial means, has the necessary training, skills and  
14   education in order to be gainfully employed to the full  
15   potential of that person. The purpose of this section is to  
16   assure that any disadvantaged person who desires to receive  
17   that which is necessary to reach full potential will be able  
18   to do so despite lack of financial means.

19           Subd. 2. [SCHOLARSHIPS.] The state board of education  
20   may award a scholarship to a Minnesota resident who exhibits  
21   a financial need and for whom other existing funds are not  
22   available or have been exhausted. These scholarships shall



1 be for advanced or specialized education in accredited or  
2 approved colleges, or in business, technical or vocational  
3 schools or for job training programs which meet with the  
4 approval of the board established by subdivision 3.  
5 Scholarships shall be used to defray tuition, incidental  
6 fees, books, supplies, transportation, other related school  
7 costs and the cost of room and board. Scholarships shall  
8 not be given to a student for more than three years of  
9 study.

10 Subd. 3. [BOARD.] The criteria for eligibility of the  
11 scholarship and the amount and type of each scholarship  
12 shall be determined with the advice and counsel of a board  
13 to be composed of individuals knowledgeable with the needs  
14 and concerns of disadvantaged students. The board shall be  
15 composed of a representative of the American Indian  
16 community, a representative of the black community, a  
17 representative of the hispanic community, and two other  
18 citizens all of whom shall have extensive experience in job  
19 training and placement and shall be appointed by the  
20 governor.

21 Subd. 4. [REPORT TO THE GOVERNOR AND LEGISLATURE.] The  
22 state board shall evaluate the scholarship program every two  
23 years and shall report to the governor and the legislature  
24 with its findings. This report shall include the number of  
25 students who have received scholarships, the type of  
26 education for which scholarships were awarded, the amount of  
27 the scholarships, and other relevant information relative to  
28 the scholarship program which would assist the governor and  
29 legislature in evaluating the success of the program.

30 Sec. 2. [APPROPRIATION.] There is appropriated from  
31 the general fund to the state board of education the sum of  
32 \$5,000,000 for the period ending June 30, 1981 for the



S F 2361

2/20/78

1 A bill for an act

2 relating to peace officers; setting forth criteria  
3 for the use of deadly force by peace officers;  
4 amending Minnesota Statutes 1976, Sections  
5 609.065; and 629.33; and Chapter 609, by adding a  
6 section.

7

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

9 Section 1. Minnesota Statutes 1976, Section 609.065,  
10 is amended to read:

11 609.065 [JUSTIFIABLE TAKING OF LIFE.] The intentional  
12 taking of the life of another is not authorized by section  
13 609.06, except when necessary in the following cases:

14 ~~(1)-in~~ resisting or preventing an offense which the  
15 actor reasonably believes exposes him or another to great  
16 bodily harm or death, or preventing the commission of a  
17 felony in his place of abode; or

18 ~~(2)-By a public officer, or person assisting him, to~~  
19 ~~overcome resistance to the execution of legal process or~~  
20 ~~order of a court when he reasonably believes that such~~  
21 ~~resistance exposes him or another to great bodily harm or~~  
22 ~~death; or~~

23 ~~(3)-By a public officer, or person assisting him, in~~

1090 rule of  
Illinois

Bill

Plus

beginning

com 1

internal  
affairs

Pressure  
ombudsman  
But -

\$100,000.00 program  
mediation

~~effecting a lawful arrest for a felony or in preventing an  
escape of a person held therefor.~~

Sec. 2. Minnesota Statutes 1976, Chapter 609, is  
amended by adding a section to read:

[609.0651] [AUTHORIZED USE OF DEADLY FORCE BY PEACE  
OFFICERS.] Subdivision 1. [DEADLY FORCE DEFINED.] For the  
purposes of this section, "deadly force" means force which  
the actor uses with the purpose of causing, or which the  
actor should reasonably know creates a substantial risk of  
causing, death or great bodily harm. The intentional  
discharge of a firearm in the direction of another person,  
or at a vehicle in which another person is believed to be,  
constitutes deadly force.

Subd. 2. [USE OF DEADLY FORCE.] Notwithstanding the  
provisions of sections 609.06 or 609.065, the use of deadly  
force by a peace officer in the line of duty is justified  
only when necessary:

(1) To protect himself or another from death or great  
bodily harm;

(2) To effect the arrest or capture, or prevent the  
escape or rescue, of a person whom the peace officer knows  
or has reasonable grounds to believe has committed or  
attempted to commit a felony involving the use or threatened  
use of deadly force;

(3) To effect the arrest or capture, or prevent the  
escape or rescue, of a person whom the officer knows or has  
reasonable grounds to believe has committed or attempted to  
commit a felony if the officer reasonably believes that the  
person will cause death or great bodily harm if his  
apprehension is delayed and if the use of deadly force will  
create no risk of bodily harm to innocent persons.

Sec. 3. Minnesota Statutes 1976, Section 629.33, is

1 amended to read:

2       629.33 [MEANS USED.] If, after notice of intention to  
3 arrest defendant, he shall flee or forcibly resist, the  
4 officer may use all necessary and lawful means to effect his  
5 arrest, provided the officer may not use deadly force  
6 unless authorized to do so under section 2 of this act. He  
7 may break open an inner or outer door or window of a  
8 dwelling house to execute ~~the~~ a warrant if, after notice of  
9 his authority and purpose, he ~~shall be~~ is refused  
10 admittance, or when necessary for his own liberation, or for  
11 the purpose of liberating another person who, having entered  
12 to make an arrest, ~~shall be~~ is detained therein.

13       Sec 4. DUTIES OF PEACE OFFICER TRAINING BOARD. By  
14 August 1, 1978, the peace officer training board shall  
15 notify every peace officer employed in this state of the  
16 provisions of this act.

17       Sec. 5. [EFFECTIVE DATE.] Sections 1 to 3 are  
18 effective August 1, 1978. Section 4 is effective the day  
19 following final enactment.



## UCM LEGISLATIVE PROGRAM -- 1982

### NEW PROPOSALS

#### HOUSING

1. Urban Shelter Preserves: Where development is occurring in cities, the value of rental property often escalates rapidly. This escalation of value results in higher property taxes which in turn can cause higher rents and displacement of low-income tenants. The Urban Shelter Preserves bill addresses this problem by allowing rental property owners in designated areas of participating cities to apply for urban preserve status. Preserve status, if granted, entitles owners to lower property taxes. In exchange, they must agree to provide 75 percent of their units to low-income families and pass through property tax savings in the form of lower rents. In this way, existing low-income housing is preserved and remains affordable.

\* 2. Tenant Remedies Act (amendments): When rental property falls into disrepair and owners refuse to make improvements, cities in Minnesota have recourse other than condemnation through the Tenant Remedies Act. The existing Act allows the court to appoint an administrator empowered to contract for repairs and pay for those repairs (and other building expenses) from rental receipts. Unfortunately, rental receipts are often inadequate for this purpose. At present, no provision exists for administrators to secure loans to finance needed repairs. The amendments allow the administrator, under court supervision, to seek such loans from public or private sources using the building as collateral. Repairs could then be made and the building returned to standard condition.

#### ENERGY

Budget Payment Plan Access: Budget payment plans essentially divide annual energy costs into equal monthly installments. In this way, large bills during cold winter months and attendant cash flow problems are minimized. Unfortunately, many low-income customers are ineligible for energy supplier budget plans either because they have not resided long enough at their current address or they are not deemed "credit worthy," often due to difficulties paying winter heating costs. The UCM believes automatic access to budget plans for all customers will aid low-income consumers better manage their energy bills, thereby reducing reliance on outside assistance.

#### MISCELLANEOUS

Corporate Tax Credits for Contributions to Community Service: Governor Quie has proposed a corporate income tax credit for contributions to agencies performing "community service." Details on the proposal at this point are sketchy. Assuming the proposal adequately targets contributions eligible for the credit to agencies and services benefitting low-income people, three questions remain. First, is it necessary in light of other existing tax benefits for corporate contributions? Second, is it appropriate for state government to assign additional responsibility for, and control of, funding for community services to private institutions by trading a tax loss for



increased corporate giving? Third, will the credit increase giving, or at least shift the pattern of giving in a desirable way, i.e., from contributions which are ineligible for the credit to contributions which are eligible?

"CARRY OVERS" -- ISSUES FROM THE 1981 LEGISLATIVE PROGRAM

#### HOUSING

Recording Ownership of Rental Property: Provide an accessible list of owners and record of transfers for housing code enforcement, collection of taxes and tenant remedies.

#### ENERGY

Energy Financing: Encourage statewide investment in conservation and alternative energy, especially to benefit lower income people through reduced costs and job creation, through provision of capital and enactment of financial and regulatory incentives.

#### STATE BUDGET

Continued monitoring and intervention with particular attention to the fairness of proposed tax changes, service reductions in response to budget cuts, equitable school financing and restructuring of services (e.g., aggressive child support collection).

#### EDUCATION

Pupil Discipline Standards: Insure that state discipline standards are equitable, and protect student and parental rights as well as the learning environment of schools.

# **State Fiscal Policy**

## **An Alternative Perspective**



January 19, 1979

# The State Budget... Who's Important?

*This is the first of a three-part series on Minnesota's fiscal system, designed to clarify the options available to the Governor and the Legislature and to outline the special problems of low income people in Minnesota.*

Many people are talking about 1978 as a turning point in American politics, a change that negates many of the basic tenets of the New Deal. The alleged "New Day" is characterized by attacks on government spending and taxation. Proposition 13 is its battle cry.

Minnesota has not been immune to this. Taxes and the state budget were major issues during last fall's election campaign and in public discussions since then. It seems safe to say that some form of tax reduction will be enacted in Minnesota.

Tax and budget policies are basically exercises in tradeoffs. There is no Santa Claus. There is no "bloodless" choice. Ultimate decisions are a function of values and politics. A reasonable argument can be made for virtually any group's position. In the end, the tough choices are made on the basis of "who's important" within one's value structure or political ideology.

What is the status of poor and near poor in the "who's important" calculus? We may have reached a political turning point but we haven't achieved utopia. The poor and near poor are still with us. Minnesotans must decide if they remain committed to meeting their needs. Tax and budget policies are a society's most visible manifestation of its commitment.

Let's be clear at this point. The Urban Coalition is not opposed to all cuts in taxes or state spending. It is our view that choices should be made on the basis of a clear understanding of the available options and the values inherent in them.

## State and Local Budgets

Minnesota's current two-year budget ends June 30, 1979. Total state appropriations for the biennium were \$9.0 billion. 83.3% came from state sources and 16.7% from the federal government. \$6.5 of the \$9.0 billion in appropriations came from the general fund. Nearly half of all general fund revenues were generated by the individual income tax. Thus, income tax cuts would significantly reduce total state tax collections.

In Minnesota approximately 3,300 counties, towns, cities, school districts and special purpose agencies form an overlapping mosaic of local governmental units traditionally dependent on the property tax. Now, they are highly dependent on state appropriations. In 1976 state payments to all local units were 1.6 times more than their total property tax collections. For school districts, responsible for 42.7% of all local spending, state aid was 2.1 times larger than their property tax revenues.

Another way to view the state budget is on the basis of who receives the money. Most state dollars go for three things: 1) payments for individuals; 2) payments for education; and 3) payments for local government services. In the current biennium these three represented 84% of all general fund expenditures. The remaining 16% supported the rest of state government, including the Legislature and most state agencies.

Payments for individuals include such things as personal allowances for people in nursing homes, Medicaid and other medical assistance for senior citizens and the poor, as well as general assistance and AFDC payments. The proportion going to traditional "welfare recipients" is relatively small. In addition payments to individuals go to most homeowners and renters with

income of less than \$36,000 per year through the circuit breaker property tax reduction program.

Payments for education equalled approximately one third of all general fund appropriations in the current biennium. They included funds for primary, secondary and post-secondary education. Thus they directly affected virtually all property taxpayers and families in Minnesota.

Revenue from the state and federal government represented 54.8% of all local revenue in fiscal year 1977. State aid constituted 77.5% of that total. State aid helped finance such things as inpatient and outpatient assistance to the mentally ill, mentally retarded and chemically dependent, day care, basic police and fire protection and road maintenance.

Thus, state and local fiscal systems now operate as a highly integrated whole with the State providing extensive financial support. Consequently, drastic cuts in state aid would significantly reduce state spending, but would likewise put extreme pressure on local property taxpayers. The lesson is that the state budget cannot be viewed in a vacuum.

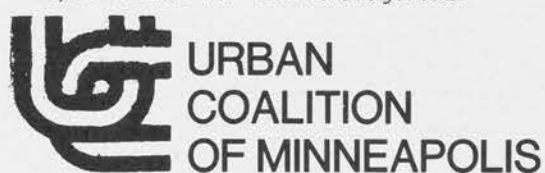
Before moving to a more specific discussion of tax and budget options in two subsequent articles, it is important for the Urban Coalition to state clearly its value position.

Taxes in Minnesota are relatively high. But so is personal income. The pattern of who pays taxes in Minnesota is, in the jargon of economics, "progressive". This means that the higher a person's income, the larger the portion of that income he or she pays in taxes.

The Urban Coalition believes that a progressive system of taxation should be maintained in Minnesota. We believe this is fairer to low and middle income Minnesotans and good for the state as a whole. There are indeed problems in the existing tax structure, particularly for lower middle and middle income people. As tomorrow's article will demonstrate, inflation is at the root of most of these problems.

In closing, several key points bear repeating. First, state and local budgets are now highly integrated, thus making impossible a myopic concentration on only the state budget. Second, the choice of "who's important" is important. State governmental activity does not just pay the salaries of bureaucrats and support programs for the poor, the disabled, and the aged. State monies go directly to all Minnesotans.

Wholesale cutting of taxes and appropriations is not the answer. Too many people have a stake in the outcome. The state must move toward solutions that specifically address existing problems. It is important to recognize who is helped by the policy choices that are made. If this careful consideration is given, the alleged "New Day" won't disguise choices that are racist or anti-low and -middle income people under a veil of "objective" and "fair" tax and budget cuts.



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# Indexing Taxes

*This is the second of a three-part series on Minnesota's fiscal system, designed to clarify the options available to the Governor and the Legislature and to outline the special problems of low income people in Minnesota.*

Why is there such a loud and persistent cry for tax cuts in Minnesota? INFLATION is the prime culprit. Between 1972 and 1977 per capita income in Minnesota increased 63.6%, from \$4,358 to \$7,125. Adjusting for inflation, per capita income increased only 15.5% to \$5,034. Thus, inflation consumed over three quarters of the nominal increase in income.

The combination of taxes and inflation further reduced these gains. With a progressive income tax such as ours, the percentage of tax liability increases for income in higher tax brackets. So, if inflation increases a person's income, he would pay a larger portion in taxes. Thus, a person fortunate enough to have his income increase as fast as inflation actually loses purchasing power, because his income tax liability has increased.

Something must be done about this, but not, in the Coalition's view, at the expense of the notion that higher income people should pay a greater portion of their income in taxes than middle and low income people. To sacrifice the tax system's progressivity in response to the admittedly unfair impacts of inflation is to throw out the baby with the bath water. A closer look at how inflation affects people suggests some options.

Four basic necessities (food, medical care, energy and shelter) consume almost 70% of the average American family's disposable income. Moreover, the lower a family's income, the larger the percentage devoted to necessities.

Inflation affects these necessities significantly more than non-necessities. From 1970 to 1977, the price of non-necessities rose by 5.0% per year; necessities rose by 7.5% per year. The most recent figures are even more striking. For the first 11 months of 1978, non-necessities rose at an annual rate of 6.2%; necessities rose at an 11.0% rate, almost twice as fast.

To reiterate: low and middle income people spend more for necessities; the price of necessities is increasing significantly faster than that of non-necessities. Therefore, low and middle income people need more protection from the ravages of inflation.

## Indexing the Income Tax

Indexing proposals are designed to protect taxpayers from the effects of inflation. Generally, there are two methods that can be employed, adjusting tax rates downward or expanding tax brackets upward. The inflation rate, as measured by some designated statistic, determines the degree of adjustment.

In the Coalition's view, expansion of the tax brackets is preferable because, over time, downward adjustment of rates would push all taxpayers toward the few highest income brackets. This would render almost meaningless the existing bracketing system.

Bracket-indexing, on the other hand, would move the entire tax structure upward with inflation, thus preserving the distribution of taxpayers among the brackets. If inflation were 10%, the existing \$5,001 - \$7,000 income bracket would be adjusted upward to \$5,501 - \$7,700. The existing tax rate of 10.2% would still be applied to income in this new bracket. All other brackets would be similarly expanded upward by 10% and existing tax rates would apply.

Because the impact of inflation is not uniform, the Coalition believes straight bracket-indexing is unresponsive and inappropriate. The Coalition proposes a "weighted" bracket-indexing plan plus indexing the low income workers credit. Across all income levels, this dual indexing proposal could eliminate the inflation-induced increase in income tax collections and target relief to those hardest hit by inflation.

Under this proposal, lower income brackets would be adjusted more for inflation than upper income brackets. The following table illustrates a possible pattern of adjustments for a 10% rate of inflation. The upper limit of each income bracket is adjusted upward by the percentage indicated in the last column.

## Weighted Bracket-Indexing Plan 10% Rate of Inflation

Current Bracket	Adjusted Bracket	% Increase
\$ 1-500	\$ 1-568	13.5%
501-1,000	569-1,130	13.0
1,001-2,000	1,131-2,250	12.5
2,001-3,000	2,251-3,360	12.0
3,001-4,000	3,361-4,460	11.5
4,001-5,000	4,461-5,550	11.0
5,001-7,000	5,551-7,735	10.5
7,001-9,000	7,736-9,900	10.0
9,001-12,500	9,901-13,688	9.5
12,501-20,000	13,689-21,800	9.0
20,001-27,500	21,801-29,700	8.0
27,501-40,000	29,701-42,800	7.0
Over 40,000	Over 42,800	—

This pattern of adjustments parallels the pattern of hardship imposed in recent years by inflation.

Another feature of the Minnesota income tax, the low income workers credit, is designed to eliminate or reduce the income tax liability of the so-called "working poor." It too requires "inflation-proofing." The adjustment would take the form of an increase in the amount of earned income on which no income tax is paid. In the previous example, assuming a 10% rate of inflation, the amount of income on which no tax is paid would be increased by 10%. This would effectively preserve the value of the low income credit.

## Summarizing this somewhat complicated proposal:

- All taxpayers would receive substantial relief from inflation-induced increases in income tax liability;
- Middle income taxpayers (\$12,500-\$20,000 income) would be protected at approximately the rate of inflation;
- Higher income taxpayers would receive somewhat less protection; and
- Lower income taxpayers would receive the greatest degree of protection.

The Coalition believes this proposal responds directly to the pattern of hardship caused by inflation.



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# Halting The Juggernaut.

*This is the third of a three-part series on Minnesota's fiscal system, designed to clarify the options available to the Governor and the Legislature and to outline the special problems of low income people in Minnesota.*

Many Minnesotans have expressed the need for an immediate individual income tax cut. The Coalition acknowledges this but disagrees with some one the amount of relief and who should benefit. The Coalition believes that a cut should primarily aid working class families.

The Coalition advocates an increase in the personal and dependent tax credit from its present level of \$40 to \$100 per person. This change would provide the greatest reduction in tax liability to those with incomes between \$10,000 and \$20,000. The dollar amount remains constant at \$60 per person, while the cut as a percentage of current income tax liability declines, as income increases.

This pattern contrasts sharply with that produced by a 10% across-the-board reduction in income tax rates. The 10% rate reduction provides more relief as income increases.

**Comparison of Increase in Personal and Dependent Credit to \$100 and 10% Increase In Rates.**  
(Family of four with one wage earner)

GROSS INCOME	Increase in Credit to \$100		10% Rate Reduction	
	PROPOSED TAX REDUCTION	PERCENT REDUCTION	TAX REDUCTION	PERCENT REDUCTION
\$ 3,000	\$ 0*	0%	\$ 0*	0%
6,000	0*	0	0*	0
10,000	186*	56.4	0*	0
12,500	240	37.6	80	12.5
15,000	240	28.2	101	11.9
20,000	240	18.3	147	11.2
25,000	240	13.5	194	10.9
30,000	240	10.6	239	10.7
50,000	240	6.0	416	10.4
100,000	240	3.0	807	10.2

\* Pays little or no individual income tax because of low income workers credit.

## STATE APPROPRIATIONS

Many groups want increases in state appropriations some of which the Coalition might support, such as additional aids to schools and local governments. However, the Coalition strongly urges top priority for a) increases in public assistance, b) funding for state housing programs, and c) energy assistance.

### Public Assistance

AFDC payments and state standards for General Assistance were increased in July, 1977 and July 1978 by 5%, below the rate of inflation. The current payment (including Food Stamps) to an AFDC family of four is \$494 per month. The state standard for General Assistance payments to a family of four is \$262 per month.

In contrast, the federal poverty guideline for a family of four is \$516 per month. The Bureau of Labor Statistics "low income budget" for Minneapolis is \$873 per month.

A 10% increase in the basic benefit level for AFDC and General Assistance payments in each year of the biennium would cost less than \$20 million. The 10% increase this year would only raise the total purchasing power (including Food Stamps) of a family of four on AFDC approximately \$40. The basic benefit under General Assistance for a family of four would only be increased approximately \$25. At a time when middle and upper income people are being provided a hedge against inflation, only those acting out their bias against welfare recipients would deny the state's poorest residents a similar adjustment.

## Housing

Since 1971, the Minnesota Housing Finance Agency (MHFA) has provided a major buffer against inflation. The MHFA issues tax exempt bonds to provide below-market rate loans for apartment development for people of all incomes and home ownership assistance. The MHFA also serves as a conduit for a large amount of federal moderate income rental housing assistance.

Through its direct appropriation the MHFA provides low interest rehabilitation loans to families with adjusted income of up to \$18,000 and rehabilitation grants to low income families, two thirds of whom have been senior citizens. It also provides home ownership assistance to moderate income families and special aid to Indians.

The MHFA now has no remaining bonding authority. The Coalition supports the MHFA's request for \$450 million in new bonding authority (which costs Minnesota taxpayers nothing) and an appropriation of \$42.5 million for grants and low interest loans. This will help directly combat rising housing costs.

## Energy

A series of decisions largely outside the control of state policy-makers have resulted in unprecedented increases in energy costs. These decisions include OPEC's quadrupling of the price of oil, the deregulation of natural gas prices by the federal government, and the refusal by the federal government to re-enact an emergency fuel assistance program for low income people.

Recent utility rate decisions and the Legislature's repeal of the state sales tax on winter heating fuel have slightly slowed the rate of increase in prices, but they have by no means solved the problem.

In light of these decisions and the federal government's abdication of responsibility for guaranteeing that all people have access to essential amounts of energy, the Coalition believes the Legislature must intervene and provide direct energy assistance in some form to lower income Minnesotans.

## SUMMARY

In closing, it is important to emphasize that lower income people perceive themselves to be in a highly vulnerable political atmosphere. The Coalition concurs with this perception.

This three-part series represents the Coalition's attempt to salvage some semblance of sanity and commitment to humanity from the juggernaut for massive tax and governmental spending cuts. It is the Coalition's attempt to combat the rampant notion that the poor are the sole beneficiaries of governmental spending, that they are the villains of society and plunderers of the yeoman middle and upper classes.

The Coalition's tax and spending proposals attempt to respond to those most in need in our state, poor and working class people. These proposals are suggestions that the Coalition believes are responsive to the call for change but not oppressive to those with the greatest need.



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