

# Mesabi Nugget

## gets boost

### Deadline to submit environmental review information extended

By **JULIE BRATVOLD**  
Legislative Correspondent

**T**he Mesabi Nugget project got a boost in the state House of Representatives Thursday.

By a vote of 89 to 42, the House passed a bill that would extend the deadline for the company to submit all of its environmental review information to the Minnesota Pollution Control Agency to June 30, 2005.

The Mesabi Nugget project met the original deadline of Dec. 31, 2004, but after that date engineers were able to develop technology that they think could dramatically reduce mercury emissions.

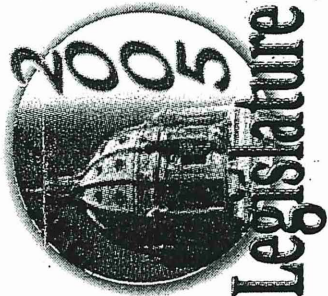
If the bill goes into effect, the deadline would be

extended in order for the MPCA to inspect and approve the new technology.

"It's good news for the Range," said the author of the bill, Rep. David Dill, DFL-Crane Lake. "The extended deadline is necessary to ensure we're able to implement the best possible technology to control the emissions of mercury."

The legislation did not pass without a fight, however. Some representatives objected to allowing an exemption on the review process, citing concern for the environment and worries about the lack of respect for the permitting process.

Please see **MESABI A10**



FRONT PAGE

## Mesabi from A1 Project gets a boost

"What really bothers me," said Rep. Sheldon Johnson, DFL-St. Paul, "is the precedent of not following the environmental review process."

In an attempt to mitigate some of those concerns, Rep. Carlos Mariani, DFL-St. Paul, offered an amendment that would require the MPCA commissioner to submit periodic progress reports documenting the plant's mercury emissions. A similar amendment has already been added to the Senate version of the bill.

Dill opposed the amendment, which did not pass. "The reason I objected to it is because the MPCA informed me they already do that," he said, noting that additional laws would be unnecessary.

Several Iron Range legislators spoke on behalf of the bill.

Rep. Tony Sertich, DFL-Chisholm, noted that there is still a very real possibility of the Mesabi Nugget project going to Indiana instead of Minnesota. "The option is still up there for the plant to move to Indiana," he said. "We invested in the technology, our state should reap the benefits, whether it is jobs, taxes or economic development." Sertich also reminded the House members that

the legislation only extends the deadline, it does not completely exempt the project from the inspection process.

Rep. Tom Rukavina, DFL-Virginia, added that over the past 15 years emissions from coal and electrical facilities have increased, while emissions from taconite production have gone down. "And this process will be much more efficient as far as environmental pollution," he said, referring to the new technology that the company would like to implement.

The bill is not in the clear yet. Although it has passed through committee, the full Senate still needs to vote on it. And with two differing versions of the bill — one is amended, the other is not — it is possible the bill will have to be discussed in a conference committee in order to work out the differences.

Dill said he is looking forward to the passage of the bill which would move the Mesabi Nugget project another step closer to becoming a reality. "I'm anxious to see the results in terms of moving forward with the permitting, the financing and the construction of the project," he said.

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MESABI DAILY NEWS

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MINNESOTA BUDGET TALKS

7.14.05

# Session has been long slog

## Legislators express relief that the state is returning to normal after partial shutdown

BY RACHEL E. STASSEN-BERGER  
*Pioneer Press*

Today the Capitol will be quiet.

The marble halls will be cleared of lawmakers and lobbyists who canceled vacations and stayed up until the wee hours to finish work on the state's budget. Staffers who rearrange their lives every year around Capitol antics will be allowed to return to normal existence. And Minnesotans who have watched this year's legislative meltdown with disgust will be able to focus their attention elsewhere.

This legislative session, planned to last about 19 weeks, lasted more than six months. And for folks around the Capitol it's been a long slog.

"People are relieved," said House Minority Leader Matt Entenza, DFL-St. Paul, just before the House began the final debate Wednesday on the four bills that allowed lawmakers to — at last — end the 2005 legislative session.

Capitol regulars knew this year's session would be tough to complete.

Odd-year sessions, when lawmakers work out the budget for the next two years, are always tough. But no one could

have predicted that the session would drag well into July or that a budget impasse would cause an eight-day partial government shutdown that idled nearly 9,000 state employees.

Rep. Katie Sieben certainly didn't suspect it.

When the two-term Democrat from Newport was planning last year for her wedding to a congressional staffer she picked July 2. She figured the date was a safe one.

As the date approached and the session was still dragging, she admits she did get a little stressed out and had to scale back on a few minor wedding plans. But she had decided that she would be at the Capitol to vote if she needed to be — no matter what.

"It was stressful at times for me but I kept going back and thinking of the stress of state employees," Sieben said.

In the end, the Saturday of her wedding was a quiet day at the Capitol — legislative leaders and the governor worked out an agreement on the budget by 3 a.m. that day, and Sieben's presence wasn't needed.

"If I had to do it over again I wouldn't

have changed a thing," she said.

Rep. Fran Bradley, R-Rochester, also had to change his life because of the session that seemed unwilling to end. Bradley, who worked out details of the health and human services bill on behalf of the House, was unable to see his ailing mother as often as he would have wished during the past few months.

"She is going to have a birthday in August and it's probably her last birthday," Bradley said. He also was unable to oversee his new home being built and canceled a planned visit to Seattle for a conference and a short vacation.

But he knows he's not the only lawmaker who has made sacrifices.

"There are 201 of those kind of stories," he said.

Rep. Carlos Mariani has one of those stories. He told his House colleagues Wednesday that he was diagnosed with heart disease in May, had a heart stent inserted last month and his health still isn't great. And during all his troubles, he still had to return to the Capitol periodically to do his legislative job.

"Through it all, I can't think of a nobler thing for me to be doing," said

Mariani, DFL-St. Paul.

Sen. Julie Rosen, R-Fairmont, also has no regrets, even though she left her husband and their three children at the Calgary Stampede in western Canada Tuesday night to fly back to the Twin Cities for the floor session. She planned to rejoin her family today.

"I'm not complaining," she said. "We need to get the job done. I don't have an option. You start a job, you've got to do it right."

Rep. Tim Wilkin, R-Eagan, just started a new job at a St. Paul insurance agency and the lengthy session has kept him away from the office. He's had to cancel business trips and postpone indefinitely a family vacation with his wife and four children, ages 8, 6, 5 and 21 months.

"They're eager for me to get back to normal and show my face around the house more," he said. "Some people think we want to be here. They couldn't be further from the truth."

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Ramsey County Attorney Susan Gaertner, who ran unopposed in 2002, already has a foe.

# 27-year-old gets 2006 race started

1-26-05

By Paul Gustafson  
Star Tribune Staff Writer

The 2006 election for Ramsey County attorney is 18 months away, but an upstart challenger's campaign to unseat incumbent Susan Gaertner is already in full swing.

An assistant Scott County attorney, 27-year-old Cory Tennison spends much of his free time on evenings and weekends raising money, building a campaign organization and stumping for votes.

Tennison, a St. Paul resident, says he's attended more than 75 political gatherings since he began campaigning in January. His supporters include four St. Paul DFL officeholders: state Sen. Mee Mouta, state Reps. John Lesch and Carlos Mariani, and City Council Member Lee Helgen.

A former DFL Senate chairman for District 66, Tennison says he'll try to wrest the party endorsement away from Gaertner. If Gaertner, a three-term incumbent and a prosecutor for 21 years, is worried about Tennison, she doesn't show it. "I haven't given a lot of thought to what he [Tennison] is doing, or why he is doing it. It does seem very early to be talking about a county attorney's race," she said.

Gaertner said she will seek a fourth term and "fully expects" to be endorsed by the DFL, as she was in 2002 when she was reelected without opposition. But for now, she said, "my re-election bid is pretty far from the top of my daily agenda. I'm focused on doing a very demanding job."

Among her current duties is preparing to personally prosecute Harry Jerome Evans Jr., the man accused of killing St. Paul Police Sgt. Gerald Vick on May 6.

Tennison knows that unseating Gaertner won't be easy. "But to some degree, I think I've been underestimated, and to some degree I think I will be the surprise of the 2006 election," he said.

Tennison often doesn't take no for an answer.

CAMPAGN continues / n B4



Stormi Greener/Star Tribune  
Cory Tennison, a 27-year-old assistant Scott County attorney, is running for Ramsey County attorney.

## In Foley's footsteps?

It may be audacious for a relatively new lawyer to run for county attorney, but it's not unprecedented. Tom Foley was an unknown 26-year-old when he ran for Ramsey County attorney in 1974. Foley lost that election to William Randall, who had gone virtually unchallenged for 16 years, but Foley came back four years later and beat Randall. Foley held the job for 16 years.

Tennison said he would bring a new vision and management style to the county attorney's office. He said he would not be a "micromanager" and would work to "create an atmosphere that allows people to excel."

Tennison also said he would work closely with other DFL officeholders on criminal justice system funding and reforms without "bringing partisanship to the job."

When she does begin campaigning, Gaertner said she'll tout her office's record in aggressively prosecuting gun crimes and domestic abuse, increasing child-support payment collections and helping schools reduce truancy cases.

Gaertner also noted that she initiated a 2001 review of old convictions where defendants maintained their innocence and where DNA testing was possible. It led to one man being exonerated of a 1985 rape in St. Paul.

"I did turn 50 in December, and it was traumatic, but I don't think I'm ready to be shelved," Gaertner said.

So far, Tennison has avoided direct criticism of Gaertner, but Lesch, one of his supporters, hasn't.

Lesch said Gaertner erred in deciding to prosecute the Vick murder case herself. "I think she should be concerned about policy, and not about grabbing headlines," he said.

Gaertner said she is trying the case because she is an experienced trial attorney and because of her ties to St. Paul's police officers. "I have worked with them for 20 years ... and many of them are my friends. I am doing this trial for them."

Gaertner accused Tennison of using Lesch as a surrogate for doing his dirty campaigning.

Ramsey County DFL Chairman Rod Halvorson said Tennison already has achieved several "credibility steps" that indicate he's a viable candidate.

"He certainly has some endorsement from public officials, he's getting around to talk to people, he starts out as a former Senate district party chair, and he has professional credentials," Halvorson says.

"It is awfully early, but I guess if you're going to challenge an incumbent, that's something you should consider doing," he said.

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## CAMPAGN from B1

# Candidates' experience is one contrast

While a student at the University of Wisconsin Law School, he wanted to take a course taught by two professors who run the school's Innocence Project, which has used DNA evidence to help wrongly convicted prison inmates gain freedom.

Tennison was told the course was full, but he showed up for the first class anyway and persuaded the professors to let him stay.

In 2000, Tennison and other project volunteers helped overturn the Texas murder conviction of 34-year-old Chris Ochoa by linking another man to the crime with DNA evidence.

"He's got a lot of tenacity, and he exudes confidence and enthusiasm," said law Prof. John Pray, co-director of the Wisconsin Innocence Project.

Tennison may realize his campaign is a long shot, "but he's going to put his best foot forward and give it everything he's got," Pray said.

Tennison has been a prosecutor for three years, first in Mille Lacs County and, since October 2003, in Scott County.



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# Mondale gives DFL nod to Coleman

## Former VP joins Latimer, Finney in endorsement

BY TIM NELSON  
PIONEER PRESS APPR 9 '05

Walter Mondale on Monday endorsed former City Council Member Chris Coleman's bid for the DFL endorsement in the race to unseat St. Paul Mayor Randy Kelly.

"I know Chris Coleman. He shares our DFL values and priorities," Mondale said in a statement issued by the Coleman campaign. "Chris is a proven leader on progressive issues. As mayor, we can count on him to fight for social and economic justice. He has the experience, judgment and compassion to be the mayor the people of St. Paul deserve."

Mondale, a former vice president and U.S. senator, ran against former St. Paul Mayor Norm Coleman, a Kelly ally, in 2002, taking up the DFL banner after a plane crash killed U.S. Sen. Paul Wellstone.

Mondale joins former Mayor George Latimer and former St. Paul Police Chief William Finney in endorsing Chris Coleman. Former Attorney General Skip Humphrey and former Gov. Wendell Anderson also have endorsed Coleman.

"As a progressive, I think he's an example for all of us," Coleman campaign manager Kris Fredson said of the Monday nod. "I think he's one of the most respected and trusted DFLers out there."

It's the first public sign of movement in the hard-fought endorsement race in a week. Coleman picked up the endorsement of the St. Paul firefighters last Monday and had dozens of them dropping literature and door-knocking over the weekend.

Rafael Ortega, a Ramsey County commissioner, had a slight lead over Coleman in committed delegates at the end of ward conventions last month, but most delegates are going into the April 30 city convention uncommitted.

The Ortega campaign downplayed the Mondale endorsement.

"This is a sign that a significant portion of Chris Coleman's support is based on the



Chris Coleman



Walter Mondale



Randy Kelly



Rafael Ortega

Mondale, a former vice president and U.S. senator, ran against former St. Paul Mayor Norm Coleman, a Kelly ally, in 2002.

political inheritance of his father," said Ortega campaign spokesman Dennis Hill, referring to the late Senate DFL leader Nick Coleman Sr. "It might be of interest of delegates, but we think they will be basing their decision to endorse based on each candidate's record on the issues."

Ortega already has earned an endorsement from the Teamsters, which represent the county's sheriff's deputies, dispatchers and corrections officers. He's also been endorsed by state Reps. Cy Thao and Carlos Mariani, state Sen. Sandy Pappas and school board members John Brodrick, Kazoua Kong-Thao and Elona Street-Stewart.

Kelly, meanwhile, has the endorsement of the St. Paul Area Chamber of Commerce and the police unions in both St. Paul and Minneapolis. He is not seeking the DFL Party's nod for his re-election.

Both Ortega and Coleman have agreed to abide by their party's endorsement.

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# Pawlenty immigration report ignites firestorm

Study on illegal residents angers immigrants; DFL accuses governor of creating wedge issue  
PIONEER PRESS DEC. 16 '05

BY BILL SALISBURY  
Pioneer Press

Gov. Tim Pawlenty's controversial report on the cost of illegal immigration apparently has created an emerging political storm that will play out in the 2006 legislative session and next year's elections.

The report, which estimates undocumented immigrants and their children cost Minnesota taxpayers about \$175 million a year for state services, may have roused a "sleeping giant" in immigrant communities that have been politically apathetic until now.

Pawlenty told a group of police chiefs Thursday that illegal immigration is a large and growing problem that will be at the top of his public safety agenda in the coming legislative session.

Meanwhile, Democrats accused the Republican governor of using illegal immigration as a wedge issue to "fire up his base" of social conservatives. They said it was part of a national strategy on the part of Republicans.

The report Pawlenty released last week sparked angry reac-

IMMIGRANT REPORT, 18A

## Immigrant report

(continued)

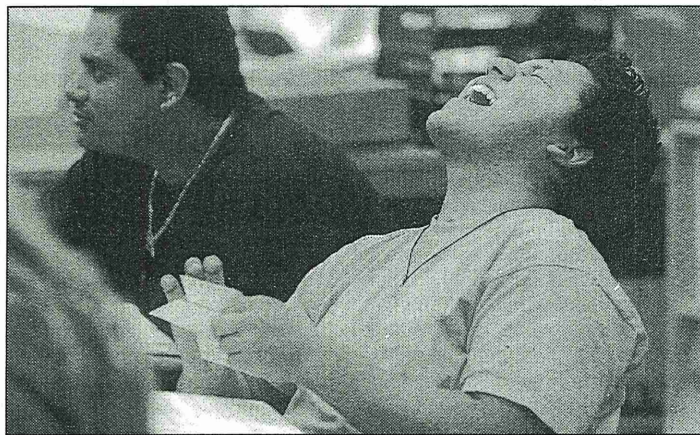
tions among immigrants and their allies. They contend that parts of it were false or misleading and that, more importantly, it ignored the benefits undocumented immigrants provide to the state, estimated at \$300 million in state and local taxes in another analysis.

In response to Pawlenty's report, about 75 members of the local Latino, Hmong and Somali communities and representatives of religious, labor, business and nonprofit groups met Tuesday night to plan strategies to counter the report, said Alison Quito Ziegler, interim director of the Minnesota Immigrant Freedom Network.

They agreed to take immediate steps to publicize the report's flaws and the realities of immigrant life, and they plan to develop long-range strategies to influence public policy.

"There was a tremendous amount of frustration and anger at the way that immigrants were portrayed in the report," Ziegler said.

Among the upset attendees was Erik Rodriguez, a student at Southwest High School in Minneapolis. He wants to enroll in a Minnesota college next year but said he won't be able to afford it unless Pawlenty and the Legislature pass a law that would allow him and other undocumented but longtime Min-



SHERRI LAROSE, PIONEER PRESS

**Erik Rodriguez, a senior** at Minneapolis' Southwest High School, says he won't be able to enroll in a Minnesota college next year if Gov. Tim Pawlenty and the Legislature fail to pass a law that would allow him and other undocumented but longtime Minnesota students to pay in-state tuition.

nesota students to pay in-state tuition rates.

"I feel like they're denying me an opportunity to get an education and show the world what I can do," Rodriguez said.

"I think the governor's report stirred something that maybe he wasn't hoping to stir, sort of a sleeping giant of a community that's broader than he thinks it is," said DFL Rep. Carlos Mariani of St. Paul, the Legislature's only Hispanic member. He predicted the Pawlenty report would spark a new wave of immigrant civic and political activism.

Pawlenty, speaking at a Minnesota Chiefs of Police Association board of directors meeting Thursday in Woodbury, said he recognizes this is a nation of immigrants and welcomes legal migrants to Minnesota. But the system for admitting them "has to be legal and orderly and reasonable, and the current system that we now see playing out across the country and in Minnesota doesn't meet that definition in my book."

He said he's soliciting ideas to combat crimes associated with illegal immigration for next year's legislative session.

One big problem is the use of false Social Security cards, birth certificates and driver's licenses to defraud health-care providers and deceive police, he said.

He also wants to find ways

to protect illegal immigrants who live and work "underground" from being exploited.

Another issue next session will be the Minneapolis and St. Paul ordinances that say police cannot question people about immigration status if it's the only basis for questioning or detaining someone. Police and city officials say the policy encourages immigrants to report crimes and cooperate with investigations. State Rep. Jim Knobloch, R-St. Cloud, plans to introduce legislation next year to prevent such ordinances.

On Tuesday, Pawlenty met privately with about 20 representatives of immigrant groups in his Capitol office to solicit their ideas for attracting more legal immigrants with skills needed for the state's workforce.

John Doan, a Vietnamese-American from Blaine and chairman of the Council of Asian-Pacific Minnesotans, said he was prepared to question Pawlenty about the controversial report at the meeting.

"I was going to tell him that we were caught off-guard and surprised by the tone and perspective of the report, but the governor sort of stole my thunder," Doan said.

"He came in and told us immigrants are a valued part of the state's vibrant economy and quality of life, and legal immigration has been key to the state's

success in the last century. That was exactly what I was hoping to hear."

While Doan was relieved by Pawlenty's comments, he said, "I still think there's a lot of concern from the (immigrant) community that that report paints a very skewed picture of immigration."

Democrat-Farmer-Labor Party Chairman Brian Melendez asserted Pawlenty's release of the report was part of a broader Republican scheme, spearheaded by President Bush and the GOP Congress, to make getting tough on illegal immigration a hot-button political issue.

But Pawlenty denies that. "To say that this is not a legitimate issue before the country is ridiculous," he said. "Illegal immigration in the United States of America is a major ... serious issue, and to simply discount it or ignore it as political is seemingly oblivious to the reality around us."

The issue is a hot one among Republican activists, who see getting tough on illegal immigration as a way to combat terrorism, said state GOP Chairman Ron Carey. "The interest level in that issue has gone up dramatically. I would be surprised if it is not a top-five issue for next year's campaign."

Meanwhile, Attorney General Mike Hatch, a DFL candidate for governor, charged that the Pawlenty administration has exacerbated the illegal immigration problem. He said he has received repeated complaints that the Department of Labor and Industry has failed to enforce labor, occupational health and safety and workers' compensation laws at businesses that hire illegal immigrants. He also has heard complaints that the Revenue Department isn't investigating allegations that those employers are failing to pay payroll taxes.

As a result of the lax enforcement, middle-class Minnesotans have lost their jobs to lower-paid undocumented immigrants, Hatch said.

Pawlenty spokesman Brian McClung labeled Hatch's charges "flat-out inaccurate."

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# House votes to ban Actifed, Sudafed pills

## Cutting access to ingredients for meth production is the goal.

STAR TRIBUNE APR 22 '05

By Mark Brunswick  
Star Tribune Staff Writer

Over-the-counter medications widely used as nasal decongestants and better known under the brand names Sudafed and Actifed would be banned in Minnesota by August 2006 under a far-reaching proposal that passed the Minnesota House on Thursday.

### WHAT'S NEXT

A bill the Senate passed restricts, but doesn't ban, the medication. The measure now goes to conference committee.

The effort is to deal with the manufacture of the stimulant methamphetamine.

If the measure becomes law, it could be the first time in the country that the products, which are otherwise legal medications, would be banned in pill form.

Rep. Jeff Johnson, R-Plymouth, the sponsor of the bill, called it one of the most comprehensive and tough anti-methamphetamine bills ever passed in the country. "Methamphetamine has become an epidemic in Minnesota," he said.

preprehensive and tough anti-methamphetamine bills ever passed in the country. "Methamphetamine has become an epidemic in Minnesota," he said.

METH continues on A14

## METH from A1

# Outright ban likely to face hard fight to win passage

"This drug is like nothing we've ever seen before," Johnson said. "It takes over your brain, it takes over your nervous system. It takes over your soul, and it destroys your life in an instant."

The bill, focusing on one of the linchpin issues of the 2005 legislative session, passed 127 to 4 after more than 2½ hours of debate over issues such as whether more money should be spent on treatment and whether the new sentences are too harsh.

A Senate bill, which passed March 4, puts sweeping restrictions on the medications but stops short of banning them.

The measure will now go to a conference committee. While the get-tough-on-methamphetamine momentum has bipartisan support, the outright ban is likely to be a hard-fought issue as the bill is reconfigured.

Lobbyists for retailers and representatives of the pharmaceutical industry were clearly stunned by the vote and privately pledged to work against the ban, which they said could affect hundreds of products in the average drugstore.

"I can bet the lobbying will be fast and furious. I've probably already got phone calls waiting for me," Johnson said after the vote.

The popular cold and allergy remedies, particularly in pill form, are a key ingredient in manufacturing methamphetamine, which is highly addictive and can cause violent and psychotic behavior as well as organ and brain damage.

First-term Republican Mike Charron, of Woodbury, proposed the amendment that bans the products as pills but allows them still to be sold in gel or liquid form and in children's doses.

At first Johnson argued that a ban on pills might set up the possibility of litigation from the pharmaceutical industry, something that he said could postpone the effectiveness of the law if a court halted its starting date.

But Johnson supported the amendment after Charron reworked it to allow Johnson's bill to take effect as a default in the event litigation stymies the ban.

"People are finding ways around it. We should ban it in Minnesota and I believe we will see it banned in other states as well once we take this step," Charron said.

Before the ban passed, another amendment restricting where the precursors could be sold passed 94 to 39. The amendment limits the sale of ephedrine and pseudoephedrine to pharmacies, eliminating selling small "personal packs" of the medications in such places

as convenience stores and gas stations. The amendment passed despite arguments from some that eliminating sales from convenience stores and gas stations was "anti-rural" because of a paucity of pharmacies in some areas.

The bill seemed to gather momentum after it was argued that the ban would level the playing field for rural and metro consumers.

While consumers might feel the effect most through the ban, the measure also would have an effect on courts, prisons, and treatment programs.

It appropriates more than \$900,000 for the next two years to address anticipated increases in the prison population; \$1 million a year for the next two years for methamphetamine investigations and enforcement through the Bureau of Criminal Investigation; \$600,000 for the next two years to fund three county treatment pilot programs; and \$700,000

for the next two years to the state public defender's office for anticipated increases in caseloads.

The bill also sets up a revolving cleanup account for cities and counties where methamphetamine laboratories are shut down.

The bill increases penalties for manufacturing, possessing and selling the drug and makes it a crime to be found guilty of methamphetamine-related activities that might have an effect on children or vulnerable adults, such as storing or using methamphetamine waste products and chemicals near them.

Rep. Keith Ellison, DFL-Minneapolis, proposed maintaining the current criminal penalties, saying the extra money, which he estimated would be \$400,000 for the first two years and \$800,000 for the next two years, could be spent on treatment.

"Why spend the money when we don't get the outcomes we're looking for?" he asked.

Rep. Michael Paymar, DFL-St. Paul, also argued against the harsher sentences. Paymar was one of the four House members who voted against the bill, along with Rep. Carlos Mariani, DFL-St. Paul; Rep. Alice Hausman, DFL-St. Paul; and Rep. Neva Walker, DFL-Minneapolis.

"We've gone way overboard in our drug sentencing," Paymar said "The small cooker has the potential for going to prison for up to 30 years if he is cooking a small amount of methamphetamine. These aren't big-time entrepreneurs. Let's put a little sanity into our drug laws."

But Ellison's amendment failed on a 39-95 vote.

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"This drug ... takes over your brain, it takes over your nervous system. It takes over your soul, and it destroys your life in an instant."  
— Rep. Jeff Johnson



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# Editorial

Editorial

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## Fighting meth

### There are downsides to proposed bans on popular cold medications

Meth is wreaking havoc in every corner of Minnesota. It destroys families, damages the environment and fuels violent crime.

Stopping the drug's use is a priority of the Legislature as it should be. But the solution that state lawmakers have crafted puts too much emphasis on the drug's production and too little on addiction.

Both the Senate and House have focused on limiting access to cold tablets that contain pseudoephedrine, a crucial meth ingredient. The Senate bill restricts the sale of such tablets — including popular brands such as Sudafed and Actifed — to pharmacies. That bill would also cap purchases at about eight packages a month and require customers to show ID and sign a log.

The House bill goes even further by banning the popular over-the-counter cold tablets. The ban would take effect in mid-2006.

While the intent of both bills is to shut down production of meth, cold and allergy victims will likely suffer more harm than the meth trade.

Most of the meth being sold in Minnesota is being manufactured outside of the state in superlabs located in southwest states or Mexico. Only about 20 percent of meth sold in Minnesota is actually created in clandestine labs in the state.

Still, even shutting down 20 percent of production would be a start, some might argue. However, it's questionable if the ban would do that much good. Drugs could be purchased in other states or over the Internet. And even if the state declares such activity illegal, does anyone believe that people manufacturing an illegal substance are going to abide by that law?

Supporters of the ban point to Oklahoma as an example that laws limiting access to cold tablets are successful. Law enforcement and political figures in that state say meth lab busts have fallen 50 percent since restrictions went into effect there last spring. But such reductions have not been independently verified. Moreover, the apparent reduction in meth lab busts might also be a result of harsher penalties for

offenders, not restrictions on Sudafed and similar substances.

The Consumer Healthcare Products Association, a trade group representing manufacturers of Sudafed and other cold and allergy remedies, expresses similar doubts. And the group rightly points out that restricting cold tablets to pharmacies could make access to the medication unduly difficult for consumers living in rural communities without access to 24-hour pharmacies.

It would also make it more costly. If the Minnesota House bill is adopted as law, consumers would no longer have access to Sudafed and other over-the-counter remedies. Instead, they would be required to obtain prescription drugs such as Allegra D or Clarinex D which are much more expensive. In addition, there would be the cost of an office visit to obtain a prescription from a doctor.

We're not talking small change. A recent finding from Northwestern University noted that over-the-counter products, like Sudafed, save consumers nearly \$5 billion a year.

Minnesota lawmakers also are calling for increased penalties for drug manufacturers and users who endanger children, although some complain that the penalties are unduly harsh. The sentencing provisions led Rep. Carlos Mariani, DFL-St. Paul, to file a protest vote against the entire bill. "We're not doing enough to help addicts stop being addicts," he said.

Mariani raises a valid concern. Treatment centers, which took cuts in funding, don't have the staff or resources necessary to handle the rising tide of addicts created by meth use. And while meth addicts can be treated successfully, it often requires more time.

And let's not forget the reasons — such as dysfunctional families, poverty and depression — that cause people to turn to drugs as an escape. Family counseling, after-school activities and job programs can also be effective tools in the war against drugs. But so far, most lawmakers haven't even bothered to pay lip service to that part of the equation.



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TIMBERJAY (TOWER/SUDAN EDITION)

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WEEKLY 2,500  
APR 30 2005



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# Lawmakers get \$136,000 in overtime payments

102 of 201 in Legislature paid  
so far for 2005 special session

BY PATRICK SWEENEY  
*Pioneer Press*

9.9.05

Minnesota lawmakers have so far claimed about \$136,000 in daily salary and expense payments for their eight-week special legislative session this summer, according to House and Senate records.

A number of lawmakers — Democrats and Republicans, and members of both the House and Senate — refused to accept the \$66-a-day payments they are allowed to collect in addition to their \$2,595-a-month base salary. Others claimed the pay for only part of the special session.



## AT A GLANCE

During the special session, the \$66 per diem was only for days a legislator attended floor sessions or committee hearings, or took part in budget negotiations. Outstate legislators could claim per diems for travel days.

OVERTIME PAYMENTS, 10A

**Online:** For a complete list of special session per diem payments as of the Sept. 1 payroll, go to [www.twincities.com](http://www.twincities.com) and click on the Politics page.



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## Overtime payments

(continued)

Many of those who refused to claim the money did so either in a show of contrition for failing to get their work done by a May 23 constitutional deadline, or in a demonstration of solidarity with state workers who lost pay during a partial government shutdown, or in anticipation of retribution next year from voters angry about the overtime session.

All payment totals are still incomplete because separate deadlines for senators and state representatives to claim the funds have not passed.

But, through a Sept. 1 payroll, 39 of 67 senators had asked for and received the so-called "per diem" payments, according to legislative pay records reviewed by the Pioneer Press. Sixty-three of 134 House members received the per diem payments. The average payment total was \$1,589 for senators who took the per diem pay, and \$1,171 for House members.

And, while the two bodies are nearly evenly divided between Republicans and members of the Democratic-Farmer-Labor Party, DFLers so far have claimed two-thirds of the per diem money that has been paid out.

The highest per diem total in each body went to committee chairmen deeply involved in budget negotiations. LeRoy Stumpf, DFL-Plummer, Senate education budget committee chairman, claimed \$2,970, and Fran Bradley, R-Rochester, House health policy and finance committee chairman, claimed \$2,112.

The per diems are an odd combination of expense payments and a salary supplement for legislators who got their last increase in base pay in 1999. During regular sessions, legislators receive per diems for weekends and holidays, as well as days they work.

It is likely the number of legislators claiming the per diems for this special session, especially in the House, will grow and the total cost will increase. That's because House members have 90 days to claim per diems. Senators are allowed 60 days. The special session ended July 13.

The per diem payments have been part of the legislative pay system for years. But the per diems, especially during special sessions called to finish unfinished business, have long been controversial.

In 2001, during a special session budget battle that was a lot like this year's deadlock,

## Special session per diems

Here is a list of East Metro lawmakers who collected per diem payments for this year's special session. Lawmakers have several more weeks to submit a claim.

House member	Party	Amount	Senate member	Party	Amount
Joe Atkins	DFL	\$896	Ellen Anderson	DFL	\$1,386
Chris DeLaForest	R	1,320	Bill Belanger	R	2,442
Pat Garofalo	R	1,120	Don Betzold	DFL	2,046
Barbara Goodwin	DFL	1,122	Mike McGinn	R	462
Tom Hackbarth	R	660	Mee Moua	DFL	2,376
Alice Hausman	DFL	1,320	Sandra Pappas	DFL	924
Mary Liz Holberg	R	132	Pat Pariseau	R	924
Sheldon Johnson	DFL	726	Chuck Wiger	DFL	1,254
Karen Klinzing	R	792			
John Lesch	DFL	1,122			
Tim Mahoney	DFL	264			
Carlos Mariani	DFL	462			
Doug Meslow	R	840			
Duke Powell	R	1,254			
Char Samuelson	R	1,122			
Cy Thao	DFL	594			
Andy Westerberg	R	1,254			

Source: Minnesota House and Senate



PIONEER PRESS

### OPTING OUT

These state senators notified the Senate Fiscal Services staff they would not claim per diems during the special session (the House did not maintain a similar list):

- Michele Bachmann, R;
- Richard Cohen, DFL; Dick Day, R; Michelle Fischbach, R; Dean Johnson, DFL; Debbie Johnson, R; Bob Kierlin, R; Sheila Kiscaden, IP; Dave Kleis, R; Brian LeClair, R; Becky Lourey, DFL; Sharon Marko, DFL; John Marty, DFL; Jim Metzen, DFL; Geoff Michel, R; Mady Reiter, R; Julie Rosen, R; Dan Sparks, DFL; and Betsy Wergin, R.

then-Gov. Jesse Ventura challenged lawmakers to "come in on their own dollar" and forgo the daily payments.

Early this year, a group of freshman Democrats in the House, led by Rep. Larry Hosch of St. Joseph, and two Republican senators, Dave Kleis of St. Cloud and Mady Reiter of Shoreview, introduced bills to bar per diem payments during special sessions resulting from lawmakers' failure to complete their work. Both bills died in committees.

Gov. Tim Pawlenty who accepted per diem payments as a state representative during the 2001 special session, called this summer for legislation that would leave per diem policies as they are, but take away a month's base pay from legislators and the governor if they failed to enact a budget by the May deadline.

"Ordinary Minnesotans would not expect to be paid for running past a work deadline, and elected officials should not

expect it either," he said.

Visitors to the Minnesota Republican Party's State Fair booth last week were invited to sign a petition endorsing Pawlenty's plan.

One person eagerly signing was Evelyn Schwartz, a pull-tab clerk from New Brighton who called herself a liberal and a political independent.

"I just think that if they're doing their job properly, we shouldn't have to pay them extra," said Schwartz.

"I think the public was irritated that the work wasn't done," said Rep. Sandra Peterson, a freshman Democrat from New Hope who did not claim per diems. "And I think it does something to soothe those irritated feelings to know that we weren't collecting per diems, we were there on our own time."

But Rep. Tom Emmer, a freshman Republican from Delano, said he and the other legislators who claimed per diems have no apologies to make. Emmer, an attorney, said the \$1,320 he earned in special session per diems was far less than he would have made in his law practice.

"You're talking to a guy who at 44 years old made a significant personal and financial sacrifice to serve my constituents," Emmer said.

A few legislators routinely refuse to claim per diem payments during either regular or special sessions, a few claim less than the \$66 a day and some do not claim the payments on weekends or holidays.

For the special session, senators and representatives were supposed to claim per diems only for days they were attending floor sessions and committee hearings or taking part in the budget negotiations between the House, the Senate

and Pawlenty. Outstate legislators also were allowed to claim per diems for travel days.

Three of the Legislature's top four leaders did not claim per diems.

"We had not concluded our work on the budget in the regular session, and to some people it was the fault of the leadership," said Senate Majority Leader Dean Johnson, DFL-Willmar. "And if it's the fault of the leadership, then you shouldn't be collecting per diems."

Sen. Dick Day of Owatonna, leader of the Senate Republican minority, took no per diem payments and wrote letters to three newspapers in his district to announce his decision. He urged fellow Republicans to weigh their political futures against the expense payments.

House Minority Leader Matt Antenza, DFL-St. Paul, never claims per diems. House Speaker Steve Sviggum, R-Kenyon, claimed \$1,584.

Although the per diem totals are incomplete, Democrats so far significantly outnumber Republicans — 36 to 27 — among House members claiming per diems. House Democrats received \$41,990 vs. \$31,816 for Republicans. In the Senate, 27 Democrats claimed \$48,510 in per diems; 12 Republicans claimed \$13,464.

Will legislators who accepted the per diem payments face consequences when they run for re-election next year? Probably not, predicted Don Ostrom, a visiting professor of political science at St. Olaf College who served as a DFL state representative from 1989 through 1996.

"For the most part, voters are more concerned about education or health care or taxes than they are about the particular salary a legislator gets," Ostrom said.