

# Regional

## Energy Concerns District 33 Candidates

By MARIAN YOUNG  
of The News Staff

Coal taxes and energy impact funds are on the minds of candidates running for the North Dakota Legislature in the 33rd District, one of the state's prime energy development areas. The district covers Mercer and Oliver counties.

The Republican candidates are state Rep. Ronald Gunsch, R-Zap, and Gary Knell. The Democratic candidates are Joe Keller, D-Beulah, and Jerry Mattern.

Gunsch, 44, is a Zap-area farmer and rancher. He served as president of the North Dakota Jaycees in 1975 and is currently a director of the Missouri Slope Irrigation District. He is seeking his fifth term. During the 1983 session, he served on the Appropriations Committee.

Gunsch said he is concerned about coal and oil taxation. He said he supports tax incentives for new oil wells and opposes any increase in the state's coal severance or conversion tax. He also favors legislation that would exempt some coal gasification byproducts from taxation. He said a favorable tax climate is necessary to make the cost of developing energy in North Dakota competitive with other states.

Gunsch said he is also concerned about unemployment. He said about 1,000 construction workers remain at the Great Plains Coal Gasification plant, some 4,000 less than a year ago. The plant is scheduled for completion in December. To increase employment opportunities, the state should encourage the growth of small industries that de-



Keller



Gunsch



Mattern



Knell

velop coal gasification byproducts, he said.

Gunsch said he is well-qualified to represent the 33rd District because of his experience in the Legislature and his lifelong residency in the area.

Knell, 34, is a Hazen-area farmer and owner-operator of Knell Trucking in Hazen.

While this is his first bid for legislative office, Knell said his background in business and farming enables him to understand the concerns of "a large majority" of the voters in the 33rd District.

Knell said he is concerned with improving the state's farm econ-

omy. He said he supports the efforts of Agriculture Commissioner Kent Jones to increase the export of North Dakota farm products. He also favors increasing the state's revolving loan fund for beginning farmers and continued research to develop new crop varieties.

Knell also voiced concern about energy development. Noting the loss of local jobs because of the completion of the Great Plains Coal Gasification plant, he said he favors the development of coal gasification byproducts and feels tax exemptions on these products would lure new businesses to the area. He also favors tax incentives for wildcat oil wells because of the "slump" in oil development.

Keller, 50, is a Beulah-area farmer. He served for 11 years as the chairman of the Beulah Farmers Union Elevator and as vice-chairman of the Oliver County Weed Board in 1983. He was elected to the House in 1982 and served on the Judiciary and Agriculture committees.

Keller said he favors the current formulas used to distribute coal tax revenues to counties in coal development areas and opposes interim legislation supported by some "Eastern legislators" that would have allowed coal impact funds to be spent on coal development research. "The impact is not over out here," he said, pointing to local roads that need maintenance and school enrollments that continue to climb.

Keller said he also favors "hold-

ing in place" the state's current reclamation laws. "It's been alluded to that mining companies may perhaps try to weaken our reclamation laws a little, but research has not proven conclusively that we should relax them," he said.

Keller said he worked hard to represent the 33rd District in the last session. "Now that I have experience, I can do an even better job," he said.

Mattern, 30, is a technician at Minnkota Power Cooperative. He grew up in Minot and graduated from the North Dakota State School of Science in Wahpeton.

Though he has not previously served in public office, Mattern feels he has something unique to offer the growing number of urban voters in Hazen and Beulah. "Being the only non-farmer and a working person, I hope this will improve my chances of being elected," he said.

Mattern said he is concerned about energy issues and opposes any increase in the state's coal severance or conversion taxes. "If we keep increasing the coal taxes, we won't be as competitive as Wyoming or Montana," he said.

Mattern also opposes any change in the guidelines for distributing coal tax revenues to the state's coal development areas. "Some legislators think there is reduced impact because the construction is gone, but the impact is probably more now," he said, arguing that local school enrollments have increased, roads need upkeep, and local social service agencies are strained.

## Insurance Hopeful Tells Story During Her Travels

BY JEFF NIES  
of The News Staff

In the last three months, Diane Alm has logged 10,000 miles in a motorhome campaigning across the state for the insurance commissioner post. She hopes the political mileage will pay off on Election Day.

The Republican candidate, who is opposing Democrat Earl Pomeroy of Valley City and independent Jan Gerhart-Shelver of Devils Lake, believes voters rating the challengers on credentials, will mark her name on the ballot Nov. 6.

With 14 years in the insurance business, Alm insists she is the most qualified candidate for the job. "The only experience I haven't had is in reinsurance and ocean-marine (coverage). I've been an agent and company underwriter; that's where you get the best technical training. I've seen (the business) from all sides."

With Gerhart-Shelver a late entry in the race, Alm has concentrated her campaign against Pomeroy, a two-term legislator and lawyer, whom she has debated 13 times. They held their final debate Wednesday in Williston.

The most recent state poll showed Pomeroy ahead of Alm by less than a percentage point, but her campaign got a shot in the arm this week with an endorsement from the Grand Forks Herald.

Alm, 41, is the wife of Kent Alm, former head of the state Board of Higher Education and an education consultant to the Olson administration. She is on leave from her job with Dakota Fire Insurance Co. in Bismarck.

She has made office qualifications the theme of her campaign while trying to fend off Pomeroy's effort to cast her as a pro-industry representative who would pay lip service to consumer interests as a regulator.

"He's distorted my positions. Earl has been trying to scare people into voting for him," by drumbeating the issue of consumer fraud, she said.

But, by challenging him on that contention and others, Alm said she has forced Pomeroy to back down and qualify his positions. "I can certainly tell I'm running against a lawyer. He's presenting the evidence he wants people to hear, so he can draw his own conclusions. I've got the better argument, because I've got the honest argument," she said.

While making consumer advocacy the centerpiece of his campaign, Alm maintains that Pomeroy has set forth "vague" and "ill-defined" programs for the insurance department.

"We've had 13 debates and he hasn't yet developed a consumer program. He's really weak on the programs. He's even weak on consumer fraud."

The proposals the Democrat has recommended have all been "reactive," Alm said. And she accuses Pomeroy of stealing some of her ideas on plans for a circuit rider program and installation of a toll-free hotline.

"He's talked about the hotline and

the circuit rider program. I've been talking about those things for six months."

The two candidates differ on who should pay for the telephone service. Alm thinks the industry should bear the expense, while Pomeroy believes it should be a department operation.

Despite Pomeroy's assertions, Alm said she regards herself as a strong consumer advocate and has mapped plans that will give consumers a chance to be heard on insurance matters.

She has proposed the formation of an advisory council of insurance professionals and lay people who would meet with her on trends and business practices in the insurance business.

The council in turn would periodically interact with eight, 12-member regional groups composed of insurance and consumer representatives who would review insurance concerns.

Alm is advocating a pre-license course and test for insurance agents, and continuing education requirement once they become licensed. She said Pomeroy is opposed to putting consumers on advisory panels he's proposed, undercutting his position as a consumer proponent.

While calling for a cooperative effort between the industry and the department in dealing with insurance fraud and identifying agents who are misrepresenting insurance products, Alm said Pomeroy has failed to develop an enforcement plan. She said she had put together a position paper at the beginning of the campaign that specifically addressed that concern.

Alm said she would implement a "market conduct" study, just being developed for companies, that could also be used to identify agents when complaints are received at the department. The information would be fed into a computer and could help track a pattern of misbehavior by an agency or company. "I think we can do a better job with that. His cooperative effort won't do a thing."

Alm estimates she will spend up to \$60,000 on her campaign. "My campaign is not all that heavily financed," she said. She is running a mix of political advertising, while Pomeroy is relying heavily on television commercials.

"I made my mind up early on I had to build up name identification." She did that, she said, with a direct mail campaign that has produced widespread industry support.

The political newcomer said that Pomeroy has done an effective job in gaining "press coverage" by holding press conferences across the state, while she has stuck mainly to addressing groups and holding interviews.

"I understand where I am. He's had better press coverage. I've had all the hard lines," conceding she's been on the defensive through much of the race.

"It's easy to talk about fraud. It gets all the ink. I've had to sound like the reasonable candidate."

## Farmers Union Supports Ballot Measures

By CARL FLAGSTAD  
of The News Staff

In its most recent "Union Farmer" publication, the North Dakota Farmers Union supported two constitutional amendments on the November North Dakota ballot and took no stand on two others.

It also presented lengthy answers to questions asked the opposing candidates for governor, commissioner of agriculture and attorney general — without setting forth its own choice.

The organization said it backed Measure 1 on the ballot, to eliminate the office of state treasurer and also Measure 2, which has to do with amending provisions that guide the legislative process. It did not, however, express any view on Measure 3, guaranteeing the right of North Dakotans to keep and bear arms or Measure 4 which would nullify legislative action putting the three junior colleges at Devils Lake, Williston and Bismarck under control of the state Board of Higher Education.

Concerning the treasurer's office, which would be rubbed out as of Jan. 1, 1989 with duties taken over

by other agencies of state government, the Farmers Union said it was backing passage "to eliminate duplication in state government," adding the organization "further suggests that the current responsibilities of the treasurer's office be transferred mostly to the office of state tax commissioner." In other words, start the elimination as soon as possible.

Explaining Measure 2, the "Union Farmer" said it would provide any bill with an effective date if a date was not included in the original wording. New wording to the constitution, if the measure is passed, would allow laws passed by the legislature to become effective on July 1 or 90 days after adjournment of the Legislature or on a subsequent date if specified by law. It is for the proposal, NDFU said, because the "amendment would modernize the legislative procedures and eliminate some unnecessary language, making the legislature responsible for setting more of its own rules and procedures."

Faced with Measure No. 3, the Farmers Union had little to say,

noting only that it would guarantee the right of North Dakotans to keep and bear arms, that there is no such general statement in the state constitution and the proposal was pushed by the North Dakota Shooting Sports Association and its national affiliate, the National Rifle Association.

In a relatively long message, NDFU president Stanley M. Moore, made no direct reference to any candidate on the national or state level but made it clear the issue, as far as the FU is concerned, comes down to the bread-and-butter problem for farmers — prices received and escalating costs for production.

"Too often, the political debates take a curious turn in which almost irrelevant issues make front page headlines, overwhelming fundamental issues such as agriculture price and income programs," he complained.

That Moore and the Farmers Union hierarchy clearly support George Sinner, the Democratic candidate for governor, however, was pointedly indicated by Moore's statement "it is truly unfortunate

that hypothetical situations, such as what we would do with the two air bases in North Dakota if there were an arms control agreement became the basis of political debate when the reality of any effective arms control at this time is fairly remote."

For Moore, "non-productive debates" do not sidetrack the major issues such as the precarious conditions in the agricultural economy rooted in the "failures of our current national food policies, the imbalance of our national monetary and taxation policies and the lack of international agreements on agricultural trade."

No matter who is elected, he said, those issues will remain. The call he gave to the Farmers Union was to "look at who has been elected and how we can best influence the decisions these elected officials must make in dealing with the agricultural and rural crisis that faces us and our society...In short, our destiny is not just determined by those whom we elect on Nov. 6, but also, and just as importantly, by what we do after the election."

## Supreme Court Affirms Award To Townships

By LEONARD LUND  
of The News Staff

Acting on an appeal from District Court at Fessenden, the North Dakota Supreme Court has affirmed an award for \$24,353 for four Wells County townships in a suit for damages against the county over road maintenance.

Wells County commissioners, through States Attorney Vincent A. LaQua of Fessenden and Kelsch, Kelsch, Bennett, Ruff and Austin, Mandan law firm, appealed the award by District Judge William Hodny of Mandan in the South Central Judicial District.

Sykeston, Bilodeau, Johnson and Hawksnest township supervisors argued that graveling nine miles of N.D. 200 south of Sykeston over the

period from 1975-79 was the responsibility of the county.

Three miles of the road divide Sykeston and Bilodeau townships and six miles divide Johnson and Hawksnest townships.

Johnson and Hawksnest each were billed by the county for \$13,652.13 and Sykeston and Bilodeau for \$6,132.26 each for rebuilding the road on the basis of innocent misrepresentation of law, Judge Hodny determined, that the townships were responsible for maintaining the road.

Hodny ruled that the townships had no contract or agreement to assume any of the cost of building or maintenance when the county board decided to rebuild the road in 1973 prior to blacktopping.

"This erroneous belief," the high court said, "was reinforced by the chairman of the board's assertion, at the meeting held in the spring of 1976, that the road was the townships' responsibility and also the board's inaction concerning the townships' request for financial assistance in connection with making the road passable."

According to the affirmation by the high court, "it was the sole responsibility of the board of county commissioners to maintain the county road system as designated and selected by them...and to keep the road in a state of repair."

Timothy J. Austin of Mandan argued the case for the county and Thomas J. Aljets, Carrington attorney, for the townships.

In an appeal from the district court of Mercer County, the supreme court reversed and remanded a case which had been appealed by Jerome Jankowski, Donald Mutenberger and Francis L. Wright that they had violated a restrictive covenant by constructing a metal building, 40 by 60 feet, for maintaining horses in a rural Beulah subdivision, Country Club Estates.

Plaintiffs in the action were Charles C. Allegree, Paul E. Angrick, Max R. Arrington, Douglas Dewitt-Dick, Jeffrey L. Donaldson, Lyndon D. Luoma, Michael J. Mujadin, Eugene E. Peterson, Stan Piascecki, Virgil P. Sabin, David Salisbury, Robert H. Schaffer, Arsay Sheliga, Kim Simmons and Gary L. Tronson.

## Devils Lake Man Seeking Remedy To Dispute

By CARL FLAGSTAD  
of The News Staff

In letters to North Dakota's congressional delegation and governor, Gordon Berg of Devils Lake has demanded that something be done to remedy disputes between farmers and the Fish and Wildlife Service.

Berg, who has been active in water and political affairs, sent letters to Senators Quentin Burdick and Mark Andrews, Rep. Byron Dorgan and Gov. Allen I. Olson, declaring the disputes involve easements farmers signed in good faith years ago.

The problem, Berg explained, is that through wet and dry cycles from month to month and year to year all suffer — including wildlife, farmers and hunters.

"During some parts of the year, there is 10 times more water than wildlife can use and at other times of the year there is no water for wildlife. The same affects the farmers and hunters. Any reasonable mind would say there must be a way found that these two forces can live side by side."

Berg said a drive around Ramsey County proves his point.

"You can see a fourth of a quarter section of land that was under water last spring and that was not seeded and it is completely dry now; feast or famine for the wildlife and the hunter."

It is an uncontested fact that the Constitution says a property owner must have the right to improve his or her property, Berg said, but

asked "does this not include farm land?"

"Now, farmers are taken to the courts because they are trying to improve their property and their ability to survive in a tough economy and some farmers are getting locked up in the state penitentiary and also having to pay a fine."

Berg said it also is costing all the taxpayers which led him to ask the congressional members and the governor "why can't there be some federal legislation or federal policy change to help to compromise the difference."

Berg thinks there is a way the courts, federal government and state could combine to work out guidelines for the Fish and Wildlife Service and the farmers to help both sides. "The status quo is not getting the job done," he said.

He suggested farmers be allowed to let the top water run off if they put in wildlife waterholes 40 by 100 feet in size and 10 feet deep. These, he said, would hold water through the summer and therefore be beneficial to wildlife and hunters.

"The courts could also use this approach to settle their disputes, which is a lot better than making criminals out of our farmers," Berg concluded.

## Teacher Who Will Accompany Shuttle Must Be Healthy

HUNTSVILLE, Ala. (AP) — The teacher chosen to fly aboard the space shuttle in 1986 will need at least five years of teaching experience, low blood pressure and good hearing, a NASA official says.

Alan Ladwig, director of NASA's Space Flight Participation Program, said applications from interested elementary and secondary teachers will be accepted from Dec. 1 to Feb. 1. The winner, chosen from a field of 10 finalists picked on July 4, 1985, will become the first non-astronaut in space.

Ladwig, who previewed the requirements to a group of 40 teachers at a mock shuttle mission at the Alabama Space and Rocket Center on Saturday, said NASA would soon issue the requirements in final form.

He said the winning teacher must be able to adapt to flight experience and mission activities and be willing to contract with NASA for public lectures for one year following the flight.

Medical requirements include a blood pressure level less than 160 over 100 and the ability to hear whispered speech at three feet, he said.

## Minot Worker Injured In Industrial Accident

Michael Kyle, 36, Minot, is listed in stable condition with a foot injury in St. Joseph's Hospital following an industrial accident south of Butte Friday afternoon.

According to Don Bexell, plant engineer for Souris River Telephone, Kyle was a member of a crew digging trenches and laying

cable about 2½ miles south of Butte. He said Kyle apparently slipped and his foot came in contact with the trencher when the ground next to the trencher gave way.

Souris River Telephone provides telephone service to a 100-mile square area surrounding Minot, Bexell said.

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