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North Dakota Intelligencer: October 26, 1992

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Grand Forks Herald

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The
North
Dakota

Intelligencer

An inside report on people, politics & power



Volume 1

October 26, 1992

Number 15

There's new life in Spaeth's camp

A perception iss spreading among watchers of the governor's race: **Nick Spaeth** seems to be turning his campaign around, while **Ed Schafer** is struggling to keep his momentum.

First, a little revisionism. Now that a few weeks have passed, it seems that the Democratic attack on Schafer's residency had more modest goals than forcing the Republican out of the race. If the purpose was to divert Schafer's energy and resources, to throw him off stride, it succeeded. For a good 10 days, Schafer could not set the campaign agenda.

Spaeth finally is doing a little agenda-setting of his own, calling regular news conferences, detailing his stands on the issues, and kicking at Schafer's "truth-in-budgeting" plan to move \$100 million of special funds into the general fund.

After the change of consultants, Spaeth's ad campaign has improved dramatically. The radio ads are especially tough, raising the residency and tax issues and saying Schafer's out of touch with North Dakota.

Spaeth's negative TV health-care ad, "Smoke and Mirrors," also works well, in part because it disdains the truth. The ad quotes a July 24 Associated Press story reporting that Schafer offered no specifics, but omits the passage that he planned to release his full plan in the future. He

did, too, on Oct. 6.

(Remember how irked Spaeth was when Sen. **William Heigaard** edited a headline in an attack ad? This isn't much different.)

Spaeth's cease-fire with labor, which prompted endorsements from the AFL-CIO and United Transportation Union, will bring valuable contributions and staff support. Spaeth agreed to put a labor person in his cabinet, and he's been sounding more like a regular Democrat lately. "Voodoo economics" and "12 years of Reagan-Bush trickle-down" have entered his vocabulary.

Other money is coming in, too. The Democratic Governors' Association sent Spaeth \$50,000, compared with \$35,000 the Republicans dropped on Schafer. The state party's get-out-the-vote effort is another plus.

Finally, and again it's a matter of perception, Spaeth seems somehow more in command at speaking engagements. He's been able to get under Schafer's skin several times, and he has found where to bore in.

The race still is close; the big news is Spaeth avoided collapse. Given a potential Clinton landslide on Nov. 3, and the state party's better organization and resources, Spaeth has regained the upper hand.

But never underestimate Schafer.

A higher profile for No. 2 spot

Nick Spaeth's campaign for governor finally moved to raise the profile of lieutenant governor candidate **Julie Hill**, having her speak at a news conference devoted to rural development.

Ed Schafer's campaign had used running-mate Rep. **Rosemarie Myrdal** consistently in TV spots, although the focus was never on her and she rarely spoke.

Spaeth said Hill, a former representative from Roseglen, will chair his administration's "rural communities cabinet," which will include heads of agencies that deal with farm areas. Hill had traveled the state with Lt. Gov. **Lloyd Omdahl** trying to get a feel for the issues.

Hill told the convention of county commissioners that, if elected, she also hoped to chair the Children's Coordinating Council and would be a strong advocate for education.

Myrdal expressed interest in the same things, and commented, "Always, both Julie and I find we will be listening to people, talking to the governor, carrying messages back and forth, and I think that's probably one role we will be well qualified for."

Neither candidate is a dynamic speaker, favoring generalities over a detailed discussion of the issues. Both were capable, mid-level representatives who were picked for ticket-balancing purposes: They're women, farmers and have ties to education.

Spaeth or Schafer's assertions aside, it's unlikely either candidate will play a significant policy role.

Fasten your seat belts for a wild election

Consider this wild finish to the wildest year in North Dakota politics since 1934.

Voters:

- Favor the Democratic presidential nominee.
- Elect a Republican governor.
- Deliver most statewide offices to Democrats.
- And give Democrats a majority in both house of the

Legislature.

Possible? Yes.

Likely? No.

First, the presidency.

North Dakota isn't a high-stakes state, and it has seen very little high-level campaigning. Polls suggest the race

is a toss-up, and some commentators believe **Bill Clinton** will win its three electoral votes.

Don't count on it, though.

One of the most consistent of the consistencies in American politics is that North Dakota goes Republican in presidential elections.

Still, a Clinton landslide could extend to North Dakota.

□ □ □

Republican gubernatorial candidate **Ed Schafer** continues to show well in the polls — better in fact than the raw numbers reveal. These show a close race, with the lead

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within the statistical margin of error.

What's important, however, is that the number of undecided voters is very small — and that almost all the people who said they were undecided early in the race have moved to Schafer. That kind of momentum is hard to overcome.

Spaeth faces a big challenge in motivating volunteers in the closing days of the campaign, too. Schafer, on the other hand, has energized his supporters, who now taste victory.

Of course, it's possible that Schafer may have peaked too soon — but the odds seem to favor him nevertheless.

The statewide offices

For the other statewide offices, name recognition is critical, and Democratic candidates are better known than Republicans. That points to Democratic victories there. Possible exceptions are **Bob Peterson**, the state auditor, and **Leo Reinbold**, a member of the Public Service Commission. Both are well-known incumbents.

Claus Lembke for treasurer and **Al Jaeger** for secretary of state have been out-working their Democratic opponents — state Rep. **Kathi Gilmore** and incumbent secretary **Jim Kusler**. But these are uphill battles nevertheless.

Jaeger has been among the most frustrated state candidates. His charges against Kusler — involving mismanagement of the budget and political favoritism in preparing election ballots — got less attention than he'd hoped for. Kusler conceded he's spent \$569,000 more than the Legislature provided for his department, an overrun of almost 20 percent, but he dismissed Jaeger's charges as those of a "desperate" candidate.

A retooled Legislature

The Legislature is more difficult to call, especially since reapportionment. There are fewer districts — 49 instead of 53 — and every district is bigger. Several districts bear little resemblance to their predecessors. This is especially true in rural areas, where areas were pasted together in order to reach the ideal population size.

Democrats take a one-seat majority in the state Senate into the campaign. In the House, the margin is 10 seats for the Republicans.

Despite claims by activists in both parties that they can control both houses, look for continued divided control, with Democrats in charge in the Senate and Republicans in the House, perhaps by margins very close to those in the 1991 session.

Leadership turnover

Whatever happens in the election, the Legislature will change significantly. In the House, five out of six members who were in leadership positions won't be back. These include Republican Speaker **Ron Anderson** of Keene, Republican leader **Dick Kloubec** and Democratic leader **John Schneider**, both of Fargo. Democratic assistant **Scott Stofferahn** also won't be back. The Senate will be without Democratic leader **Bill Heigaard** — beaten in the Democratic gubernatorial primary and invisible since then.

Equally important, key members of the House Appropriations Committee have moved on. The chairman, Republican **Kenneth Thompson** of Beach, is not seeking re-election, and **Judy DeMers** of Grand Forks, a key Democratic member, is running for the Senate.

In total, seven senators and 23 representatives have bowed out.

Battle of incumbents

That doesn't include incumbents facing each other. There are two such Senate races: District 6, Democrat **David O'Connell** of Lansford against Republican **Bill Han-**

son of Sherwood; District 8, Democrat **Gene Hilken** of Wilton against Republican **Layton Freborg** of Underwood.

Senate races to watch

■ Democrat **Warren Jonasson** of Milton against Republican **Harvey Sand** of Langdon for Heigaard's seat in District 10. It's a marginal district that may have tipped Republican with reapportionment — and the departure of Heigaard, who enjoyed great local popularity despite his drubbing in the primary.

■ Democratic incumbent **Harvey Tallackson** against **Lynn (Jim) Thompson**, a Republican who's on the ballot as an independent. Both are from Grafton. Tallackson is entrenched, but after 16 years on Grafton's City Council, Thompson is well known. Reapportionment added some Republican area to an otherwise marginal district.

■ DeMers against **Bob Gilmour** in District 18, the north side of Grand Forks. This is a heavily Democratic area and should help offset possible Democratic losses elsewhere.

■ Democrat **Sally Oremland** against Republican **Bob Stenehjem** in a Bismarck district that had been represented by Democrat **Joe Satrom**. Satrom reportedly is turned off by Democratic politics after the primary; he's been aligned with the Progressive Coalition of farm, labor and environmental groups. Stenehjem is son of **Martin Stenehjem**, once the student loan officer at the Bank of North Dakota and the brother of state Sen. **Wayne Stenehjem** of Grand Forks. A third Stenehjem brother is running for the House in Wahpeton. Oremland has done little campaigning, so this is another potential Republican gain.

■ Incumbent **Corliss Mushik**, a Democrat, against Republican **Albert Liebersbach**, both of Mandan. This has been one of the most hard-fought contests in the state. Republicans have made an issue of Mushik's remarks about condom distribution in schools, and they've made sure that every Mandan household knows about them. Mushik has also been criticized for out-of-state travel she's undertaken on behalf of the Legislative Council. Mandan is a Democratic town — organized labor is stronger there than in any other North Dakota city — but it is also heavily Catholic, and many of its voters have strongly conservative moral values.

■ House member **Kit Scherber**, a Democrat, against incumbent Republican **Curtis Peterson** in a Fargo district. Peterson has been around since 1973 (he missed the '75 session) but he hasn't been a Senate power. Scherber is working hard and is a real threat to Peterson.

House races to watch

Perhaps the most interesting House race is in District 15, where three incumbents face one another. They are **Gene Nicholas** of Cando and **Richard Kunkel** of Devils Lake, both Republicans, and **Gordon Berg** of Devils Lake, a Democrat. The other Democratic candidate is newcomer **Jim Hunt** of Devils Lake. Nicholas chairs the Agriculture Committee and he's been a key Republican strategist. Berg is well-known for his outspoken views about water development. In a letter to Gov. **George Sinner**, he once suggested wiping out migrating waterfowl because they contribute to the pollution of Devils Lake. Devils Lake, a swing town, remains the heart of the district, but it's been enlarged by reapportionment. The new mix is even more volatile.

Democrat **Jim Brokaw** of Forbes has been thrown into one of the most Republican districts in the state. He faces incumbents **William Kretschmar** of Venturia, chair of the Judiciary Committee, and **Tom D. Frier** of Linton. Republican incumbent **Harold Trautman** of Jamestown faces the challenge in reverse in his district, against Democratic incumbents **Lyle Hanson** and **Joe Kroeber**.

Five former House members are mounting comeback bids. **Eliot Glasheim** is an odds-on favorite in District 18, the north side of Grand Forks, and **Carolyn Nelson** has a good shot in District 21, the heart of Fargo. **Ron Gunsch** is running in District 33, the coal country of western North Dakota — an area that swings back and forth between the **Wild**: Please turn to Page 3

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parties. In Minot, **Thomas Lautenschlager**, a Democrat, faces an uphill battle with two Republican incumbents, **Gary Porter** and **Ben Tollefson**. Tollefson is the assistant Republican leader and the only member of the House leadership returning in 1993. The fifth former member bidding to return is the third of Martin Stenehjem's sons on this year's ballot, **Allan Stenehjem** of Wahpeton.

In District 36, **Shirley Meyer**, daughter of former Rep. **Jack Murphy** — is running for the House. Her husband,

Dean Meyer, is a state senator, but he's not seeking re-election.

Other notable candidates: UND research librarian **Bette Gard** is the long-shot Democratic candidate in heavily Republican District 17 in south Grand Forks. That's **Earl Strinden's** neighborhood. In District 44 on the north side of Fargo, state demographer **Richard Rathge** is a Democratic House candidate.

There are several independent candidates. The best known are **Earl Allen** and **Russel Odegard** of Minot. Allen is a persistent critic of tax policies, and Odegard was the man behind the failed petition drive aimed at state employee benefits.

A cheap race, state of the state

A cheap ride to governorship

North Dakota is the cheapest place in the country to run for governor, reports a University of North Carolina political science professor, who surveyed 202 elections since 1978.

The average cost of races in 1991 dollars was \$8.18 million, Prof. **Thad Beyle** wrote in "Spectrum, the Journal of State Government." Texas was the most expensive, with an average of \$37 million. North Dakota averaged \$729,600 for the 1980, '84 and '88 elections. (Next cheapest was Delaware, at about \$900,000.)

This year's race is bound to be more expensive, with estimates in the \$800,000 to \$900,000 range. **Ed Schafer** has said he'll raise and spend \$500,000, and he asserted last week he hadn't drawn on any personal funds. Spaeth cites \$300,000 as a baseline, but he'll probably have to spend more.

Analyzing regulations

The Legislature's interim Administrative Rules Committee got tough this month on the issue of regulatory analyses, a pet peeve of the Greater North Dakota Association.

By law, agencies must write the analyses if the rules' impact on the "regulated community" exceeds \$50,000. The GNDA had complained that the analyses weren't being done even when businesses were getting socked with costly new regulatory burdens.

The rules panel apparently agreed, this month filing a formal objection against some tax department rules filed without analysis. The particular objection came to making assessment officials — county directors of tax equalization and Class 1 city assessors — take 10 extra hours of classroom instruction to maintain their certification.

Hall talk

The formal objection is significant since it will be filed next to the administrative rules. Then, if anyone challenges the rules, the burden of proof will rest with the tax department, not the challenger.

The committee made several informal objections to other presentations, and agency representatives agreed to go back and do the work. The tax department disagrees with the panel's position, hence the tougher action.

With the Legislature coming into session, the committee won't meet until next summer. It's possible some legislation will be drafted to let agencies know who's the boss.

Conservatives vs. Conrad

Suprise, surprise. National conservatives are expressing shock and dismay at Sen. **Kent Conrad's** decision to run again. First **Bob Novak** picked Conrad for his "outrage of the week" on CNN's Capitol Gang. Now the Oct. 19 "National Review" joins in, giving Conrad a "chutzpah award." The first award went to Sen. **Ernest "Fritz" Hollings** of South Carolina for running as an anti-incumbent.

N.D. exit polling

The three TV networks and CNN will be conducting exit polling in North Dakota this year through their cooperative, Voter Research & Surveys. The group also will provide election projections to clients.

"Our survey is a non-partisan, scientific study," **Susan Buxbaum**, director of operations, wrote Secretary of State **Jim Kusler**. "Voters will be asked to participate in the poll only after they have voted, and will not in any way be pressured to participate. All responses are nonverbal, and

there is no attempt to get a name or address."

Pollsters also promise to stay beyond 100 feet of polling places, as required by North Dakota law.

New Tribune reporter

The Bismarck Tribune is changing its Capitol reporter just in time for the next Legislature.

Janell Cole is leaving to return to her preferred cops and courts beat. Cole came to the Capitol in April after **Carter Wood** left to work for the Grand Forks Herald.

Kristine Donatelli, a 1990 graduate of the University of St. Thomas (Minn.) is replacing Cole. She's now working for Skyway News in Minneapolis, a publication distributed in elevated walkways.

Donatelli will start work the first week of December, and the next week the Legislature holds in organizational session.

An early state of the state

Logically enough, Gov. **George Sinner** will not wait until January to give his State of the State address at the 1993 Legislature. By then there will be another governor, so Sinner asked the Legislative Management Committee to speak during the organizational session.

Sinner will give his budget address on Tuesday, Dec. 8, the first day of the session. His statement on the state will come the afternoon of Thursday, Dec. 10.

Parties will meet the previous Monday to select their leaders.

Little interest in guide

Newspapers were disappointed at politicians' response to a voter's guide.

The state newspaper association sold only 31 inches of advertising — less than a column and a half in a standard-sized paper.

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Once again, Dorgan is the chief PAC-man

Once again Rep. **Byron Dorgan** emerges as North Dakota's "King of PACs." Federal Election Commission filings for the third-quarter filing period reveal.

In his race for the Senate, Dorgan collected \$324,121 between July 1 and Oct. 14. Seventy-four percent — or \$239,265 — came from political action committees.

Dorgan is the top money collector among the state's congressional candidates, bringing in \$662,576 for the year. PACs represented 75 percent of the total.

Why so flush? He's the odds-on favorite, and built up good PAC relationships with 10 years on the tax-writing Ways and Means Committee. Why else would six PACs from the wine and liquor industry chip in \$1,000 each?

Dorgan's Republican opponent, **Steve Sydness**, reported \$213,362 in contributions for the three-month period, with PACS representing 38 percent. For the year, he received \$398,943, with PACS accounting for 32 percent.

(Most interesting contribution was \$500 from **Benno Schmidt**, former president of Yale now heading Whittle Communication's private schools enterprise.)

Insurance Commissioner **Earl Pomeroy** continued to draw heavily on PACs and contributions from the insurance industry in his Democratic campaign for the U.S. House. Sixty percent of Pomeroy's contributions during the period and 64 percent for the calendar year came from PACs.

You like us, you really like us

What can we say? The consensus among readers of the *Intelligencer* seems to be that we've hit on just the right package.

In late August, we asked subscribers to send us their gripes, their plaudits and their suggestions for changes. Although the response was not overwhelming, about a dozen of you replied.

Here's a summary:

Readers most appreciate the background and perspective we provide, and the fact that the newsletter collects political and business news into a single, compact package.

There were a few complaints but no trends. One person thought there is too much repetition, another said we should not print rumors, yet another said we should anticipate upcoming developments.

(Total contributions for the period was \$153,903; for the year, \$317,094.)

His opponent, Fargo businessman **John Korsmo**, received \$43,592 during the period, of which 52 percent came from PACs. For the year, he reported \$94,690 in contributions, 39 percent PAC-related.

In the Dec. 4 special Senate race, Republican Rep. **Jack Dalrymple** reported \$12,585 for the period, with \$5,000 coming from the Campaign American PAC. Dalrymple got a loan of \$5,000 to get the campaign rolling, at 9.25 percent interest.

As has been widely reported, Sen. **Kent Conrad** pretty much stopped giving contribution refunds in July, after Sen. **Quentin Burdick** entered the hospital. For the year, he had turned back \$319,506. He still had \$558,485 on hand at the end of the filing period.

The Democratic Campaign Committee wasted no time in giving Conrad \$17,500 after he announced he would run for Burdick's remaining two years on Sept. 21. The contribution came on Sept. 23.

A \$1,000 contribution actually came on Sept. 19 from **Candice Hooper**, a partner in Hooper, Hooper & Owen, a Washington, D.C., political consulting firm.

Prior to the announcement, Conrad continued his generosity, contributing \$1,000 to governor candidate **Nick Spaeth** and \$500 to all the other Democratic state candidates.

Conrad also has donated more than \$50,000, and Dorgan \$23,406, to the state party.

The great majority thought the mix of politics and business is just about right. About half would like to see more Hall talk, a few would like to see the Fortnightly update expanded (although a couple would just as soon we dumped that feature), and a few would like to see an expanded business beat. The vote was 9-1 in favor of the Fly on the wall.

Almost everyone believes we have met our goal of providing unbiased insight, but one person said we exhibit a Republican slant.

Finally, there were a number of suggestions for follow-up topics, and we'll keep them in mind for future issues.

Thanks to those who took the time to respond.

Fortnightly update

State Tourism Director **Jim Fuglie**, who as Democratic-NPL chairman helped mastermind that party's unprecedented electoral successes of the early 1980s, handed in his letter of resignation. He has been in the post since 1985. . . . Classic Roadsters of Fargo was back on the road after working out an agreement with the state to fill back orders. The company, which is in bankruptcy reorganization, had been blocked from doing business while the state investigated 85 complaints that orders were not being filled. . . . The 1993 federal military construction appropriations bill contained \$19.2 million in funding for such things as underground fuel storage tanks and sewer upgrades at Minot Air Force Base, Grand Forks Air Force Base and the Cavalier Air Force Station. . . . North Dakota will lead the nation in 1992 production of wheat and barley, with an expected harvest of 470 million bushels of wheat, a state record, and an expected barley yield of 172.5 million bushels, third highest on record. . . . State Democrats decided not to push the issue of Republican governor candidate **Ed Schafer's** residency. The party had questioned whether Schafer was a legal resident for the required five years prior to the election, and considered taking the issue to court, but backed off. . . . Three convicts escaped from the North Dakota Penitentiary. Two were quickly recaptured, but a third apparently stole a pickup from a Bismarck construction firm and still was at large as of late last week. . . . Fargo businessman **Tom Kenville** accused the Economic Development and Finance Department of leaking a business plan to a competitor. Kenville said the deal he was working on was jeopardized, but went through in the end. EDF Director **Mick Bohn** said he would look into the allegations. . . . Ex-Grand Forks city councilman **Reuben Larson** was convicted of attempted murder for the shooting last May of Judge **Lawrence Jahnke** in Grand Forks. . . . The first snow fell in North Dakota, as much as 6 to 8 inches in a few northeastern cities, but it soon was gone, replaced by temperatures back up in the 50s and 60s. . . . State livestock producers pooled funds and, combined with money from the state Game and Fish Department, paid for an airplane to be used exclusively to hunt predators. Last year, they said, 1,600 head of cattle worth \$625,000 fell prey to predators. . . . The State Mill and Elevator began selling all-purpose flour for the first time in its 70-year history. It also plans to add whole wheat and durum flour to its long-time staple, bread flour.