

**MINNESOTA GOVERNOR'S COUNCIL
ON DEVELOPMENTAL DISABILITIES**

Wednesday, June 3, 2015
12:15 p.m. – 2:30 p.m.
Continuing Education and Conference Center
University of Minnesota St. Paul Campus
1890 Buford Avenue, St. Paul, Minnesota 55108

MINUTES

MEMBERS PRESENT

Dan Reed, Chair
Ashley Bailey
Dawn Bly
Marrie Bottelson
Mary Hauff
David R. Johnson
Eric Kloos
Jim Lovold
Barbara Lundeen
Lynne Megan
Mary O'Hara Anderson
David Quilleash
Mary Raasch
Robbie Reedy
Bonnie Jean Smith
Mike Stern
Wendy Velzke

STAFF PRESENT

Colleen Wieck
Mary Jo Nichols

MEMBERS EXCUSED

Alex Bartolic
Pamela Hoopes
Steve Kuntz
Carolyn Perron
Kathy Ware

MEMBERS ABSENT

Alexandra Morrissey
Melissa Winger

GUESTS

The Honorable David Durenberger
Steve Moore, Legislative Director for
David Durenberger
Laurie Beyer-Kropuenske, Department
of Administration
Andrew Mosca, Minnesota State Council on
Disability
Stephanie Nelson, Southside Services
Jonah Weinberg, Autism Society of Minnesota
Joan Willshire, Minnesota State Council on
Disability
Quinnitina Williams, staff for Marrie Bottelson

I. CALL TO ORDER

Dan Reed, Council Chair, called the meeting to order at 12:20 p.m.

COUNCIL PROGRAM

Colleen Wieck introduced former US Senator David Durenberger, a native of Colleeville, Minnesota.

Durenberger served with United States Army Intelligence and chaired the Select Committee on Intelligence. He practiced law with Harold LeVander and was his chief of staff when LeVander was elected Governor.

Durenberger was elected to fill Hubert Humphrey and then Muriel Humphrey's term in the United States Senate in 1978 where he continued to serve until 1995, the only Republican United States Senator from Minnesota to be elected to three terms.

He is a leading expert on health care policy, and sponsored major federal legislation on Medicare, the Americans with Disabilities Act, the Voting Rights Act, and the National Community and Service Act. He just retired a year ago from the University of St. Thomas but continues to serve on several national committees. He was last here with us in 2004 in connection with the Minnesota Citizens Forum on Health Care Costs.

In September 1986, Durenberger chaired a hearing on Medicaid legislation sponsored by Senator John Chafee. At that hearing, a young mother from International Falls was trying to testify but given conflicting information about what to do and not to do during her presentation. Out of this experience came the realization that people could be prepared to give testimony, these skills could be taught, and the Partners in Policymaking® program was created.

We are always thankful for Senator Durenberger's decades of public service.

Senator Durenberger began by saying how very moved he was by this introduction. He said that he lived in a time when you could translate your upbringing, your faith, your values, your life experiences into public policy. The people of this state were progressive, the kind of people who welcomed refugees, and other people who brought different experiences and different perspectives to issues. We learned what was acceptable to bring to the legislative arena because we listened to people.

He then introduced Steve Moore, whom he said has insight into those times and us as human beings. While we are now in a period of time, somewhere between the right and left of political center, where we feel we're not being represented, Durenberger said that he is still optimistic about the future. We've lived through this political middle in the past and we can learn again by listening to people who bring different experiences to us.

Moore said that his task is to talk about the Americans with Disabilities Act (ADA) and then encourage questions.

Moore recalled the days when the ADA was being drafted, more than 1,000 meetings, four to six meetings a day over several years, writing sections of the ADA. He noted that no one was in a particular hurry to get things done. This was a very deliberative process with careful thought given, line by line, to get to the end result – a very remarkable piece of legislation.

At the beginning, there were 13 cosponsors of the ADA. When the legislation passed the Senate, it was nearly a unanimous vote. Moore said that we ended up with this incredible piece of work because of the time, the care, and the cooperation that went into it. We lived in a golden age of cooperation. Both Republicans and Democrats wrote a better bill together than they could have separately. Getting through those 1,000 meetings was hard work but the spirit came from the people and the price we paid made it possible to get the ADA passed.

Durenberger shared a story, during the time he was serving on a subcommittee that addressed disability issues, when he was at a baseball game in the new Toronto stadium. He commented on all the people who used wheelchairs who were in attendance and wondered why. The answer was simply because the stadium was accessible, it was built so people with disabilities could also be there. Then he couldn't imagine why it wouldn't be accessible – this was an inspirational moment.

Moore said that when the ADA was passed with a Republican President, it had been only 25 years removed from a filibuster around the Civil Rights Act. Senator Humphrey had gained bipartisan support for the Civil Rights Act despite the filibuster he faced in the Senate. Humphrey spoke at the Democratic National Convention which led to his nomination and then eventual election as Vice President.

Durenberger noted that Moore's experiences were certainly unique but reminded everyone that we all have something to share and contribute. We're acting now like a parliamentary form of government and that's not who we are. Things will change back.

Durenberger referred to the 2003 – 2004 Commission on Health Care Costs as an example of where the people's voice has made a difference and influenced public policy. The Commission focused on what people were thinking about health care and what we pay for, he said, and the message was how to stay healthy, how do we help pay to encourage people to adopt healthy lifestyles. Communities wanted and needed support services to be and stay healthy, and that made sense. What communities do best is provide for those who have a need. Americans never had a national health care policy goal, all other developing countries do, but we didn't. Now we do – healthy people. And now we have long term care and an increasing number of people have assisted living services. We listened and we learned from you and the community.

The next step is to fulfill the mission of the Health Care Commission and the Affordable Care Act.

Megan asked how do we get back to the concept of hearing from people, we get lip service, but how can we work better with people.

In response, Durenberger said that he believes that President Obama will be treated better by history than we will be treated. We are a big part of the problem. People are voting much differently now; states are voting out candidates with moderate views. In 1974, one third of the Republican caucus was liberal and one third conservative. We need to seek out moderates. We have to make much better choices about the people we elect to represent us.

In response to a comment that 30 or 40 years ago, political parties would do battle over something but they would still get something accomplished. Now it seems everyone wants to make sure that the other person or the other side doesn't win.

Durenberger said when he served in Congress, he never felt that way. He always learned something from his colleagues. Just because we have a President from one political party and the majority of Congressional members from another party, doesn't mean they can't or shouldn't get anything done.

Durenberger added that Senator Edward Kennedy knew how to get a good bill. It was like playing an accordion – open it up and then squeeze. Keep bringing in more people and more perspectives into the process.

O'Hara Anderson said that we will always be thankful for your work on the ADA and the support we were given during the civil rights movement. She recalled the United Handicapped Federation's lawsuit against the Metropolitan Transit Commission about the lack of transit services for individuals with disabilities in the Twin Cities metro area. We were fighting against businesses that were opposed to making transit accessible, she said. She also mentioned building code issues and the battles that were fought there

Parents and their children now have educational opportunities and transportation services that weren't available

Willshire noted that one thing that they are seeing is that businesses are not bothering to meet the "readily achievable" standard in making their businesses accessible.

Weinberg offered a quote that he said was from Winston Churchill – "Americans will always do the right thing after exhausting all the alternatives."

Quilleash extended a personal thank you to Durenberger, noting how far we've come but also so much more that we have to do. He said that he graduated from high school in 1991, and has worked with folks with and without disabilities who didn't live in the world before the ADA. My entire life would be very different today, he said, and added that his life is enhanced, because of the work that Durenberger has done in support of people with disabilities.

Reedy said that a lot of people are living independently, living the lives they want to live, have fulfilling jobs, and parents are involved. Reedy also extended a personal thank you to Durenberger for making life better for all people with disabilities

Bly also expressed appreciation to Durenberger, noting how much the services her family has that have helped her son. Our experiences do shape who we are and they have shaped Minnesota. If we all step up to the plate, we can get to where we want to go.

Bottelson was reminded of the many people with disabilities who lived in the state hospitals and how that has changed.

Reed said that we've come this far in 25 years. Where will we be in the next five, ten, or 25 years?

Reedy said that 25 years ago, things started improving. Twenty-five years from now, if we can get people who are at opposite ends of the spectrum to come together to change the systems, and if we can get the politicians to work together instead of fighting with each other, things would look much different.

Smith said she sees an undercurrent of young people who are starting to take everything back.

Quilleash said that he's hoping, because of the people in this room, that within the next five to 25 years, everyone will be part of the community. We'll be supporting people with person centered planning, and the dollars and supports will follow the people. People without disabilities won't see the distinctions; we'll all just be part of one community.

He added that we live in a time where there is obvious political rancor on every issue. Effective communication is involved in getting things done; we have to start with what we agree on.

Durenberger said that the lack of respect for people in leadership positions is enormous. We need to find real leaders in the community on two major issues – education and health care. We have to stop promoting people in management and leadership jobs when they have neither the skills nor the talent to do the job.

Reed thanked Durenberger for coming to today's meeting. He said that he has been working with the Twins on a game day for the ADA that is scheduled for August 16th and extended an invitation to Durenberger to throw the first pitch for that game.

II. INTRODUCTIONS

Everyone present introduced him/herself.

III. APPROVAL OF AGENDA

Reed asked for approval of the Agenda.

MOTION: Smith moved, seconded by Raasch to approve the Agenda. Motion carried; there were no dissenting votes.

IV. APPROVAL OF MINUTES FOR APRIL 1, 2015

Reed asked for approval of the Minutes as written for April 1, 2015.

MOTION: Lovold moved, seconded by Reedy to approve the Minutes as written for April 1, 2015. Motion carried; there were no dissenting votes.

V. CHAIR'S REPORT

Reed handed out brochures about the 2015 ReelAbilities Film Festival that will begin on Thursday, June 11, 2015 at the St. Paul Union Depot.

The Festival started in New York with film entries from all over the world that focus on people with disabilities and disability issues.

The Film Festival was in the Twin Cities two years ago and received such a positive response that it's returning this year. Both the DD Council and Minnesota State Council on Disability have helped to promote this event.

Partnership Resources is working with TPT this year on a one-hour closed captioned documentary that will feature films of five minutes or less. The documentary will be released around July 26, 2015, the 25th Anniversary of the Americans with Disabilities Act (ADA).

A call is out for filmmakers of all abilities. Films of 20 minutes or less will be considered for this year's ReelAbilities Film Festival. Reed then highlighted a few of the films.

Joan Willshire and Andrew Mosca, Minnesota State Council on Disability talked about some of the events that will be taking place in celebration of the ADA's anniversary. The State Council received Legacy funds two years ago to support anniversary events.

A Family Day Celebration will be held at the Minnesota History Center on Sunday, July 26, 2015 from noon to 4:00 p.m. A call is out for artists to submit some of their art work for the Celebration; the artists will be available to sign their art. Clips from *The ADA at 25: Disability Rights in MN*, a documentary film produced by *tpt*, will be featured; a first showing of the documentary will be at 8:00 p.m.

The State Council worked with David Gillette, tpt, who created a white board video essay, entitled “Celebrate 25 Years of the ADA.”

Willshire also noted that a day-long Employment Policy Conference is scheduled for October 28, 2015. Senator Tom Harkin has been invited. An Employment Survey is being conducted to collect data and other information including how the ADA has affected hiring practices.

VI. GRANT REVIEW COMMITTEE

Stern reported that a Request for Proposal for Customer Focused Research Studies was reviewed and finalized. There was considerable discussion about how surveys are designed and disseminated, and results used.

Pre-allocations for FFY 2016 grants were reviewed. Allocations will be finalized at the August meeting.

VII. PUBLIC POLICY COMMITTEE

Reed reported that Dawn Bacon, Department of Human Services, talked about supported employment and a waiver amendment. A “spirited” conversation with members followed.

Transportation was discussed as a major issue. If people don’t have transportation, a way to get to a job, then the job itself is not important. Everyone wants to do the right thing but getting employers to comply and include individuals with developmental disabilities in their businesses as part of their workforce, and the necessary funding for support services are significant problems.

VIII. EXECUTIVE DIRECTOR’S REPORT

Wieck provided the following updates and highlights from monthly reports:

1. Council appointments and reappointments are still pending.
2. The Five Year State Plan planning process will begin at the August Council meeting. The next Five Year State Plan is due August 15, 2016 for FFYs 2017 – 2021.

3. The Legislature appropriated \$ 200,000 for a Centralized Accommodations Fund; the Department of Administration will manage the Fund.
4. Assistance was provided to the Ombudsman Office for Mental Health and Developmental Disabilities regarding two individuals who are Class members.
5. Regarding the Olmstead Plan and related issues:
 - a. The Olmstead Subcabinet and the Subcabinet Executive Committee held meetings. The March 20, 2015 version of the Olmstead Plan was provisionally approved pending measurable goals.
 - b. The Governor's Office requested a compliance checklist; a checklist was created and approved by the Subcabinet Executive Committee.
 - c. More than 200 activities included in the March version of the Olmstead Plan were reviewed and reduced to 25 to 30 goals.
 - d. Magistrate Judge Becky Thorson has been appointed by Judge Donovan Frank to supervise mediation sessions to write the Olmstead Plan.
6. Regarding Jensen Settlement Agreement issues:
 - a. The Eighth Status report was submitted to the Court;
 - b. Compliance reviews with the Department of Human Services will begin. Mediation with Magistrate Judge Thorson will be scheduled or all remaining topics and out of compliance items.
7. The May and June "Moments in Disability History" been posted. The final "Moment" will be released in July, include the final vote on passage of the ADA, and feature the full text of President George H.W. Bush's speech on July 26, 1990.

8. A display about the “Moments in Disability History” was finalized for the Disability Mobile Museum, and the National Civil and Human Rights Museum; the US Business Leadership Network is a sponsor.
9. The ADA webinar, the *Fight for Civil Rights for People with Disabilities*, featuring the “Moments in Disability History,” was presented as a Continuing Legal Education (CLE) session.
10. *The Federal Lawyer*, the Federal Bar Association magazine, featured two articles on the ADA.
11. Two publications will be released in July, both to help commemorate the 25th Anniversary of the ADA. The “Moments in Disability History” will be compiled in a book format. The history of the Partners in Policymaking® program will include testimonials and stories from Minnesota Partners graduates about the impact of the Partners program on their lives and how their level of inclusion in the community has been impacted by the ADA.
12. The Arc Minnesota Public Policy Recognition Event honored Judge Donovan Frank for his humanitarian efforts to ensure that the rights of people with disabilities are respected in our legal system. A PowerPoint presentation with photos and quotes from self advocates was prepared and a book, based on the presentation, was given to him

IX. ADJOURNMENT

Reed asked that the meeting be adjourned.

MOTION: Stern moved, seconded by Smith to adjourn the meeting. The meeting was adjourned at 2:30 p.m.

Respectfully submitted,

Colleen Wieck
Executive Director