



# reporter

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## Communicating by Cable: a Sleeping Giant?

by Jennifer Wilder

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The University of Minnesota is committed to the policy that all persons shall have equal access to its programs, facilities, and employment without regard to race, creed, color, sex, national origin, or handicap.

Decisions being made this year about cable television could profoundly affect the lives of most Twin Cities residents until the year 2000, and probably well into the twenty-first century. Yet, at the present rate of development, many communities in the Twin Cities will be wired for cable before most of their citizens realize the enormity of this new technological development.

Who will be wired? Who will operate the new cable systems? What capabilities will be built into the systems? Very few people are telling decision-makers what it is they want out of cable.

Cable is being sold as commercial television *with choice*. Entertainment and sports programming, the bread and butter of commercial television, are the primary marketing tools employed by most cable companies to encourage subscribers. Yet the capabilities and potential of cable television, together with other communications technologies, far surpass those of commercial television.

Wiring individual residences and institutions within a community for cable communications is the first step toward a new way of communicating. Author Gene Youngblood writes:

Inventions and refinements in communications technology reverberate across all the arts and sciences in which men and women are engaged. They constitute the major force which determines how human beings think and learn to think. The underlying structure of the public communication system determines the total political and cultural reality of the society it organizes, and any significant change in that structure portends profound social consequences.

### What is Cable?

Cable itself is nothing new. The technology has been employed for over thirty years to improve the reception of television signals in rural areas. Minnesota already has 117 operating cable systems serving 187 communities, mostly in out-state areas. Cable quickly became a political live wire, however, when technological improvements expanded its potential applications.

Now the high-speed transmission of information, satellite hook-ups, two-way access, and interconnection of cable systems are recognized as incredibly powerful tools for citizen education, participation in political decisions, and personal growth. Linking cable with portable video recording equipment, video publishing equipment such as video disk and video cassette devices, home computers, and new information display devices opens a vast array of communication possibilities. In fact, a new medium of communication has been created, substituting electrons for paper.

A feasibility study in Dayton, Ohio, for example, indicated that "the entire white pages of the Dayton telephone book could be carried on a cable channel, enabling a subscriber to acquire any listing in no more than 20 seconds." The cost would be the same as the cost of printing and distributing the phone book. Listings would be continually updated, tons of paper would be saved, and the cost and problem of disposing of old phone books would be eliminated.

Similarly, cable connections to the library would enable one to receive the entire text of the Readers Digest, for ex-

ample, in five seconds. Reprints of articles of special interest could be made on the spot in one's home.

Cable uses for businesses include the ability to receive a continuously transmitted list of valid credit cards and their purchase limits.

Local access to a community cable station would allow the corner grocer to advertise weekly specials to homes in a one-mile radius only. It would also allow neighborhood meetings to be broadcast within the neighborhood. A local citizens' group interested in raising money for new park equipment could prepare its own cable show with the use of community-owned video portapaks. Scenes of the park site, possible new equipment, and costs involved could be presented in a local appeal to others in the neighborhood.

All this is possible with only one-way cable transmission.

### **Two-way Cable Possibilities**

With the two-way feedback capability, the viewer becomes a user. Cable can connect users of common interests — whoever they may be — to share information and ideas.

One recent study found that two-way cable provided the foundation for community development among the elderly in Reading, Pennsylvania. Senior citizens communicated with each other and with service delivery organizations via live two-way public service programming. Through teleconferencing information was conveyed directly from citizens to public officials without the filtering process that normally occurs in bureaucracies. Not surprisingly, senior citizens' awareness of local issues and their sense of political efficacy increased. Two-way cable provided the basis for mobilizing senior citizens as a political group.

Medical uses of two-way cable wires have already proven successful. A doctor located in a small city can direct an assistant or nurse in a small rural office through simple emergency treatments. Local hookups with large medical complexes can allow for cable consultations between doctor and specialist. The specialist can view x-rays or the patient directly without leaving his office many miles away.

Savings in transportation costs will be an obvious by-product of the wired nation that cable enthusiasts are predicting.

### **Community Involvement**

Although there appears to be a strong connection between cable development and community development, it is much more difficult to structure cable systems to meet the diverse information needs

of a community than it is to simply hook up homes for a smorgasbord of entertainment.

Who owns and operates the systems, how public access to systems is assured, how local programming is produced, and what technological capabilities are built into cable systems are key issues in the development of cable if it is to benefit the community. In the early 1970s, public access seemed synonymous with community use of cable. Experience has shown that it is much easier said than done.

When the Federal Communications Commission (FCC) required that three public access channels be reserved for all cable systems built after 1972, many felt that the promised revolution in the communications industry was at hand.

In testimony before the Minneapolis Citizens Cable Advisory Committee, Jim Malec, executive director of University Student Telecommunications Corporation, described the situation that followed:

Unfortunately, the granting of these channels in 1972 was rather like giving a helicopter to a mountain tribal village in an attempt to solve its transportation problems. The helicopter can be of no use until a support system is developed and a number of people learn how to fly the damn thing. Like the helicopter, community use of video requires trained operators and supporting institutions if it is to be effective.

Dropping the dedicated access channels on the community like manna from heaven does little good if the training and support systems do not exist. There is a demonstrated correlation throughout the country between the amount of financial and community support given to access and its success. Usually, it has taken some time to develop the needed support systems.

The prospects of the development of cable are now even further complicated by the Supreme Court decision in April of this year. That recent decision strikes down the FCC requirements that public access channels must be reserved. The ruling means that not only must each community develop their own support systems and skills in the use of cable television, they must also make sure that they have access to cable channels. If the community fails to legislate or negotiate its own access the capability for anything beyond more entertainment will have been lost.

### **How Other Communities Have Responded**

The FCC has pointed to Madison, Wisconsin as a model community access center. In March 1978 the public access channel was programmed for less than ten hours. When the Madison Community Access Center, Inc. started operation in April, over thirty hours were programmed. By July the channel was programmed for sixty-five hours, with almost no repeat programming. All programming was produced by members of the community from a wide spectrum of cultural, political, and economic backgrounds.

The Madison center operates under an agreement between the cable operator, the city council, and the center's board of directors. Under the terms of the agreement the cable operator provides an initial equipment package, the cable origination capability, and a portion of the salary of the director of the center. The city provides the facility and some operating and technical support. The center provides the remainder of the director's salary and operating costs.



**Video portapaks make it possible for average citizens to create their own television programs.**

In Columbus, Ohio, the nation's first black-owned cable system was launched last fall after several years of waiting for financing. Already, the company has developed forty-seven different programs for its local origination channel, encompassing social, cultural, political, community, educational, entertainment, religious, and sports formats. Instead of being wholly dependent on the networks' perception of blacks, the black community in Columbus can create their own images of who they are.

### Cable in the Twin Cities

There is little doubt that community involvement in cable television requires hard work, time, and money — but with unlimited payoff for the community if the cable system is structured to meet its needs. Right now, it is the cable companies in Minnesota that are putting in the long hours and initial investment to get cable into homes with the prospect of a steady profit in seven to ten years. The payoff to the community and to the company will not complement each other unless the community works closely with government officials, local institutions, and cable operators to assure that community needs are met.

It is obvious that cable companies in the Twin Cities mean business and are willing to pay for it. An estimated 80 to 100 million dollars will be invested in the development of cable television here in the next few years. Storer Broadcasting, Inc., the first company to reinitiate the franchising process in 1978 began by purchasing the existing franchises in Bloomington, St. Louis Park, and Fridley through a wholly-owned subsidiary, Northern Cablevision, Inc. Some of the largest cable companies in North America quickly joined the fray, including American Television and Communications Corporation, Warner Cable Corporation, and Canadian Cablesystems Limited. The interest of these companies and others promises heated competition in the bidding for franchises.

Competition between operators puts communities in a strong position if the potential uses and effects of cable communications are not underestimated. Unfortunately, for the past year, cable development in the Twin Cities has proceeded with a minimum of citizen interest and involvement in the increasing number of decisions being made regularly at the city, regional, and state levels of government. The mechanisms for citizen participation exist, but few people have expressed any interest in the decisions.

### The Minnesota Background

The current situation is ironic in view of Minnesota's past involvement in pio-

# Franchising

A franchise is a legal granting of permission by a municipal government to a company, allowing it to sell specified services within a designated territory. Usually the city council must pass an enabling ordinance in order to create a franchise. In Minnesota, the franchising procedures for cable television are laid out in the rules created by the Minnesota Cable Communications Board.

### Steps in Franchising

1. **Cable Service Territory.** A cable service territory must be proposed by a municipality or cable company and approved by the state cable board and, if it is in the metropolitan area, must be reviewed by the Metropolitan Council. Public notice of the proposal and a waiting period are required.
2. **Citizen Advisory Committee.** A citizen's advisory group must be appointed by the local government or governments involved in the cable service territory.
3. **Study Period.** The advisory committee informs itself and the community about cable communications by reviewing published information, state and federal statutes and rules and regulations, and the experience of other cities with cable communication systems. Public information meetings and a series of articles in the local newspaper may be helpful during this period.
4. **Assessment of Needs.** The advisory committee assesses communication needs in their local area. Methods of assessment may include public hearings, a random sampling of community opinion, and interviews with community leaders. Results of the assessment are reported to the local government(s) and the process and results are made available to the public.
5. **Recommendations.** In reporting to the local government(s) the advisory committee recommends whether or not to proceed with franchising. The committee also recommends what provisions should be included in a draft ordinance for the franchise.
6. **Invitation for Applications.** After considering the advisory committee's recommendations, the local government(s) proceeds to invite bids for a cable communications franchis-

The invitation will specify the system design and services desired as well as the channel capacity, access channel requirements and requirements for related staff and facilities, construction requirements, and two-way capability. These requirements and specifications will be prepared in consultation with the state cable board. Thirty-four franchising standards have been established to protect the municipality, the subscriber, and the cable company. Notice of the invitation is advertised locally and nationally in trade journals.

7. **Public Hearing.** The contents of each application are presented at a public hearing. Applicants are interviewed at the hearing and the franchise may be awarded at this time or later.
8. **Franchising Ordinance.** After one of the applicants is chosen, an ordinance specifying the terms and conditions of the franchise is drawn up and passed by the local government(s).

An abbreviated procedure is available for cities with populations of less than 1,200.

### Who Owns the Cable System?

Selecting a private corporation to own and operate the community cable system is not the only alternative. Some cities choose to own and operate their own systems.

In Frankfort, Kentucky, for example, the cable system was first built and operated by the local public utilities company. In 1956 the utility board helped form a non-profit corporation which leases the cable system from the board and handles its operation. Surplus funds are transferred to local charity. The proceeds have helped build a new YMCA building.

In Minnesota, Bagley, Big Falls, Fosston, Jackson, Taconite, and Warroad all own their own cable systems.

Another form of ownership is a shared participation plan. Ownership can be divided in any number of ways. For example a major eastern city is considering a three-way division of ownership between private corporations, city government, and individual citizens through a stock offering with controlled share allocations for each sector of ownership.

neering the way for the development of cable television. In the early 70s, Minnesota was looked to nationally as a model for communications planning on a regional level. The now-defunct communications advisory committee to the Metropolitan Council was one of the most influential citizens' groups of its kind in the country from 1972-75, partially due to the efforts of former community activist and council staff person Jon Shafer. Shafer became a nationally-known cable *public interest* advocate.

In the early 70s, the fear of corruption and hasty franchising were the main concerns of citizens involved in organizing to regulate the new cable industry. Nationally, a series of criminal indictments involving TelepromTer Corporation, the nation's largest operator of cable television systems, and public officials in New Jersey increased pressures for cable regulation.

Locally, Shafer says he was "appalled" by what he saw going on at the municipal franchising level in the Twin Cities. Hasty franchising in Fridley led to a citizen initiated referendum to overturn their city council's decision to grant a franchise to General Television Company. Heated maneuvers and countermaneuvers between citizen groups, the city council, and the district court finally resulted in a local referendum on a new cable television ordinance in the fall of 1972. Over 11,000 people showed up at the polls and the ordinance awarding the franchise to General Television passed by a margin of 34 votes.

The amended ordinance reduced the length of the franchise from fifteen to ten years; promoted low-cost public access, including access to equipment; and required interconnection with neighboring cable systems. No cable monitoring or tapping was to be allowed without specific permission on each occasion.

Fridley's eight-year experience with cable was summarized by Edward Kapszak, chairman of the city's cable advisory commission, when he was asked to speak before the newly revived Minneapolis cable advisory committee in February 1979. "It was a nightmare in many ways," he said. "GTV frequently violated the terms of the franchise and we were powerless to enforce it. Without the pressures the community can bring to bear, we would not have local access or origination, just pay TV." Kapszak is looking forward to a better working relationship with the new operator of the Fridley system, Northern Cablevision.

#### Cable Committee at the Metropolitan Council

At the time of the Fridley fracas citizens cable groups were formed in Minneapo-

lis and St. Paul. The initial request for Metropolitan Council involvement, however, arrived in a letter to the council from a cable operator in March 1971. Edward Drake, the vice president of LVO Cable, Inc., one of the companies competing for a franchise in Bloomington, suggested that the council might concern itself with setting criteria and standards between the various communities so that there could be interconnection of the systems throughout the metropolitan area. The next few years were spent doing exactly that.

The first advisory committee on cable television was established informally in 1972 and formally approved when \$45,000 was allocated in the 1973 budget for cable communications planning. John Brandl, professor in the Humphrey Institute of Public Affairs and former member of the Minnesota House of Representatives, was appointed the first chairperson of the committee.

Committee members volunteered hundreds of hours during a nine-month period in 1972 conducting research and writing memos and subcommittee reports on alternative designs for cable systems; methods of franchising operations; use of cable television in education, social service, public service, and government; methods of developing and financing local programs; and cost factors involved in developing cable television systems on an area-wide basis.

Their report recommended passage of a state cable communications act and creation of a state cable regulatory agency. During 1973 Jon Shafer worked closely with Senator Winston Borden to

build support for the Cable Communications Act. To the surprise of many, it passed. State regulation of the development of cable television was thus assured. The Minnesota Cable Communications Board was created to regulate the implementation of the Cable Communications of 1973.

In the spring of 1974 the council and the Cable Television Information Center of the Urban Institute in Washington, D.C. completed a \$40,000 joint study on options for the interconnection of cable systems in the Twin Cities area. It was the first known study calculating the costs and specifying various designs for extensive regional communications systems.

Communication subcommittees at the Metropolitan Council spent six months developing a set of recommendations to assist the new state cable commission in adopting rules and regulations for the interconnection of local cable systems across municipal and county lines. The council was designated to coordinate the development of regional channels.

#### Cable Flounders

While the Metropolitan Council committee was peaking in activity and prestige it was apparent that the cable companies, themselves, were in trouble. In early 1974 Warner Cable Company withdrew from a commitment in St. Louis Park, citing anticipated losses between 150 and 200 thousand dollars. Community Tele-Communications, Inc., the company that was awarded a fifteen-year

### Citizen Groups Concerned with Cable Television in the Metropolitan Area

Virtually every municipality in the metro area now has a citizen advisory group. In addition, the following groups have been formed:

**University Community Video**  
Studio A, Barrig Center  
University of Minnesota  
330 21st Avenue South  
Minneapolis, Minnesota 55455  
(612) 376-3333

Operating since 1977, this center has in the last year alone trained over 1,000 Twin Cities residents in video production, provided over 300 individuals with access to video equipment, produced 25 broadcast programs, and enabled the production of more than 80 other programs.

**Anoka County Communications Workshop**  
contact Mark Scott (612) 571-1934

**Bloomington Video Center**  
(612) 888-6702

**Minnesota Videomedia Society**  
contact Roy Lewis (612) 920-0400

#### Public Interest Citizen Groups

**City Cable Coalition (Minneapolis)**  
contact Bryan Peterson  
(612) 722-0112

**Metropolitan Public Interest Cable**  
contact Jim Malec (612) 376-8498



**University Community Video provides Twin Cities residents with video production training and equipment.**

franchise in 1971 to develop a cable system in Bloomington, was fined 10 thousand dollars for not meeting its original August 1973 system completion deadline. General Television did not receive FCC certification for the Fridley area until May of 1974. As one cable company representative said, "There may have been a lot of gold mines out there, but I'll tell you there were also quite a few swamps."

Local slow-down in cable development paralleled a national trend. In 1974, most people were not getting the special programming or services originally touted for cable. Instead, they were getting basic cable service — improved reception.

Metropolitan Council involvement in cable and in communications policies steadily diminished until last September when the communications committee was ended. Ironically, in November the council received a request from Northern Cablevision for review and referral of the southwest suburban cable service territory.

### The Situation Today

The recent new wave of interest in cable follows in the wake of technological advances in interconnecting cable systems with domestic satellites. National cable networks are now possible. In addition a number of national decisions have eased the picture for cable television operators.

In March 1974, Supreme Court rulings found that operators are not liable for copyright fees for carrying distant broadcast signals and found the operators no longer have to pay the annual fee of thirty cents per subscriber originally imposed by the FCC. In April 1979 another Supreme court decision ruled that operators need not reserve public access channels as previously required by the FCC.

The national Communications Act of 1934 is currently being rewritten. The first draft, available last summer, showed no mention of cable television. The new bill, if passed, would abolish all federal regulation of cable, leaving state

or local governments to assure that minimum standards are met.

In Minnesota we have at least paved the way with our Communications Act of 1973 and the creation of the state cable board. According to state law in Minnesota, a community must assess its communications needs in order to choose the franchise proposal that will best meet its needs. While this looks good in theory, state cable board staff and local officials are finding that there are real problems with the needs assessment requirement.

### The Edina Experience

Early this year citizens' committees in Minneapolis and Edina attempted to stimulate community interest and involvement in assessing their community communication needs. Notices of public hearings were filed, press releases were sent out, and education meetings were held in convenient locations. Very few people showed up. A city staff member in Edina expressed his frustration: "Is it

the job of the city to go out and do a big awareness number?"

The Edina needs assessment was based, therefore, on limited public testimony and a community leaders survey. The idea of a more comprehensive general survey was discarded because of the cost and time it would have involved. Instead twelve *community leaders* were asked about Edina's communications needs. These leaders were people representing seven different categories: economic institutions, social services, government, education, spiritual-recreation, health, and human relations.

Brief testimony by industry representatives, state cable board staff, commercial and public television stations, and five Edina residents was also heard. The final needs assessment is three pages long with an additional three pages of supporting documentation. This, in turn, was informally approved by the state cable board staff.

The Edina experience shows that state requirements can be met quickly and easily. But is this the best approach for local communities to take?

#### **What are the Issues?**

Despite a constantly changing regulatory picture and an apparent lack of local interest in communications issues, community involvement is especially important now. What decisions are made in several interrelated areas will affect the lives of most Twin Cities residents for years to come. What are the issues involved? At least eight areas of decision await citizen interest.

**Access** — The whole problem of whether or not citizens are able to have access to the local cable system has been put into a newly vulnerable position. The trend at the national level is clearly toward total deregulation. This does not mean, however, that local or state government cannot require citizen access. In fact, Minnesota is at present the only state in the union that does require that public access channels be reserved in any cable system. Minnesota's regulation of cable communications is currently being challenged in the state legislature. Bills are also pending at the national level that would eliminate all current government regulations of all telecommunications except telephone. These bills would apply to all levels of government — federal, state, county, and local.

**Institutional Networking** — Many community information needs will not be met and services not provided unless public and private institutions are interconnected via cable communications systems. Municipalities, counties, libraries, private corporations, public and private

schools, institutions of higher learning, police and fire departments may now have or soon will have need for a point-to-point regional institutional network. How this would be structured and who would pay for such a network are continuing issues.

**Interconnection** — Much of cable television's potential will not be realized without interconnection of cable systems in the metropolitan area. Although state law requires that all cable systems in the metropolitan area be interconnected, it is likely that some communities will be wired before others. Communities will have to work closely with cable operators to assure the interconnection of their systems with neighboring systems.

#### **For More Information**

**There is a vast array of literature available on cable television. Two recent bibliographies are:**

**Bibliocable** available for \$1.00 from the Cable Television Information Center, 2100 M Street, N.W., Washington, D.C. 20037.

**Cable Television: A Selected Bibliography** by Felix Chin, Washington, D.C. Public Administration Series Available for \$6.00 from Vance Bibliographies, P.O. Box 229, Monticello, Illinois 61856.

**Several local and national offices are good sources of information:**

**Cable Television Information Center**  
2100 M Street, N.W.  
Washington, D.C. 20037

**Telecommunications Office**  
Maryland Center for  
Public Broadcasting  
Owings Mills, Maryland 21117

**National Federation of Local Cable Programmers**  
7631a Chestnut Street  
Dubuque, Iowa 52001

**Minnesota Cable Communications Board**  
900 Rice Street  
St. Paul, Minnesota 55103  
(612) 296-2545

**Metropolitan Council of the Twin Cities Area**  
300 Metro Square Building  
7th and Robert  
St. Paul, Minnesota 55101  
(612) 291-6359

**Municipal Libraries**  
Minneapolis Municipal Library has a particularly good collection on cable.  
Ask for Sylvia Frisch (612) 348-6139.

If not, some communities could receive regional programming and services before others, and there could be unequal access to these services.

**Regional Channel** — A regional channel for metropolitan-wide programming is required by state law. Who will operate and pay for this channel has not been designated by the state cable board. Others have suggested that one regional channel may not be sufficient, and that there should be several channels dedicated to different kinds of uses, with each channel operated by an independent consortium of interested parties.

**Two-way Capability** — Again, the technical capacity for non-voice return communications is required by state law. In other communities this usually results in a yes/no or multiple choice kind of response. Subscribers to the experimental two-way QUBE system in Columbus, Ohio use their buttons to respond to public opinion polls, participate (minimally) in town meetings, and make marketing selections. Questions of privacy have not been resolved, with protection of privacy left up to the cable operator. Two-way capacity means individual viewing patterns, marketing selections, and opinions could be monitored. State law in Minnesota prohibits this kind of monitoring without the express written permission of the subscriber. Questions remain regarding storage and access to any information gathered should a subscriber give his or her permission to be monitored.

**Channel Capacity** — State law requires a minimum of 20 channels, when 80-100 channels are around the corner. Perhaps 35-40 is more reasonable, but who is to say? No one really knows how soon channels will be filled with various kinds of information. Should the channel capacity allow for the maximum?

**Franchise Renewal** — Franchises are now awarded for a fifteen-year term, with a ten-year renewal. The cable board is contemplating extending the renewal period to fifteen years. In order to protect the public interest, the board is considering expanding the role of the citizen advisory committee in each municipality. Just how the role could be expanded has not been determined and is open for public comment. In addition, extending the renewal period for the first companies to wire the cities means companies awarded franchises in the next few years are providing services for thirty, not twenty-five years, pending renewal. Why not wait fifteen years and see what kinds of services are actually provided before extending the franchise renewal period?

**Procedure** — Not all of the questions surrounding cable development have

been answered. Confusion remains regarding the definition of cable service territories and how many pending franchises may be awarded within a cable service territory. A lawsuit, initiated by Shafer, challenges the state cable board's present interpretation.

**Public Awareness** — Finally, if cable development continues to generate little or no community response, those who are making the decisions should question further development that lacks a clear mandate from the public. Should widespread applications of communications technologies proceed faster than public awareness of the potential capabilities and effects of these technologies? Perhaps decisions regarding cable television should be subject to the vote, as cable television ordinances continue to be the topic of citizen referendums in different parts of the country.

The communications needs of a community are as diverse as its population. Unless community leaders educate themselves and their community about cable television and begin to voice their opinions before franchises are awarded, many communications needs could re-

main unmet and questions involving the public interest left unanswered — to the ultimate detriment of the community. As noted in a 1975 memorandum on communications at the Metropolitan Council:

Today, the technological tail often wags the societal body. Part of the reason this is so is because there has been a tardiness in assuming responsibility for the powerful technological forces which we have set in motion. The challenge of today seems to be in finding direction and learning how to control ourselves and our technological tools, so as to choose and pursue the appropriate course.

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photos courtesy of University Community Video.

## Are You Employing Your Total Self?

by Judith H. Weir, CURA staff

Most people luck into a job, do something their parents want them to do, or take the first thing that comes along. They have never asked themselves, "What do I really want to do?" If later they learn of something they would like to do, they believe that it is too late, they are too far along or have too many responsibilities to change, they couldn't do the job, or they couldn't get a job like that — any number of rationalizations for brushing aside the possibility of doing what they really want to do.

Taking the time to know yourself and how you fit in to today's job market may be the best spent time of your life. Quality career counseling, however, is expensive and often hard to find. More than taking tests, it involves interpretation of tests and assessment of your abilities and needs; matching your self concept, interests, and values with occupations that require the kind of person you are. Is there a job that offers the kind of satisfactions you need? Can you find a place that will employ your total self? A good career counselor can point you in the right directions.

At the University of Minnesota, a clinic was set up in 1974 to offer quality career counseling to its clients while providing training and research opportunities for University faculty and students. The Vocational Assessment Clinic was a cooperative effort of the Department of Psychology and CURA. Its early clients were referred from CURA's offices of Career Development and Intercultural Programs and from the Minnesota Women's Center. CURA contributed supportive funding for a number of years. Today the clinic has a large enough clientele to be self-sustaining.

The clinic provides a systematic way of matching yourself with a wide variety of possible occupations. The theory behind this system is illustrated in figure 1.

The assessment process at the clinic typically takes about six weeks and includes an initial interview, a series of tests (see figure 2), a number of take-home assignments, and three follow-up interviews in which the test and assignment results are explored and interpreted. A written summary of assessment results is provided.

Counselors at the Vocational Assessment Clinic are advanced graduate students in counseling psychology who work under the direct supervision of the psychology faculty directors. The students have all had previous counseling experience before coming to the clinic. The clinic offers them a chance for advanced training in career counseling and also a fertile ground for research work.

Since 1974, with the consent and cooperation of its clients, the clinic has become an unusual data source allowing faculty and students to explore many of the unknowns in successful career choices. Research projects have explored a number of intriguing questions. A follow-up study of the clinic's first clients is attempting to determine who made successful career changes and who didn't and why. Another project is focusing on how accurate people are in estimating their own abilities. Are there sex differences? Does educational background make a difference? Counselor's estimates of a client's abilities are also being examined. How accurate are

they? What prejudices are involved? Another study examines what biographical factors predict a person's work needs. How do work needs develop? Are there different factors for men and women? The careful collection of data at the clinic and the extensive evaluation procedures make it an exciting resource for vocational research.

A new CURA grant was awarded to the Vocational Assessment Clinic this year to help develop counseling services that will cost less. Reasoning that those who may benefit most from career counseling are often those least able to afford it, CURA hopes to stimulate a low cost, high quality service.

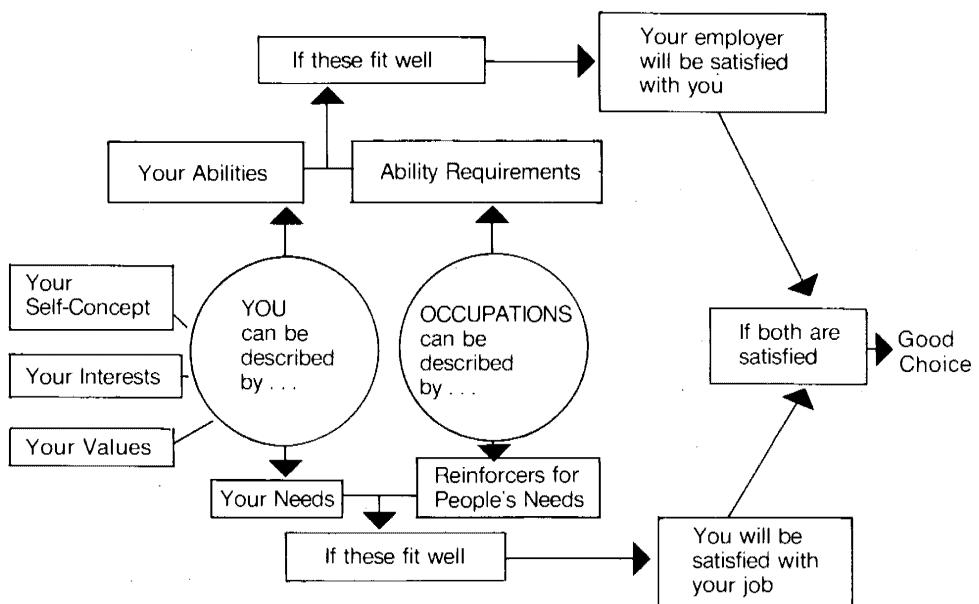
Until now the Vocational Assessment Clinic has offered career assessments for \$150 each. The new, lower cost option that the clinic has developed this year replaces the four hours of individual counseling (the initial interview and three follow-up interviews) with a one-hour group orientation session and four two-hour sessions of group counseling. This new option is offered to clients at half the cost of the individual option, \$75. The assessment process remains basically the same for both the individual and the group option: abilities and skills are analyzed; vocational interests are discussed; need and values are assessed; and a summary and integration period is offered where goal setting and decision-making can occur.

Directors René Davis and Lloyd Lofquist report that the results with the new group option have been very satisfactory. The first group sessions began last November. Though it is still too early to know what long term evaluations will say, the immediate feedback from the first four groups has been consistently positive. The group option has already broadened the range of people coming in for career counseling.

The Vocational Assessment Clinic's next step in trying to reach more low income people will be to make their services available to various community agencies and to local businesses on a "package" basis. This should allow the cost per person to be cut even further or to be assumed by the agency or business itself. The clinic is ready now to offer package and tailored-to-order programs. One day workshops are also possible. To inquire about any of the clinic's services phone or write:

Vocational Assessment Clinic  
Department of Psychology  
N-555 Elliott Hall  
University of Minnesota  
75 East River Road  
Minneapolis, MN 55455  
(612) 376-7197.

**Figure 1: A Theory for Successful Career Choice**



**Figure 2: The Typical Battery of Tests Offered at the Vocational Assessment Clinic**

TO MEASURE	TEST	TYPE OF INFORMATION
abilities	United States Department of Labor's General Aptitude Test Battery	cognitive abilities: general learning ability, verbal ability, numerical ability, spatial ability perceptual abilities: spatial ability, form perception, clerical perception motor abilities: finger dexterity, manual dexterity, motor coordination
interests	Strong-Campbell Interest Inventory	realistic: agriculture, nature, adventure, military activities, mechanical investigative: science, mathematics, medical science, medical service artistic: music, drama, art, writing social: teaching, social service, athletics, domestic arts, religion enterprising: public speaking, law and politics, merchandising, sales, business management conventional: office practices
needs	Minnesota Importance Questionnaire	advancement, recognition, social status, achievement, social service, authority, rules
values	Minnesota Importance Questionnaire	achievement, autonomy, altruism, status, safety, comfort
self-concept	California Psychological Inventory	self-acceptance, flexibility, independence, conformity, approval, socialization

# Student Papers in the Public Administration Library

Research papers prepared by masters degree candidates in the Hubert H. Humphrey Institute of Public Affairs are lodged in the Public Administration Library after they have been approved by the institute's faculty. Believing that many of these papers may be of interest to our readers, we periodically list recently acquired *Plan B papers*, as they are called. The Public Administration Library is located in room 365, Blegen Hall, West Bank Campus of the University of Minnesota (373-2892). The faculty adviser for each study is indicated at the end of the entry.

Botzek, Gary. Policy analysis of the legislative process surrounding the passage of the Family Farm Security Act. 1978. 36p. + Appendices. Warp.

\_\_\_\_\_. Minnesota shade tree legislation, 1977-78: a portfolio. 1978. Warp.

Gradick, David. The Price-Anderson Act. 1978. 35p. Geesaman.

\_\_\_\_\_. The affirmative action program in the University of Minnesota Civil Service. 1978. 45p.

Hackett, Ron. Inter-city equity and the Minnesota municipal aid formula. 1978. 50p. Brandl.

\_\_\_\_\_. Decision rules for the distribution of subsidies to students in post-

secondary education: a review of theory and an analysis of current problems. 1978. 107p. + Appendices. Brandl.

Hoffmaster, Barry. The proper role of an industrial relations arbitrator: foundations of the dispute. 1978. 41p. Brandl.

\_\_\_\_\_. The reliable criterion argument and social policy. 1978. 29p. Brandl.

Imade, U.O. Examinations in manpower development. 1978. 69p. Mitau.

\_\_\_\_\_. Technology in small scale agriculture. 1978. 60p. Geesaman.

Krietemeyer, Ronald T. Trilateralism: response to global crisis. An evaluation of the origins and nature of the Trilateral Commission. 1978. 45p. Geesaman.

\_\_\_\_\_. The vegetable deal: an examination of the impact of U.S. agribusiness on the development of northwestern Mexico. 1978. 36p. Purvis.

Latimer, Nancy. An analysis of Oak Terrace Nursing Home. 1978. 33p. Copeland. Circulated only with written permission of the author.

Marshall, Sally M. Evaluation of the Gerontological Human Relations Training Program for nursing home caregivers and community volunteers. Second year evaluation, August, 1976 — June 1977. 1978. 43p. + Appendices. Patton.

\_\_\_\_\_. A report on the development of an evaluation instrument: *Treatment Cen-*

*ter/Group Home Case Record Review*. Bush Center evaluation: child/family interview schedules and reports. 1978. 27p. + Appendices. Copeland.

Molberg, Elizabeth A. Factors affecting nursing home nursing assistants' intentions of seeking new employment. 1978. 21p. Anderson.

Monical, David G. Tuition policy for Minnesota post-secondary education: a policy paper & a technical paper with appendices. 1978. 23p. Mitau.

\_\_\_\_\_. Assessment of need for increased post-secondary education services in Cambridge area. 1978. 16p. + Appendices. Reynolds.

Patten, Sharon K. An alternative to institutionalization: in-home supportive services. 1973. 94p. + Appendix. Anderson.

Rivkin, Jeffrey A. The structure of the American medical industry. 1978. 13p. Geesaman.

\_\_\_\_\_. Wetlands, a diminishing resource. 1978. 31p.

Suura, Makio. The choice of technology of multinational corporations: a discussion of some issues and an analysis of Indonesian weaving industry. 1977. 29p. Kudrle.

\_\_\_\_\_. The choice of technology in less-developed countries: three basic approaches and the empirical testing of the latest approach. 1978. 28p. Pitt.

## Environmental Protection Versus the Right of Property Owners

by Edward J. Drury, CURA staff

**Based on research funded by grants from the American Bar Foundation's Walter E. Meyer Research Grant Program and the University of Minnesota's Law School, the Center for Urban and Regional Affairs, the Graduate School, and the Agricultural Experiment Station.**

In the new field of environmental law there has been considerable discussion about the case of *Just v. Marinette County*, a 1972 decision of the Wisconsin Supreme Court that was hailed as a landmark by environmentalists. Last summer, David P. Bryden, professor of law at the University of Minnesota, pub-

lished an article analyzing in detail events leading up to the *Just* case and the effect the case has had on the local scene since then.\*

Bryden's study is not about the type of situation where a governmental agency decides to build a highway or create a park or scenic vista by buying or condemning the land and then compensating the owner in some fashion. It is, rather, about using laws such as zoning ordinances in rural areas to regulate the uses of privately owned land to such an extent that owners claim they cannot use their land for any reasonable economic purpose. These restrictions on the land become, in the owner's view, a "taking" of the land without compensation.

Zoning property into different classes of use has been in vogue in this country for a long time, but primarily in cities. Zoning in rural areas and around lakes and streams is, for the most part, of recent vintage. And so it is in Marinette County, Wisconsin.

The adoption of Marinette's shoreland ordinance was required by the Wisconsin Legislature which in 1966 had passed the first comprehensive shoreland zoning statute in the United States. Under the shoreland law, a county ordinance could be more strict than the state

\*David P. Bryden. 1978. A phantom doctrine: the origins and effects of *Just v. Marinette County*. *American Bar Foundation Research Journal*, 1978 (3): 397-513.



Courtesy of the Minnesota Department of Natural Resources.

statute model but had to at least meet certain minimum requirements. The Marinette ordinance provided, among other things, for conservancy districts which included all shorelands designated as swamps or marshes. Only a few unrestricted uses, such as berry picking, were allowed in conservancy districts. However, an important provision permitted the "filling, drainage or dredging of wetlands" as a conditional use, upon the acquisition of a permit.

Bryden recounts how Kathryn and Ronald Just, and others, organized and fought adoption of the Marinette County Shoreland ordinance. They didn't like the idea of land-use controls in any fashion and so were not only against certain specific regulations but opposed the ordinance as a whole.

The Justs originally had owned 36.4 acres abutting Lake Noquebay, but by the time the shoreland ordinance became law in 1967 most tracts had been sold and the remainder was marshy land along the lakeshore. Lake Noquebay is popular for varied recreational purposes and many homes have been built near the shore. The Justs started filling the marsh to get the land into condition to sell several lots. A permit was required for the fill and, had the Justs applied, they probably would have received permission for some of the work. It was more or less standard operating procedure to allow some modification of marshy land so it would be of some use. Apparently, the only substantive question in most permit cases was how much work would be allowed on the land to

make it useful and still preserve some of the marsh.

The Justs, however, refused to apply for the permit in order to raise the question of the constitutionality of the shoreland ordinance in a court of law. Their argument was that the ordinance's provisions, placing restrictions on the unlimited use of the lakeshore, depreciated its value, impeded its marketability and, hence, were an unconstitutional "taking" without just compensation. At some point before the trial, in an attempt to settle the matter, the county apparently offered to give the Justs a conditional use permit to develop the marsh if they — the Justs — would apply for one. The Justs refused and the case went to trial. The Justs lost. Both the lower court and the Supreme Court of Wisconsin

upheld the constitutionality of conservancy zoning under the shoreland ordinance.

This case is a leading example, Bryden points out, of "a decision that contracts the scope of constitutionally protected property rights for the sake of environmental quality. *Just* appears to be authority for the proposition that the government may without compensation prevent a landowner from making any remunerative use of a shoreland marsh."

Did the 1972 decision make a difference in how zoning officials, county commissioners, other officials and the public look at similar zoning restriction situations? What impact has *Just* had on the administration of conservancy zoning?

Bryden conducted extensive research in three Wisconsin counties and one Minnesota county, including personal interviews of many participants, both public officials and private citizens involved in similar controversies. He concluded that *Just* has not made a difference.

What he discovered was that local politics and ideology, as opposed to constitutional pronouncements enunciated in the courts, are not only the major factors in decision-making on conservancy zoning matters at the local level, they are for all practical purposes the only factors. In the local community, where neighbors and elected and appointed officials live close together and where everyday compromises are the stuff of life, it's almost as if the *Just* case, labeled as *important* and *leading* by some scholars, had never happened. Further, some officials had either never heard of the case or didn't claim to understand it. So the effect is the same—it's as if the case had never happened.

In researching the impact of the *Just* case on conservancy zoning, Bryden selected Marinette, Vilas, and Waukesha counties in Wisconsin along with Crow Wing County in Minnesota. All of these counties have large numbers of lakes and marshes. If zoning was to be applied strictly in any rural counties, these four should be a representative lot.

The Minnesota county selected for the impact study, Crow Wing, is in the north central part of the state and contains 358 lakes, most of which have been developed for many years. The Minnesota Shoreland Act, adopted in 1969, is essentially similar to Wisconsin's law. In fact, the Minnesota Department of Natural Resources relied heavily on Wisconsin's law in its formulation of Minnesota's Shoreland statute.

Bryden and eight student colleagues conducted 198 interviews of 152 people—most of whom were directly in-

volved in the *Just* case, or in subsequent conservancy zoning situations in the four counties mentioned, or in the adoption and administration of various county shoreland zoning ordinances. Approximately 57 percent of the interviews were personal visits with the balance conducted by telephone.

In the four counties studied, only one out of 130 landowners who applied for permits to alter their lakeshore marshes seems to have suffered any severe economic loss. In Minnesota's Crow Wing County, for example, of twenty-three applications to fill marshland from January 1, 1975 to June 15, 1977, none was totally denied and in only six cases was the fill area allowed, substantially less than requested. In fact, according to Bryden, of those six cases, two landowners disobeyed the restrictions and got away with it, leaving only four cases in which the permit requirement curtailed proposed changes of shoreland marshes.

The practice of landowners ignoring the permit requirement for alteration of marshlands is common enough to de-

serve mention. Penalties for violation generally are not severe and, further, some individuals look upon this type of ordinance violation as a quasi illegal act, if that.

This study goes farther than just listing statistics of numbers of permits and compromises and rejections. The interviews were used in selected cases to talk to the individuals involved in order to determine what really happened. The results of these interviews are then reported as a history of each selected case from permit application to final adjudication.

Bryden's article offers extensive background on the whole area of constitutionally protected rights versus the right of the general public to make demands on private property for the general good of the citizenry. It gives meticulous detail on how Wisconsin and Minnesota shoreland zoning statutes were adopted. And it details the current practices and malpractices in zoning applications.

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## New CURA Publications

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### **Bibliography of Social Science Research and Writings on American Indians.** Russell Thornton and Mary K. Grasmick. CURA 79-1. 160 p. Free.

The social sciences vary widely in how much study has been done on American Indians. Anthropology and history have strong traditions focusing on Indians but other areas are far behind. Consequently our social science knowledge about American Indian peoples and their concerns is not balanced. We seem to know more about traditional and historical American Indian peoples than we do about contemporary American Indians. Authors Thornton and Grasmick have compiled a listing of social science knowledge on American Indians as it has appeared in scholarly journals in the fields of history, sociology, geography, political science, economics, and American and ethnic studies. Anthropology was excluded because similar bibliographies already exist for that well studied area. Entries date from the late 19th century through 1976. The bibliography serves as a summary of existing social science knowledge on American Indians and as a tool for facilitating the generation of new knowledge on American Indians, particularly in those areas which have in the past been least studied.

### **Carpooling: An Overview with Annotated Bibliography.** Roger Plum and Jerry Edwards. CURA 79-2. 36 p. Free.

How to move more people with less energy is becoming a more and more critical question as the price of gasoline continues to escalate, roads continue to be congested, pollution levels rise, and our energy sources are further depleted. Plum and Edwards present a review monograph on one solution to these problems: carpooling. After an initial discussion of how carpooling compares with mass transit, they discuss two systems of ridesharing (carpooling and vanpooling) and offer an exhaustive listing of incentives that can be used to encourage people to begin ridesharing and, on the other hand, disincentives that can be used to discourage people from driving alone in their cars. If dollar a gallon gas doesn't do it, here are a few other tricks to consider. This review is presented along with an annotated bibliography of a number of useful sources to which you may turn for even more information on carpooling.

**CURA publications may be ordered by phone (612/373-7833) or on the CURA Publication Order Form, p. 12 of this Reporter.**

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Back Publications of Continuing Interest

**The Growth of Minority Business in the Twin Cities Metropolitan Area: 1969-1975.** Earl P. Scott. CURA 77-6. 84 pp. Free.

**Public Control of Privately-Owned Land: Approaching Land Use From the Legal Perspective.** All-University Council on Environmental Quality. December 1975. 28 pp. Free.

**Voiceless Groups in the Twin Cities Community: Programming Needs of Some of Public Television's Non-Audiences.** Orville Walker, Jr., Priscilla Goldstein, and William Rudelius. July 1974. 22 pp. Free.

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The Center for Urban and Regional Affairs was established to help make the University of Minnesota more responsive to the needs of the larger community and to increase the constructive interaction between faculty and students, on the one hand, and those dealing directly with major public problems, on the other hand.

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- what CURA projects are doing
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