



2017 Legislative Session Wrap-Up



A report of the activities
of the LWV Minnesota
Advocacy Task Forces
for the 2017 Legislative Session

Educate. Advocate. Reform.™

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Message from the Democracy Task Force Co-Chair

Minnesota citizens witnessed another contentious legislative session, the conclusion of which may be affected by the state Supreme Court if the GOP succeeds in taking the Governor to court. The ending of Session included closed-door meetings of legislative leaders and the Governor that resulted in an “agreement” for a Special Session to complete action on major budget bills. It didn’t take long for us to learn that the “agreement” was lacking in specific details, which allowed the majority to insert a provision removing funding of the Revenue Department if the Governor did not sign the Omnibus Tax Bill. The Governor reacted by letting the Tax Bill go into effect without his signature, but in retaliation, he used a line item veto to eliminate funding for the legislature. It is an understatement to say this series of events reflected poorly on our elected officials.

This session was not immune to other problems that we have had in previous sessions: inserting policy provisions in omnibus budget bills, a violation of the single-issue rule in our state Constitution; and rolling specific bills or parts of bills into an omnibus bill which enables legislators to avoid a recorded vote on those specific bills.

LWV Minnesota had to play defense at the state Legislature this session instead of working to advance our Legislative Priorities: redistricting reform, closing the loophole in campaign finance laws, and voter rights. It was only with the combined efforts of our partners Common Cause, Minnesota Citizens for Clean Elections and the Minnesota Environmental Partnership, and League members who responded to Action Alerts, that we were able to defeat or stall many initiatives that would have harmed our election system, destroyed Minnesota’s campaign finance laws, and prevented redistricting reform. Considering the deeply divided status of our country and our state, LWV Minnesota should be prepared to continue defending its positions but should also increase efforts to educate the public on civic discourse and the reasons for our positions on public policy. Advocacy and education must work hand in hand if we expect progress in advancing our positions.

Kathy Tomsich

Election Law

By Kathy Tomsich, LWV Volunteer Lobbyist

We focused our efforts this session on preventing the introduction of provisional ballots into our elections. And, we are pleased to report that the final Omnibus Elections Bill passed by both chambers and signed into law by Governor Dayton does not contain provisional ballots. The final bill also excludes other provisions to which we objected - making public the challenge status of voters and the political party of election judges, information that is now private.

The House did not take up the Senate Elections Bill that contained provisional ballots until the next to the last day of the Session. A delete-all amendment was successfully used to create a bill that eliminated provisional ballots and other controversial provisions so it would have broad bipartisan support in both chambers, a condition demanded by the Governor for all election bills. The amended bill passed the House with only 5 nays and was sent back to the Senate, which concurred and repassed it with a unanimous vote on the same day.

While we “won” this battle, we expect that provisional ballots will be reintroduced in future Sessions. It will be important for LWV MN to educate the public on how provisional ballots would be so damaging to our election system.

Technical changes included in the Omnibus Elections Bill will achieve more uniform election dates in county, city, and school district elections. The bill also includes \$5 million in grants to pay for up to 50% of the cost to upgrade election equipment and up to 75% of the cost to purchase electronic rosters. There is a drastic need for much more funding, since many counties and municipalities are currently using aging and unreliable election equipment.

LWV Minnesota testified in support of two election bills that were not included in the final Omnibus Elections Bill: extending the time for in-person, envelope-free absentee voting, an important step toward early voting, and automatic voter registration for eligible voters who apply for a driver’s license. These bills are still alive and could be voted on in the 2018 Session.

Democracy Task Force

Campaign Finance Reform

Joan Sullivan, LWV White Bear Lake

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Carol Ashley, LWV Park Rapids

Election Law

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Natural Resources Task Force

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Water/Environment/Agriculture

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Beth Baker Knutilla, LWV Park Rapids

Carol Ashley, LWV Park Rapids

Campaign Finance

By Joan Sullivan, LWV MN Volunteer Lobbyist

While we made no progress this legislative session in campaign finance reform, LWV Minnesota is proud to have played a role in stopping the extreme anti-democratic, anti-transparency proposals put forward in both the House and the Senate.

LWV Minnesota, Common Cause, and Minnesota Citizens for Clean Elections (MnCCE) banded together to lobby hard this year against two proposals which were tucked into the state government finance bill. The first would have eliminated the public campaign subsidy for candidates for state office who agree to spending limits on their campaigns. Its companion, the political donation refund program that encourages citizens to make small donations, was also targeted for elimination. These important campaign finance reforms were passed in Minnesota following the Watergate scandal decades ago, and it is gratifying to see the reforms preserved in law.

The second proposal we fought against would have decimated the budget of the MN Campaign Finance and Public Disclosure Board (CFB), greatly hindering its ability within the state executive branch to police political donations and campaigns. The Legislature also had inserted language in its plan taking away the CFB's rulemaking authority and giving that power to itself, nothing short of having the fox guard the hen house.

Governor Dayton stood his ground on his opposition to all of the above and stated publicly, twice, that he would refuse to sign off on any government financing until these provisions were removed, which they were.

We owe a big “thank you” to all League members who called, emailed, and wrote letters to their legislators, House and Senate leadership, committee chairs, and the Governor.

Session Daily provides up-to-the-minute information about legislative activities.

<http://www.house.leg.state.mn.us/sessiondaily/>

Redistricting Reform

By Nick Harper, LWV MN Volunteer Lobbyist

Redistricting reform will be one of the top priorities of LWV Minnesota for the next four years. This session, with the help of our partners Common Cause and Minnesota Citizens for Clean Elections, we strongly and successfully opposed a provision in the Government Finance Bill that would have prevented the Legislature from appointing a redistricting commission of non-legislators. The final Omnibus Government Finance Bill signed by the Governor does not include this provision.

LWV Minnesota testified in support of a provision that was included in the Omnibus Government Finance Bill that establishes redistricting principles, the priority of which are the following: equal population, contiguity and compactness, minority representation, preserving political subdivisions, and preserving communities of interest (i.e., racial, ethnic, cultural, geographic, social, or cultural interests). It is unlikely that this provision will be affected by the controversy over the Governor's line-item veto of the Legislature's budget that was part of the omnibus bill.

We testified in support of companion bills in the House and Senate that would have the Legislature appoint a nonpartisan advisory redistricting commission composed of five retired judges. These bills were given short attention in the House and Senate, so we were not able to make any progress this session. We will continue to advocate for a nonpartisan advisory redistricting commission.

We encourage all local leagues to review the [LWV Minnesota Briefing Paper on Redistricting](#) and to hold public meetings to educate the public about the need to reform the redistricting process in Minnesota.

Donations in support of LWV Minnesota's advocacy are tax deductible!

LWV Minnesota programs and operations are classified by section 501(c) 3 of U.S. tax code. IRS guidelines restrict lobbying activities to less than 20% of an organization's annual budget, and LWV Minnesota is well within those rules. A great deal of the work we do is education, and not lobbying as defined by the IRS.

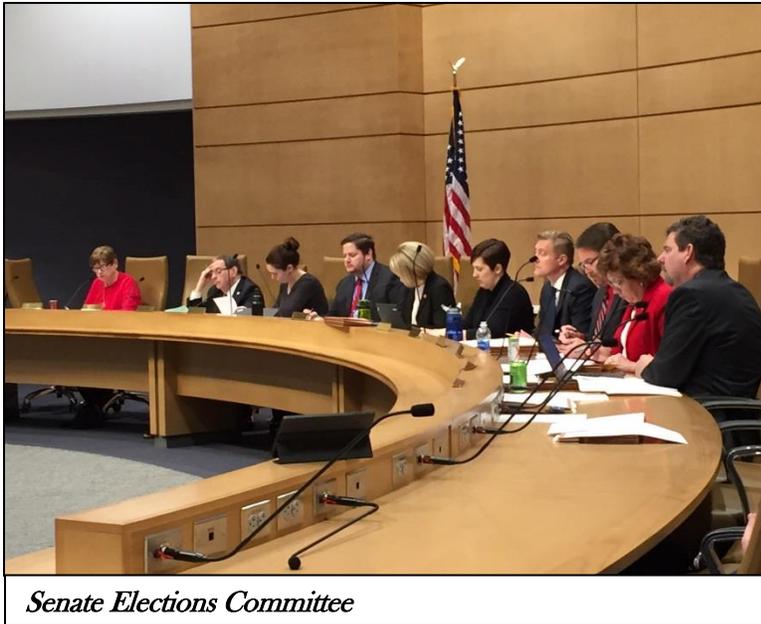
Please give today at www.lwvminn.org/donate.

Public Data

By Nick Harper, LWV MN Volunteer Lobbyist

None of the public data bills that we were tracking passed the Legislature this session.

There are generally three types of public data bills we will be keeping an eye out for next year, based on the bills that were introduced this past session: (1) transparency in the Legislature, (2) government email retention, and (3) public data on voters and election judges.



Bills about transparency in the Legislature include directing a commission to study how other states practice transparency. The commission would then recommend reforms to the Legislature to give people more access to records and meetings. Some versions of the bill would make the Legislature subject to the current Open Meetings Law and Government Data Practices Act.

Bills about government email retention will continue to be a hot topic for transparency advocates and local governments.

Transparency advocates want a statutory minimum time for which electronic communications (such as emails or chat messages) must be kept by government entities. Local governments, however, oppose keeping so many records, in particular because searching through them during public information requests might be time-consuming and costly.

Finally, bills about public data on voters and election judges may reappear next year. Several of these provisions made it through the Senate but not the House. They were removed from the final omnibus bill on the next-to-last day of Session. For example, one provision would have made public the party preferences of election judges, data that had previously been private. Other provisions would have made certain portions of voter lists public so as to reveal when voters had previously been removed from the voter rolls and the reasons for removal or the challenge status of voters.

Natural Resources

By Gwen Myers

“This past session was the worst I’ve seen for the environment over my entire career,” to paraphrase several environmental advocates with 30 years or more experience “on the hill” in St. Paul. Professional lobbyists and citizen activists faced literally dozens of bills containing raids, rollbacks, repeals, and restrictions on citizen engagement in the governmental process. These bills added up to a major dismantling of Minnesota’s legal framework for protecting our environment and the public’s health. Citizens across the state stood up to this challenge. More than 1,000 gathered at the Capitol on Water Action Day, April 19, to lobby in person to protect Minnesota’s water. In addition, letters, emails, tweets, and phone calls poured into legislators’ offices and Governor Dayton’s office, protesting this frontal assault on environmental protections that have been put in place over many years.

The result, in short, included Dayton [vetoes](#) of all the omnibus finance bills, legislative leadership finally willing to meet with the governor’s people, and some compromises on the four bills that included environmental provisions, but not enough. As a result, there were no advances in environmental protections for Minnesota’s lakes and streams, forests, and prairies, and there were a number of rollbacks.

First, some good news:

- Nine separate bills trying to eliminate or eviscerate the buffer law failed, due to an adamant governor.
- Multiple efforts to impede the DNR, the MPCA, and the Board of Water and Soil Resources (BWSR) from making and/or enforcing rules to protect our air and water were eliminated.
- Strong citizen protests prevented an effort to increase the number of animal units on a factory farm from 1,000 to 2,000 before environmental review is required.
- At the last minute, legislative leaders brought out an 86-page [Bonding Bill](#), which no member had a chance to read, but which contained some excellent provisions, e.g., help for municipalities to upgrade their water-treatment systems and state funds necessary to match federal funding for the St. Louis River Estuary Clean Up.

A sampling of the bad news:

- Pollinators - Omnibus Agriculture and Housing [SF 780](#)
 - No Pollinator Protection Account;
 - Eliminates state ability to require “proof of need” before pesticide application, thus restricting state ability to protect pollinators;
 - No state authority to track neonicotinoid-coated seeds.
- A 25% funding cut for the University of Minnesota’s Forever Green research program to develop cover crops to protect water quality.

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- The DNR is forbidden for two years from making rules against lead shot in upland game hunting, e.g., pheasants, on state land. Lead deposition kills thousands of birds and animals annually. There will be a study.
- Eligibility to file a petition for a contested case hearing on a mining permit was limited to certain governments and to those whose property may be affected by the operation.
- Absolute protection of [calcareous fens was eliminated in favor of “Commissioner’s Choice,” as to whether irrigation should take precedence over](#) one of the rarest natural communities in the United States.
- [SF844](#), Sect. 133 allows applicants to have their permit moved to the front of the line by paying an additional fee, prioritizing the development projects of wealthier applicants.
- [SF833](#), Sect. 140 allows project proposers to prepare their own Environmental Impact Statement, if they wish, and the public is not allowed to see their data and assumptions.
- [SF844](#), Sect. 160 provides a 16-year “holiday” for city wastewater treatment plants to meet any new water quality standards. This may violate the federal Clean Water Act.

For brevity’s sake, we have not included Energy and Transportation provisions, so no one should consider this a complete representation of new laws with environmental consequences. There are many other examples of roll-backs and repeals in our environmental protections.

Join LWV Minnesota

Our Mission

LWV Minnesota, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues and influences policy through education and advocacy.

Our History

Established in 1920, LWV is one of the nation’s most respected grassroots organizations. We explore issues from many points of view and take action on issues affecting our families and communities.

How to Join LWV Minnesota

Members of LWV Minnesota make a difference in their communities in a variety of ways. LWV Minnesota welcomes both women and men.

Have a Question About the Advocacy Task Forces?

Want to Learn?

Need a Speaker?

We would love to talk to you about the Advocacy Task Forces and how you and your local league can become more involved. We can provide speakers on election law, redistricting reform, the environment, campaign finance reform, immigration, and other issues.

Contact Task Force Chairs:

Kathy Tomsich - ktomsich@comcast.net

Kathleen Doran-Norton - kdorannorton@gmail.com

Political Yet Nonpartisan

In keeping with LWV's strong nonpartisan stance, Action Committee members advocate for LWV Minnesota positions in a strictly nonpartisan manner. We advocate for issues on which LWV Minnesota has taken a position, but we never support or oppose a specific elected official.

LWV Minnesota's advocacy work is made possible by the generosity of our members who contribute time, energy, and dollars.

Please visit our website or contact our office to make a donation.

www.lwvmn.org/donate

Thank you!
