2016 Legislative Session Wrap-Up

A report of the activities of the LWV Minnesota Action Committee for the 2016 Legislative Session

www.lwvmn.org
ph (651) 224-5445
fax (651) 290-2145

550 Rice Street St.
Paul, MN  55103

info@lwvmn.org
Message from the Co-Chairs

It has become increasingly apparent that there is a dire need to reform the legislative process, specifically to ensure that the people know what is going on at the legislature. During the last three sessions, there were repeated examples of legislative decision making that came up short in terms of transparency and openness. At the end of the 2014 Session, the funding for the new $91 million Senate office building was inserted into the new tax bill with no public hearings. The 2015 Session will probably go in the record books in terms of major decisions made out of public view with multiple meetings held by legislative leaders and the Governor behind closed doors. The 2016 session might even exceed the 2015 one in terms of dysfunction. Legislators were faced with four important decisions in the short 10-week session: a bonding bill for construction projects, how to handle the $900 million budget surplus and two items left over from the last session—taxes, and transportation. It was not until very close to the end of the session that the Republican House and the DFL Senate finally started serious negotiations on their drastically different approaches to these four issues.

The result was a chaotic weekend of deal making and floor sessions as legislators rushed to meet the Sunday midnight adjournment. In the last hour of the last day of session, House members were given the $1 billion bonding bill with no time to read the 80-page bill before voting. This YouTube video shows the House floor debate—it is nearly impossible to watch and not lose confidence in our Legislature. Ultimately, disagreement over public transit doomed the bonding and transportation deals, and the Governor vetoed the tax bill due to an error in the bill. In the end, the Supplementary budget bill was the only major bill signed by the Governor. For the second year in a row, legislators are asking the Governor to call a Special Session.

Brinkmanship along with the lack of transparency and openness in the legislative process not only make it impossible for citizens to see what their government is doing but it also creates perfect conditions for special interests to pressure legislators, especially conference committee members, to slip provisions into bills that won’t receive public scrutiny. This type of political activity leads to the erosion of public trust in the legislature and allows special interests and a few legislative leaders to control the decision-making at the Capitol. A Special Session, if it occurs, will improve the results of the 2016 Session but it will not fix the deep systemic problems that plague the Legislature.

Kathy Tomsich & Jeanne LeFevre
Election Law
By Kathy Tomsich

With bonding, transportation, taxes and the budget surplus dominating this short and contentious session, it was no surprise that our legislative priority to restore the vote for felons living in the community made no progress. We will continue to advocate for restoration of voting rights and plan to reach out to newly elected legislators in the 2017 session.

The Omnibus Elections Bill signed by Governor Dayton focused on housekeeping items and included a provision that is viewed as one step toward early voting. In the 7 days preceding an election, it allows counties to give in-person absentee voters two options. The first option is the one we have always used where the voter places the completed ballot into a series of envelopes and hands it to an election clerk. The ballot is not counted until Election Day. The second option allows the voter to insert the completed ballot directly into the ballot box where it is counted immediately. This simplifies the process and allows the voter to see his/her ballot counted. We expect all the metro region counties to offer this option.

Also included in the Omnibus Elections Bill are recommendations from the Elections Emergency Task Force. Each county and the state must have plans in place in case of an emergency on Election Day that address ballot security and re-locating a polling place in case of an emergency.

The other significant election bill signed by Governor Dayton establishes a Presidential Primary starting in 2020. It specifies that the election will be like any other election with Election Day registration and absentee voting. Voters would not have to indicate their party preference when they register to vote. However, a voter must choose a ballot of a recognized party on Election Day or when they apply for an absentee ballot and their party preference becomes public information. The voter must also sign an affirmation that they are “in general agreement with the principles of the party” of the candidate, they are voting for. Party precinct caucus system could still be held and the primary election for other federal, state, and local offices would continue to be held in August.

LWV Upper Mississippi River Region Inter League Organization

The LWV Upper Mississippi River Region Inter League Organization is a new ILO formed under LWV US. There are about 60 Leagues that belong to the ILO, including the Minnesota, Wisconsin, Iowa and Illinois state Leagues and local Leagues from the Mississippi Headwaters in Park Rapids to local Leagues in southern Illinois and Iowa. The ILO was formed in the autumn of 2015 and was officially recognized in April 2016. Our logo includes a map of our region. We are on Facebook here and are working on developing a website.

The LWV Upper Mississippi River Region ILO (see Agriculture report) has adopted an action focus for reducing the flow of excess fertilizers into the Mississippi River. This focus involves action on several levels. One example is the work being done in the Chicago area to work with local governments in educating on storm water management. Here, our sister ILO, the Lake Michigan Region ILO, received a grant from the state of Illinois to hold 35 public meetings focused on promoting understanding of the public’s role in managing rainwater runoff to protect water quality.

Another example is the work being done in Jo Daviess County, Illinois, where LWV-led efforts have resulted in development of a county water plan addressing both agricultural issues and storm water management, among other things.

The LWV of Jo Daviess County was just recognized by LWV US with a Community Engagement Award. In Minnesota, the ILO is working with the Minnesota Environmental Partnership through the LWV MN Action Committee to improve understanding of appropriate cover crops for Minnesota farmers and increasing the use of perennial crops on our landscape to reduce nutrient loss from farm field runoff.

Local Leagues are invited to join the ILO and participate in the ongoing work to protect and (continued on pg 4)
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enhance the Mississippi and the rivers that contribute to the flow. For more information, check out the ILO’s Facebook page, or email the ILO directly at lwvmrr@lwvmn.org. If you have an interest in other ag-related topics, please contact Gretchen Sabel at gpsabel@yahoo.com.

Agriculture
By Gretchen Sabel

The future of Agriculture Lobbying at LWV MN:

At this point, LWV is following the lead of the Minnesota Environmental Partnership (MEP) in working on agricultural issues. This means that our legislative work on agriculture focuses on environmental issues and does not address the myriad of other ag-related topics considered by the legislature.

Legislative Priorities: Secure full, long-term funding for the University of Minnesota’s Forever Green perennial and cover crop development program, and enactment of the Working Lands Watershed Restoration Program to establish targeted perennial crops for biomass processing and livestock.

Working Lands Watershed Restoration Program: Fully Funded!

The Working Lands Watershed Restoration Program is an innovative program designed to incentivize the establishment of economically viable perennial crops for use in biomass processing facilities. The final budget deal this session included $479,000 for the Board of Water and Soil Resources and $115,000 for the Minnesota Pollution Control Agency. These funds will be used to prepare a comprehensive feasibility study and program plan for creating, funding and implementing an advanced biofuels incentive program. This passed in the budget and signed by the Governor.

The incentive program will establish long-term contract payments for farm operations that grow perennial crops for biomass processing facilities, and prioritize those contracts in the areas where a transition to perennial crops will most benefit water quality. By developing a program that makes environmentally beneficial perennial crops profitable for Minnesota’s farm operations, we can improve water quality and farm prosperity while also enhancing wildlife habitat and reinvigorating our rural economy.

Forever Green: Fully Funded!

The University of Minnesota’s Forever Green initiative aims to accelerate development of economically viable cover crops and perennial crops that can dramatically reduce agricultural runoff, improve soil health, and boost farm productivity.

Late in the day before end of session, the Supplemental Appropriations Conference Committee agreed to $500,000 of the requested $1 million in funding. On Sunday morning, the last day of session, representatives from Friends of the Mississippi River, MEP, the Land Stewardship Project and others appealed to Senator Cohen (Senate Finance chair), who agreed to bump up the appropriation to the full $1 million request, thereby securing the necessary funding for that initiative in 2017. Providing additional Forever Green funding is vital to our state’s efforts to jump-start the use of perennial and cover crops to restore water quality while also enhancing farm profits and addressing a variety of soil health, habitat and climate change challenges facing our state. (Extracted from Friends of the Mississippi River website.)
Health Care
By Joanne Sienko Ott

The most disappointing part of the 2016 legislative session was the lost opportunity to pass significant health policy legislation that had been successfully debated in Senate Health committees and included in the Senate Omnibus Supplemental Appropriation bill that went to a conference committee on May 9th. The House and Senate omnibus bills differed drastically resulting in protracted debate in the conference committee over setting a budget target before reaching agreement on an amended bill. Legislators were given less than 4 hours to read the 500+ page bill before voting on it during the chaotic Sunday evening session the last day of session.

Included in the Senate Omnibus Supplemental bill were two measures/bills that the LWVMN Action Committee followed and supported. Neither of these measures received a hearing in the House and ultimately were not included in the final conference committee report.

The first bill involved a single payer study comparison to free-market insurance plan. It would have provided funding for a waiver to complete a study of cost-benefit comparison for a universal/single payer plan and a free-market-based insurance plan. Gov. Mark Dayton had also initially included funding for a similar study in his budget, which evaporated near the end of session with dysfunctional negotiations amongst the legislative bodies.

The second bill that did not make it into the final Omnibus Supplementary bill sought a waiver to expand eligibility for Minnesota Care to anyone over the 200% of the Federal Poverty Guideline, essentially providing a universal-like payer system. Sen. Kathy Sheran (D-Mankato), the bill author, announced her retired so we hope another Senator will re-introduce this bill next session.

A third bill that the LWVMN Action committee followed was again stymied by the failure of the House to hold a hearing on it. It would have expanded the list of prohibited Flame Retardant Chemicals as a way to protect children and firefighters from unnecessary and ineffective use of flame-retardants. The bill passed all committees in the Senate, however did not get a hearing in the House Health committee despite the bill having bi-partisan support.

Immigration
Judy Stuthman, Volunteer Lobbyist

Immigration related bills were introduced during the 2016 Legislative Session, but few passed. Bills that would have provided increased education and economic opportunities through tax credits to help cover the cost of applying for citizenship, expanded education grants, and new business assistance through competitive grants did not pass but were introduced with a “long view” in mind. We anticipate they will be re-introduced in the 2017 Legislative Session.

Discussion of Real ID provided the opportunity for drivers’ licenses for the undocumented to become a possibility. Rep. Rod Hamilton (R-Mountain Lake) has been a strong advocate on this issue, believing it is the right thing to do. There were two possibilities for Real ID compliant licenses: (1) have the state only issue compliant licenses to all in the future and (2) offer a choice to drivers of either having compliant licenses ... (needed to get on a plane or enter federal buildings) or non-compliant. The cost of a non-compliant license is less and may be preferred by those who do not need it for travel. Only citizens can meet the federally approved Real ID standards. Real ID bills did not pass.

A bill requiring all MN students to take a civics test and answer at least 30 of the 50 questions correctly before they graduate from high school passed and was put into the 800 page appropriations bill that passed on the last day of the session. Rep. Dean Urdahl (R-Grove City) first introduced this bill during the 2015 session because of his concern that there is a “crisis in civics knowledge in Minnesota.” The exam will consist of questions from the 100 questions selected from the test given to immigrants when they apply for naturalization. Failing the exam would not prevent a student from graduating. An opportunity was missed when a bill that would have companies be responsible for identifying where their suppliers get the minerals...rare minerals, used in the manufacture of their electronics. These minerals are too often mined irresponsibly in countries such as the Democratic Republic of the Congo where it has led to decades of war and turmoil. Many refugees arrive in Minnesota due to such turmoil and this bill would have provided the education to purchasers of the latest electronic gadgets so that they could be made aware of companies that continue to get minerals from conflict areas of their electronics.
Campaign Finance Reform

Joan Sullivan, Volunteer Lobbyist

Campaign finance reform is a LWV legislative priority.

Again this session, bills for which the League has been lobbying for years progressed in the Senate, but failed to get even hearings in the House. The most important ones were: a bill to close a major loophole in Minnesota law which still allows secret or "dark" money to flow into campaigns during periods right before primaries or elections; also a bill which would have added Minnesota to a growing roster of states and cities directing the U.S. Congress to repeal the Supreme Court's Citizens’ United decision.

We are also concerned about the further weakening of the Minnesota Campaign Finance Board's power, specifically due to the House's inaction on appointments to the board. Both veteran and new legislators continue to push hard for the above reforms every session, so we remain hopeful.

Energy

Lynn Gitelis, Volunteer Lobbyist

The Energy group made a strategic decision to refrain from introducing legislation this session. After the battle last year with this same Legislature, we decided that we would focus our efforts on defending against any negative legislation that was introduced (and some was, in the House) and give ourselves and our Legislative champions the best opportunity to maintain the achievements we already have, and minimize potential damage.

I'm pleased to say that this worked well, so we are well positioned for what we "hope" will be a friendlier legislature next year! Xcel is becoming more supportive of solar gardens, and this is a good basis for future gains.

Education

Kay Kessel, Volunteer Lobbyist

This shorter session began as very tantalizing with so many important bills, and constituents testifying before the Senate and House Education Committees. But, in the final analysis, this session was disappointing because so little funding was actually realized. The House of Representatives funding targets were so low that the equity and needed supports for all school districts were unmet.

Of the education funding that was approved, $25 million has been designated for Governor Dayton’s voluntary universal preschool program. Urban, suburban, charter and rural schools are all eligible to apply for grants from these funds. This is a great start for providing quality preschool education with all the “wrap-around” services; such as nutrition, special education, social services and parenting education; included.

Three important statewide issues were turned over to legislative task forces charged with reporting on the issues assigned to them before the next legislative session. The issues assigned included: teacher licensing and the shortage of teachers, student suspensions and behavior support and funding and expansion of early childhood programs throughout the state.

We’ve Made It Easier To Support LWV Minnesota’s Advocacy Work!

All donations to LWV Minnesota are now tax deductible!

In May 2013, delegates to our state convention voted to amend our bylaws, moving all programs and operations to our 501c(3). These organizations are permitted to lobby as long as lobbying is not a substantial part of what they do. LWV Minnesota is well within the IRS guidelines, with less than 20% of its budget devoted to lobbying. Although we do lobby on some things, a great deal of the work we do is educational and not lobbying as defined by the IRS.

Please give today at www.lwvmn.org
State Budget  
Jeanne LeFevre, Volunteer Lobbyist

Only one of three principal finance bills made the final cut and actually became law this session. The winner was the supplemental budget bill (HF 2749) — an act providing $257 million in the 2016-17 biennium and $543 million for the subsequent biennium for an array of programs.

The first “loser” was the tax bill (HF 848), which met with the Governor’s veto after it was deemed to have a drafting error which might have been corrected in a special session if one was called. The tax bill would have provided approximately $259 million in tax relief for Minnesotans from many walks of life. The second “loser” was the bonding bill (HF748). Approximately $1 billion in funding for a wide range of capital projects across the state was included in the bill, which was not returned to the Senate before the House adjourned, and therefore did not have final action taken on it this session.

Hopes for a special session to reconsider these bills seem to be waning. While the Governor is empowered to call a special session whenever he deems it appropriate, he cannot close a special session once it has been called. Therefore, Governors have typically preferred to reach a firm agreement with the legislature, limiting the length and substance of the special session, before the House and Senate are called back.

Environment  
Gwen Myers, Gretchen Sabel, Volunteer Lobbyists

The 2016 Legislative Session ended in a fog of confusion at midnight on May 22nd with some wins for the environment, but important issues were left on the table.

The good news was the inclusion of the White Earth Nation’s application for funds to protect more than 2000 acres of land for habitat in the Lessard Sams Outdoor Heritage bill, in spite of the House vote to eliminate it. A reasonable modification to last year’s Buffer law, maintaining existing deadlines and clarifying local responsibility for implementation, was also a good thing. These things were accomplished because of intense work by fellow members of Minnesota Environmental Partnership (MEP).

Some successes were the result of effective opposition to seriously bad bills. Legislation weakening Local Control failed. A bill to eliminate administrative appeals for mining permits was also stopped. It would have seriously affected upcoming legal efforts on the permitting process for PolyMet’s proposed copper-nickel sulfide mine in our Arrowhead. And a bill to forbid the DNR from making rules to eliminate lead shot for hunting upland game, e.g., pheasants, failed, in spite of powerful supporters. Lead shot left in the field kills thousands of animals annually. Again, MEP allies were active on these issues, especially LSP and the Izaak Walton League.

The MPCA Citizens’ Board, abolished last session, was not reinstated, though LWV MN lobbyists testified in two Senate hearings for Sen. John Marty’s bill to do just that. The bill passed these committees on party-line votes, but since Rep. David Bly’s House bill was never granted a hearing, the bills died.

The Bonding Bill was the primary issue in the closing minutes of the session on May 22nd. The House bonding bill was not presented until five days before the session was required to adjourn, giving legislators little time to reconcile the differences with the Senate bill. In the last minutes, a failure by the House to make agreed upon changes forced the Senate to pass an amended version of the House-passed measure. The House adjourned a few minutes early, so there was no chance to accept the Senate amendment. Result: No Bonding Bill and the loss of a potential 40,000 new jobs.

Environmental consequences of the failure to pass a Bonding Bill include:

- No funding to update water infrastructure
- No funding to leverage federal funds for the Conservation Reserve Enhancement Program which protects vulnerable farm land and promotes clean water.
- No funding to match federal dollars to continue the clean up the St. Louis River in Duluth – one of the most endangered rivers in the nation.
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Have a Question About the Action Committee?

Want to Learn? Need a Speaker?

We would love to talk to you about the Action Committee and how you and your local league can be more involved. We can provide speakers on election law, the environment, immigration, campaign finance reform and other issues.

Contact: Action Committee Co-Chairs:

Jeanne LeFevre  jilefevre@comcast.net
952-545-8696

Kathy Tomsich    ktomsich@comcast.net
651-490-1809

Join the Action Committee

The Action Committee meets bi-weekly during the legislative session on Fridays from 11 am to 1 pm. Teleconferencing is available, so you can join us from anywhere in the state! We particularly need new lobbyists on election law, transportation, health care, higher education, poverty issues (such as housing), and the environment. Or, if there is an issue you are particularly interested in, let us know.

Join LWV Minnesota

Our Mission

LWV, 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. Membership information is available on our website at www.lwvmn.org

Membership forms are also available by calling LWV Minnesota’s office at 651-224-5445 or 800-663-9328, or on our website at www.lwvmn.org.

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