



# 2010 LEA Scorecard and Report on the Minnesota State Legislature

by the Legislative Evaluation Assembly of Minnesota, Inc.

**For An Informed Citizenry - Since 1972**



**CREDO** — *The Legislative Evaluation Assembly of Minnesota (LEA) is an all-volunteer nonprofit, nonpartisan organization established to keep the citizens of Minnesota informed of both important legislation and the voting performance of each Senator and Representative in the Minnesota State Legislature. LEA bases its evaluation on the traditional American principles of constitutionalism, limited government, free enterprise, legal and moral order with justice and individual liberty and dignity. The LEA encourages the use of the material in this report, in whole or in part, by any group or individual. To learn more or view past reports, visit us at [www.mnlea.org](http://www.mnlea.org).*

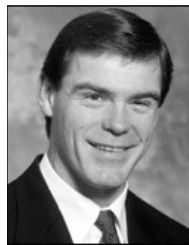
## 2010 LEGISLATIVE HONOREES



Senator Ray  
Vandever



Rep. Bruce  
Anderson



Rep. Mark  
Buesgens



Rep. Tom  
Hackbarth



Rep. Mary Liz  
Holberg

### **Senate Honorable Mention:**

Senator Warren Limmer

### **House Honorable Mention:**

Representative Bob Dettmer  
Representative Steve Drazkowski  
Representative Rob Eastlund  
Representative Joyce Peppin  
Representative Marty Seifert  
Representative Dan Severson  
Representative Ron Shimanski

## 2010 Legislative Review - The "Iron Cage" of Bureaucracy

With the economy in a downward spiral, unemployment high, and state revenues coming up short, the 2010 legislative session should have been a time for decisive action to revive our state's economy. Instead, we witnessed an absence of both executive and legislative leadership and a scramble to approve new programs for favored constituencies, digging the state into a deeper hole and pushing responsibility off into the future.

The 2010 Legislature had to revisit their failure to balance the 2009 budget that forced Gov. Pawlenty to exercise his executive powers and "unallot" \$2.7 billion, after which the State Supreme Court decided to rewrite the law. The legislature again failed to balance the budget during this four month session itself; but instead called a one-day special session--at extra cost to state taxpayers--to approve the budget the leadership put before them, which resembled the rationing of dollars to state agencies more than a plan for a system of sound government.

Despite the mounting need for a sound and sustainable budget to address the migration of businesses out of Minnesota, and numerous other pressing financial and policy matters of concern, much of the 2010 legislation passed off problems, perceived or real, to agencies, boards, committees, and future generations. There was no shortage of bills that expanded the size of government and claimed powers for the legislature that are not consistent with the principles of

individual liberty and constitutional self government. This year's glaring government expansions include interfering with sovereign Indian territories and establishing alternative forms of administration to the executive branch. The legislature again inserted itself into the economy, family life, and consumer decisions and imposed itself upon lower governments. These challenges to the foundation of our democratic system with its flow of power from the people upward, essential to preservation of our republic, are continuing to move us towards an authoritarian top-down government.

Many new conflicts of interest and misguided economic incentives were created by forming new agencies that have the conflicting powers of creating laws related to a particular industry and enforcing them, totally ignoring the need for separation of legislative and executive functions. The ongoing problem of paying welfare agencies based on head count continues to create more social dependents and political patrons. High levels of welfare with short wait times are again attracting welfare recipients from other states to migrate to Minnesota, putting an extra strain on the budget, déjà vu.

The grievously mistaken idea that creating government jobs will save the economy continues in ignorance of the natural economic law that consumption cannot exceed production. Raising taxes on the wealthy to pay for these jobs puts pressure on people to leave Minnesota, creating a lower-class state. This could lead to further economic decline and

*(Continued on the following page)*

increased conflict among government agencies over shrinking tax revenues in the future.

Sociologist Max Weber predicted a "polar night of icy darkness," in which increasing bureaucratization of human life-activity traps citizens in an "iron cage" of rule-based (rational or national) control, displacing democracy and freedom. Weber correctly predicted that socialism in Russia would necessarily lead to over-bureaucratization rather than the "withering away of the state" predicted by Marx. With our currently repeating trends, these same sociological processes now apply in Minnesota, where a bureaucratic Leviathan has trapped citizens in an "iron cage" and made legislators into their unyielding servants of demands.

This 2010 legislative session, and especially the special session, could serve as a case study of Weber's theory. Our Northstar State could bring in a new ice age with a completely frozen economy. LEA applauds those legislators receiving awards this year for standing up for common-sense fiscal and constitutional principles.

## 2010 Votes

### 1. Omnibus State Budget Bill

Special Session HF 1. Rep. Carlson. [SF 1. Sen. Cohen.]

This special session bill represents the state's attempt to balance the state's budget for 2010 and 2011, and was passed during a one-day special session following the failure of the legislature and the governor to enact necessary budget revisions during the regular session.

There were no signs of deliberative democratic legislative processes at work in the creation of this bill. It is a conglomeration of legislation that includes an array of policy items while also attempting to balance the budget and provide state agencies with somewhat rationed operational funds. It addresses items related to health, education, marriage, the environment, energy, and agriculture that various departments wanted to become law that but were unrelated to the budget itself. And it also redirects targeted tax revenues originally raised for other specific purposes. The bill even grants an extraordinary transfer of legislative power to the Governor to determine the outcome of the state's participation in an expanded federal Medicaid enrollment program, even though such an action could saddle the next legislature with further debt as Minnesota is expected to be a net loser by participating in this program.

This bill represents a prime example of bureaucracy becoming an "iron cage," giving neither the citizens nor the legislature freedom to rule over the state, and caring little that the level of taxation is undercutting its own future revenue stream. This bill has nothing in common with limited government and represents a form of tyranny that the Constitution was created to prevent, yet all sides claimed victory because the budget was "balanced." The bill still leaves an estimated deficit of over \$7 billion for fiscal years 2012 and 2013; and fails to address how or when borrowed and redirected funds will be repaid—if ever.

LEA favored a NO vote. It passed in the Senate 52-14 and in the House 97-32. The governor signed the bill.

### 2. Omnibus Bonding/Capital Investment Bill.

HF 2700. Rep. Hausman. [SF 2360. Sen. Langseth.]

Despite this year's multi-billion state budget deficit, our legislators attempted to jump-start economic growth and job creation by spending another \$1 billion on capital investments.

Amidst a long list of pork projects, including gubernatorial concerns, this bill also contains a number of costly red-tape policy provisions. One such provision requires contractors to make any heating projects in the bill capable of using biomass fuel; while another requires contractors for government building projects greater than \$5 million, or demolition projects within 40 miles of a recycling facility, to recycle at least 50 percent of the nonhazardous waste. The bill also gives preferential treatment on any project to American-made content locally produced and supplied, using local workers, absent a certification demonstrating a negative impact on the quality or cost of the project. Finally, the bill requires the governor's cabinet agencies to promote and encourage renewable-energy projects that further the state's climate-management goals, and requires any applicants for capital funding to state whether a project will help further those goals.

The governor signed the bill after making a sizable number of line-item vetoes. However, several projects that were vetoed previously, such as the Como Zoo exhibit and the volleyball center expansion in Rochester, got through this time. Also surviving were generous subsidies for Orchestra Hall and the Ordway Center, two performing-arts facilities that should be able to sustain operation without state bonding, especially with the revenue being collected from the recently enacted arts and environment amendment. While some building and renovation projects are justified, LEA believes that this bill deserved a NO vote owing to all the red-tape policy provisions, and because leaving all the fat-trimming up to the governor (through the line-item-veto) is an abandonment of legislative fiscal responsibility to constituents and future generations.

LEA favored a NO vote. It passed in the Senate 49-17 and in the House 89-44. The governor signed the bill after making multiple line-item vetoes.

### 3. Minnesota Ventures

SF 2758. Sen Bonoff. [HF 3360. Rep. Bunn.]

This bill is intended to stimulate economic development in Minnesota by creating the Minnesota Entrepreneur Resource Virtual Network (MERVN); and it would provide funding to the Office of Entrepreneurship and Small Business Development (OESBD) to make this happen. The thrust behind this bill is to seek additional private funding to support a government agency that would provide potential entrepreneurs with information they are not aware of "through other private and non-profit initiatives."

One premise of the bill is that economic growth will occur if the government can provide more help to people who want their own business. It assumes this new agency will be able to spot profitable business opportunities that entrepreneurs and venture capitalists would not find, and that

private businesses that are aware of emerging profitable opportunities would entrust them to a government agency, instead of developing them themselves. It also implicitly assumes that the Secretary of State, charged with licensing corporations, is failing to make forms easy enough to fill out, and that another bureaucracy is needed as a bridge to help entrepreneurs.

LEA believes these are all faulty assumptions and that job losses in Minnesota are the result of excessive taxes and regulatory burdens that have created a poor business climate. MERVN will provide false hope to those unaware of the market conditions, and set them up for failure without addressing changes to the real underlying reasons for the migration of business out of Minnesota. The Secretary of State already makes it very easy for citizens to establish businesses and, if it were not, it would be better to reform that office, not create a new one. If business opportunities genuinely existed, people would easily find the resources to set them up without the existence of MERVN or the OESBD.

LEA favored a NO vote. It passed 53-0 in the Senate, and in the House 121-10. The governor signed the bill.

#### **4. Historical Society Joint Powers Agreement**

SF 2259. Sen Rest. [HF 2792. Rep. Hilty.]

This bill allows both the Minnesota Historical Society as well as federally recognized Indian tribes to enter into joint powers agreements with other government units. Both were previously excluded. Currently two or more governmental units, by agreement entered into through action of their governing bodies, may jointly or cooperatively exercise any power common to the contracting parties or any similar powers, including those which are the same except for the territorial limits within which they may be exercised.

LEA objects to the bill on grounds that the Minnesota legislature has no direct regulatory authority over Native American affairs, as they do with other state or local government entities authorized to participate in joint powers agreements. Due to the tribes' unusual federally recognized treaty status, no other government is granted authority to turn over to them any powers without the approval of the federal government and ratification by the US Senate.

LEA favored a NO vote. It passed in the Senate 63-3, and in the House 90-42. The governor signed the bill.

#### **5. State Employee Early Retirement Incentive Authorized**

SF 1481. Sen. Solberg. [HF 2038. Rep. Bakk.]

This bill provides for eligible appointing authorities to offer early retirement incentives for employees who give notice in 2010 and retire by June 30, 2011, allowing employees of 15 years or more up to 24 months of employer contributions to their plan. It also prohibits the employee from being rehired by any participant in the State Employee Group Insurance Program within three years.

This bill essentially allows a state employee of 15 years to end a career, receive two years of benefits, and then begin another career with more retirement benefits. LEA believes that these benefits are an overly generous use of taxpayer dollars and that retirement should only come at the end of a

person's working life. Most private sector employers do not offer such elaborate benefits and state jobs with such benefits create class disparity, with the class depending on tax dollars living in a superior manner to those they tax, and causing individuals and unions to push for state employment to expand at the expense of the private sector jobs needed to grow the economy to pay for the state jobs.

LEA favored a NO vote. It passed in the Senate 46-13, and in the House 105-27. The governor signed the bill.

#### **6. Construction Boards and Codes**

HF 927. Rep. Mahoney. [SF 1004. Sen Scheid.]

This bill provides new authority for state construction boards to draft and adopt state building codes outside the traditional rule-making and legislative processes, and to license workers and contractors in construction trades. It requires that municipal construction codes minimally conform to state codes.

Citizens may desire basic building codes and standards as a guarantee of the safety and quality of buildings they purchase, and licensing and certifying contractors and professionals doing construction work can help reduce incidents of faulty installation or unsafe construction. However, this particular bill violates principles of good governance by allowing construction boards to determine the content of the construction laws and rules without direct accountability to citizens. This bill deprives the citizens of the ability to decide the laws under which they will live, and hands law-making over to a board of political elites and industry professionals. The founders separated branches of government so that elites could not create laws that would generate business for themselves or their friends at citizen's expense. This law establishes such a direct conflict of interest. It allows elites in the bureaucracy to impose their version of society on this state's citizens, and subjects them to rules that might be used to enrich those in the profession the board was created to regulate.

LEA favored a NO vote. It passed in the Senate 58-6, and in the House 82-50. The governor signed the bill.

#### **7. Firefighter Response Times**

HF 2729. Rep. Slocum. [SF 2400. Sen Kelash.]

This bill allows the city of Richfield to impose response time limits on firefighters, so long as the limit is no less than ten minutes. It only applies to firefighters hired after the bill is passed, and the bill sunsets after 7 years.

While a state has a right to impose minimum safety standards, it should not prevent communities from self-organizing to create safer standards for their members. This type of legislation is unnecessary, if not a roadblock to people's life, liberty and pursuit of happiness. Local communities ought to be able to make such laws as the citizens see fit. Further, since the law only applies to firefighters hired in the seven year period after the law is passed, it creates a double standard that undercuts the moral legitimacy of the law.

LEA favored a NO vote. It passed in the Senate 67-0 and in the House 96-36. The governor signed the bill.

## 8. Firefighter Solicitation Permitted

HF 3017. Rep Atkins. [SF 2413. Sen Rest.]

This bill authorizes local municipalities to permit firefighters to solicit charitable contributions for 501(c)(3) organizations while on duty.

The idea that government employees would be paid to perform charitable work, or allowed to raise money for special interest organizations on the public dime is a violation of the first amendment, establishing the cause of one select group, but not that of another. If a government employee wishes to raise money for a cause they believe in, they should do it on their own time, not at taxpayer expense. The firefighters could use their idle time to raise money for the firehouse or firefighting equipment and actually reduce the burden on taxpayers without spending work time promoting special causes that not all taxpayers support, in violation of free-speech principles.

LEA favored a NO vote. It passed in the Senate 49-18 and in the House 129-0. The governor signed the bill.

## 9. Met Council Given “Best Value” Procurement Option

HF 3286. Rep. Hornstein. [SF 3005. Sen. Clark.]

This bill authorizes the Met Council to use “best value” criteria when doing Requests for Proposals (RFPs) and awarding contracts to potential suppliers of transit vehicles.

Though price has to be a part of the “best value” evaluation, decisions can be made using other, more subjective criteria, “including, but not limited to, environmental considerations, quality, and a contractor’s record of performance.” Oddly, the bill contains a section that covers purchases already made by “best value” criteria retroactive to the previous September.

LEA believes this bill cedes too much authority to an unelected governmental body to make questionably subjective judgments when deciding how to award new contracts. Not only could taxpayers be burdened financially when actual monetary costs are given minor consideration, but it also creates an environment where it could become possible to influence the “best value” considerations to ensure that certain suppliers are awarded contracts every time.

LEA favored a NO vote. It passed in the Senate 46-18 and in the House 97-34. The governor signed the bill.

## 10. Special Session Omnibus K-12 Bill

Greiling motion to allow final vote on SSHF 2. Rep. Greiling.

SSHF2, an omnibus bill of changes in education policy and finance, was a mishmash introduced in the House at the end of the special session. It would have directed the state’s Commissioner of Education to establish and monitor a statewide algebra “end-of-course assessment,” relaxed some rules pertaining to home schools, encouraged school districts to implement a standardized mental-health curriculum, tightened performance and conflict-of-interest standards for charter schools, specified grant amounts for “collaborative urban educator” programs, tightened some teacher-licensing rules, given districts greater flexibility to enter into unsecured lines of credit, etc.

LEA believes this motion to allow a final vote on SSHF2,

independent of particular provisions in this omnibus bill, deserved a NO vote. The special session was called to resolve the state’s imbalanced budget before the end of the fiscal year. It was not the time to consider new legislation not requiring urgent attention. This bill did not meet the “urgency” test and it strayed far from the “single-subject” principle. Though a majority of the House voted for the motion, 85-43, the bill did not advance to a final vote in the House or to the Senate, because for an urgency to be declared to bring a bill to a vote without the customary committee hearings or floor readings, there is a constitutional requirement that the motion pass by a two-thirds margin.

LEA favored a NO vote. The motion failed for lack of a two-thirds vote 85-43.

## 11. Criminal Record Expungement Normalized

SF 560. Sen. Latz. [HF 891. Rep. Champion.]

This bill would have eliminated the need to petition for the expungement of many criminal records, thereby making the general public’s access to them much less open. While Minnesota currently considers the expungement of criminal records an “extraordinary remedy,” this bill would have required these records to be sealed, except those involving violent felonies, for any offender who completed a diversion program or a stay of adjudication agreed to by prosecution after the prosecution made a “good-faith effort” to contact any known victims who might object to such an agreement. Petitions to seal those types of records would no longer be necessary. An official finding by the court that public-safety interests outweigh the disadvantages to the offender of not sealing the record would be necessary to keep the records from being sealed. Any monetary costs resulting from the bill would be absorbed into the existing Department of Public Safety budget.

Underlying the bill is a flawed assumption that, except for the most serious crimes, having a record at all constitutes a cruel punishment rather than a factual determination of the wrongfulness of one’s past actions. The stigma from having such a record is a natural consequence, and is a useful deterrent to committing crime. Normalizing expungement would also interfere with businesses seeking access to criminal records so that they can reduce exposure to internal theft risks, such as embezzlement, when making employment decisions.

LEA favored a NO vote. It passed in the Senate 64-0 and the House 87-41. The governor VETOED the bill.

## 12. Unelected, Party-Appointed Legislators

HF 2405. Rep. Reinert.

This proposed constitutional amendment would allow legislative party leaders to appoint temporary replacements for any member of the legislature called into active military service in defense of American interests. Under this proposal an affected legislator would select three possible replacements, and the leader of his party caucus would select one of them to “hold” that legislator’s seat until military obligations were complete.

LEA believes only a district’s citizens, not political

parties, should have control over who represents them in the legislature. The idea of “holding” a legislative seat for someone who must be absent creates a system of government in which one “protected class” is afforded rights not granted to others. While military service is important, when called to active duty the seat should be vacated, as Legislators cannot effectively represent their constituents when absent owing to any type of long-term move out of their district.

To abandon the entire history of republican electoral tradition in this state to party whims flies in the faces of Madison’s warning about factions and George Washington’s fears of political parties as outlined in his Farewell Address to Congress. LEA considers this bill against the interest of maintaining a free and democratic Minnesota.

LEA favored a NO vote. It passed in the House 128-4. There was no vote in the Senate.

### **13. Personal Health Care Data Dissemination Act**

SF 2974. Sen. Lourey. [HF 3279. Rep. Huntley.]

This bill establishes a Minnesota Interoperable Electronic Health Records Exchange System. It represents Minnesota’s part in setting up the Nationwide Health Information Network by its compliance with the 2009 Federal “HITECH” act.” Under this new interoperable personal data access system all participating medical system entities will have access to individual health records by using special required federal software for uniformity. Meaningful use in the public interest is authorized and penalties for limiting access to or misuse of personal health data do apply.

This bill does not require a patients’ consent before their personal health data is put into the interoperable system. While the 1996 HIPAA Act leads many to believe their personal health data is protected, there is virtually no protection once that health data is put online, with or without this new interoperable system. While meaningful use is authorized by the bill, its definition is vague at best and quite undefined at the time of the bill’s passage. There are penalties for providers who limit access to personal health data records, including fines and shuttering health information service providers. This runs contrary to any authority granted to our government officials limited by constitutional restraint.

LEA believes the passage of SF2974 to be the near final blow to any possibility of maintaining privacy protections on personal healthcare data. Those granted access to personal health data in this bill begin with clinics and hospitals and extends to public and private researchers, pharmaceutical companies, and even foreign entities when under contract. While health care providers currently have more than sufficient access to healthcare records to ensure quality care, this bill greatly extends access to provide government agencies and insurance companies the means to control and ration healthcare. Thus it poses a threat to both individual privacy rights, individual healthcare choice, the doctor-patient relationship, and personal healthcare security, today and exponentially in the future.

LEA Favored a NO vote. It passed in the Senate 46-12 and in the House 102-30. The governor signed the bill.

### **14. Cutting Excesses from the Omnibus Bonding Bill**

Emmer Amendment to HF 2700. Rep. Hausman.

Gerlach Amendment to SF 2360. Sen. Langseth.

[HJ p.7777; SJ p. 6990.]

While not identical, these two amendments shared a common goal—to rein in some of the excesses that are adding costs to many state capital projects at a time when the state is experiencing severe budget problems. LEA has chosen these two particular amendments to stand as an example of efforts by responsible legislators to move us away from the “iron cage of bureaucracy” currently enveloping the state.

In the House, the Emmer amendment attempted to strip proposed renewable-energy and climate-management goals from the bonding bill due to the potentially expensive and controversial nature of these provisions.

In the Senate, the Gerlach amendment attempted to set ceilings for amounts in state building projects being directed toward administrative expenses and unnecessary artistic flourishes.

LEA favored a YES vote on both the Emmer and Gerlach amendments. The Emmer amendment failed in the House 44-88. The Gerlach amendment failed in the Senate 26-38.

### **15. Conveyance of State Land to Tribal Governments**

HF 2956. Rep Koenen. [SF2563. Sen. Kubly.]

This bill extends the Commissioner of Transportation’s power to convey and quitclaim land no longer needed for trunk highway purposes to Indian tribal governments. Current law allows the commissioner to convey or quitclaim fee title to or an easement in all or part of previously acquired lands to any political subdivision of the state or agency for public purposes. Such conveyances do not require a public auction or fee, and can include improved land.

Under this bill and the law that it expands, the Commissioner is empowered to take action in the absence of any clear legislative process to determine whether such action is in the best long-term interests of the state. LEA feels that all laws that lack appropriate checks and balances are poor public policy, and stand opposed to the interests of a responsive, elected government. Granting a single unelected official the broad powers to act as they see fit, void of any checks or balances to curb abuse, is a risky proposition that will inevitably lead to misuse.

There are legitimate constitutional concerns over conveying state-controlled lands and improvements to non-state Tribal entities outside its direct jurisdiction. Our State Constitution wisely requires the unanimous approval of the governor, the attorney general, and the state auditor when exchanging state lands. Prudent policy would likewise require such an arrangement when conveying them as well—no matter who the recipient.

LEA favored a NO vote. It passed in the Senate 47-20 and in the House 91-37. The governor signed the bill.

# SENATE

Pty	Dist	Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	2010%	C%
D	66	Anderson, E.	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	-	-5	6
D	6	Bakk, T.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	A	+	+	1	17
D	61	Berglin, L.	-	-	A	-	A	-	-	+	-	-	-	-	-	-	-	-	-	+	-	-	-	-	6	12
D	51	Betzold, D.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	8
D	43	Bonoff, T.	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	-	-	5	4
D	38	Carlson, J.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	5	6
D	50	Chaudhary, S.	-	-	A	-	-	-	-	-	-	-	-	-	A	-	-	-	-	A	-	-	-	-	-7	9
D	15	Clark, T.	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	-	-	5	3
D	64	Cohen, R.	-	-	-	A	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-5	7
D	25	Dahle, K.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	+	5	5
D	60	Dibble, S.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	5	4
R	18	Dille, S.	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	+	-	-	+	+	19	52
D	40	Doll, J.	-	+	-	-	-	-	-	-	+	-	-	-	-	-	-	+	-	-	-	-	+	+	19	10
D	31	Erickson Ropes, S.	-	-	-	-	-	-	-	-	+	-	-	A	-	-	-	-	-	+	-	-	-	-	8	7
R	14	Fischbach, M.	-	+	-	-	-	-	-	-	-	-	-	-	-	+	+	A	+	-	-	-	+	+	28	62
D	16	Fobbe, L.	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	+	+	10	14
D	47	Foley, L.	-	-	-	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	-	-	-	10	15
R	21	Frederickson, D.	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	-	-	-	+	+	8	52
R	37	Gerlach, C.	+	+	A	+	+	-	-	+	+	-	-	-	+	+	+	-	+	+	-	+	+	+	68	79
R	13	Gimse, J.	+	+	-	-	-	-	-	-	-	-	-	-	-	+	+	A	-	+	-	A	-	+	32	39
R	42	Hann, D.	+	+	-	-	+	-	-	+	+	-	-	-	+	+	+	-	+	+	-	+	+	+	62	73
D	58	Higgins, L.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	7
R	11	Ingebrigtsen, B.	+	+	-	-	+	-	-	+	+	-	-	-	-	+	+	-	+	-	+	-	+	+	52	61
R	49	Johnson, D.	+	+	A	+	A	-	-	+	+	-	-	-	A	+	+	A	+	A	+	+	+	A	52	61
R	48	Jungbauer, M.	A	+	-	-	+	+	-	+	+	-	-	-	+	+	+	-	A	+	-	+	+	+	58	64
D	63	Kelash, K.	-	-	A	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	-	-	-	-5	0
R	19	Koch, A.	+	+	-	-	+	-	-	+	+	-	-	-	+	+	+	-	A	+	-	+	-	+	53	65
R	12	Koering, P.	-	-	-	-	A	-	-	+	+	-	-	-	A	+	+	-	+	+	-	+	-	A	32	49
D	20	Kubly, G.	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	-	-	5	14
D	9	Langseth, K.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-2	28
D	44	Latz, R.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	A	-	-	A	-	-7	5
R	32	Limmer, W.	+	+	-	-	+	+	-	-	+	-	-	-	+	+	+	+	+	+	+	+	+	+	71	82
D	8	Lourey, T	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	5	4
D	30	Lynch, A.	-	-	-	-	-	A	-	-	-	-	-	-	-	+	-	-	-	-	-	-	-	-	3	8
D	54	Marty, J.	+	-	A	-	A	-	-	-	-	-	-	-	A	-	-	-	A	-	-	-	-	A	-6	9
D	39	Metzen, J.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	5	21
R	41	Michel, G.	+	A	-	-	+	-	-	+	+	-	-	-	+	+	+	-	+	-	+	-	+	+	48	53
D	67	Moua, M.	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	3	8
D	28	Murphy, S.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-5	14
D	17	Olseen, R.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	5	10

NO SENATE VOTE

NO SENATE VOTE

NO SENATE VOTE

NO SENATE VOTE

## KEY

+ Vote favored by LEA  
 - Vote not favored by LEA  
 A indicates legislator excused, absent, or not voting

**2010%** = % of legislator's votes favored by LEA in 2010  
**C%** = legislator's career average LEA score

*NV Senator Parry was elected to fill the seat vacated during session by Senator Day. His vote total is adjusted accordingly.*

This report may be copied in total with proper citations, printed from our website for free, or purchased in bulk @ \$1 ea., 10 for \$5, or 100 for \$35. Contact [secretary@mnlea.org](mailto:secretary@mnlea.org) for additional information, or visit our website: [www.mnlea.org](http://www.mnlea.org).

**R** - Republican Party **D** - Democratic-Farmer-Labor Party

LEA calculates the voting percentages using votes actually cast by each legislator and then deducting half a vote for each time that legislator did not cast a vote.

**Honorees** for 2010 scored **80% or higher**, those receiving honorable mentions scored at least **70%**.

## SENATE

Pty	Dist	Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	2010%	C%		
R	33	Olson, G.	-	+	-	-	+	-	-	-	-	NO SENATE VOTE	-	NO SENATE VOTE	+	+	-	A	-	+	-	A	-	+	27	70		
D	4	Olson, M.	+	-	A	-	-	A	-	-	-		-		-	A	A	-	-	-	-	-	-	-	+	2	8	
R	34	Ortman	+	+	-	-	+	+	-	+	A		-		-	+	+	+	-	A	+	-	+	-	+	53	66	
D	65	Pappas, S.	-	-	A	-	-	-	-	-	A		-		-	-	-	-	-	-	-	-	-	-	-	-	-5	5
R	36	Pariseau, P.	-	+	-	-	A	-	-	-	-		A		-	-	A	A	+	A	-	A	-	A	-	A	-4	64
R	26	Parry, M.	+	+	-	-	+	NV	-	+	+		-		-	-	+	+	+	-	A	+	-	+	-	+	56	56
D	59	Pogemiller, L.	-	-	-	-	-	-	-	-	-		-		-	-	A	-	-	-	-	-	-	-	-	-	-2	6
D	7	Prettner Solon, Y.	+	-	-	-	-	-	-	-	-		-		-	-	-	-	-	-	-	-	-	-	-	-	5	4
D	45	Rest, R.	-	-	A	-	-	-	-	-	-		-		-	-	-	+	-	A	A	-	-	-	-	-	-2	14
R	35	Robling, C.	-	+	-	-	+	+	-	+	+		-		-	-	-	+	+	-	-	+	-	-	-	+	43	59
R	24	Rosen, J.	-	+	-	-	A	-	-	-	+		-		-	-	A	+	+	-	A	+	-	-	-	A	20	44
D	53	Rummel, S.	-	-	-	-	-	-	-	-	-		-		-	-	-	-	-	A	-	-	-	-	-	-	-2	2
D	56	Saltzman, K.	-	-	-	-	-	-	-	-	-		-		-	-	-	-	-	-	-	-	-	-	-	+	5	4
D	3	Saxhaug, T.	-	-	-	-	-	-	-	-	-		-		-	-	-	-	-	-	-	-	-	-	-	-	0	13
D	46	Scheid, L.	-	-	A	-	-	-	-	-	-		-		-	-	-	-	-	A	-	A	-	A	-	-	-10	11
R	29	Senjem, D.	-	-	-	-	+	-	-	-	+		-		-	-	+	+	+	-	-	+	-	+	-	+	38	53
D	23	Sheran, K.	-	-	A	-	A	-	-	-	-		-		-	-	-	+	-	-	A	-	-	-	-	-	-2	4
D	57	Sieben, K.	-	-	-	-	-	-	-	-	+		-		-	-	-	-	-	-	-	-	-	-	-	-	5	11
D	2	Skoe, R.	-	-	-	-	-	-	-	-	-		-		-	-	-	-	-	A	-	-	-	-	-	-	-2	16
D	10	Skogen, D.	-	-	-	-	-	-	-	-	-		-		-	-	-	+	-	-	-	-	-	-	-	+	10	21
D	27	Sparks, D.	-	-	-	-	A	-	-	-	-		-		-	-	A	+	-	-	-	-	-	-	-	A	-2	19
D	1	Stumpf, L.	-	-	-	-	-	-	-	-	+		-		-	-	-	-	-	-	-	-	+	-	-	-	10	26
D	5	Tomassoni, D.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	5	16		
D	62	Torres Ray, P.	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	A	+	-	-	A	-	-	-2	2		
R	52	Vandever, R.	+	+	-	+	+	+	-	+	+	-	-	-	+	+	+	+	+	+	+	+	+	+	81	80		
D	22	Vickerman, J.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	35		
D	55	Wiger, C.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	-2	16		

## HOUSE

Pty	Dist	Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	2010%	C%
R	48B	Abeler, J.	+	-	-	A	-	A	-	-	-	A	A	-	-	-	-	-	+	-	-	-	-	-	2	44
R	19A	Anderson, B.	+	+	+	+	+	+	+	-	+	+	+	-	+	+	+	+	+	+	-	-	+	-	81	91
R	13A	Anderson, P.	-	+	-	+	-	+	-	-	+	+	+	-	-	+	+	-	-	+	-	-	-	-	43	50
R	43A	Anderson, S.	+	+	-	+	+	+	+	-	+	+	+	-	-	+	+	-	-	-	-	-	-	+	57	65
D	03A	Anzelc, T.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	5	12
D	39B	Atkins, J.	A	-	-	-	-	-	-	-	-	A	-	-	-	-	-	-	-	-	-	A	-	-	-7	10
R	35A	Beard, M.	-	+	-	-	+	+	-	-	+	+	+	-	-	+	-	+	A	+	-	-	-	-	43	63
D	43B	Benson, J.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	0
D	57A	Bigham, K.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	2
D	25B	Bly, D.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	5	3
R	25A	Brod, L.	+	+	-	+	+	+	A	-	+	+	+	-	+	+	+	+	A	+	+	-	-	-	69	65
D	27A	Brown, R.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	5
D	23B	Brynaert, K.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	2
R	35B	Buesgens, M.	-	+	+	+	+	+	+	-	+	+	+	-	+	+	+	+	+	+	+	-	+	+	81	91
D	56A	Bunn, J.	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5	12
D	45B	Carlson, L.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	18
D	58B	Champion, B.	-	-	A	-	-	-	-	A	-	-	-	-	+	-	A	-	-	-	-	-	-	-	-2	0
D	61A	Clark, K.	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	-	5	13
R	24B	Cornish, T.	-	+	-	+	-	+	+	-	+	+	-	-	-	+	-	-	-	+	-	-	-	-	38	56
R	31B	Davids, G.	+	+	-	+	-	+	+	-	+	+	A	A	+	+	-	-	-	A	-	-	-	-	43	52
D	62A	Davnie, J.	-	-	-	-	-	-	-	A	-	-	-	+	+	-	A	A	-	-	-	-	-	-	4	10
R	52B	Dean, M.	-	+	+	+	+	+	+	-	+	+	+	-	+	+	A	+	-	+	-	-	+	-	68	80
R	29A	Demmer, R.	+	+	+	+	-	+	+	-	-	+	A	-	-	A	+	+	-	+	-	-	+	-	53	61
R	52A	Dettmer, B.	+	+	-	+	+	+	+	-	+	+	+	-	+	+	+	+	-	+	-	-	+	-	71	78

# HOUSE

Pty	Dist	Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	2010%	C%
D	06A	Dill, D.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	26
D	47A	Dittrich, D.	-	-	-	+	-	+	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	8	18
R	33B	Doepke, C.	+	+	-	+	+	+	+	-	+	+	+	-	+	+	+	-	A	-	-	-	-	-	58	37
D	12B	Doty, A.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	5	16
R	41A	Downey, K.	+	+	-	+	+	+	+	-	+	+	+	-	+	+	+	-	-	+	-	-	-	-	62	56
R	28B	Draskowski, S.	+	+	+	+	+	+	+	-	+	+	+	-	+	+	+	+	-	+	-	-	+	-	76	87
R	17A	Eastlund, R.	+	+	-	+	+	+	+	-	+	+	+	-	+	+	+	+	+	+	-	-	+	-	76	74
D	02A	Eken, K.	A	-	-	-	-	-	-	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-5	30
R	19B	Emmer, T.	+	+	+	+	A	+	+	-	+	+	+	-	A	+	+	A	A	A	-	A	+	-	66	89
D	20A	Falk, A.	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5	11
D	08B	Faust, T.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	8
D	26B	Fritz, P.	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	-	-	5	13
D	53A	Gardner, P.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	2
R	36B	Garofalo, P.	A	+	-	+	-	+	-	-	-	A	+	-	+	+	+	-	-	-	-	-	A	-	32	60
R	15A	Gottwalt, S.	-	+	-	+	+	+	+	A	+	+	+	-	+	+	A	-	-	+	-	-	+	-	58	60
D	54A	Greiling, M.	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	3	16
R	24A	Gunther, B.	-	+	-	+	+	-	-	-	-	+	+	-	+	+	+	-	A	+	-	-	-	-	43	60
R	48A	Hackbarth, T.	+	+	+	+	+	+	+	-	A	+	+	-	+	+	+	+	+	+	+	+	+	-	83	73
R	22B	Hamilton, R.	-	+	-	+	-	+	-	-	+	+	+	-	-	+	+	+	-	+	-	-	-	-	48	56
D	39A	Hansen, R.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	9
D	66B	Hausman, A.	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5	7
D	15B	Haws, L.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	13
D	61B	Hayden, J.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	3
D	46B	Hilstrom, D.	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-2	15
D	08A	Hilty, B.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	13
R	36A	Holberg, M.	+	+	+	+	+	+	+	-	+	+	+	-	+	+	+	+	A	+	A	+	A	-	82	88
R	34B	Hoppe, J.	-	+	+	+	+	+	-	-	+	+	+	-	+	+	-	+	A	+	-	-	-	-	58	73
D	60B	Hornstein, F.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	6
D	47B	Hortman, M.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	8
D	14B	Hosch, L.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	24
R	04B	Howes, L.	-	-	-	-	-	A	-	-	-	+	-	-	+	+	-	-	-	-	-	-	-	-	13	52
D	07A	Huntley, T.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	16
D	16A	Jackson, G.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	3
D	67B	Johnson, S.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	10
D	13B	Juhnke, A.	-	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5	31
D	59B	Kahn, P.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	9
D	17B	Kalin, J.	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	-	5	8
D	26A	Kath, K.	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	-	-	5	14
D	60A	Kelliher, M.	-	-	A	A	-	-	-	-	-	-	-	-	-	-	-	A	A	-	-	-	-	-	-10	12
R	28A	Kelly, T.	-	+	-	+	+	+	+	-	+	+	A	-	+	+	+	+	-	+	-	A	-	-	58	51
R	16B	Kiffmeyer, M.	+	+	-	+	+	+	+	-	+	+	+	-	+	+	+	+	-	+	-	-	-	-	67	67
D	50B	Knuth, K.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	0
D	20B	Koenen, L.	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5	33
R	34A	Kohls, P.	+	+	-	+	+	+	+	-	+	+	-	-	+	A	+	+	A	+	-	-	+	-	64	78
D	50A	Laine, C.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	0
R	09A	Lanning, M.	-	-	-	+	-	+	+	-	-	+	+	-	-	+	+	A	-	+	-	-	-	-	38	49
D	40B	Lenczewski, A.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	35
D	66A	Lesch, J.	+	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	1	12
D	30A	Liebling, T.	+	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	-	10	9
D	01B	Lieder, B.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	26
D	55A	Lillie, L.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	-	-2	7
D	59A	Loeffler, D.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	3
R	42B	Loon, J.	+	+	-	+	+	+	+	-	-	+	+	-	+	+	+	-	-	-	-	+	+	-	62	53
R	37A	Mack, T.	+	+	-	+	+	+	+	-	A	+	+	-	+	+	+	-	-	-	-	-	-	-	53	48
R	22A	Magnus, D.	A	+	-	+	-	+	A	-	+	A	A	-	-	+	+	+	-	+	-	-	-	-	38	60

NO HOUSE VOTE

NO HOUSE VOTE

# HOUSE

Pty	Dist	Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	2010%	C%	
D	67A	Mahoney, T.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-		5	17	
D	65B	Mariani, C.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	A	-	-	-	A		-7	6	
D	09B	Marquart, P.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	35	
D	38A	Masin, S.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-		5	7	
R	53B	McFarlane, C.	-	+	-	+	-	+	+	-	-	+	+	-	-	+	+	-	-	-	-	-	-		38	40	
R	57B	McNamara, D.	-	+	-	+	-	+	+	-	-	+	+	-	-	-	+	-	-	-	-	-	-		33	46	
D	40A	Morgan, W.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	2	
D	23A	Morrow, T.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	0	
D	58A	Mullery, J.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	17	
R	10B	Murdock, M.	+	+	-	+	-	+	+	-	-	+	+	-	-	+	+	-	-	+	-	-	-		48	50	
D	64A	Murphy, E.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-2	0	
D	06B	Murphy, M.	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	-	-	+	-		3	21	
D	46A	Nelson, M.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	10	
D	49B	Newton, J.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	0	
R	10A	Nornes, B.	-	-	-	-	-	+	+	-	-	+	+	-	-	+	+	-	-	+	-	-	-		33	59	
D	29B	Norton, K.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	6	
D	38B	Obermueller, M.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-		5	6	
D	01A	Olin, D.	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		5	16	
D	11B	Otremba, M.	-	-	-	-	-	+	-	-	-	-	-	-	-	+	-	-	-	-	-	-	A		8	42	
D	64B	Paymar, M.	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		5	12	
D	31A	Pelowski, G.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-		5	33	
R	32A	Peppin, J.	+	+	+	+	A	+	+	-	+	+	+	-	A	+	+	+	+	+	+	-	+		74	81	
D	04A	Persell, J.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	3	
D	45A	Peterson, S.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	7	
D	27B	Poppe, J.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	9	
D	07B	Reinert, R.	-	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	-	-	-	+	-		10	8	
D	41B	Rosenthal, P.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	0	
D	05A	Rukavina, T.	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-		10	16	
D	42A	Ruud, M.	-	-	-	-	-	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		5	12	
D	02B	Sailer, B.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	15	
R	51A	Sanders, T.	+	+	-	+	+	+	+	-	+	+	+	-	+	+	+	-	-	-	-	-	-		57	62	
D	54B	Scalze, B.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	12	
R	49A	Scott, P.	A	+	-	+	+	+	+	A	+	A	+	-	+	+	A	+	-	+	-	-	+		61	72	
R	21A	Seifert, M.	+	+	-	+	+	+	+	-	+	+	+	-	+	+	+	+	-	+	-	-	+		71	78	
D	05B	Sertich, A.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	19	
R	14A	Severson, D.	+	+	-	+	+	+	+	-	+	+	+	-	+	+	+	+	A	+	-	A	+		74	71	
R	18A	Shimanski, R.	+	+	-	+	+	+	+	-	+	+	+	-	+	+	+	+	+	+	+	-	-	+		76	87
D	44A	Simon, S.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	4	
D	55B	Slawik, N.	-	-	-	-	-	-	-	-	A	-	-	-	-	-	-	A	-	-	-	-	-		-5	16	
D	63B	Slocum, L.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	0	
R	33A	Smith, S.	-	+	-	+	-	-	+	-	+	+	+	-	-	+	+	+	-	A	-	-	-		43	72	
D	03B	Solberg, L.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	19	
D	37B	Sterner, P.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	+	-		5	8	
D	56B	Swails, M.	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-	-	-		-5	5	
D	65A	Thao, C.	-	-	-	-	-	-	-	A	-	-	-	-	-	-	A	-	-	-	-	-	-		-5	4	
D	63A	Thissen, P.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	10	
D	51B	Tillberry, T.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	0	
R	21B	Torkelson, P.	+	+	-	+	-	+	+	-	+	+	+	-	-	+	+	+	-	+	-	-	-		57	59	
R	18B	Urdahl, D.	-	+	-	-	-	+	-	-	+	+	+	-	-	+	-	-	-	-	-	-	-		29	52	
D	62B	Wagenius, J.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	11	
D	12A	Ward, J.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	11	
D	30B	Welti, A.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	16	
R	11A	Westrom, T.	+	+	-	-	-	+	-	-	+	+	+	-	-	+	+	-	-	-	-	-	+	-		43	64
D	44B	Winkler, T.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	+	-	-		3	2	
R	32B	Zellers, K.	-	+	-	+	+	+	+	-	+	+	+	-	+	+	+	+	A	+	-	-	-		63	80	

NO HOUSE VOTE

NO HOUSE VOTE

## **16. Establishing a Lobbyist-Dominated Collaborative Bureaucracy**

SF 2511. Sen. Rest. [HF 2840. Rep. Swails.]

This bill creates another new bureaucracy, the Minnesota Collaborative Governance Council. It will be chaired by the MN State Auditor and have seats statutorily created for eight special-interest groups: the MN Chamber of Commerce, representing select business concerns, three public-employee unions (Education Minnesota, AFSCME, and the SEIU), and four local-government lobbying groups.

Conspicuously under-represented on this council are the interests of the everyday citizen and all Minnesotans. Beginning in July 2010, the council will meet at least quarterly and by Feb. 1 of each year submit recommendations, "including any draft legislation necessary to implement its recommendations," to the governor and to the chairs and ranking minority members of affected committees. Presumably this new council will employ staff and have operating expenses.

The new council is largely an end-run around the Department of Administration, which will have no representation on the council yet is charged with a similar mission. Government/special-interest regional spoils collaboratives and data sharing are also authorized by the law creating this council. While some suggested duties for the council (improved delivery of government services, better technological networking, and modernized financial transactions) sound reasonable, the power and structure of this new bureaucracy is not.

Those who were so agitated this year to find an Education Minnesota lobbyist sitting at the legislative table during a conference-committee meeting, should be aware that we now have a law which gives one of their lobbyists and other lobbyists a statutory responsibility to work with the State Auditor to draft legislation. Despite the efforts of a few legislative opponents to point out the absurdity of this new bureaucratic creation, the bill passed by large margins.

LEA favored a NO vote. It passed in the Senate 60-2 and in the House 101-26. The governor signed the bill.

## **17. Enhanced Minnesota Drivers License**

SF 345. Sen. Saxhaug. [HF 1005. Rep. Reinert.]

This bill makes it possible for Minnesotans to purchase a special Radio Frequency Identification (RFID) enhanced drivers license that is authorized by the US Department of Homeland Security to be used in lieu of a passport or pass-card when crossing the Canadian border.

Under the bill, non-citizens are prohibited from obtaining one; the government is prohibited from placing any personal information other than citizenship status on the RFID chip; and individuals wishing to obtain one are required to sign a waiver authorizing the government to place their citizenship status on the card. This optional license, that would cost ten dollars more than an ordinary license, seems innocuous. However, LEA is concerned with the precedent the bill sets. This is a step towards the implementation of the proposed National ID, or the REAL ID Act, under which our personal information will all be embedded in ID cards. While the

current bill contains some privacy protections, just a few insidious sentences hidden inside a future omnibus bill could provide authority for the inclusion of more personal information without an individuals consent, putting people's privacy at greater risk and even allowing them to be tracked by anyone with access to the federal database. This session already saw individual privacy thrown under the bus with the implementation of the health care records bill (while the legislature at the same time voted to allow criminals to have their records expunged automatically, keeping their crimes hidden from the law abiding public) causing greater insecurity for citizens in these days of personal data theft and identity fraud.

While LEA recognizes that this is a less expensive way to get to Canada than getting a US Passport, we must point out that it is also another step towards the usurpation of States' power by the federal government through indirect means. If the price to ensure individual liberty, states' rights, and existing individual security protections comes in the form of having to obtain an actual passport to cross the border, LEA believes it is a price worth paying.

LEA Favored a NO vote. It passed in the Senate 42-10 and in the House 111-9. The governor signed the bill.

## **18. Public Utility Expenses**

SF 2519. Sen. Anderson. [HF 2798. Rep. Hilstrom.]

This bill modifies reimbursement policy for public utility employee expenses. Its stated purpose is to disallow travel, entertainment, lobbying, and other employee-related "expenses that the commission deems unreasonable and unnecessary for the provision of utility service."

This bill is a legislative response to investigative journalist reports of excessive travel expenses paid to public utility personnel; for example, the cost of flying one person to a meeting in a corporate jet. It gives final determination of "reasonable" expenses to the public utilities commission. However, the bill also exempts the release of salary data on some of the highest-paid utility employees "if the utility establishes that the competitive disadvantage to the utility that would result from release of the salary outweighs the public interest in access to the data."

LEA believes the bill was a nominal response to the problem and lacks adequate checks and balances over too many conflicts of interest between the public utilities commission and the utilities. While this legislation may appear to curb some excessive or unjust reimbursements, leaving final approval to the commission without setting any legal expense boundaries will not result in any practical change of policy. Further, the argument of "competitive disadvantage" is poor reason to give for not releasing salary data, since transparent competition should be desired in quasi-public corporations. This bill will continue to allow a system of captivity of the commission to the utilities it is supposed to regulate. Such legislation is not consistent with the principle of separation of powers, a hallmark of limited constitutional government.

LEA favored a NO vote. It passed 41-19 in the Senate and 99-32 in the House. The governor signed the bill.

## 19. City Employees Banned from Elected Office

HF 3350. Rep Smith. [SF 2953. Sen. Olson, G.]

This bill prohibits city employees from serving as mayor or on the city council.

Apparently authored with the goal of preventing conflicts of interests, what this bill actually does is limit the ability of local voters to choose who they feel would best represent their interests when it comes to the leadership of their municipality.

As proponents of the traditional principle of local control, LEA believes local elected officials should be chosen by local voters without the interference of outside state meddling. The decision over whether or not a potential conflict of interest is too great to allow service is one that should be made by that municipality's citizens alone, not state legislators in St. Paul. To automatically disenfranchise a citizen from public service because there exists the mere possibility of a conflict of interest is a principle dangerous to free representative government. The same standards currently used by state legislators should also be used at the local level, meaning those individuals with a conflict of interest on a particular matter should simply declare its existence and abstain from voting, and then be held accountable under the law, if they don't.

LEA favored a NO vote. It passed in the Senate 60-6 and in the House 119-12. The governor signed the bill.

## 20. Guardian Ad Litem Board Creation

SF 2880. Sen. Moua. [HF 2990. Rep. Hilstrom.]

This bill transfers the guardian ad litem (legal guardian) function from the trial courts to a separate board within the judicial branch, with state appropriations transferred also. The bill allows the board to establish its own policies and procedures and provides mechanisms for independent financing through fees that can be accumulated apart from the general fund.

While the bill asks the new board to serve the "best interests" of the dependent, it in effect distances the accountability by adding one more layer of bureaucracy between the system and citizens, and contains no checks and balances that would guarantee those interests. It provides ongoing funding for a board that is set up to be "self-regulating," violating a cardinal principle of government that while self-regulation is a moral ideal, there must be in place checks, balances, and punishments when people fail to act in the public interest—or the interest of a dependent.

Devising additional bureaucracies may make some people feel good, but there is no evidence it will make the slightest difference. Creating a new bureaucracy to oversee the guardian ad litem function will not insure that the program will not be overly intrusive or that families will receive due process protection. One dysfunctional system cannot be replaced by another system that has the same fundamental conflicts of interest at its core. One cannot expect an unrelated bureaucracy, motivated by jobs and pay for its employees, to care for the best interests of a child or any other dependent, without proper incentives to do so.

It is far more appropriate to empower the extended family

or those in the local community that have a strong relationship with the dependent, to find a new guardian than it is to have one assigned by either a paid judge or bureaucrat with no prior knowledge or social bond charged to investigate and rule in the dependent's best interests.

LEA favored a NO vote. It passed in the Senate 49-13, and in the House 124-5. The governor signed the bill.

## 21. Universal Broadband Access Established as a State Goal

HF 2907. Rep. Johnson. [SF 2254. Sen. Prettner Solon.]

This bill establishes state goals that all Minnesota residents and businesses have access to high-speed broadband no later than 2015, and that Minnesota be in the top five states in the country for broadband access and speed. The Commissioner of Commerce will have to report annually to the legislature on progress made toward achieving these goals.

LEA does not favor this legislation, or the premise behind it. Much like previous goals for renewable-energy use, these goals create open-ended, unfunded mandates well into the future, and interfere with market processes that are the source of most technological advances. By insisting that we be in the "top five" in the country, this bill puts us at the mercy of irrational excesses pursued by other states—with tremendous potential expense to taxpayers. Clearly the majority of legislators have not yet awoken to the risks of superficial goal setting.

LEA favored a NO vote. It passed in the Senate 58-6 and in the House 114-16. The governor signed the bill.

## Become a Member of LEA

### Join LEA! Dues are only \$10/yr!

With your membership you will receive:

- a copy on our annual report on the state legislature
- an invitation to attend the annual awards banquet
- an invitation to our annual membership meeting
- and the ability to give input on what issues to score in our yearly reports.

Dues are used to print and mail the annual report and cover the costs of our annual dinner.

Name: \_\_\_\_\_

Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

### Make checks payable to LEA and mail to:

Legislative Evaluation Assembly  
P. O. Box 818, Forest Lake, MN 55025

## **22. “Temporary” Liberalization of Eminent-Domain Power**

SF 1659. Sen. Higgins.

This bill would have weakened property-rights protections (secured under a 2006 law that reformed the eminent-domain process) by expanding the “public use/public purpose” justifications for invoking eminent-domain power.

Specifically, property could fall under eminent domain simply because it could be classified as “abandoned” after being vacant for six months in an area with a “disproportionate number” of vacant or foreclosed buildings. This would go far beyond traditional “public purpose” reasoning, such as building a road or eliminating a location that has become a public nuisance owing to illicit activity. The bill makes it clear that a property would not need to be in foreclosure or substandard condition to be classified as “abandoned.” It was supported by city bureaucrats looking for more power to deal with the prevalence of abandoned properties that have accompanied the latest housing collapse.

The provisions of the bill would expire in 2015, but the precedent for allowing such extraordinary infringements on private property rights runs contrary to the founding tenets of this country.

LEA favored a NO vote. It passed the Senate 34-27. There was no vote in the House.



### **2010 LEA Scorecard and Report on the Minnesota State Legislature**

by the Legislative Evaluation Assembly of Minnesota, Inc.  
Post Office Box 818, Forest Lake, MN 55025  
[www.mnlea.org](http://www.mnlea.org)