



# 2015 REPORT on the MINNESOTA LEGISLATURE

by the  
LEGISLATIVE EVALUATION ASSEMBLY  
of MINNESOTA, INC

for an  
INFORMED CITIZENRY

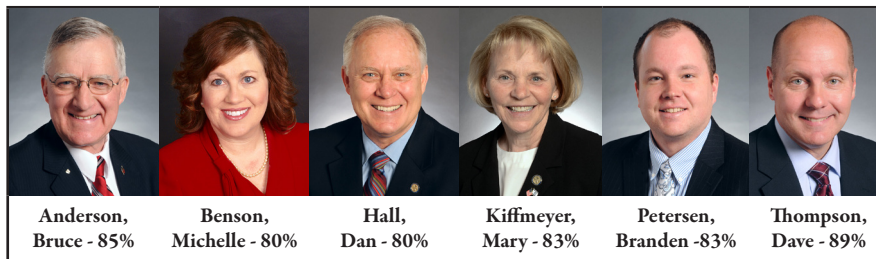
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**CREDO** — *The Legislative Evaluation Assembly of Minnesota (LEA) is a non-profit, non-partisan organization established to keep the citizens of Minnesota informed of both important legislation and the voting performance of each Senator and Representative 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. LEA encourages the use of the material in its Reports, in whole or in part, with attribution, by any group or individual.*

## 2015 LEA HONOREES

### SENATE



Honorable Mention Senate: Julianne Ortman

Honorable Mention House: Steve Drazkowski

*There were no House honorees.*

## 2015 LEGISLATIVE REVIEW

### Legislation by Committee

This legislative session was marked by a scarcity of scorable single-subject bills in which individual legislators can be held accountable for their performance by Minnesota citizens.

Eighty bills were passed in the regular session and six in a special session. In a *Star Tribune* article, one former senator compared this to the 1,150 single-subject acts passed in 1969 and the 783 acts passed in 1973, the first year of annual sessions, and argued “The sin of multisubject bills has grown steadily since the 1980s, so this Legislature bears responsibility only for carrying the practice to shocking new heights.” Of the 80 bills passed in the regular session, 54 were unanimously passed or passed with fewer than five “NO” votes between the two houses after they emerged from committee. Of the 26 bills with marked dissension, 10 bills were omnibus bills that contained so many provisions that legislators could justify their votes either way based on selecting provisions. All six special-session acts were from omnibus bills cobbled together in closed-door negotiations. This left less than 20 regular bills that LEA considered to be either constitutional or worthy of evaluation. As a result, several omnibus bills were evaluated and LEA favored a NO vote based on unprincipled components of these bills, even if other parts of the bills were acceptable.

Thus, this session marked a step further from a republic in which citizens can hold individual legislators accountable or evaluate their skill and qualifications. It moved a step closer toward an unchecked state that serves the interests of bureaucrats and large political party contributors. Legislative and electoral processes are being transformed, shielding officials from public accountability, in ways that are opposite the constitutional principles intended by the founders who sought to create a government “of the people.”

Furthermore, the citizens and legislators were deprived of more accurate evaluation when an “emergency” special session was needlessly convened less than 12 hours after it was called. This made it impossible for some legislators who were traveling to return and vote. Permitting this practice to continue allows unscrupulous leaders to call “emergency” special sessions at times when legislators, including opponents, may not be available, denying them reasonable notification.

Despite these setbacks for our constitutional republic, the actual legislation passed this session was more balanced than the legislation passed in the 2014 session that was controlled by a single political party that had no qualms about using the state to serve its interests at the expense of everyone else. The 2015 session, which was more divided between two political parties, produced policy bills that emerged from committees stripped of many controversial ideological elements and containing more neutral and technical legislation.

That said, the partisan legislative political caucus groups of today largely represent special interests and not constitutional interests or concerns of the citizens as whole. The timidity of legislators in addressing the issues that have caused Minnesota's sex-offender program to be ruled unconstitutional may be attributable to the absence of a politically-powerful interest for demanding changes. Particularly, the parties do not represent the middle class, the mainstay of self-governance, which continues to shrink as it is exploited by unconstitutional political processes that generate more power for the state and special interests over citizens.

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## 2015 VOTES

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### 1. Omnibus E-12 Finance and Policy Bill

**SSHF1. Rep. Loon. [SSSF3. Sen. Wiger.]**

This 198-page bill increases E-12 education finance general fund appropriations for the FY2016-17 biennium by 4.2%, or \$525 million, to a total of \$17.2 billion. It also made a number of policy changes. One was allowing all school districts to use Sept. 1 as the earliest start date for the 2015-16 school year, giving them a one-year exemption from the prohibition on MN K-12 public schools starting the school year before Labor Day. Another change was that the Commissioner of Education is to establish a group of stakeholders that can create a report for the legislature next year on the curriculum, personnel, and costs necessary to make swimming instruction available to children at an early age in all MN public schools. It also extended by one year how long someone could be in an English Language Learner (bilingual) education program, and made a lot of new policies regarding American Indian education. It requires a school board in a district with 10 or more American Indian students to establish an American Indian parent advisory committee. If there are 100 or more such students in a district, it requires schools providing federally-eligible American Indian education programs to employ one or more community coordinators or Indian home/school liaisons. If those districts hire paraprofessionals, they cannot supplant American Indian language and culture instructors.

This bill contained almost 45% of the total general-fund appropriations for the FY2016-17 biennium. Aside from some requirements for districts to remove any employees convicted of sexual abuse or other child abuse, there were few new accountability measures included. Because the bill covered so much, it was very contentious, so much so that it became the primary impetus for a special session when the governor vetoed the regular-session version of the bill.

More spending and more programs were included in the special-session version. Although the governor did not achieve his goal of state-sponsored universal pre-K education, \$100 million was dedicated to pre-K programs (such as Head Start or early learning scholarships) that have yet to demonstrate long-term benefits. Basic E-12 state appropriations went up by \$525 million, more than inflation, and \$125 million more than the regular-session bill which the governor vetoed.

At each stage in the development of this E-12 omnibus bill (from the version passed in regular session to the final version in special session) the bill grew, in order to satisfy more of the various interest groups involved in education, but it did not attempt bold reforms of an underperforming system. It is also a particularly noxious practice to throw new policy items (such as the bilingual education extension, or the American Indian community coordinators, or the unfunded proposed entitlement for public-school swimming instruction) into a bill that contains so many critical parts of the state budget. Finally, pushing it to special session where the leaders agree to quickly introduce a new version without hearings or opportunities for amendments disenfranchises many of the elected officials that are supposed to have some responsibility for these matters. For these reasons, LEA favored a NO vote on the bill that passed the Senate 53-12, the House 115-10, and was signed into law.

### 2. Omnibus Legacy Projects Bill

**SSSF1. Sen. Cohen. [SSHF5. Rep. Urdahl.]**

This bill allocates over the next two fiscal years approximately \$541 million of legacy sales tax revenues. The allocations are assigned to these dedicated-fund categories: Outdoor Heritage Fund, Clean Water Fund, Parks and Trails Fund, and the Arts and Cultural Heritage Fund. The bill also adds or modifies a number of policies. It requires the Board of Soil and Water Resources to develop content standards for comprehensive watershed management plans, and to transition to comprehensive watershed management plans by the year 2025. The duties of the BWSR are further expanded to include the development and implementation of a state-led technical training and certification program. The bill also states that the Department of Natural Resources is encouraged to plant milkweed when feasible, and requires the Commissioner of Administration to provide free rehearsal space in one area of the state capitol complex for the Minnesota State Band.

LEA does not believe all these matters should ever be thrown into a single 102-page bill. Particularly egregious is the mixing of fund allocations with new policy language. Also, even though the Legacy Amendment created four

separate funds, accountability is sacrificed when the appropriations are not addressed with separate bills. The whole premise of dedicated funds for things that could be funded through the normal budgeting process makes it easier to avoid spending on key government priorities, and makes it easier for such questionable state expenditures as Minnesota Public Radio or Urban Native American immersion schools to escape scrutiny. When it is done in special session, the committee hearing process is also typically bypassed. Therefore LEA favored a NO vote on the bill that passed the Senate 54-10, the House 116-6, and became law.

### **3. Omnibus Liquor and Sunday Growler Sales**

**SF1238. Sen. Metzen. [HF1090. Rep. Sanders.]**

This bill include statutes regulating liquor sales for brew pubs, small brewers, and micro distilleries. Bars and restaurants obtaining special Sunday licenses from municipalities or counties may begin selling alcohol on Sundays at 8 am. Growlers can be sold on Sunday at small brewers and brew pubs. It caps quantities produced by small breweries and specifies types of containers that may be used. Local governments are required to approve the change before micro distilleries are allowed to sell one 375 milliliter bottle per customer per day for off-site consumption.

A micro distillery is required to purchase a temporary license for an on-sale of intoxicating liquor for an event if that event is sponsored by them. Brewpubs may sell malt liquor exclusively to a single retail license for sales at a single location at the State Fair. Sales may be made directly by the brew pub to the retail licensee or through licensed wholesalers.

This bill contradicts LEA's credo that supports small government. It clearly over regulates business and limits free enterprise. LEA favored a NO vote. It passed in the Senate 56-8 and in the House 127-4. The governor signed it in to law May 1, 2015 and it became effective on June 14.

### **4. Approval of Executive Branch Officer Salaries**

**SF174. Sen. Cohen. [HF264. Rep. Knoblach.]**

One part of this bill was to keep Governor Dayton and future governors from raising commissioners' salaries without legislative oversight. It included a one day window (July 1) to allow the governor to remake his changes for this year only. A recent law had given the governor the authority to make such pay raises, but the governor arbitrarily raised salaries by an average on 25% for all commissioners, which was considered an abuse of power by most Minnesotans.

Another part of the bill was related to deficiency funding and bailed out all over-expenditures of 2014 budgets. LEA

viewed this both as a reward for mismanaging budgets and as raising the baseline for future budgets. As such it reflected poor fiscal restraint by the legislature and lack of control of bureaucratic creep. LEA did not think these two issues should have been combined into one bill, and favored a NO vote based on the irresponsibility shown in both parts of the bill. It passed in the Senate 35-29 and in the House 108-20.

### **5. Various State Employee Compensation Agreements Ratified**

**SF280. Sen. Metzen. [HF488. Rep. Knoblach.]**

This bill ratified agreements for six separate groups of state employees. On average, these agreements raised compensation 4.5% (well above the inflation rate in either of the two most recent biennia) for the period from July 2013 to June 2015, and increased the baseline for the next biennium by 6.63%. In addition to wage/benefit increases, many of these agreements include "step" increases for those who acquire more seniority or credentials while keeping the same job categories. There are also many benefits, extra incentives, and rights extensions built into these contracts.

The bill itself, which simply ratifies agreements not spelled out in it, obscures from public view the dysfunctional processes Minnesota uses to implement these labor agreements. Prior to ratification, each agreement is forwarded to the Legislative Coordinating Commission's Subcommittee on Employee Relations. In the cases of collective-bargaining agreements or agreements done through binding arbitration, the subcommittee can only vote up or down; there is no option to modify them. If the subcommittee fails to act within 30 days of an agreement being reached, it automatically takes effect. The subcommittee, which has direct power between legislative sessions to approve or reject agreements, often votes after the 30-day window which allows automatic approval, and legislators usually ratify agreements long after they have taken effect. In most cases, employees are being paid the new contract wages for over 18 months before the contracts are brought to the legislative bodies for ratification. Because a rejection at that point would mean an effective pay cut to employees who had received pay increases under interim approval, rubber-stamp legislative approval has been a given.

The negotiation process is also flawed. Because of the nature of the government employee unions, representatives of these unions end up negotiating contracts with appointees of the governor. This can be a direct conflict of interest when the governor has received endorsements or campaign contributions from the unions. This bill, which lumped together different contracts for union and nonunion state employees



without delineating any details, doesn't facilitate substantive debate. A lawmaker who only read the bill could not be informed of what they were voting on—a fundamental violation of good-government precepts. LEA favored a NO vote to indicate dissatisfaction for the lack of accountability, transparency or proper timing in the process for approving state-employee compensation. The bill passed the Senate 50-13, the House 116-15, and was signed into law.

## **6. Authority to Seize and Confiscate Firearms Clarified**

**HF722. Rep. Newberger. [Included in Sen. Koenen Amendment to SF878.]**

This bill clarifies the authority of a public official or entity to seize or confiscate firearms/weapons during a state of emergency. The state of emergency must be proclaimed by the governor and must be related to a public disorder or a disaster.

An officer may disarm an individual only temporarily if the officer believes it necessary and falls within guidelines. If the individual is not taken into custody or if the items are not seized as evidence, the officer must return any seized weapons, ammunition or accessories. No government authority during a disaster or public disorder may seize weapons or related items or impede sales that have been lawfully permitted. An individual who has been violated may take his/her case to court. The district court must have jurisdiction where the violation occurred or where the individual resides. The court must then require that the seized items be returned. In addition to returning the items, the court must award the plaintiff reasonable court costs, expenses and attorney fees.

Clarification of the limits of public authorities to confiscate firearms and codifying a process for citizens to recover their lawfully owned weapons are worthwhile legislative objectives. LEA favored a YES vote. The House version passed 88 to 42. The provision was included in an amendment to SF878, the Omnibus Criminal Justice Policy Bill, which was passed and signed by the governor.

## **7. Sale and Purchase of Firearms from Other States Allowed**

**HF830. Rep. Lucero. [Included in Sen. Koenen Amendment to SF878.]**

This bill removes the contiguous state limitation on the sale and purchase of firearms. Prior to this legislation, a federally licensed firearms dealer from Minnesota was only authorized to sell and deliver long guns (rifles and shotguns) to persons who live in states that are bordering with

Minnesota. Similarly, residents of Minnesota were only authorized to purchase firearms from persons and dealers who reside in states that are adjacent to Minnesota.

This was a significant and unjustified restriction removed by the bill. LEA favored a YES vote. The bill passed 110-19 in the House. The provision was included in an amendment to SF878, the Omnibus Criminal Justice Policy Bill, which was passed and signed by the governor.

## **8. Abortion Facility Inspections**

**Sen. Fischbach / Rep. Kiel Amendments to SF1458. Sen Lourey. [SJ pg. 2790; HJ pg. 3791.]**

These two identical amendments would have required licensing and random semiannual inspections for facilities that perform ten or more abortions per month. Besides actual abortions, there are concerns that these clinics are being used for unauthorized purposes.

All other health-care facilities are subject to licensing and inspection. This bill would hold abortion facilities to the same basic standards of other facilities that perform outpatient surgeries. LEA favored a YES vote. The vote failed 29-32 in the Senate and passed 76-57 in the House. The abortion licensing and inspection language was removed from the omnibus health and human services bill in conference committee. The bill that came out of conference was repassed by both bodies and was signed into law.

## **9. E-Health Advisory Entities Extended and Stillbirth Research Expanded**

**SF1504. Sen. Marty. [HF1714. Rep. Pierson.]**

The bill extends the state E-Health Advisory Committee for six years until 2021 and the Council Administration for 10 years until 2025 to 2035. The bill also eliminates the 2015 expiration of the Maternal and Child Health Advisory Task Force leaving this organization a permanent government entity, and expands the Task Force to do stillbirth research. The bill's language leaves open the powers of the organization to collect, review, disseminate and research any information "...the Task Force deems appropriate..."

Information gathering on people or community health has benefits. But when collected without restrictions, caution, and accountability, safeguards of the people's privacy are unwisely entrusted to an appointed bureaucracy rather than elected officials.

Task forces, by definition, are supposed to be short term and not become a self-perpetuating agency. Without direct accountability to the people on data collection, retention, dissemination, mining, or research this bill is an offense to

the cause of liberty and to our republican form of government. LEA favored a NO vote. It passed in the Senate 61-3 and the House 113-18. It was signed by the governor.

## **10. Right to Try**

### **SF100. Sen. Petersen. [HF236. Rep. Zerwas.]**

This bill authorizes certified terminally-ill persons who have considered all FDA-approved treatments to use experimental drugs, biological products and medical devices that have passed through the first FDA clinical trial study phase. Insurance companies and state agencies are not required to cover any costs for these drugs, products and devices; therefore, costs are the patient's responsibility. Also, product and device manufacturers are not required to make them available.

LEA believes the bill's intent to protect the freedom of health care choice is valid. However, the presumption in policy of this bill is that only FDA screened choices are to be considered. This legislation fails to open a wide array of market and alternative choices for the patient. Even though patients have to pay for this type of health care, they are forced to wait until they have been certified terminally ill.

LEA, however, still favored a YES vote because the bill moves toward health freedom in a small incremental step to help patients in an ambiguous area of medical law. The bill passed the Senate 60-4 and the House 123-0, and was signed into law by the governor.

## **11. Nursing Home Receivership and Medical Cannabis Regulation**

### **HF1792. Rep. Baker. [SF1471. Eken.]**

This bill provides rules for state health department receivership of nursing homes in the event of abandonment by the operator, revocation of licenses, or loss of Medicare or Medicaid services, and allows the state human services department to establish receivership fees. In the middle of the nursing home receivership rules (Minnesota statutes 2014, section 144) is a set of regulations regarding medical cannabis manufacture and distribution (Minnesota statutes 2014, section 152).

This bill not only violates the single-subject rule, but interrupts the flow of the law that governs nursing home receivership. LEA considers the law to be both against constitutional intent and an extremely bad form of legislative practice.

LEA favored a NO vote. It passed in the Senate 52-10 and in the House 107-26, and became law.

## **12. School Age Child Care Program Licensure Exclusions**

### **HF1193. Rep. Petersen. [SF814. Sen. Wiklund.]**

This bill exempts non-profit providers of before and after school childcare services from licensing requirements if they obtain consent of the parents and disclose that they are not licensed. It alleviated a problem caused by recent legislation that expanded regulatory burdens and recognized parental rights to use much-needed private and community services.

LEA favored a YES vote. The Senate vote 65-0, the House vote was 79-50, and it was signed into law by the governor.

## **13. Automated License Plate Reading and Data Retention**

### **SF86. Sen. Latz. [HF222. Rep. Cornish.]**

This bill limits data collected by an automated license-plate reader to the following: license-plate numbers, date, time, and location data on vehicles and pictures of license plates, vehicles, and areas surrounding the vehicles. Collection of any data not specifically authorized by this language is prohibited. An "automated license-plate reader" is defined as an electronic device on a law enforcement vehicle or in a stationary location that is capable of recording data on, or taking a photograph of, a vehicle or its license plate and comparing the collected data and photographs to existing law enforcement databases for investigative purposes.

The most critical question is whether there is persuasive evidence to justify retaining private data unrelated to ongoing investigations or outstanding warrants. An alternative bill was submitted that proposed zero days of retainage for this private data. That there is a risk of a data breach is evidenced by the fact that the bulk of the bill is about protection of the private data retained for 90 days. Arguments for retaining this data were promoted without any reference to studies or other evidence. In summary, LEA supported a NO vote for the following reasons: there is no strong evidence of the value of retaining data, there will be a cost to protect this private data, and despite all reasonable efforts taken, data breaches are simply too common to ignore.

It was passed in the Senate 55-11 and in the House 96-35 and signed into law.

# SENATE

Pty	Dist	Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	2015%	C%
R	29	Anderson, B.	+	+	+	+	+			+	-	+	+	+	+	-	+	A	+	+	+	+	85	90
D	3	Bakk, T.	-	-	-	-	A			-	A	+	A	+	-	-	A	A	-	+	+	-	17	17
R	31	Benson, Michelle	+	+	+	+	+			+	+	+	-	+	+	-	+	+	+	+	A	-	80	78
D	44	Bonoff, T.	-	-	-	-	-			-	-	+	-	+	-	-	-	A	-	+	+	-	21	15
R	15	Brown, D.	A	A	-	+	+			+	A	A	A	+	A	-	-	A	+	+	A	+	48	68
D	51	Carlson, J.	-	-	-	-	-			-	-	+	-	+	-	-	-	-	-	+	+	-	22	9
R	38	Chamberlain, R.	+	+	+	+	+			+	-	+	-	+	+	-	+	+	+	A	+	-	74	79
D	59	Champion, B.	-	-	-	-	-			-	-	+	-	+	-	-	-	-	-	+	+	-	22	4
D	57	Clausen, G.	-	-	-	+	-			-	-	+	-	+	-	-	-	-	-	+	+	-	28	15
D	64	Cohen, R.	-	-	-	-	-			-	-	+	A	+	-	A	-	-	-	A	+	A	10	8
D	20	Dahle, K.	-	-	-	-	-			-	-	+	-	+	-	-	-	-	-	+	+	-	22	9
R	16	Dahms, G.	-	-	-	+	-			+	-	+	+	+	-	-	-	A	+	+	+	-	44	64
D	61	Dibble, D.S.	-	-	-	-	-			-	-	+	-	+	-	-	-	-	-	+	+	-	22	10
D	60	Dziedzic, K.	-	-	-	-	-			-	-	+	-	+	-	-	-	-	-	+	+	-	22	11
D	40	Eaton, C.	-	-	-	-	-			-	-	-	-	+	-	-	-	-	-	+	+	-	17	11
D	4	Eken, K.	-	-	-	+	-			+	-	+	-	+	-	-	-	-	-	+	+	-	33	28
R	13	Fischbach, M.	-	-	-	+	-			+	-	+	+	+	-	-	-	+	+	+	+	-	50	62
D	49	Franzen, M.	-	-	-	-	-			-	-	+	-	+	-	A	-	-	-	+	A	-	13	13
R	9	Gazelka, P.	-	-	-	+	+			+	-	+	-	+	-	-	-	+	+	+	A	-	44	70
D	41	Goodwin, B.	-	-	-	-	-			A	-	+	-	A	-	-	A	A	-	+	A	-	1	18
R	56	Hall, D.	+	+	+	+	+			+	-	+	-	+	-	A	+	+	+	+	+	+	80	82
R	48	Hann, D.	+	+	-	+	+			+	-	+	-	A	+	-	-	+	A	+	+	-	57	74
D	67	Hawj, F.	-	-	-	-	-			-	-	+	-	+	-	-	-	-	-	+	+	-	22	11
D	62	Hayden, J.	-	-	-	-	-			A	-	+	-	+	-	A	-	-	-	+	A	+	18	8
D	36	Hoffman, J.	-	-	-	-	-			-	-	+	-	+	-	-	+	-	-	+	+	-	28	11
R	39	Housley, K.	-	-	-	+	-			+	-	+	-	+	-	-	-	+	-	+	+	-	39	54
R	8	Ingebrigtsen, B.	-	-	-	+	-			A	-	+	+	+	-	-	-	+	+	+	+	+	50	65
D	24	Jensen, V.	-	-	-	-	-			-	-	+	-	+	-	-	-	-	-	+	A	-	15	14
D	37	Johnson, A.	A	A	-	A	-			-	-	+	-	+	-	-	-	-	-	+	+	-	18	13
D	53	Kent, S.	-	-	-	-	-			-	-	+	-	+	-	-	-	-	-	+	+	-	22	14
R	30	Kiffmeyer, M.	+	+	-	+	+			+	-	+	+	+	+	-	+	+	+	+	+	+	83	72
D	17	Koenen, L.	-	-	A	-	-			+	-	+	-	+	-	-	-	-	-	+	A	-	19	29
D	46	Latz, R.	-	-	A	-	-			-	-	+	-	+	-	-	A	-	-	+	+	-	19	9
R	34	Limmer, W.	-	+	-	+	+			+	-	+	+	+	-	-	-	+	+	+	+	+	67	80
D	11	Lourey, T.	-	-	-	-	-			-	-	-	-	+	-	-	-	-	-	+	A	+	15	7
D	66	Marty, J.	-	-	-	-	-			-	-	+	-	+	-	-	-	-	-	+	+	-	22	9
D	52	Metzen, J.	-	-	-	-	-			-	-	+	-	+	-	-	-	-	A	+	+	+	27	22
R	28	Miller, J.	-	-	-	+	-			+	-	A	+	+	-	-	-	+	A	+	A	-	32	51
R	26	Nelson, C.	-	-	-	+	-			+	-	+	-	+	-	-	-	+	A	+	+	+	44	59
R	18	Newman, S.	+	-	-	+	+			+	-	+	-	+	-	-	-	+	+	+	A	+	56	69
R	32	Nienow, S.	-	-	-	+	-			+	-	+	-	+	+	-	A	+	+	A	+	+	51	70
R	47	Ortman, J.	+	+	-	+	A			+	A	+	A	+	+	A	+	+	+	+	+	-	75	71

NO SENATE VOTE

NO SENATE VOTE

## KEY

R – Republican

D – Democratic-Farmer-Labor

+ Vote favored by LEA

- Vote not favored by LEA

A indicates legislator excused, absent, or not voting

X – not a member at time of vote

## Governor's Action

S - Sign

V- Veto

N - Not Applicable

34.83% = % of legislators' votes favored by LEA in 2015 session

2015% = legislator's 2015 score

C% = legislator's career average LEA score

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 2015 scored **80% or higher**, those receiving honorable mentions scored **at least 75%**.

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Corrections made to website if errors are discovered.

## SENATE

Pty	Dist	Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	2015%	C%
R	33	Osmeck, D.	+	A	-	+	+	NO SENATE VOTE		+	-	+	-	+	+	-	+	+	+	+	A	+	69	73
D	65	Pappas, S.	-	-	-	-	-			-	-	+	-	+	-	-	-	-	-	+	+	-	22	7
R	14	Pederson, J.	-	-	-	+	-			A	-	+	+	+	-	-	-	+	A	+	+	-	38	59
R	35	Petersen, B.	+	+	+	+	+			+	+	+	-	+	+	-	+	+	-	+	+	+	83	79
R	55	Pratt, E.	-	-	-	+	-			+	-	+	-	+	-	-	-	+	-	+	+	+	44	63
D	7	Reinert, R.	-	-	-	-	-			-	-	+	-	+	-	-	-	-	-	+	A	-	15	9
D	45	Rest, A.	-	-	+	A	-			-	-	+	-	+	-	-	-	-	-	+	+	-	27	21
R	23	Rosen, J.	-	-	-	+	-			+	-	A	+	+	-	-	-	+	+	A	A	-	32	48
R	10	Ruud, C.	-	-	-	A	-			+	-	-	+	+	-	-	+	+	+	+	+	-	44	64
D	5	Saxhaug, T.	-	-	-	-	-			-	-	+	-	+	-	A	-	-	-	+	+	-	21	15
D	42	Scalze, B.	-	-	-	-	-			-	-	+	-	+	-	A	A	-	-	+	+	-	19	13
D	21	Schmit, M.	-	-	A	-	-			-	-	+	-	+	-	A	-	-	-	+	+	-	19	14
R	25	Senjem, D.	+	-	+	+	-			+	-	+	-	+	+	-	-	+	-	+	+	-	56	57
D	19	Sheran, K.	-	-	-	-	-			-	-	+	-	+	-	-	-	-	-	+	A	-	15	9
D	54	Sieben, K.	-	-	-	-	-			-	-	+	-	+	-	-	A	-	-	+	+	-	21	11
D	2	Skoe, R.	-	-	-	-	A			-	-	+	-	+	-	A	-	-	-	+	A	+	18	22
D	27	Sparks, D.	-	-	-	-	-			+	-	+	-	+	-	-	-	-	-	+	A	+	27	22
D	1	Stumpf, L.	-	-	-	-	-			+	-	+	-	+	-	-	-	-	-	+	+	+	33	26
R	58	Thompson, D.	+	+	+	+	+			+	+	+	-	+	+	-	+	+	+	+	+	+	89	85
D	6	Tomassoni, D.	-	-	-	-	-			-	-	+	A	+	-	A	-	-	-	+	A	+	18	14
D	63	Torres Ray, P.	-	-	-	-	-			A	-	+	-	+	-	-	-	-	A	+	+	-	19	6
R	22	Weber, B.	-	-	-	+	-			A	-	+	-	+	-	-	-	+	+	+	+	-	38	55
R	12	Westrom, T.	-	-	-	+	A			+	-	+	-	+	-	-	+	+	-	+	+	+	50	65
D	43	Wiger, C.	-	-	-	-	-			-	-	+	-	+	-	-	-	-	-	+	+	-	22	15
D	50	Wiklund, M.	-	-	-	-	-			-	-	-	-	+	-	-	-	-	-	+	+	-	17	11

## HOUSE

Pty	Dist	Name	1	2	2	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	2015%	C%
R	55B	Albright, T.	-	-	-	-	-	+	+	+	-	A	-	+	-	-	-	NO HOUSE VOTE		+	+	-	33	64
D	62B	Allen, S.	-	-	-	-	A	-	-	-	-	+	-	-	+	-	A			A	+	A	10	9
R	9A	Anderson, M.	A	A	A	+	+	+	+	+	+	A	-	+	+	-	-			+	+	-	60	71
R	12B	Anderson, P.	-	-	-	-	-	+	+	+	-	+	+	+	-	-	-			+	+	-	44	62
R	44A	Anderson, S.	A	A	-	-	-	+	+	+	-	+	+	+	-	-	-			+	-	+	44	67
D	5B	Anzelc, T.	+	-	-	-	-	+	+	-	-	+	-	+	-	-	-			+	+	-	39	15
D	44B	Applebaum, J.	A	A	+	-	-	-	-	-	-	+	-	-	+	-	-			-	+	-	19	19
D	52B	Atkins, J.	-	-	-	A	-	+	+	-	-	A	-	-	A	-	-			+	+	-	18	10
R	12A	Backer, J.	-	-	-	-	-	+	+	+	-	A	A	+	-	-	-			+	+	-	32	32
R	17B	Baker, D.	-	-	-	-	A	+	+	+	-	+	-	+	-	-	A			+	+	-	38	38
R	32B	Barrett, B.	-	-	-	-	-	+	+	+	-	+	+	+	-	-	-			+	+	+	50	67
R	27A	Bennett, P.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	39
D	41A	Bernardy, C.	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-			-	+	-	11	23
D	20B	Bly, D.	-	-	-	-	-	-	-	-	-	+	-	-	+	-	-			-	+	-	17	6
D	45A	Carlson, L.	-	-	-	-	-	-	+	-	-	+	-	-	-	-	-			-	+	-	17	18
R	56A	Christensen, D.	-	-	-	-	+	+	+	+	-	+	-	+	-	-	-			+	-	-	39	39
D	62A	Clark, K.	-	-	-	-	-	-	-	-	-	A	-	A	-	-	-			-	+	+	7	13
D	19B	Considine, J.	-	-	-	A	-	-	+	-	-	+	-	-	+	-	-			-	+	+	27	27
R	23B	Cornish, T.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	55
R	24B	Daniels, B.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	39
R	31A	Daudt, K.	-	-	-	-	-	+	+	+	+	+	-	+	-	+	-			A	A	+	44	74
R	28B	Davids, G.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	+	44	67
D	63A	Davnie, J.	-	+	-	-	-	-	+	-	-	+	-	+	+	-	-			-	+	-	33	12
R	38B	Dean, M.	-	-	-	+	+	+	+	+	-	+	+	+	+	-	-			+	-	A	56	76
D	59B	Dehn, R.	A	A	-	+	-	-	-	-	-	+	-	-	+	-	-			-	+	+	26	13

# HOUSE

Pty	Dist	Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	2015%	C%
R	39A	Dettmer, B.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-	NO HOUSE VOTE		+	+	-	39	75
D	3A	Dill, D.	-	-	-	A	-	A	+	A	-	+	-	+	-	-	-			+	+	A	25	22
R	21B	Drazkowski, S.	A	A	-	+	+	+	+	+	+	+	+	+	+	+	-			+	-	+	76	88
D	49A	Erhardt, R.	-	-	-	-	-	-	+	-	-	+	-	-	-	-	-			+	+	-	22	42
R	15A	Erickson, S.	-	-	-	+	-	+	+	+	+	+	+	+	-	+	-			+	-	+	61	77
R	1A	Fabian, D.	-	-	-	-	-	+	+	+	-	+	+	+	-	-	-			+	+	-	44	68
R	53B	Fenton, K.	-	-	-	-	-	+	+	+	-	+	-	+	-	A	-			+	-	-	33	33
D	43A	Fischer, P.	-	-	-	-	-	-	+	-	-	+	-	-	-	-	-			+	+	-	22	12
R	8B	Franson, M.	-	-	-	-	+	+	+	+	+	+	-	+	+	-	-			A	+	+	56	72
D	45B	Freiberg, M.	-	-	-	-	-	-	-	-	-	+	-	-	-	-	-			-	+	-	11	4
R	58B	Garofalo, P.	-	-	-	-	+	+	+	+	+	+	-	+	+	-	-			+	-	+	56	63
R	2B	Green, S.	-	-	-	-	-	+	+	+	-	+	-	+	+	-	-			+	-	+	44	67
R	18B	Gruenhagen, G.	+	-	-	+	-	+	+	+	-	+	+	+	-	-	-			+	+	+	61	77
R	23A	Gunther, B.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	60
R	31B	Hackbarth, T.	-	-	-	-	+	+	+	+	-	+	-	+	-	+	-			+	-	-	44	74
D	51B	Halverson, L.	A	A	-	-	-	A	A	-	-	+	-	-	-	-	-			+	+	-	10	8
R	22B	Hamilton, R.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	57
R	2A	Hancock, D.	-	-	-	-	-	+	+	+	+	+	-	+	+	-	-			+	-	+	50	70
D	52A	Hansen, R.	-	+	-	-	-	+	+	-	-	+	-	-	+	-	-			-	+	+	39	11
D	66A	Hausman, A.	-	-	-	+	-	-	-	-	-	+	-	-	+	-	-			A	+	A	19	8
R	10A	Heintzeman, J.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	39
R	33A	Hertaus, J.	-	-	-	-	+	+	+	+	+	+	+	+	+	+	-			+	-	+	67	81
D	40B	Hilstrom, D.	-	-	-	-	-	+	+	-	-	+	-	-	-	-	-			-	+	-	22	13
R	47B	Hoppe, J.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-	NO HOUSE VOTE		+	+	-	39	73
D	61A	Hornstein, F.	-	-	-	-	-	-	-	-	-	+	-	-	-	-	A			+	+	-	15	7
D	36B	Hortman, M.	A	A	-	-	-	+	+	-	-	+	-	-	-	-	-			-	+	-	19	11
R	13A	Howe, Jeff	-	-	A	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	38	62
D	42B	Isaacson, J.	-	-	A	-	-	-	+	-	-	+	-	-	-	+	-			-	+	+	27	14
R	32A	Johnson, B.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	+	44	64
D	19A	Johnson, C.	-	-	-	-	-	-	+	-	-	+	-	-	-	-	-			+	+	-	22	12
D	67B	Johnson, S.	-	-	-	+	-	-	-	-	-	+	-	-	-	+	-			+	+	-	28	10
D	60B	Kahn, P.	-	-	+	-	-	-	-	-	-	+	-	+	A	-	-			+	+	-	27	9
R	21A	Kelly, T.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	61
R	1B	Kiel, D.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	62
R	14B	Knoblach, J.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	A	-	33	67
R	58A	Koznick, J.	-	-	-	-	+	+	+	+	-	+	+	+	+	-	-			+	-	-	50	50
R	9B	Kresha, R.	-	-	-	-	-	+	+	+	-	+	+	A	-	-	-			+	-	-	33	59
D	41B	Laine, C.	-	-	-	-	-	-	-	-	-	+	-	-	A	-	-			+	+	-	15	3
D	50B	Lenczewski, A.	-	-	-	-	-	-	-	+	-	+	-	-	-	-	-			-	+	-	17	31
D	66B	Lesch, J.	+	+	-	-	-	A	A	-	-	+	-	-	-	+	-			-	+	+	32	13
D	26A	Liebling, T.	-	-	+	+	-	-	-	-	-	+	-	-	-	+	-			+	+	-	33	12
D	4A	Lien, B.	-	-	-	-	-	+	+	-	-	+	-	-	-	-	-			+	+	-	28	14
D	43B	Lillie, L.	-	A	-	-	-	+	+	-	-	+	-	-	-	-	-			+	+	-	27	11
D	60A	Loeffler, D.	-	-	-	-	-	-	+	-	-	+	-	+	-	-	-			-	+	-	22	6
R	39B	Lohmer, K.	-	-	-	A	-	+	+	+	-	+	+	+	-	-	-	NO HOUSE VOTE		+	-	-	38	74
R	48B	Loon, J.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	+	44	66
R	55A	Loonan, B.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	-	-	33	33
R	30B	Lucero, E.	+	-	-	+	+	+	+	+	+	+	+	+	+	-	-			+	-	+	72	72
R	10B	Lueck, D.	-	-	-	-	-	+	+	+	-	+	+	+	-	-	-			+	+	-	44	44
R	57A	Mack, T.	A	A	-	-	-	+	+	+	-	+	-	A	-	-	-			+	+	-	32	64
D	67A	Mahoney, T.	-	-	-	-	-	-	-	-	-	+	-	-	-	+	-			+	+	-	22	15
D	65B	Mariani, C.	-	A	-	-	-	-	A	-	A	A	-	-	+	-	-			-	+	-	3	6
D	4B	Marquart, P.	-	-	-	-	-	+	+	+	-	+	-	-	-	-	-			+	+	-	33	32
D	51A	Masin, S.	-	-	-	-	-	+	+	-	-	+	-	-	-	-	-			+	+	-	28	10
R	29A	McDonald, J.	-	-	-	+	A	A	A	+	+	A	+	+	-	-	A	NO HOUSE VOTE		+	A	-	33	66
R	54B	McNamara, D.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	50



# HOUSE

Pty	Dist	Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	2015%	C%
D	6A	Melin, C.	+	-	-	A	-	+	+	-	-	A	-	-	+	-	-	NO HOUSE VOTE		-	+	+	32	18
D	6B	Metsa, J.	-	-	-	+	-	+	+	-	A	+	-	-	+	-	-			-	+	+	38	18
R	17A	Miller, T.	-	-	-	-	-	+	+	+	+	+	+	+	-	-	-			+	+	+	56	56
D	65A	Moran, R.	-	-	-	-	-	-	A	-	-	+	-	+	-	-	-			-	+	-	15	9
D	59A	Mullery, J.	-	-	-	-	-	-	+	-	-	+	-	+	-	A	-			-	+	-	21	15
D	64A	Murphy, E.	+	-	-	-	-	-	+	-	-	+	-	-	+	-	-			-	+	+	33	8
D	3B	Murphy, M.	-	-	-	+	-	+	+	+	-	+	-	-	+	-	-			+	+	+	50	22
R	47A	Nash, J.	-	-	-	-	+	+	+	+	+	+	+	+	+	-	-			+	+	A	62	62
D	40A	Nelson, M.	-	-	-	+	-	-	+	-	-	+	-	-	-	-	-			+	+	-	28	11
R	15B	Newberger, J.	+	-	-	+	+	+	+	+	-	+	-	+	+	-	-			+	-	+	61	75
D	37A	Newton, J.	-	-	-	+	-	+	+	-	-	+	-	-	+	-	-			-	+	-	33	8
R	8A	Nornes, B.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	60
D	25B	Norton, K.	-	-	+	+	-	-	-	-	-	+	-	A	-	-	-			-	+	-	21	11
R	13B	O'Driscoll, T.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	62
R	29B	O'Neill, M.	-	-	-	-	-	+	+	+	-	+	+	+	-	-	-			+	+	-	44	64
D	28A	Pelowski, G.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-	NO HOUSE VOTE		+	+	-	39	32
R	34A	Peppin, J.	-	-	-	-	+	+	+	+	+	+	+	+	-	+	-			A	A	+	57	82
D	5A	Persell, J.	-	-	-	-	-	+	+	-	-	+	-	-	-	-	-			-	+	-	22	11
R	24A	Petersburg, J.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	53
R	56B	Peterson, R.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	-	-	33	33
R	26B	Pierson, N.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	39
D	64B	Pinto, D.	+	-	-	-	-	-	+	-	-	+	-	-	-	-	-			+	+	-	28	28
D	27B	Poppe, J.	-	-	-	-	-	+	+	-	-	+	-	+	-	-	-			+	+	-	33	15
R	33B	Pugh, C.	-	-	-	-	+	+	+	+	+	+	+	+	-	-	-			A	-	-	44	71
R	25A	Quam, D.	-	A	-	+	+	+	+	+	+	+	+	+	+	-	-			+	+	+	74	82
R	11B	Rarick, J.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	39
D	49B	Rosenthal, P.	-	-	-	-	-	-	+	-	-	+	-	-	-	-	-			+	+	-	22	10
R	38A	Runbeck, L.	-	-	-	-	-	+	+	+	+	+	-	+	-	-	-			+	-	-	39	78
R	37B	Sanders, T.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	66
D	54A	Schoen, D.	-	-	-	-	-	-	+	-	-	+	-	-	-	-	-	NO HOUSE VOTE		-	+	+	22	12
R	22A	Schomacker, J.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	63
D	7A	Schultz, J.	+	-	-	+	-	-	-	-	-	+	-	-	-	-	-			-	+	+	28	28
R	35B	Scott, P.	-	-	-	-	-	+	+	+	-	+	-	+	+	-	-			+	+	+	50	72
D	48A	Selcer, Y.	-	-	-	-	-	-	+	-	A	+	-	-	-	-	-			+	+	-	21	13
D	7B	Simonson, E.	-	-	-	-	-	-	+	-	+	A	+	-	-	-	-			A	+	+	26	13
D	50A	Slocum, L.	-	-	-	-	-	-	-	-	-	A	-	A	-	-	-			-	+	A	-2	4
R	34B	Smith, D.	-	-	-	-	-	+	+	+	+	+	+	+	-	-	-			+	-	-	44	44
D	11A	Sundin, M.	A	A	-	-	-	+	+	-	-	+	-	-	-	-	-			+	+	-	26	13
R	16A	Swedzinski, C.	-	-	-	-	-	+	+	+	-	+	+	+	-	-	-			+	+	+	50	71
R	14A	Theis, T.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	-	-	33	53
D	61B	Thissen, P.	+	+	-	-	-	-	+	-	-	+	-	-	+	-	-	NO HOUSE VOTE		-	+	A	33	10
R	16B	Torkelson, P.	-	-	-	-	-	+	+	+	-	+	+	+	-	-	-			+	+	-	44	65
R	36A	Uglen, M.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	-	-	33	51
R	18A	Urdahl, D.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	53
R	20A	Vogel, B.	-	-	-	-	-	+	+	+	-	+	-	+	+	-	-			+	-	-	39	39
D	63B	Wagenius, J.	-	+	-	-	-	-	-	-	-	+	-	-	-	-	-			-	+	-	17	11
D	53A	Ward, J.A.	-	+	-	-	-	-	+	-	-	A	-	-	-	-	-			+	+	-	21	12
R	35A	Whelan, A.	-	-	-	-	-	+	+	+	-	+	+	+	+	-	-			+	+	-	50	50
R	57B	Wills, A.	-	-	-	-	-	+	+	+	-	+	-	+	-	-	-			+	+	-	39	62
D	46A	Winkler, R.	-	-	-	+	-	-	+	-	-	+	-	-	-	-	-			A	+	A	19	7
D	42A	Yarusso, B.	-	-	-	-	-	-	+	-	-	+	-	-	-	-	-			-	+	-	17	10
D	46B	Youakim, C.	-	-	-	-	-	-	+	-	-	+	-	-	-	-	-			-	+	-	17	17
R	30A	Zerwas, N.	-	-	-	A	-	+	+	+	-	+	-	+	-	-	-			+	-	-	33	59

Governor's Action	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Dayton, Mark	S	S	S	S	S	N	N	N	S	S	S	S	S	S	S	N	N	S	S	S

## **14. Banning Certain Flame-Retardant Chemicals**

**SF1215. Sen. Marty. [HF1100. Rep. Howe.]**

This bill will ban by 2018 the manufacture and wholesaling of four types of flame-retardant chemicals in children's products and upholstered residential furniture. By 2019 the ban extends to the retail sale of new products containing these chemicals. Replacements for those chemicals are also prohibited if there is credible scientific evidence that the replacement is known or highly suspected to cause cancer, birth defects, or disruptions to various systems in the human body. The bill also requires the MN Commissioner of Health to work with stakeholders to develop by January 2016 a report for the legislature on related laws and regulations in other states, fire-safety standards, and findings linked to studies of flame retardants' safety and health impacts on firefighters.

This ban reflects Minnesota's tendency to ban commonly-used products (bans on certain plastic sippy cups, anti-bacterial soaps, and formaldehyde being some recent examples) without rationally studied outcomes. The original version of the bill did not require the impact report, and would have added six more chemicals to the list of flame retardants being banned. Nevertheless, the main group pushing for these types of chemical bans hailed the final bill as the strongest ban in the nation for flame retardants.

The emotional campaign to ban these chemicals purports to save lives but ignores realities. The banned retardants have been effective in delaying fires' spread. There is no proof that more firefighters and others will die if the ban is not imposed. The claims of high cancer rates among firefighters could have alternate explanations, such as inadequate safety gear or a greater prevalence of more combustible synthetic materials in buildings. Even if there are increased risks from some flame-retardant chemicals, the ban will not remove chemicals from existing homes, so it will make little near-term difference to firefighters.

Consumers, manufacturers (such as 3M—a major manufacturer of flame retardants), insurance companies and others have far more at stake—and far more information about the tradeoffs involved—than legislators, who settle for doing something they can tout as a “fix” for perceived dangers, regardless of the actual impact. These laws don't help. They drive up costs and limit options for everyone. Any enforcement mechanism for the law comes from excessive litigation or denial of permits, which place extra burdens on our state's economy. Unfortunately, the bill is the latest consumer regulatory bill to encounter ineffective

opposition. LEA favored a NO vote. The bill passed the Senate 57-0, the House 125-6, and became law.

## **15. Transportation Network Company Insurance**

**SF1679. Sen. Dziezic. [HF1783. Rep. Swedzinski.]**

This bill codifies the minimum insurance requirements for drivers of Transportation Network Companies (TNC), like Uber and Lyft. Primary coverage amounts are made consistent with insurance coverage for other commercial drivers. While a driver is logged on to a TNC digital network, even before committing to pick up a rider, commercial coverage is required and insurance companies do not have to pay for claims under the owner's policy.

LEA has two primary concerns with this bill. 1) Existing law already requires commercial insurance when TNC drivers are engaged in a commercial enterprise, so the law adds nothing of value. 2) The law triggers the requirement for commercial insurance at the moment that the driver logs on to the TNC even though not committed to hauling a passenger, needlessly burdening these entrepreneurs. Drivers will be penalized with a higher premium that benefits the insurance companies and insulates existing transportation companies from competition. For these reasons, LEA favored a NO vote. It passed the Senate 49-12, the House 131-0, and became law.

## **16. Osmek Light-Rail Cost Amendment to Omnibus Transportation Bill**

**Osmek Amendment to SF1647. Sen. Dibble. [SJ page 2916.]**

Senator David Osmek's amendment required legislative appropriation of the capital costs of light rail transit projects prior to spending any state money. It also required legislature to pass a law authorizing local expenditures if the LRT project would ultimately require state funding.

This amendment was a reaction to the Met Council, counties, and regional rail authorities making light rail financial commitments that required state funds, before the legislature has given approval. Many upfront costs are committed to develop light rail projects (such as the proposed SW light rail), without state approval, even though the projects will require a 10 percent state match of funds to qualify for federal transit funds.

That such an amendment was required reflects how far removed our legislative appropriation approval process has strayed from the Minnesota Constitution. There are few principles more foundational than that the power of the purse resides in the legislature. For all practical purposes,

this trend where appropriations power in the legislative branch is directed by the actions of local authorities or the executive branch creates unequal branches and a dysfunctional, less-trusted governing process.

LEA favored a YES vote. It was defeated in the Senate 25-36.

## 17. Amendment to Cut Felon-Voting Language from Omnibus Public Safety Bill

**Limmer amendment to SF878. Sen. Latz. [SJ page 2584.]**

Senator Warren Limmer's amendment was to delete the voting-restoration language that would have restored full voting rights to felons immediately upon release from prison without serving full sentences.

The idea of restoring voting rights to all felons released from prison has gained momentum across the political spectrum, from religious leaders preaching forgiveness, to social-justice liberals, to libertarians worried about too many felonies on the books leading to societies with too many disenfranchised members. A legitimate way to address these concerns would be to support separate bills to repeal or reduce the status of specific felonies, but not to insert language into an omnibus bill.

Felons should not have the right to vote until their full civil rights are restored per Article VII, Section I of the Minnesota Constitution, and the felon has completed any and all incarceration, restitution, community service, parole and probation. (Full civil rights restored include holding office, serving on a jury, moving freely and no longer reporting to a probation officer.) It should be noted that it is not the function of the legislative branch to restore a felon's civil rights; rather, restoration occurs when the court issues a discharge order informing the felon they are no longer under control of the court. Thus, the Voting Restoration Language is a violation of Separation of Powers, and the restoration of civil rights needs to occur first before the right to vote, a citizenship right, is restored. Fortunately, the voting-restoration language was not in the House version of the public-safety bill or the version that made it to the governor's desk.

LEA favored a YES vote on the Limmer amendment. It was defeated in the Senate 19-42.

## 18. Plat Approval and Estate Taxes

**HF262. Rep. Smith. [SF72. Sen. Thompson.]**

This bill gives local officials authority to approve minor parcel subdivisions within plats, and makes property transfer after foreclosures more efficient by giving examiners authority to transfer titles if documentation is clear. It also outlines

procedures to ensure collection of estate taxes, including generation-skipping taxes, when property is transferred. This bill is largely procedural and does not affect the type or amount of taxes to be collected in property transfers.

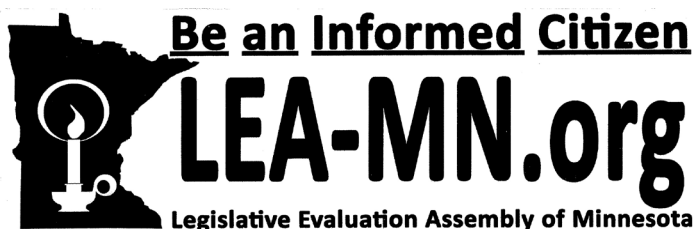
LEA favored a YES vote. It passed the Senate 63-0, the House 94-32, and became law.

## 19. Foreclosure Laws Extended to Farms

**SF1587. Sen Ingebrigtsen. [HF1187. Rep. Bly.]**

This bill provides equity-stripping protections during foreclosures to rural farm residences that were previously provided to other residential dwelling units. It is largely designed to prevent unlicensed "foreclosure consultant" behavior that either delays transfer of property or leads to compensation derived from equity in the property, essentially stripping property equity from the owner (generally a bank).

LEA considers such equity stripping a form of property theft and favored a YES vote. It passed the Senate 49-0, the House 105-25, and became law.



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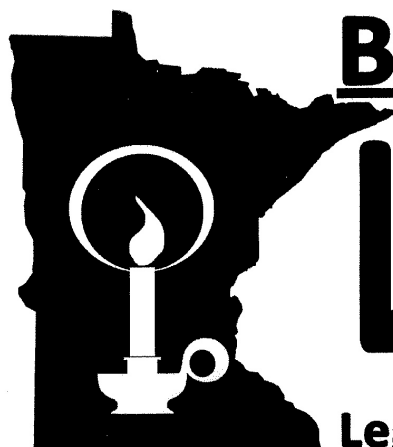
## 20. Crow Wing Officer Elections Circumvented

HF916. Rep. Lueck. [SF 753. Sen. Ruud.]

The law gives the Crow Wing County Board the power to appoint the officers of County Auditor-Treasurer and County Recorder, which have been elected positions. The law also provides for the citizens a referendum process (a limited 60 day period) to repeal the Crow Wing County Board vote to appoint the positions.

This isolates over 40,000 eligible voters from their constitutional power to elect a representative government and is a usurpation of power by public servants. The electorate should not be forced to initiate a referendum to reclaim their rights. HF916 directly violates the founding principle of citizen control of government and separates the citizen from public responsibility.

LEA recommended a NO vote. It passed the Senate 45-21, the House 92-34, and was signed into law.



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## Legislative Evaluation Assembly of Minnesota

2015 LEGISLATIVE REPORT

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