



2022 REPORT on the MINNESOTA LEGISLATURE

by the
LEGISLATIVE EVALUATION ASSEMBLY
of MINNESOTA, INC

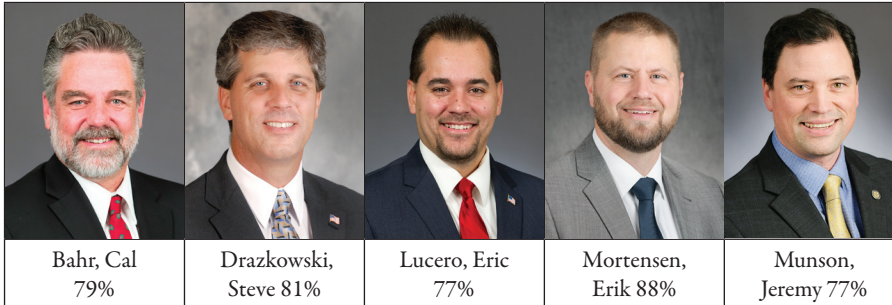
for an
INFORMED CITIZENRY



Founded in 1972 • www.lea-mn.org

CREDO — *The Legislative Evaluation Assembly of Minnesota (LEA) is a non-partisan and non-profit organization, established to inform the citizens of Minnesota of both important legislation and the voting performance of each Minnesota state legislator. LEA bases its evaluation on our declared American founding principles of self-evident truths and inalienable rights. These principles provide a basis for a constitutionally limited government established to sustain life, liberty, justice, property rights and free enterprise. LEA encourages the use of the material in its Reports, in whole or in part, with attribution, by any group or individual.*

2022 LEA HOUSE HONOREES (No Senate Honorees)



HONORABLE MENTION:

House:
*Backer, Jeff
Green, Steve
Hertaus, Jerry
Koznick, Jon
McDonald, Joe
Mekeland, Shane
Miller, Tim*

2022 LEGISLATIVE REVIEW

Legislators Overwhelmed by Their Own Processes

This year representative government has taken a beating. Last year LEA reported on the authoritarian nature of the governor’s peace-time emergency that derailed the legislative process and enacted one-man rule. This year the legislature is back in the saddle but are still neglecting their duty.

Legislators have continued to pack most of their legislation into multi-subject bills (a.k.a. “omnibus bills”) crafted in closed-door negotiations, and only revealed to the public (and sometimes to the legislators) at the last minute. Most of the verbiage in these bills was supplied by executive-branch bureaucrats and special-interest groups. Legislators use urgency to insert policy into spending bills they are compelled to pass, either out of expediency or because they couldn’t be passed on their own.

House leadership explicitly condoned making a transfer of funds to address mandated increases in employers’ unemployment insurance payments conditional upon setting up an unrelated program to provide “hero pay” bonuses to workers deemed “essential” during the pandemic, which made it very difficult for legislators to oppose the program if they wanted the unemployment-insurance fix. Also, if not for the vocal objection from one legislator on the Senate floor, the leaders were prepared to change the start date of next year’s legislative session in a bill that was only supposed to consist of technical corrections.

Omnibus bills are a violation of our state constitution’s single-subject rule and a way to circumvent a consensus of the governed. The Minnesota supreme court’s failure to call a halt to these violations does not erase the constitution’s clear and unambiguous wording.

This adds many laws to our statutes and spends taxpayer money on provisions that are not supported by most Minnesotans. Individual freedoms and good government are casualties of this process.

This year, the consequences of these giant omnibus bills became obvious to even the casual observer. HF4065, a statute reorganization bill when it first passed the House, was replaced on the Senate floor with a delete-all omnibus health policy amendment that included a controversial provision, originally a stand-alone bill, legalizing some edibles containing THC (the active ingredient in cannabis). The last-minute change provided no time for proper review of this provision or others in the bill. This was an example of legislators being overwhelmed by their own process.

The sheer size of these bills renders citizen oversight impossible, as the individual provisions are buried among mountains of unrelated verbiage. The problem has been worsening for several decades as the number of bills per session has fallen, while the average size of each bill has grown. In the 1973/74 biennium, there were 1366 bills passed by the legislature, mostly single-subject and well-vetted. Compare that to the mere 113 bills in 2021/22, many of which were unconstitutional and incomprehensible bills.

Why did legislators have time to do it right in the 1970s, but not now, with all the computer-based research and word-processing tools they have at their disposal? The legislature faces a problem much of its own making. Omnibus legislation has fostered excessive growth in the scope and cost of government, rendering legislative oversight unmanageable.

The executive branch, with its thousands of employees, plus dozens of politically-connected nonprofit organizations and other

special interest groups, provide a flood of requests the legislators fail to distill into good laws passed by consensus.

Minnesotans are being governed by bureaucrats their legislators are supposed to oversee. These bureaucrats, who often have little or no experience in the private sector, believe they can use the force of government to manage citizens and the economy. They appear to be more afraid of a free society than defenders of it. They seek to insulate their fiefdoms with funding independent of legislative appropriation.

Many citizens seem content to leave their fate in the hands of government “experts.” They think government regulators are wiser, more compassionate, and honest than their fellow citizens—businesspeople, doctors, caregivers, and service personnel. This reveals a lack of the vigilance that a government of the people requires. Legislators and citizens have both failed to retrieve self-government from the authoritarians, bureaucrats, and special interests who are all too willing to take citizens’ money and run their lives.

1. Omnibus State Government Finance and Policy Bill HF4293. Rep. M. Nelson. [SF3975. Sen. Kiffmeyer.]

Summary: The 189-page Senate version of this omnibus bill required voter records to be updated before the canvassing board meetings to ratify election results. It also required livestreaming of drop box locations and ballot board activity during the election period, and data retention of those audio/video files for approximately two years. It appropriated money to cover the estimated cost of the requirements. Any political party could request in advance to appoint someone to serve as a ballot board observer. Vaccination requirements would be prohibited for election judges and ballot board members. New requirements and audits would be implemented regarding grants to nonprofit organizations. The Department of Transportation would be prohibited from any spending toward a Twin Cities-to-Duluth “Northern Lights” passenger rail line, or toward a land bridge over I-94 in St. Paul. Hundreds of millions of dollars would also be appropriated to Transportation in state matching dollars necessary to qualify for the recently-passed federal Infrastructure and Investment Jobs Act (IIJA) funds. Minnesota would be required to conform to any federal change of standard time.

The 247-page House version also appropriated matching-fund money to qualify for the IIJA funds, and also some money to qualify for more federal Help America Vote Act funds. Many other departments would receive supplemental funding in the House version. A Road Usage Charge Task Force would be created to develop a system of charging fees based on miles traveled. A Legislative Task Force on Aging would be created and instructed to examine whether we need to create a MN Department of Aging. Municipalities would be authorized to create their own hotel-licensing ordinances. MN Management and Budget would be required to designate a Disability Employment Director who (along with the state’s Chief Inclusion Officer) would be tasked with providing training to deliver “inclusive” public services and work environments for protected classes of people. The House would also create a gross misdemeanor crime of “intimidation” of an election official, as well as civil remedies for intimidation. The scope of regulations limiting “express advocacy” election-oriented communications would be expanded.

Both bodies passed supplemental funding for enlistment/veteran bonuses and money for upgrading state veterans’ homes, but that also passed later in session in a separate bill.

Analysis: New federal matching funds opportunities drove much of the supplemental budget spending, but there were also some other items that were just additions to FY 2022-23 budgets. The State Government Finance/Policy and Elections Committees are supposed to focus on election matters and the operations of the state constitutional offices, including the governor’s executive administration. Expanding the scope to cover many transportation-related matters that should be in a transportation bill or bills is a worrying development. HF4293 contains enormous amounts of appropriations, policies, and governance (not all listed here), and the content of some of the policies (especially in the House) was highly objectionable. There is no common theme, much less a “single subject,” to hold legislators accountable for any of these items.

Recommendation: LEA favored a NO vote. Different versions of this bill passed the Senate 40-26 and the House 70-63. It was in conference committee when the legislature adjourned, so it was not signed into law.

2. Omnibus Health and Human Services Policy Bill HF4065. Rep. Schultz. [SF3816. Sen. Abeler.]

Summary: When it first passed the House, HF4065 was 48 pages and narrowly focused on reorganizing sections of MN Statutes pertaining to long-term-care consultation services and to the MN Board on Aging. Seven weeks later, on the last business day of session, the bill reached the Senate floor but was replaced with a 17-article, 458-page delete-all amendment. Though it did contain the language from the bill that first passed the House, it went far beyond reorganizing statutes.

Among the language added to the bill was a section specifying the duties and powers of the Ombudsperson for Managed Care, and a section establishing a loan-forgiveness program for qualified home-or-community-based health care workers who serve older adults. The definition of radioactive byproduct material was expanded. Edible cannabinoid products containing 0.3% or less THC were removed from the list of Schedule I controlled substances. An Opioids, Substance Use and Addiction Subcabinet was established in statute and given duties, along with a governor-appointed advisory council to the subcabinet led by an appointed Addiction and Recovery Director. The Commissioner of Health was directed to award grants to organizations focused solely on fetal-alcohol-spectrum disorders. An exemption from medical residency requirements for certain podiatrists was slightly expanded. Penalty fees for certain lapsed licenses were established. The bill also added language requiring written and periodically-updated patient-provider agreements prior to using scheduled drugs to treat chronic intractable pain, and requiring minimum staffing ratios for sleeping hours at psychiatric residential treatment facilities. More policy items were included than can be listed here.

Analysis: HF4065 offered expanded bureaucracy as a solution to drug abuse and mental health problems. More subcabinets, ombudspersons and advisory councils are unlikely to achieve net benefits for the public. The final bill also represented a massive abuse of process.

Whatever one thinks of changing the law governing edible cannabinoids, the specific changes buried in the middle of this bill did not get any attention as part of the final-day floor amendment. They only got attention from the media and general public after the fact when the law went into effect. To put it bluntly, a narrowly-focused bill was hijacked to be a multi-subject vehicle for passing edibles legalization and many other policy changes that otherwise weren't going to get over the finish line.

Recommendation: LEA favored a NO vote. The bill passed the Senate 66-0, the House 68-65, and was signed into law.

3. COVID Relief Payments

SF2677. Sen. Pratt. [HF3166. Rep. Pelowski.]

Summary: This bill disbursed \$3.43 billion for COVID relief and compensation related to the March 2020 to June 2021 economic lockdown. It spent \$2.34 billion in federal funds and \$406 million from the general fund to repay the unemployment compensation fund and forgive employer unemployment insurance payments. \$511 million was allocated from the general fund for equal payments to emergency worker applicants' bonuses of up to \$1,500. COVID management costs of \$190 million were allocated to pay for management costs for testing, vaccinations, public education, and health support, with the Legislative COVID-19 Response Commission being informed of all payments over \$2.5 million.

Analysis: The true costs of the economic and psychological hardships caused by the Governor's dictatorial lockdown in reaction to COVID-19 cannot be known. This bill pays for costs related to unemployment, bonuses to frontline workers, and COVID-19 management expenses. All of these payments require applications by individuals and organizations to the state. Thus, payments will go to the most demanding citizens and not necessarily the most deserving. Many citizens who lost businesses or suffered psychological harm are not compensated. The alternative would be to send equal payment to all taxpayers, reducing administrative costs and bureaucracy, and eliminating the opportunity for corruption.

Recommendation: LEA believes that the initial two-week emergency lockdown was an adequate time to prepare hospitals for an influx of patients and understand the threat of COVID-19. Payments from the Federal government compensated for this. The Governor's continued emergency powers and mandates caused an economic disaster for the people of Minnesota, who deserve an apology and compensation from him.

LEA favored the reimbursement for unemployment that was the largest portion of the bill. This was compensation to employees and employers for mandatory work stoppage. However, the other forms of compensation were unevenly distributed without much supervision. Some recipients merit frontline workers' pay while others do not. Opportunity for corruption by organizations is guaranteed. People who lost businesses will get nothing. Everyone who wants a payout will need to fill out forms in a limited time. This form of compensation is feudalistic and irresponsible.

LEA would have preferred to see the unemployment compensation fund replenished in a separate bill. Then any remaining additional funds sent as lump-sum payment without filling out a form,

equally divided among all Minnesota taxpayers. LEA favored a NO vote. The bill passed the Senate 65-1, the House 124-5, and was signed into law.

4. Omnibus Agriculture Bill – Drought Relief and Broadband Expansion

HF3420. Rep. Sundin. [SF3479. Sen. Westrom.]

Summary: This bill appropriates \$8.1M (million) for drought relief funding for livestock and specialty crop producers, \$2.5M for the RFA (Rural Finance Authority) to expand loan forgiveness, \$1M for Veterinary diagnostics, \$1.5M to Agriculture Emergency Fund and \$5M to replace drought-killed seedlings. The MN Commissioner of Agriculture is to establish a Soil Health Financial Assistance pilot program and award grants to farmland owners or lessees. It expands eligibility for assistance to farmers who made only 25% of their past year of income from farming from the previous eligibility policy of 50% of their 3-year average income.

The bill appropriates \$25M for both 2023 and 2024. It transfers \$25M in both 2023 and 2024 from the General Fund to the Broadband Account and directs \$60.7M in federal money received via the American Rescue Plan Capital Account to the Broadband Account. It provides allocation guidance for Broadband investments on an expected \$100M from the Infrastructure Investment and Jobs Act passed in November 2021.

Analysis: This bill is the distillation of at least five House bills and six Senate bills via two different conference committees, plus an unknown number of private meetings among committee chairs and leadership in the House and Senate. Supporters view broadband investments as analogous to investments in roads and bridges. Legislators assume this is the only possible solution even though it is a rapidly evolving technology. It is projected that taxpayers will need to invest \$1.3 billion to connect 240,000 residences consistent with the download and upload speeds established for 2026. To spend \$1.3 billion without vigilant attention to alternatives is misguided at best.

Recommendation: Conference committee discussions with more than two bills are painful to watch. Few would conclude that any legislative efficiencies are gained by the process. This process delayed emergency assistance to farmers deciding week to week if they could keep their cattle for at least three months. The LEA favored a NO vote. The bill passed the Senate 66-1, the House 69-64, and was signed into law.

5. Omnibus Health and Human Services Policies and Supplemental Appropriations

SF4410. Sen. Abeler. [HF4706. Rep. Liebling.]

Summary: The 507-page Senate version of this bill appropriated \$161.8M (million) for 2023. It modified reimbursement rates for various care facilities and services along with provisions governing continuing care for older adults, human services operations and licensing children and family services, health-related licensing boards, scope of practice, and background studies. It expanded and renamed the higher education facilities authority to include nonprofit health care organizations, and it established a cabinet-level Department of

Behavioral Health. Some new grant programs were created and there was language regarding an interstate compact for nurses, audiologists and speech language pathologists, and licensed professional counselors. It repealed certain reports that had been mandated.

The 876-page final House version appropriated over four times more money. It would have mandated hospital nurse staffing committees and required hospital core staffing plans. The Commissioner of Health was directed to create a Climate Resiliency Program. Other new bureaucratic bodies in the House version included the Health Care Affordability Board and the Drug Affordability Advisory Council.

Analysis: Another omnibus health and human services bill appropriating \$817M was passed in the first year of this session. These complex bills that mixed finance and policy were largely products of an administrative department foisted upon a legislature and not responsible products of a legislature itself. When the House and Senate stalemated on this bill, several policy items in it (defining duties and powers of ombudsperson for managed care, requiring signed patient-provider agreements for treating intractable pain, allowing some THC edible cannabinoids to be legally sold to adults) were amended onto another bill that passed on the session's last business day. Allowing this type of process lets the administrative state make the legislature its servant, leading to bureaucratic tyranny.

Recommendation: LEA believes that both the House and Senate versions of this bill circumvented processes of good governance and constitutional intent that enable citizens in a democracy to hold their representatives and government accountable. LEA favored a NO vote. The Senate version passed 61-5 and the House version 69-64. The differences were not reconciled, and the bill did not become law.

6. Competency Restoration Procedures

HF2725. Rep. Edelson. [SF3395. Sen. Draheim.]

Summary: This bill addresses the gap created when a crime is committed by a person not competent to stand trial and who does not meet the standard for civil commitment. The objective of this bill is to provide a legal framework for the judiciary to force people within this gap to get treatment over a timeframe that generally mimics the sentencing typical for the conviction of the crime committed.

It creates an independent department within the Judiciary and creates the role of Forensic Navigator. The forensic navigator is tasked with getting the person the help they need. This bill appropriates \$15.6 million for 2023 and increases budget baselines for 2024 and 2025 by \$31.5 and \$45.6 million respectively.

Analysis: This bill is a complete overhaul of Minnesota's current practice for defendants deemed to be incompetent to stand trial. There is broad agreement that the existing system needs substantial reform. Unfortunately, the reform described in this bill is comprehensive, complex, untested, and creates new roles and new oversight. There is a presumption that this bill will save some money somewhere, but there were no commitments to saving any specific amount of money.

Recommendation: While the need for reform is clear, this is an expensive gamble on a big, comprehensive, complex, and unproven

process that should have been piloted in one or two counties before launching across the entire state. There are many assumptions embedded in every step and for every role from the courts to treatment and sometimes back to the courts. The chair of the taskforce that promoted this bill acknowledged that while many states are wrestling with this problem, no state has it figured out. For these reasons, LEA favored a NO vote. The bill passed the Senate 66-0, the House 68-60, and was signed into law.

7. Office of Foster Youth Ombudsperson

HF3845. Rep. Hanson. [SF4209. Sen. Housley.]

Summary: This bill establishes an ombudsman position (Office of Foster Youth Ombudsperson) to administer to complaints and issues that may arise within the Minnesota foster care program. It likewise establishes an Office of Foster Youth within which the ombudsperson shall conduct his or her activities, which include the following: (1) establishing a mechanism for addressing complaints, (2) conducting investigations, (3) reporting to both the executive and legislative branches of government, and (4) oversight of administration of the foster care program and supportive representation in legal situations. An initial appropriation of \$775,000 was authorized to establish the office (2023), with a continuing annual budget of \$726,000 in subsequent years (2024-5).

Analysis: There are over 12,000 individuals in some type of out-of-home care setting in Minnesota. Unfortunately, in the past some of these children have experienced abuse, neglect, or discrimination while in the foster care system. Because the foster programs are administered at the county level, there exists a variety of staffing levels and program designs across the state. The avenues for resolution of problem circumstances are consequently also variable; this bill seeks to bring uniformity and central access to the system. The newly created office and position aim to effectively deal with foster care issues as they arise, and thereby mitigate problematic situations.

While intended to address a real problem, it appears misguided to create state bureaucracy for county level disputes. The Department of Human Services (DHS) already exists and could have been used as a structure for expanded responsibilities. Today DHS staff only supplies consultation on state law and statutes, without getting involved directly in dispute resolution.

Recommendation: This bill adds needless bureaucracy to a system which already has a complex web of functionality, including county-level case workers, social workers, and administrators; in addition to the state-level department. Some legislators also had concerns with the loss of privacy protection that might result from the involvement of yet another governmental office. LEA favored a vote of NO. The bill passed the Senate 57-9, the House 127-4, and was signed into law.

8. Omnibus Environment Policy and Supplemental Appropriations

SF4062. Sen. Ingebrigtsen. [HF4492. Rep. R. Hansen.]

Summary: The Senate version of this bill added \$8.4M (million) of spending to the FY 2022-23 budget. Among policy items included were a section prohibiting DNR enforcement of "unadopted"

rules, and a section requiring that signers of any Environmental Assessment Worksheet be from the county where a change is proposed or from an adjoining county. The DNR would be allowed without rulemaking to set policies for day-use reservations of its facilities. There was also a section allowing fishing with two lines on large stretches of the Minnesota and Mississippi rivers, and a section mandating timely review of proposed mining projects or reporting to the legislature if that standard was not met.

The House version of the bill proposed \$249.6M of supplemental spending. It would create a new Office of Outdoor Recreation bureaucracy and a budget for it. There were sections devoted to banning or severely restricting the use of lead, cadmium, or PFAS chemicals in many commonplace products. There was also prohibition of many “pollinator-lethal” chemical uses and a mandate to establish a “Lawns to Legumes” program to pay residents for protecting pollinator habitat. The Pollution Control Agency (PCA) was also ordered to create a Community Air Monitoring System Pilot Grant Program, a Composting Grant Program, and a Zero-Waste Grant Program. Permits and safety courses for operating watercraft would be required, and a public meeting including remote access would be required before the PCA could issue any water-use permits of 100 million or more gallons per year. The DNR would be mandated to create a long-term plan to address climate-change impacts on invasive species management. The House bill also included goals and definitions to be used for drafting more regulations. There were goals to restore 25% by 2030 and 50% by 2050 of the state’s “pre-settlement” peat soils by phasing out drainage for agricultural uses. “Environmental justice areas” were defined and the PCA commissioner was ordered to set the boundaries that would trigger more regulations in those areas.

Both the House and Senate conferees agreed to extend color clothing requirements during open deer season to ground blinds as well, and both versions of the bill authorized St. Louis County to dedicate proceeds from selling tax-forfeited lands to acquiring other lands for the county.

Analysis: No supplemental budget of any amount was warranted here; whatever needs had arisen should have been addressed using existing funds. The St. Louis County carveout for dedicating land-sale money invites conflict of interest. Many proposed changes (especially in the House) needlessly restricted free enterprise and individual freedoms, and even some good ideas (such as restrictions on unadopted rules, and timely reviews of mining proposals) should have been considered separately.

Recommendation: LEA favored a NO vote. The Senate version of the bill passed 37-29 and the House version 70-59. No unified version required to advance the bill to the governor was brought back up for floor votes.

9. SW Light Rail Transit Audit

HF3035. Rep. Hornstein. [SF2676. Sen Dibble.]

Summary: This bill orders the legislative auditor to conduct a review of cost overruns and possible corruption in the financing of the Southwest light rail transit project managed by the Metropolitan Council. It prevents the Metropolitan Council from any type of

punishment against whistleblowers who work for it. It appropriates \$200,000 for this review.

Analysis: The SW light rail project from downtown Minneapolis to Eden Prairie was initially expected to cost \$1.8 billion and be completed in 2023. The costliest public works project in state history has been delayed four years, with cost overruns of \$750 million projected. Smaller contributors are unable to cover cost overruns and the federal government will not provide the second half of its authorized \$928 million contribution until the project is complete. The Met Council is looking to the state to cover the overruns.

Recommendation: LEA has argued that the SW Light Rail project was never financially viable. Local or regional projects should not receive funds from higher governments. This makes them economically unstable, and not market driven. LEA does not support further state funding of this boondoggle. However, since the Met Council failed to deliver, whether or not the project advances, an audit that documents who is responsible for the failures is in order, and the expense authorized for the audit reasonable. LEA favored a YES vote on the bill that passed the Senate 65-0, the House 132-1, and was signed into law.



Become a Member of LEA

Join LEA! Dues are only \$10/yr per person! You will receive:

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

Name: _____

Name: _____

Street: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Pay online by PayPal at www.lea-mn.org, or make checks payable to LEA and mail to:

Legislative Evaluation Assembly
P.O. Box 25803, Woodbury, MN 55125

SENATE

Pty	Dist	Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	2022%	c%
R	35	Abeler, Jim	-	-	-	-	-	-	-	-	+	+	-	-	-	+	-	-	+	-	22	43
R	29	Anderson, Bruce	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	80
I	3	Bakk, Thomas	-	-	-	-	-	A	-	-	+	-	-	-	+	+	-	-	+	-	21	19
R	31	Benson, Michelle	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	63
D	54	Bigham, Karla	+	-	-	-	-	-	-	+	+	-	-	-	-	+	-	-	+	-	28	12
D	51	Carlson, Jim	+	-	-	-	-	-	-	+	+	-	-	-	-	+	-	-	+	-	28	14
R	38	Chamberlain, Roger	-	-	-	-	-	-	-	-	+	+	-	-	+	+	-	-	+	-	28	57
D	59	Champion, Bobby Joe	+	-	-	-	-	-	+	+	+	A	-	-	-	+	-	-	+	-	33	12
D	57	Clausen, Greg	+	-	-	-	-	-	-	+	+	-	-	-	-	+	-	-	+	-	28	18
R	47	Coleman, Julia	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	27
D	48	Cwodzinski, Steve	+	-	-	-	-	-	-	+	+	-	-	-	-	+	-	-	+	-	28	21
R	16	Dahms, Gary	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	50
D	61	Dibble, D. Scott	-	-	A	-	-	-	+	+	+	-	-	-	-	+	-	-	+	-	27	13
R	27	Dornink, Gene	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	27
R	20	Draheim, Rich	-	-	-	-	-	-	-	-	+	+	-	-	+	+	-	-	+	-	28	43
R	58	Duckworth, Zach	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	27
D	60	Dziedzic, Kari	+	-	-	-	-	-	+	+	+	-	-	-	-	+	-	-	+	-	33	16
D	40	Eaton, Chris	+	-	-	-	+	-	+	+	+	-	-	-	-	+	-	-	+	-	39	18
R	5	Eichorn, Justin	-	-	-	+	-	-	-	-	+	+	-	-	+	+	-	-	+	-	33	47
D	4	Eken, Kent	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	29
D	62	Fateh, Omar	A	-	+	-	-	-	-	+	+	-	-	-	-	+	-	-	+	-	27	25
D	19	Frentz, Nick	+	-	-	-	-	-	-	+	+	-	-	A	-	+	-	-	+	-	27	24
R	9	Gazelka, Paul	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	56
R	21	Goggin, Michael	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	45
D	67	Hawj, Foung	+	-	-	-	-	-	-	+	+	-	-	-	-	+	-	-	+	-	28	18
D	36	Hoffman, John	-	-	-	-	-	-	-	-	+	-	-	-	-	+	-	-	+	-	17	19
R	39	Housley, Karin	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	42
R	13	Howe, Jeff	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	53
R	8	Ingebrigtsen, Bill	-	-	-	-	-	-	-	-	+	+	-	-	+	+	-	-	+	-	28	56
D	42	Isaacson, Jason	+	-	-	-	-	-	+	+	+	-	-	-	-	+	-	-	+	-	33	17
R	24	Jasinski, John	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	42
D	44	Johnson Stewart, Ann	+	-	-	-	-	-	-	+	A	-	-	-	-	+	-	-	+	-	21	14
R	1	Johnson, Mark	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	45
D	53	Kent, Susan	+	-	-	-	-	-	+	+	+	-	-	-	-	+	-	-	+	-	33	20
R	30	Kiffmeyer, Mary	-	-	-	-	-	-	-	-	+	+	-	-	+	+	-	-	+	-	28	62
D	52	Klein, Matt	+	-	-	-	-	-	-	+	+	-	-	-	-	+	-	-	+	-	28	24
R	32	Koran, Mark	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	43
D	41	Kunesh, Mary	+	-	-	-	-	-	-	+	+	-	-	-	-	+	-	-	+	-	28	24
R	17	Lang, Andrew	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	44
D	46	Latz, Ron	+	-	-	-	-	-	-	A	+	-	-	A	-	+	-	-	+	-	19	11
R	34	Limmer, Warren	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	73
D	49	Lopez Franzen, Melisa	+	-	-	-	-	-	-	+	+	-	-	A	-	+	-	-	+	-	27	19

KEY

R – Republican
D – Democratic-Farmer-Labor
I – Independent
+ Vote favored by LEA
- Vote not favored by LEA
A indicates legislator excused, absent, or not voting

Governor's Action
S - Sign
***S** - Sign with line-item vetoes
V- Veto
N- Not Applicable

30% = % of legislators' votes favored by LEA in 2022 sessions

2022% = legislator's 2022 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 2022 scored **75% or higher**, those receiving honorable mentions scored **at least 65%**.

This report may be freely copied, or purchased @ \$1.00 ea., 10 for \$5.00, or 100 for \$35. E&O excluded.
 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	2022%	c%
D	66	Marty, John	+	-	-	-	+	-	-	+	+	-	-	-	-	+	-	-	+	-	33	13
R	15	Mathews, Andrew	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	47
D	7	McEwen, Jennifer	+	-	-	-	+	-	-	+	A	-	-	-	-	+	-	-	+	-	27	29
R	28	Miller, Jeremy	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	42
D	64	Murphy, Erin	+	-	-	-	+	-	A	+	+	-	-	-	-	+	-	-	A	-	26	13
R	26	Nelson, Carla	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	48
R	18	Newman, Scott	-	-	-	-	-	-	-	-	+	+	A	-	+	+	-	-	+	-	27	57
D	37	Newton, Jerry	+	-	-	-	-	-	-	+	+	-	-	-	-	+	-	-	+	-	28	15
R	33	Osmek, David	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	58
D	65	Pappas, Sandra	+	-	-	-	+	-	-	+	+	-	-	-	-	+	-	A	+	-	33	8
D	56	Port, Lindsey	+	-	-	-	A	-	-	+	+	-	-	-	-	+	-	-	+	-	27	17
R	55	Pratt, Eric	-	-	-	-	-	-	-	-	+	+	-	-	+	+	-	-	+	-	28	51
D	14	Putnam, Aric	+	-	-	-	-	-	-	+	+	-	-	-	-	+	-	-	+	-	28	18
R	11	Rarick, Jason	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	38
D	45	Rest, Ann	+	A	-	-	-	-	+	+	+	-	-	-	-	+	-	-	+	A	32	20
R	23	Rosen, Julie	-	-	-	-	-	-	-	-	+	+	-	-	+	+	-	-	+	-	28	45
R	10	Ruud, Carrie	-	-	-	-	-	-	-	+	+	-	-	-	+	+	-	-	+	-	28	54
R	25	Senjem, David	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	50
I	6	Tomassoni, David	-	-	-	-	-	-	-	-	+	+	-	-	+	+	A	-	+	-	27	19
D	63	Torres Ray, Patricia	+	-	-	-	-	-	+	+	+	-	-	-	-	+	-	-	+	-	33	14
R	2	Utke, Paul	-	-	-	-	-	-	-	-	+	+	-	-	+	+	-	-	+	-	28	47
R	22	Weber, Bill	-	-	-	-	-	-	-	-	+	-	-	-	+	+	-	-	+	-	22	43
R	12	Westrom, Torrey	-	-	-	-	-	-	-	-	+	+	-	-	+	+	-	-	+	-	28	59
D	43	Wiger, Charles	-	-	-	-	-	-	-	+	+	-	-	-	-	+	-	-	+	-	22	16
D	50	Wiklund, Melissa	+	-	-	-	-	-	+	+	+	-	-	A	-	+	-	-	+	-	33	17

HOUSE

Pty	Dist	Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	2022%	c%		
D	44B	Acomb, Patty	-	-	-	-	-	-	-	-	+	-	-	-	NO HOUSE VOTE	NO HOUSE VOTE	-	-	+	-	13	12		
D	59B	Agbaje, Esther	-	-	-	-	-	-	-	-	+	-	-	-			-	-	-	+	-	-	13	10
R	19A	Akland, Susan	+	+	-	+	+	A	-	+	+	-	-	-			-	-	-	+	-	-	44	59
R	55B	Albright, Tony	+	+	-	+	+	-	-	+	+	-	-	-			-	-	-	+	-	-	44	59
R	12B	Anderson, Paul H.	+	+	-	+	+	+	-	+	+	-	-	-			-	-	-	+	-	-	50	56
R	12A	Backer, Jeff	+	+	-	+	+	+	-	+	+	+	+	+			-	-	-	+	-	-	69	53
D	34B	Bahner, Kristin	-	-	-	-	-	-	-	-	+	-	-	-			-	-	-	+	-	-	13	10
R	31B	Bahr, Cal	+	+	-	+	+	+	A	+	+	+	+	+			-	-	-	+	A	+	79	79
R	17B	Baker, Dave	+	+	-	+	+	+	-	+	+	-	-	-			-	-	-	+	-	-	50	45
D	42B	Becker-Finn, Jamie	-	-	-	A	-	-	-	-	+	-	-	-			-	-	-	+	-	-	10	12
R	27A	Bennett, Peggy	+	+	-	+	+	+	-	+	+	-	-	-			-	-	-	+	-	-	50	51
D	56B	Berg, Kaela	-	-	-	-	-	-	-	-	+	-	-	-			-	-	-	+	-	-	13	10
D	41A	Bernardy, Connie	-	-	-	-	-	-	-	-	+	-	-	-			-	-	-	+	-	-	13	24
D	57A	Bierman, Robert	-	-	-	-	-	-	-	-	+	-	-	-			-	-	-	+	-	-	13	13
R	5A	Bliss, Matt	+	+	-	+	+	+	-	+	+	-	+	-			-	-	-	+	-	-	56	63
R	47B	Boe, Greg	+	+	-	+	+	+	-	+	+	-	-	-			-	-	-	+	-	-	50	50
D	25B	Boldon, Liz	-	-	A	-	-	-	-	A	+	-	-	-			-	-	A	-	+	-	6	7
R	1A	Burkel, John	+	+	-	+	+	+	-	+	+	+	+	+			-	-	-	A	-	+	64	69
D	50B	Carlson, R. Andrew	-	-	-	-	-	-	-	-	+	-	-	-			-	-	-	+	-	-	13	21
D	39B	Christensen, Shelly	-	-	-	-	-	-	-	-	+	-	-	-			-	-	-	+	-	-	13	13
R	24B	Daniels, Brian	+	+	-	+	+	+	-	+	+	-	-	-			-	-	-	A	+	-	50	51
R	31A	Daudt, Kurt	+	+	-	+	+	+	-	+	+	-	+	+			-	-	-	+	-	-	63	67
R	28B	Davids, Greg	+	+	-	+	A	+	-	+	+	-	-	-			-	-	-	+	-	-	44	62
D	63A	Davnie, Jim	-	-	-	-	-	-	-	-	+	-	-	-	-	-	-	+	-	-	13	14		
R	13A	Demuth, Lisa	+	+	-	+	+	+	-	+	+	-	-	-	-	-	-	+	-	-	50	50		

HOUSE

Pty	Dist	Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	2022%	c%
R	39A	Dettmer, Bob	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	63
R	21B	Drazkowski, Steve	+	+	-	+	+	+	+	+	+	+	+	+			+	-	-	+	81	86
D	3A	Ecklund, Rob	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	24
D	49A	Edelson, Heather	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	13
D	49B	Elkins, Steve	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	13
R	15A	Erickson, Sondra	+	+	-	+	+	+	-	+	+	+	-	-			-	-	+	-	56	71
D	41B	Feist, Sandra	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	10
D	43A	Fischer, Peter	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	14
R	54A	Franke, Keith	A	+	-	+	+	A	-	-	+	-	-	-			-	-	+	-	29	34
R	8B	Franson, Mary	+	+	-	+	+	+	-	+	+	-	-	+			-	-	+	-	56	66
D	45A	Frazier, Cedrick	-	-	-	-	-	-	-	-	+	-	-	-			A	-	+	-	10	9
D	19B	Frederick, Luke	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	10
D	45B	Freiberg, Mike	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	14
R	58B	Garofalo, Pat	+	+	-	+	+	+	-	+	+	-	+	-			-	-	+	-	56	61
D	62B	Gomez, Aisha	-	-	+	-	-	-	-	-	+	-	-	-			-	A	+	-	17	14
R	2B	Green, Steve	+	+	-	+	+	+	-	+	+	+	+	-			-	-	+	+	69	70
D	63B	Greenman, Emma	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	10
R	2A	Grossell, Matt	+	+	-	+	+	+	-	+	+	+	-	-			-	-	+	-	56	70
R	18B	Gruenhagen, Glenn	+	+	-	+	+	+	-	A	+	+	+	-			A	-	+	-	58	70
R	21A	Haley, Barb	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	55
R	22B	Hamilton, Rod	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	52
D	52A	Hansen, Rick	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	15
D	56A	Hanson, Jessica	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	10
D	62A	Hassan, Hodan	-	-	+	-	-	-	-	-	+	-	-	-			-	A	+	-	17	11
D	66A	Hausman, Alice	-	-	-	-	-	A	-	-	+	-	-	-			-	-	+	-	10	10
R	35A	Heinrich, John	+	+	-	+	+	+	-	+	+	+	+	-			-	-	+	-	63	74
R	10A	Heintzeman, Josh	+	+	-	+	+	+	-	+	+	-	+	-			-	-	+	-	56	58
D	64A	Her, Kaohly	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	11
R	33A	Hertaus, Jerry	+	+	A	+	+	+	-	+	+	+	A	A			+	-	+	-	68	73
D	66B	Hollins, Athena	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	10
D	61A	Hornstein, Frank	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	11
D	36B	Hortman, Melissa	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	13
D	50A	Howard, Michael	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	13
D	57B	Huot, John	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	12
R	5B	Igo, Spencer	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	63
R	32A	Johnson, Brian	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	59
D	60A	Jordan, Sydney	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	13
R	54B	Jurgens, Tony	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	48
D	4A	Keeler, Heather	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	10
R	1B	Kiel, Debra	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	58
D	44A	Klevorn, Ginny	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	13
D	37A	Koegel, Erin	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	18
D	48B	Kotzya-Witthuhn, Carlie	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	9
R	58A	Koznick, Jon	+	+	+	+	+	+	+	+	+	-	-	+			-	-	+	-	69	57
R	9B	Kresha, Ron	+	+	A	+	+	+	-	A	+	-	+	-			-	-	+	-	51	52
D	59A	Lee, Fue	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	21
D	26A	Liebling, Tina	-	-	-	-	-	+	-	-	+	-	-	-			-	-	+	-	19	16
D	43B	Lillie, Leon	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	11
D	20B	Lippert, Todd	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	13
D	6B	Lislegard, Dave	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	15
D	61B	Long, Jamie	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	13
R	30B	Lucero, Eric	+	+	A	+	+	+	-	+	+	+	+	+			+	-	-	+	77	81
R	10B	Lueck, Dale	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	48
D	65B	Mariani, Carlos	-	-	-	-	-	A	A	-	+	-	-	-			-	-	A	-	-2	7
D	4B	Marquart, Paul	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	32
D	51A	Masin, Sandra	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	13

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	2022%	c%
R	29A	McDonald, Joe	+	+	-	+	+	+	-	+	+	+	+	+			-	-	+	-	69	62
R	15B	Mekeland, Shane	+	+	-	+	+	+	-	A	+	+	+	+			+	-	-	A	65	82
R	17A	Miller, Tim	+	+	A	+	+	+	-	A	+	+	+	A			+	-	+	-	68	62
D	42A	Moller, Kelly	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	13
D	65A	Moran, Rena	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	15
D	33B	Morrison, Kelly	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	10
R	55A	Mortensen, Erik	+	+	+	+	+	+	+	+	-	+	+	+			+	+	-	+	88	87
R	27B	Mueller, Patricia	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	58
R	23B	Munson, Jeremy	+	+	-	+	+	+	+	+	A	+	+	+			+	-	-	+	77	86
D	3B	Murphy, Mary	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	21
R	47A	Nash, Jim	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	63
D	40A	Nelson, Michael	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	15
R	11B	Nelson, Nathan	+	+	-	+	+	A	-	+	+	-	-	-			-	-	+	-	44	54
R	32B	Neu Brindley, Anne	+	+	-	+	+	+	-	+	+	-	+	-			-	-	+	-	56	70
D	60B	Noor, Mohamud	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	13
R	30A	Novotny, Paul	+	+	-	+	+	+	-	+	+	-	-	+			-	-	+	-	56	67
R	13B	O'Driscoll, Tim	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	57
R	23A	Olson, Bjorn	+	+	-	+	+	+	-	+	+	-	-	+			-	-	+	-	56	61
D	7B	Olson, Liz	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	20
R	29B	O'Neill, Marion	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	62
D	28A	Pelowski, Gene	-	-	-	-	+	-	-	-	+	-	-	-			-	-	+	-	19	30
R	24A	Petersburg, John	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	48
R	20A	Pfarr, Brian	+	+	-	+	+	+	-	+	+	-	+	-			-	-	+	-	56	66
R	26B	Pierson, Nels	+	+	-	+	+	+	-	+	+	+	-	-			-	-	+	-	56	50
D	64B	Pinto, Dave	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	21
R	9A	Poston, John	+	+	-	+	+	+	A	+	+	-	-	+			-	-	A	-	51	59
D	48A	Pryor, Laurie	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	21
R	25A	Quam, Duane	+	+	-	+	+	+	-	+	+	+	+	-			-	-	+	-	63	72
R	38A	Raleigh, Donald	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	63
R	8A	Rasmusson, Jordan	+	+	-	+	+	+	-	+	+	-	+	+			-	-	+	-	63	69
D	51B	Reyer, Liz	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	10
D	52B	Richardson, Ruth	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	12
R	34A	Robbins, Kristin	+	+	-	+	+	+	-	+	+	-	+	-			-	-	+	-	56	63
D	53B	Sandell, Steve	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	13
D	6A	Sandstede, Julie	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	24
R	22A	Schomacker, Joe	+	+	-	+	+	+	-	+	+	-	-	-			A	-	+	-	50	56
D	7A	Schultz, Jennifer	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	24
R	35B	Scott, Peggy	+	+	-	+	+	+	-	+	+	-	+	-			-	-	+	-	56	68
D	36A	Stephenson, Zack	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	13
D	11A	Sundin, Mike	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	21
R	16A	Swedzinski, Chris	+	+	-	+	+	+	-	+	+	-	+	-			-	-	+	-	56	62
R	14A	Theis, Tama	+	+	-	+	+	A	-	+	+	-	-	-			A	-	+	-	44	49
D	67A	Thompson, John	-	+	-	-	-	-	-	-	+	-	-	-			A	-	+	A	15	1
R	16B	Torkelson, Paul	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	60
R	18A	Urdahl, Dean	+	+	-	+	+	+	-	+	+	-	-	-			-	-	+	-	50	50
D	40B	Vang, Samantha	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	12
D	38B	Wazlawik, Ami	-	A	-	-	-	-	-	-	+	-	-	-			-	-	+	-	10	12
R	37B	West, Nolan	+	+	-	+	+	+	-	+	+	+	-	-			-	-	+	A	57	54
D	46A	Winkler, Ryan	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	9
D	14B	Wolgamott, Dan	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	13
D	67B	Xiong, Jay	-	-	+	-	-	-	-	-	+	-	-	-			-	A	+	-	17	14
D	53A	Xiong, Tou	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	12
D	46B	Youakim, Cheryl	-	-	-	-	-	-	-	-	+	-	-	-			-	-	+	-	13	22

NO HOUSE VOTE

NO HOUSE VOTE

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

10. Off-Road-Vehicle Trespassing Fines

HF2819. Rep. Hansen. [Sen. Ruud. SF3063.]

Summary: This bill sets the civil penalties for violations of the existing Off-Highway-Vehicle provisions and the new snowmobile and trespass provisions at: \$250 for first offenses (was \$100); \$500 for second offenses (was \$200); and \$1,000 for third and subsequent offenses (was \$500).

Requires civil penalties for the citations that involve snowmobiles to be deposited in the new snowmobile trails and enforcement account and requires the penalties to be used for enforcing snowmobile laws.

Analysis: Based on examples raised during testimony, higher fines are likely to have the desired effect of reducing trespassing. A concern is the use of citations to fund law enforcement. Structuring the funding of law enforcement based on collections from enforcement actions has proven to be a problem over the years, for example when SWAT police organizations became owners of seized assets even before trials. Testimony included comments that suggested some wanted to seize snowmobiles from trespassers for the misdemeanor of trespassing.

Recommendation: This bill was an example of the legislative process being done as designed and fines were raised by reasonable amounts. However, LEA believes it is antithetical to good government to allow those with the formidable power of government to profit, or appear to profit, from the exercise of that power over citizens. Therefore, the LEA favored a NO vote. The bill passed the Senate 54-12, the House 115-19, and was signed into law.

11. State Employee Labor Agreements, Management Plans, and Memorandums of Understanding Ratified

HF3346. Rep. Lillie. [SF3254. Sen. Koran.]

Summary: The first section of this bill ratifies 17 separate compensation plans, management plans, or state employee labor agreements. The second section of this bill ratifies five memorandums of understanding connected to those agreements, amending agreements after they were first reviewed by the Legislative Coordinating Commission's Subcommittee on Employee Relations.

Analysis: The legislature was asked to approve agreements already negotiated between labor representatives and appointees chosen by the governor to represent the management side. Such an approach by the legislature is dysfunctional for multiple reasons. For one, because the public-employee unions are often instrumental to electing the governor, the negotiations are often not two-sided, which means that legislators need to engage in more active oversight to safeguard the general public interest and obtain reasonable agreements. Secondly, some of the agreements don't come to the floor for legislative ratification until long after they are in effect; this bill even contained one agreement for a period that had already concluded before it was ratified. In that case, a legislator who would like to reject the agreement is put in the impossible position of retroactively clawing back pay or benefits fully distributed. Finally, ratifying all the separate agreements in one bill decreases the likelihood of market-oriented results. If there is a surplus of college

administrative personnel with fewer people enrolling in college during the various COVID restrictions but still an acute need for more law enforcement personnel, giving the two groups similar bumps in pay and benefits does not serve the public interest. In practice, the first agreement reached has tended to set the pattern for all the other ones. The text of the bill did not have summaries for any of the agreements, so most legislators would have little knowledge of their contents.

Recommendation: LEA favored a NO vote to indicate continued dissatisfaction for the lack of accountability, transparency, or proper timing in the process for approving state-employee compensation. The bill passed the Senate 66-0, the House 108-25, and was signed into law.

12. School Board Conflict of Interest

SF3107. Sen. Duckworth. [HF2920. Rep. Howard.]

Summary: This bill raises the amount a school board member can receive from a public school district from \$8,000 to \$20,000 per year. However, if the officer does not receive majority approval to be initially employed or to continue in employment at a meeting at which all board members are present, that employment is immediately terminated.

Analysis: School board members are supposed to represent the interest of the parents, guardians, students, and taxpayers. They should be easily able to hire, fire, and direct the school administrators who work for the board. Receiving employment payments from the administration is a direct conflict of interest and constrains the ability of school board members to do their jobs. Administrators can use the employment of members as leverage to protect their own positions. Allowing such conflicts of interest is a fundamental violation of principles of good governance and a form of lawful corruption.

Recommendation: LEA does not support this form of corruption and does not consider any employment of a school board member by the school acceptable. LEA favored a NO vote. The bill passed the Senate 63-0, the House 117-15, and was signed into law.

13. Syllabus / Curriculum Transparency

SF2666. Sen. Benson.

Summary: This bill adds requirements for class syllabi requiring the teacher of record to make electronically available a syllabus for the class. The syllabus must provide the term of the class, an outline of topics and report the learning materials to be used. The syllabus must be updated if modifications are made or the teacher of record changes.

Analysis: Under current law, parents who want more information about curricular content in a classroom must proactively contact the school, and disclosure requirements are vague. These changes would provide parents with more transparency on what their children are being taught, which should be expected for K-12 schools. Parents want their children educated, not indoctrinated against their values.

Recommendation: LEA favored a YES vote. This bill passed the Senate 36-31. There was no House vote.

14. Limiting Identification of School District or Charter School Board Meeting Speakers

SF2729. Sen. Chamberlain.

Summary: This bill amends Minnesota statutes governing school board meetings. It enables school boards to require anyone offering public testimony at a meeting to submit their city or town of residence. It prohibits the board from disclosing a speaker's address and/or contact information.

Analysis: This bill would allow for limited identification of a party interested in testifying before a school board meeting. This ensures that people speaking at meetings have standing to do so. By limiting this identification to name and city, it stops short of requiring disclosure of information that might be used to maliciously harass testifiers with home-targeted retaliatory communications or protest.

Recommendation: LEA favored a YES vote. It passed the Senate 67-0. There was no House vote.

15. Opioid Settlement Proceeds Deposit and Allocation Authorization

SF4025. Sen. Rosen. [HF4265. Rep. L. Olson.]

Summary: This bill made modifications (based on a nationwide settlement with four opioid-involved companies that will transfer \$300 million to the state of Minnesota, all of its counties, and many municipalities over the next 18 years) to the opiate epidemic response plan passed by the legislature in 2019. In the settlement negotiated by the MN Attorney General's office and attorneys general from other states, Minnesota's counties and municipalities will directly receive 75 percent of the settlement payments, while being prohibited from filing further claims against the settling companies for alleged fraud. This bill authorizes the Attorney General to intervene for municipalities involved in the settlement and release claims pending in opioid litigation. The municipalities receiving direct settlement payments must report annually to the Commissioner of Human Services on how the payments were used for evidence-based and "culturally relevant" opioid remediation services, as well as on the target populations for those services.

An opioid settlement account is created in the state treasury for its 25 percent share of the settlement money. If the money collected through opioid licensing and registration fees is sufficient to fund the county and tribal agencies' social service projects for children and families affected by addiction, then the settlement funds are to be used for grants specified by the Opiate Epidemic Response Advisory Council (OERAC) to projects of governmental units and other groups, minus a designated amount retained by the state for administrative overhead. The settlement payments made directly to municipalities will be included in the \$250 million threshold of collections necessary for repealing opioid registration fees and reducing license fees, but the earliest sunset date for those fees is extended from 2024 to 2031.

Analysis: There is reason to make local government units report to the state on the uses of funds obtained through state resources deployed for negotiating a settlement. However, this bill also extends the funding powers of OERAC, the fees imposed upon opioid

manufacturers and distributors, and the incentives for litigation first approved in the 2019 opioid response bill. Besides imposing fees and more regulations on companies providing a legal product and therefore raising the cost for legitimate uses, the 2019 bill also set up a complex system for allocating the fees. This bill now subjects the opioid settlement funds to the same system and gives the largely unelected OERAC bureaucracy a much larger pool of money it can allocate through grants to local and tribal governments and other special-interest groups. It strays far from the principle of an elected legislative branch appropriating the dollars for public purposes. It invites the beneficiaries of the OERAC grants to explore more litigation against other companies providing legal products in the hope of leveraging more settlement payments in the future.

Recommendation: LEA favored a NO vote. The bill passed the Senate 66-0, the House 119-8, and was signed into law.

16. Agriculture Mental Health Data Collected and Avian Flu Response Money

HF3217. Rep. Klevorn. [SF3585. Sen. Mathews.]

Summary: This bill has two distinct sections. Section one makes personally identifiable data collected during stress/mental health counseling from the MN Dept. of Agriculture or its contracted agents private or nonpublic, data such as names of individuals who get counseling or are discussed in a call to the MN Farm and Rural Helpline. Section two appropriates \$1 million from the general fund to the agricultural emergency account for the purpose of responding to avian influenza for the rest of the calendar year.

The early versions of this bill only had the data privacy section when it went through its various committee hearings, where it had unanimous legislative support despite no evidence of a problem. It was acknowledged that no outside request for personal information from MN Farm and Rural Helpline calls had ever been made since the program began in 2017. On the floor of the Senate, without objection, the unrelated section about avian flu emergency appropriations was added via amendment from another Senator.

Analysis: This bill was a clear example of convenience trumping sound process. LEA could have supported either one of this bill's sections if they had been considered separately. When avian flu surged earlier this year, there were calls to immediately authorize more emergency-response funds that could be used for tests or monitoring. A separate bill could have been drafted to do just that, if enough legislators agreed to suspend the rules and fast-track a floor vote for passage. Instead, nearly everyone agreed to just tack the appropriation onto an unrelated bill that had passed through committee but had no urgency. Such an action violates the spirit of our state constitution's single-subject clause, although the courts will uphold it as long as it is revealed in the bill's title.

Recommendation: Ten years ago LEA quoted a passage from Mason's Manual of Legislative Procedure explaining the purpose of single-subject protections: "...to secure the independent judgment of the members on each question and prevent members from being required to vote for one proposition, which they may not approve, in order to secure the enactment of another." Without such protection, it becomes much easier to pass laws upon the citizenry, both



This report may be copied or purchased.

Legislative Evaluation Assembly of Minnesota

P.O. Box 25803
Woodbury, MN 55125
Phone: (651) 234-0052

2022 LEGISLATIVE REPORT

good and bad. Therefore, the LEA favored a NO vote. The bill passed the Senate 66-0, the House 129-1, and was signed into law.

17. Structured Settlement Transfer

HF3768. Rep. Koegel. [SF3636. Sen. Utke.]

Summary: This bill regulates the transfer process for structured financial settlement in which a victim has been awarded a judgment for an injury or loss. It includes mechanisms for protection of the payee from suffering a loss of payments due to fraudulent misrepresentations by the new payor. It requires a surety bond and sets fees the Secretary of State can charge the transferee.

Analysis: This bill appears to address a problem in which individuals awarded a structured settlement, sometimes providing an annuity for life after being disabled, will be offered a smaller up-front lump sum payment. The result is that the financial firm can pocket part of what the payee was to get. The payee may quickly spend the lump sum received and become indigent later, creating a taxpayer liability.

Recommendation: LEA believes that individuals' legally recognized interests should be protected from fraudulent behavior by financial companies and that this bill serves that end. LEA favored a YES vote. The bill passed the Senate 66-0 and the House 126-5 and was signed into law.

18. Prohibition of Discrimination by Insurers of Organ/Bone Marrow Donors

HF1829. Rep. Her. [SF1450. Sen. Utke.]

Summary: A new subdivision (Subd. 41) was added to the Minnesota Statutes 2020, section 72A.20, which deals with "methods, acts, and practices which are defined as unfair or deceptive" in the insurance industry. The new language prohibits companies that provide life insurance, long-term care insurance, or disability insurance from declining or limiting coverage, or discriminating with respect to premiums and terms based solely on the insured's status as an organ or bone-marrow donor.

Analysis: This statute modification prevents certain tissue donors (in the absence of any additional actuarial risk) from suffering negative consequences with respect to their insurance coverage. However, donating an organ or bone marrow does itself result in some increased actuarial risk. Therefore, this bill amounts to a dictate from the state that insurance companies must either absorb the increased costs or distribute those costs across their customer base.

Recommendation: LEA favored a NO vote since it represents an overreach of state authority into the free market. The bill passed the Senate 66-0, the House 125-6, and was signed into law.