

Reforming Minnesota's Legislative Process

by
Representative Gene Pelowski

re·form

/rə'fôrm/

verb

1. make changes in (something, typically a social, political, or economic institution or practice) in order to improve it.
"an opportunity to reform and restructure an antiquated schooling model"
synonyms: **improve, better**, make better, **ameliorate, refine**; **alter**, make alterations to, **change, adjust**, make adjustments to, **adapt, amend, revise, reshape, refashion, redesign, restyle, revamp, rebuild, reconstruct, remodel, reorganize**
"a plan to reform the system"

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CITY PAGES

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How a bill becomes a flaw

WEDNESDAY, MAY 18, 2016 AT 8:30 A.M.

BY MIKE MULLEN



A A

A couple months ago, a lobbyist came up to Rep. Gene Pelowski (DFL-

f 27

Winona) and asked him to author a bill. Pelowski was confused.

He'd already introduced the same bill the year before, and it's still alive.

The lobbyist insisted. That's when it hit him: The lobbyist doesn't care.

"If I put the bill in again," Pelowski says, "the lobbyist can report to his client, 'I've got the bill in for 2016 too.' And the client says, 'Excellent work.'"

State Rep. Gene Pelowski Jr.

Column

Minnesota House of Representatives

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May 9, 2016

With 4,000 Bills Introduced, Minnesota Needs Legislative Reform

Monday, May 9, 2016 marked the 95th Day of the 2015-2016 legislative session. We will end this week with the 4,000th bill being introduced in the Minnesota House. Minnesota's constitution allows the legislature to be in session only 120 days over each two year period, known as a biennium. The first, odd year of the biennium is the longer of the two and is reserved for the entire biennial budget, whereas the second, even year is shorter and reserved for housekeeping and capital projects known as bonding.

Monday, May 18, 2015 was the 65th and last Legislative Day in the long budget year where 2377 bills had been introduced. The 4000th bill introduced in this year's short, non-budget session which began March 8, 2016 marks 1623 bills being introduced this year alone, and session is not over. A part time legislature cannot input infinite items into a finite process and expect anything other than a breakdown. The increasingly common occurrence of special sessions, such as the one that was needed in 2015, is evidence of such a breakdown.

Members of the legislature introduce bills as if the mere introduction and press release or press conference actually accomplishes something. Of the 134 members of the House, there is a wide disparity in the number of bills introduced. And this isn't a partisan problem.

The 10 with the most bills are: Reps. Zerwas (R-Elk River) 102 bills, Mullery (DFL-Minneapolis) 90 bills, Davids (R-Preston) 81 bills, Quam (R-Byron) 69 bills, Atkins (DFL-Inver Grove Heights) 63 bills, Erickson (R-Princeton) 60 bills, Hamilton (R-Mountain Lake) 60 bills, Moran (DFL-Saint Paul) 58 bills, and Howe (R-Rockville) 52 bills, Albright (R-Prior Lake) 51 bills.

The 10 with the least bills are: Reps. Daudt (R-Crown) 1 bill, Peppin (R-Rogers) 3 bills, Pelowski (DFL-Winona) 4 bills, Anderson (R-Bloomington) 6 bills, Flanagan (DFL-St. Louis Park) 9 bills, Nelson (DFL-Brooklyn Park) 9 bills, Yarusso (DFL-Shoreview) 9 bills, Koznick (R-Lakeville) 10 bills, Masjin (DFL-Eagan) 10 bills, and Considine (DFL-Mankato) 11 bills.

In 2007 and 2008, as the Chair of the House Government Operations and Reform Committee, I held eight hearings on reforming Minnesota's legislative process. The hearings were open to every member of the House. Testimony was taken from National Council of State Legislatures (NCSL), Revisor's Office, Government Relations Representatives, Legislators, the Public and the Minnesota Newspaper Association. Working with a representative of NCSL comparing Minnesota's legislative process to the other 49 states, a series of proposed recommendations were made in a report to the House. The full report can be accessed on the House web site at: <http://tinyurl.com/MNLegReform>

Two of those recommendations were adopted and included as part of the House Rules. The first in 2009-2010 was to limit floor debate on bills to prevent going into the late evening or early morning when the public was not aware of what was happening to the legislation. The second in 2013-2014 was to require that amendments to bills be filed and posted on the House web site 24 hours in advance of a floor debate so the public could be aware of how the bills were going to be changed.

Other recommendations based on what other states have adopted were recommended. They include the following:

- Limiting the number of bills a legislator can introduce. As few as six bills are all a legislator may introduce in some states.
- Stopping the introduction of bills at a certain point, such as after committee hearings cease, in order to allow legislators, staff and the Revisor's Office to focus their full attention on bills and budgets before the legislature.
- Setting funding and budget targets as early as possible so committees have a complete understanding of the impact of these budget targets on education, health and human services, transportation, and other essential services Minnesota provides.
- Limit the number of committees legislators serve on so they can gain a thorough understanding of the issues and budgets of these committees. NCSL recommended serving on no more than three committees.
- Require that the legislature and its committees not meet past midnight and that this rule cannot be suspended.

The House and Senate will again be holding a joint meeting with the NCSL to discuss legislative reforms and budget targets. You can watch the proceedings of the Tuesday, May 10th meeting on the Minnesota Channel or by selecting live coverage of the Senate Finance Committee at www.senate.mn.

It's clear that our part-time legislature is under enormous stress due to a system awash in bills and deals made in the backroom or the dead of night due to archaic rules. Minnesota leads the nation on many important fronts from civic engagement, job growth, and college entrance

exams. Now it's time our legislature reforms itself to better serve Minnesotans in the 21st century. This election year, Legislative Reform should be among the issues voters use to decide who returns to represent them in St. Paul.

Rep. Gene Pelowski Jr.

DFL-Winona



Capitol meltdown: Session ends in chaos

Tim Pugmire May 23, 2016

13



Speaker of the House Rep. Kurt Daudt speaks with DFL Senate Majority Leader Sen. Tom Bakk on the Senate floor during the final day of the session Sunday in St. Paul. Minnesota's legislative session ended in chaos and with a pile of unfinished. *Carlos Gonzalez | Star Tribune via AP*

LISTEN Story audio
May 23, 2016

Minnesota lawmakers stumbled across the finish line for the 2016 session Sunday night without completing three of their top goals.

For the second session in a row, House and Senate leaders failed to reach a compromise on a long-range transportation

Chaos At End Of MN Legislative Session – Bonding, Transportation Bills Die

By: **MICHAEL MCINTEE** | May 23, 2016

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Chaos reigned again at the close of Minnesota's legislative session. A bonding bill that was made public in the last hour of the session failed when the House adjourned before the Senate could send back an amended version of the bill. Time ran out before the Senate could rescind the amendment.

Governor Mark Dayton did not say whether he would call a special session to reconsider the bonding bill. On Monday he said he would meet with the House and Senate Republican and DFL leaders before making any decision.



Session Daily Home

May 23 2016 2:15AM

No bonding bill after chaotic close to 2016 legislative session

By Jonathan Avise



House Minority Leader Paul Thissen, left, and House Speaker Kurt Daudt have a heated discussion during May 22 debate of the omnibus capital investment bill. Photo by Paul Battaglia

<https://m.youtube.com/watch?v=ZTHy7xJ1FPQ&ebc=ANyPxKrwqK3WdNyYFdV3TU-qXonl4WADW0l99bgAlaYs4iiK878rlwDXKITEC5Hc-hehZGR3pm9okdyxBgeH8YN1OIYUhlw7bg>

Morris editor calls out Speaker when Daudt asks Minnesota to ignore ugly process of session



In [At the end of Special session and long-term reforms needed in Minnesota government](#), Morris Sun Tribune editor Kim Ukura writes:

When House Speaker Kurt Daudt visited Morris this week, he urged Minnesotans to ignore the "ugly" process for coming to an agreement on a bill, and instead look at the product of the bonding and transportation proposal that had been put together.

I have to disagree. While the outcome is certainly important, the way government comes to agreement is important too. **We shouldn't be willing to ignore bad process in the long-term, even if in the short-term we're content with what has been developed.**

As Minnesotans, we shouldn't accept the idea that last-minute maneuvering and votes with just minutes before a deadline represent good government. We should demand that agreements negotiated in private be given time for public scrutiny before they're voted on, and we should expect that the legislators who represent us will take the time to understand bills before they vote on them.

Once the dust settles on this session, I hope our elected leaders will do the work to make sure that government in Minnesota works well and continues to serve the citizens of the state.

Daudt may prefer [one-liner wisdom drawn from quotations about sausage-making](#), but Ukura has a point. Her commentary joins a signed editorial at the Crookston Times that we posted about in [Crookston Times: Speaker Kurt Daudt's like "a college kid partying like rock star all night long"](#) (while still hoping for a make-up test in that 8 a.m. class he asked the prof to cancel).

Morris is waiting for news of a special session, Ukura reported in [Water treatment plant on hold while questions remain with state funding](#).

Photo: It's the classic Kurt Daudt pout. Photo AP via [St. Cloud Times](#).

COMMENTARY

On what will we weigh Minnesota legislators this November?

National elections (Trump? Clinton?) usually drive state results. But, but, but ...

MAY 27, 2016 — 6:39PM



Star Tribune illustration



Return with me now to those frantic after-sunset hours on May 22, as the 2016 Legislature lurched toward its constitutionally drawn finish line. Legislators saw a 599-page spending bill for the first time at 7:30 p.m. and sent it to the governor two hours later. They received the session's signature measure, a \$1 billion bonding/transportation bill, with less than an hour to go. In the final minutes, they fumbled that golden baton and adjourned without handing it off to the governor.

I took to Twitter to observe that this Legislature was doing a fine job of keeping alive the complaints about hasty, hard-to-follow lawmaking that I heard at the 2015 Legislature's end. Within moments, a response appeared from Crystal City Council Member Jeff Kolb.

"Voters don't care about process," Kolb tweeted.

That must be what legislators believe, too. What else explains their disregard for the open-meeting laws they've set for every other government jurisdiction, and their cavalier violation of their own rules about deadlines, late-night activity, and advance posting of bills and amendments? Some wring their hands about their institution's sloppy ways, and a few call for new rules. (Keep trying, Rep. Paul Thissen, Sen. Carla Nelson and the Senate's Purple Caucus.) But new rules won't result in a tighter ship unless the captains of Starship Legislature want to follow them. If they don't, rules can be suspended or simply ignored.



Star Tribune illustration

"But new rules won't result in a tighter ship unless the captains of Starship Legislature want to follow them. If they don't, rules can be suspended or simply ignored."



House Committee on Governmental Operations, Reform, Technology, & Elections

Hearings & Report
By
Chair

Representative
Gene Pelowski

On June 10, 2007 Representative Gene Pelowski, Chair of the House Committee on Governmental Operations, Reform, Technology and Elections, issued a press release announcing his intent to "use the 2007 interim and the 2008 legislative session to study ways to improve the legislative process in Minnesota". Representative Pelowski began this process in the summer of 2007 by meeting informally with staff from the National Conference of State Legislatures (NCSL) to discuss national trends in legislative process reform.

The committee met three times on this issue during the 2008 legislative session:

On April 15, 2008 the committee met to hear testimony from Brenda Erickson, program principal in NCSL's Legislative Management Program. Ms. Erickson testified and gave the committee written information on national trends to streamline the legislative process.

The committee met again on April 16, 2008 to hear more testimony from Ms. Erickson. That day the committee also heard presentations from Michelle Timmons, Revisor of Statutes, on trends in legislative activity, and from former State Senator and former Court of Appeals judge Jack Davies.

On April 30 the committee heard testimony from Patrick McCormack, Director of House Research and from Phil Griffin, from the Minnesota Government Relations Council (MGRC).

The committee continued its meetings after adjournment of the 2008 legislature:

The committee met on June 13 for a general discussion of the legislative process, including policy considerations and potential changes.

On June 23 the committee discussed committee structure and procedures in more detail, and also heard testimony from Geoff Bartsh of the MGRC.

On July 10, the committee discussed floor procedures, conference committees, and issues relating to the end of Session.

On July 28, the committee discussed conference committee and issues relating to the end of session, and heard testimony from Keith Carlson, representing the Minnesota Inter-County Association, and from Mark Anfinson, representing the Minnesota Newspaper Association.

At its final hearing, on August 15, 2008, the committee recommended that the 2009 legislature consider certain changes in the legislative process. Those changes are listed in this report.

The changes in this report come from ideas suggested from a variety of sources: House members, lobbyists, and members of the public. Where practical, this report includes sample language changes in House rules that could be considered to implement the changes. The ideas in this report were discussed, but not formally adopted, by the House Committee on Governmental Operations, Reform, Technology and Elections. The committee discussed whether to pass along all of the ideas for others to consider, or whether to vote separately on each idea. By a vote of 7-5, the committee decided to pass along all of the ideas for others to consider in the 2009 session.

Our view: Minnesota Legislature needs to fix the process, not the people



Daily News editorial board May 25, 2016 1



It's too easy but impossible to avoid drawing a connection between the Minnesota Twins and the Minnesota Legislature this spring.

Players on the teams kicked off the preseason with the usual bromides of boundless optimism. Got a lot of talent this year. Some new faces and new blood will really bring some positives, and the veterans are ready to step it up. Last few years were rough, but we're really going to surprise people with some big victories.

We indulged the cheer – how can you not be optimistic during a season when the world blooms anew? Still, we knew where this was all headed. The Twins toward historic awfulness. The Legislature toward seemingly historic brokenness.

But instead of the tired blame-game happening across the state this week —calling out each side, throwing around the “do-nothing” tags, talking through how voters should toss so-and-so in November — let's consider first whether the process, not the people, are to blame most.

"The process should matter much more than the product."

And let's note that Winona Rep. Gene Pelowski has already offered a pretty good plan to fix it, if only more lawmakers would take heed.

The Legislature left major bills on the table this session, including comprehensive transportation funding, funding much-needed projects across the state including Winona State University's Education Village, and a variety of other initiatives and policy changes that died before they got an honest shot.

In large part, that's because of the usual 11th-hour madness that resulted in scrambling to take care of most of the business that was laid out months ago, with lawmakers saying afterward they hesitated to vote on multiple bills because they didn't have a clue what was in them.

Pelowski, a longtime advocate for cleaner, more efficient (and saner) state government operations, has made good inroads in recent years with suggested changes on amendments and other rules, and this year re-started the conversation on lawmakers who introduce way too many bills — more than 4,000 this biennium — that are under-researched, uncared for, and too heavily influenced by outside interests. It's too bad that the lawmaker who quite literally has refined the model for Model Legislature isn't given a more powerful voice in how good government should work.

"This session clearly showed that we need to discuss legislative reform," Pelowski told the Daily News. "We cannot operate this way."

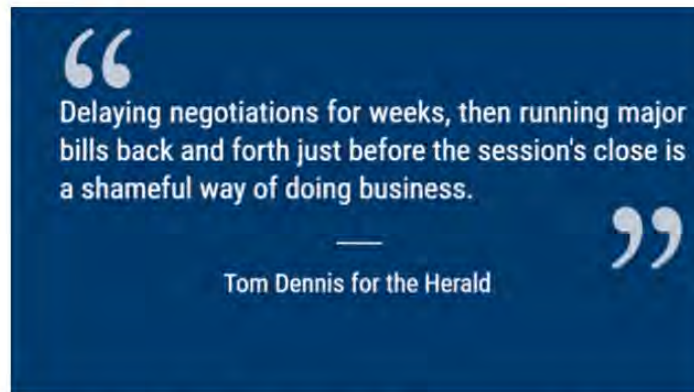
What's the answer? We're not sure. But we do think there's huge value in what Pelowski has been preaching all these years, a truly model Legislature that values patience, transparency and compromise.

Limit the number of bills lawmakers can introduce. Enforce the 24-hour rule, meaning any amendments to a bill must be filed at least 24 hours before the bill reaches the floor for discussion, instead of created on the fly. Set firm final deadlines on when bills can be introduced. Get polished bills in the hands of conference committees with plenty of time to debate and share changes. It's just a start, but it would be a big one.

We've said it before: The process should matter much more than the product. And, best yet, it won't cost taxpayers a dime. A free program to clean up the Minnesota Legislature? That's innovation.

Reform

JUNE 6, 2016



OUR OPINION: How Minnesota can end last-minute lawmaking

Will Gov. Mark Dayton reconvene the Minnesota Legislature in special session? Will Republican lawmakers agree to the Democratic governor's conditions?...

Opinion / Our Opinion June 6, 2016 - 10:15pm

MAY 16, 2016

GENE PELOWSKI JR.: Swamped, stressed Minnesota Legislature needs reform

ST. PAUL—Friday marked the 100th Day of the 2015-2016 legislative session. We ended the week with the 4,000th bill being introduced in the Minnesota House. Minnesota's Constitution allows the Legislature to be in session only 120 days over each two-year period, known as a biennium....

Opinion / Op-Ed Columns May 16, 2016 - 3:45am

Winona State 'Education Village' still without funding, leaders hope for special session

Author: Kyle Dimke, kdimke@wkb.com
Published On: May 25 2016 11:16:46 PM CDT | Updated On: May 27 2016 05:32:56 PM CDT



Winona State 'Education Village' still without funding, leaders hope for special session

STW Transcript

WINONA, Minn. (WKBT) -The Minnesota Legislature ended its regular session Sunday night.

RELATED CONTENT



Winona State University to create \$24.6 million 'Education Village'

A chaotic ending in the Minnesota Senate until its midnight deadline had some educators at Winona State University staying up late to watch the session in hopes the university would receive funding for a state-of-the-art teaching facility.

They were disappointed, but there may still be hope.

Because of the chaos, Rep. Gene Pelowski (DFL) of Winona said a bonding bill didn't pass, and Winona State University may not get the \$25 million it needs to build a new village on campus this year.

"We passed it, (in the House) it went over to the Senate and the Senate ran out of time," Pelowski said.

The Education Village is Winona State's vision of turning Wabasha Recreational Center, Wabasha Hall and the former Cathedral Elementary School buildings just off campus, into a future teacher's paradise.

"It will be a comprehensive program of teacher preparation where if you want to be a teacher, from the very first courses you take, you will be working with students and teachers in private and public schools in the area, you will be developing curriculum, you will be doing things that have not been done previously by teacher preparation institutions," Pelowski, a Winona State grad, said.

The university said 20 percent of the student body is in the College of Education.

"The current facilities we have for the college of education are inadequate for training and educating teachers for the 21st century," Vice President of Finance and Administration Scott Ellinghuysen said.

The new Education Village buildings are also in need of some work, but with a little remodeling, they could return Winona State to a university known for its education program.

But in order to begin construction this year, Minnesota Gov. Mark Dayton would need to call a special session.

Dayton said Monday that he will think about calling a special session. Pelowski said he does expect a special session to be called within the next few weeks.

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06-16-2016 12:3 RA JSK COMP16-7768_H0622-3

COMPARISON
16-7768
h0622-3

1.1 A bill for an act
1.2 relating to capital investment; authorizing spending to acquire and better public
1.3 land and buildings and other improvements of a capital nature with certain
1.4 conditions; modifying previous appropriations; establishing new programs and
1.5 modifying existing programs; authorizing the sale and issuance of state bonds;
1.6 appropriating money; amending Minnesota Statutes 2014, sections 13.6905, by
1.7 adding a subdivision; 13.7411, by adding a subdivision; 85.34, subdivision 1;
1.8 115E.042; 116J.431, subdivisions 1, 6; 160.18, by adding a subdivision; 174.52,
1.9 subdivision 2; 219.015; 299A.55; 446A.072, as
1.10 amended; ~~446A.072~~; 446A.073, as amended; 446A.081,
1.11 subdivision 9; 446A.12, subdivision 1; 462A.37, by adding a subdivision;
1.12 Minnesota Statutes 2015 Supplement, sections 16A.967; 162.145, subdivision
1.13 3; 462A.37, subdivision 5; Laws 2002, chapter 393, section 22, subdivision
1.14 6, as amended; Laws 2012, chapter 293, section 7, subdivision 3; Laws 2014,
1.15 chapter 294, article 1, sections 7, subdivision 15; 17, subdivisions 6, 12; Laws
1.16 2015, First Special Session chapter 5, article 1, sections 10, subdivision 3; 19;
1.17 proposing coding for new law in Minnesota Statutes, chapter 219; repealing
Minnesota Statutes 2014, section 123A.446.

1.18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.19 **ARTICLE 1**
1.20 **APPROPRIATIONS**

1.21 Section 1. **CAPITAL IMPROVEMENT APPROPRIATIONS.**

1.22 The sums shown in the column under "Appropriations" are appropriated from the
1.23 bond proceeds fund, or another named fund, to the state agencies or officials indicated,
1.24 to be spent for public purposes. Appropriations of bond proceeds must be spent as
1.25 authorized by the Minnesota Constitution, article XI, section 5, paragraph (a), to acquire
1.26 and better public land and buildings and other public improvements of a capital nature, or
1.27 as authorized by the Minnesota Constitution, article XI, section 5, paragraphs (b) to (j),
1.28 or article XIV. Unless otherwise specified, money appropriated in this article ~~act~~ for a capital

Article 1 Section 1. 1

Rep. Alice Hausman (DFL)

Occupation: Legislator

Tuesday, June 14, 2016

MN HOUSE

54:26 / 3:42:50

Representative Alice Hausman displays, by each tab, the 29 major errors and over 30 minor errors of the 2016 Bonding Bill that failed to pass in the Senate. This was the meeting of the 2016 Bonding Conference Committee that never officially existed, resurrected in a fictional interim session that does not exist and has no authority to pass anything.

Sunday May 22, 2016

The last hour of the 2016 legislative session in the Minnesota House of Representatives.

The bonding bill was taken from the table at 11:17 pm, it was about 10 minutes and 30 seconds later that the secondary amendment with the \$821.9 million mistake was voted on...

Comments by Rep. Alice Hausman

- To REVISION*
- 1.1 moves to amend the amendment (A16-1269), the delete
 - 1.2 everything amendment, to H.F. No. 622, the second engrossment, as follows:
 - 1.3 Page 9, line 32, delete "30,866,000" and insert "25,866,000"
 - 1.4 Page 15, line 24, delete "15,000,000" and insert "10,000,000"
 - 1.5 Page 43, line 28, delete "\$,822,917" and insert "\$1,242,558"⁰⁰⁰

822,917,000

79 75

*29 major
38 minor
67*

This secondary amendment to the DE amendment (line 1.5) is a clear example of the blatantly ignored process on the chaotic last night of session.

With less than an hour to go, this erroneous amendment was adopted. It was meant to correct a bond sale authorization placeholder figure in the bill. The problem is that it was off by \$821.9 million – and only allows for a bond sale authorization of \$1.242 million. It makes the tax bill error look small.

I would like to stress this is not at all a staff problem, this is a management problem that left staff with little to no time to do their job because they waited until the very last second.

Clearly, this error would have been caught had there even been a few hours to proofread the bill. Most members did not even have the DE amendment in hand when this amendment was offered.

Minnesotans deserve better....

I'm glad we are making these corrections and vetting the bill today. I am eager of all of us to continue our work to get this bill done so critical infrastructure across that state can be fixed....

Legislature, Dayton share blame for failing to finish

Published July 9, 2016 at 8:00 am

With each passing day, the likelihood that the Minnesota Legislature will be called into special session to finish its work grows dimmer. The next election is just four months away, and each day puts legislators seeking re-election more in candidate mode instead of being the public servants they were elected to be.

While it is true that state government will continue to function whether a special session is held or not, the reality is that both the Republicans and Democrats raised the public's expectations by promising to do some targeted tax relief, to address the growing shortfall in transportation funding, and to fund public works projects through bonding.

None of those three things came to fruition, and all three entities involved – the Republican-controlled House of Representatives, the DFL-controlled Senate and Gov. Mark Dayton – deserve a share of the blame.

In 2014, voters decided that Minnesota should have a divided government, returning control of the House to the GOP and re-electing DFLer Dayton. To pass a bonding bill requires a supermajority of 60 percent, and neither majority caucus had 60 percent of the seats in the House or the Senate. The message to all was clear. You can't have everything you want. You need to compromise.

And then all three promptly overplayed the hands they had been dealt.

The state was sitting on a \$900 million budget surplus, so the money was available for both tax relief and to fund some critical needs. But after doing little of significance for two months, the major pieces were left undone.

The breakdown began in earnest when the House Republicans kept their bonding proposal secret until less than a week was left in the session, leaving little time to iron out the \$700 million difference between the House and Senate bills.

In the last hour before the Legislature had to adjourn, the House passed the bonding bill without any funding for the Southwest Light Rail Transit (SLRT) project, and sent it to the Senate.

In the session's closing minutes, the Senate added the SLRT line, but by the time the senators sent it back to the House, the House had adjourned.

Since then, Dayton has not helped matters. He refused to sign the one significant measure the Legislature approved – tax relief – ostensibly because it had a \$100 million clerical error in the bill, but in reality to keep the pressure on lawmakers to make a deal.

This eliminated some funding for the new Vikings stadium, triggering a 10 percent tax on suite revenue. More importantly, it wiped out \$260 million in tax relief for farmers, military veterans, student-loan debtors, small businesses, child care customers and smokers.

Only the governor can call a special legislative session, but instead of picking up where the legislators left off, the governor announced that the only way he would call them back is if the Legislature agreed to 16 items he favored that included \$80 million in additional spending in fiscal year 2017, another \$164 million in 2018-19 plus an additional \$56 million in bonding. Since then, all sides have been saying the same thing: "We need to compromise, but the other side won't."

Because the negotiations are secret, the only conclusion is that so far none of them are willing to "compromise" enough.

We do not blame the legislative leaders alone for this stalemate. Each of them is charged with delivering votes from their party's caucus. If rank-and-file legislators refuse to accept a proposal, then the leaders are forced to continue negotiating.

Ultimately the intractability falls back on the citizens of this state. The truth is we are so polarized that most of our legislators do not have to worry about re-election. In the 2012 Senate election, fully 30 of the 67 senators won by 20 percent or more, a landslide by any definition. Another 12 won by 10 to 20 percent. Only six were in tight contests decided by less than 5 percent.

In the 2014 House election it was worse. Of the 134 members, 76 won by more than 20 percent, and another 33 won by 10-20 percent. Only 15 races were won by less than 5 percent.

As the looming election brings partisanship to the fore, those few hotly contested seats become the focus. The DFL needs to gain only seven House seats or the GOP only six Senate seats to regain total control of the Legislature.

In what has been an unusual presidential election, voters seem more willing to shake things up than they have in the past. If there is an issue that needs shaking up, however, it appears to be Minnesota's legislative process.

Not doing the public's business during this biennium in hopes of getting a better deal in the next shows contempt for the voters. Citizens should be contacting their legislators, demanding that they not sit on the \$900 million surplus, that they do something to improve the transportation system, and that they maintain the state's public buildings.

Citizens should also be asking for changes in the legislating process to reduce the logjam at the end of future sessions. Beyond that, the only other recourse for voters is sending a message to the 11 incumbents who face August primaries, or, if that fails, to all the incumbents in the general election. Given the lopsided majority that many of them enjoy, they may not be ousted, but perhaps they will begin to feel less comfortable about not getting their work done.

This is an opinion from the ECM Editorial Board.

Filed Under: [Dayton](#), [ECM Editorial](#)

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"Citizens should also be asking for change in the legislating process to reduce the logjam at the end of future sessions...Given the lopsided majority many of them enjoy, they may not be ousted, but perhaps they will begin to feel less comfortable about not getting their work done."

Voting patterns in the Minnesota House

Pioneer Press graphic by David H. Montgomery



Rep. Gene Pelowski

Rep. Jeanne Poppe



Rep. Paul Marquart



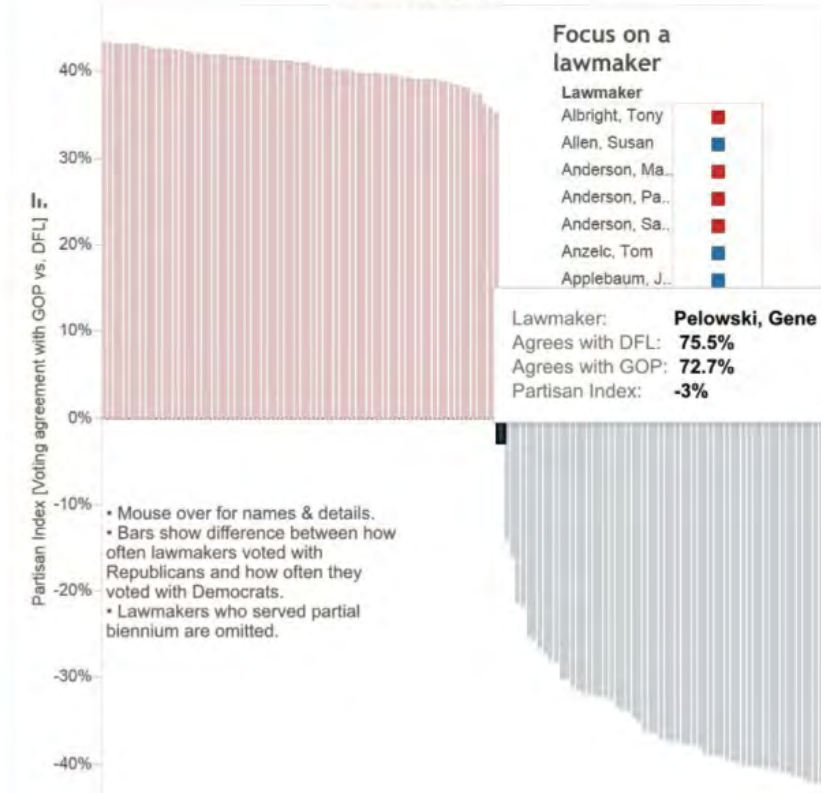
In this network graph, lawmakers who vote together at least 70 percent of the time are pulled toward each other, while lawmakers who don't vote together stay apart.

The House is dominated by a DFL cluster and a Republican cluster who vote with each other and not the other party — with the exception of a few DFL moderates who have connections to members of both parties.

Representative Gene Pelowski has often stated he represents his district, state, and nation first, and his last consideration is partisan politics. This graphic of voting patterns in the Minnesota House of Representatives, by the Pioneer Press, illustrates that philosophy.

< dhmontgomery's Profile

Partisan voting by lawmaker in the 2015-16 MN Legislature
Pioneer Press graphic



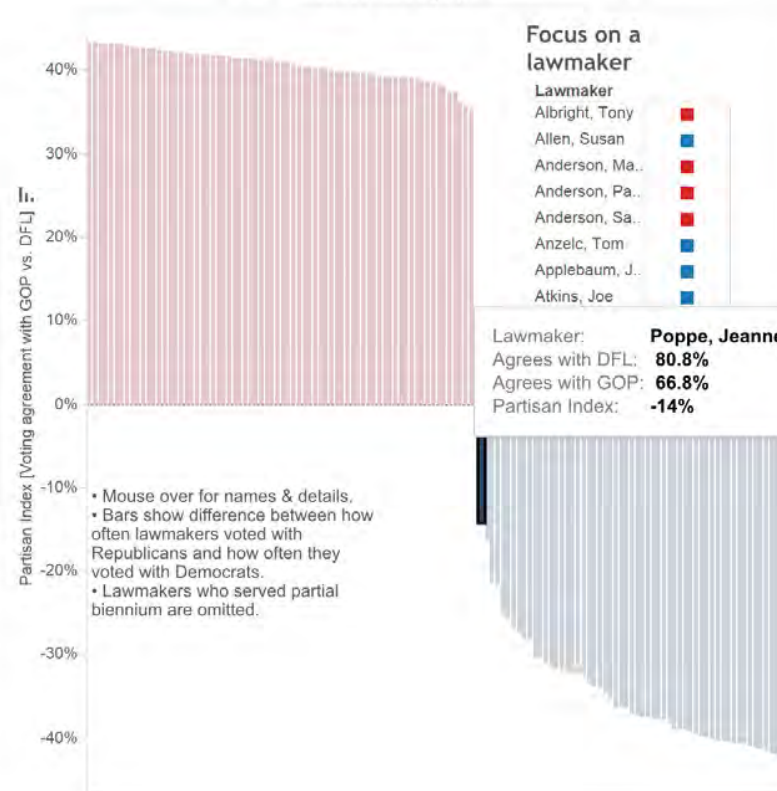
The numbers tell the tale: The Minnesota House is starkly partisan



By DAVID MONTGOMERY | dmontgomery@pioneerpress.com and RACHEL E. STASSEN-BERGER | rstassen-berger@pioneerpress.com
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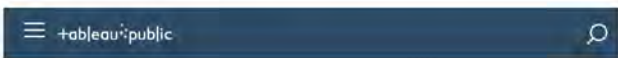
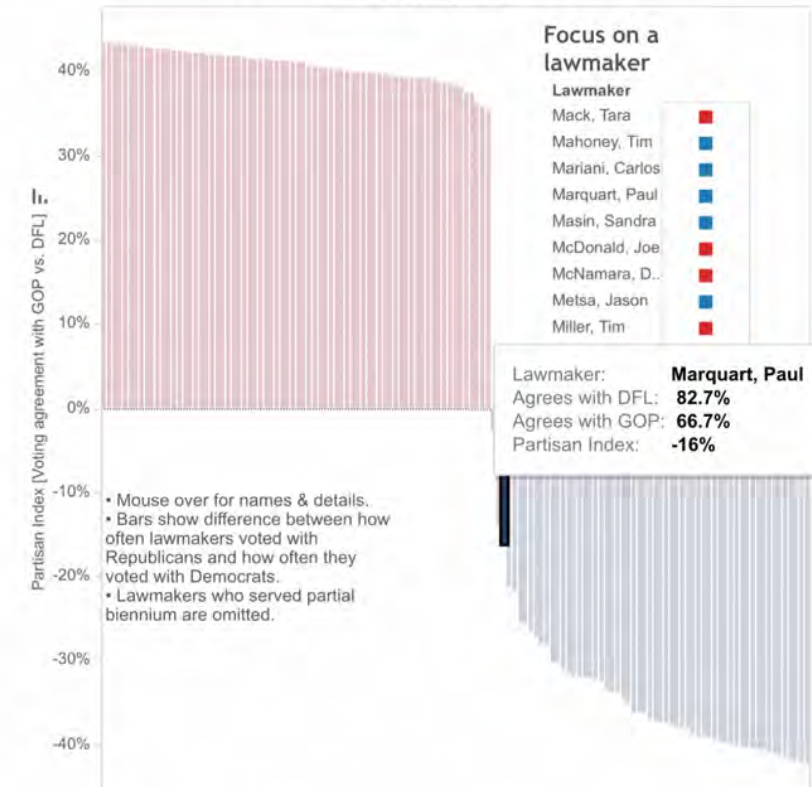
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Partisan voting by lawmaker in the 2015-16 MN Legislature
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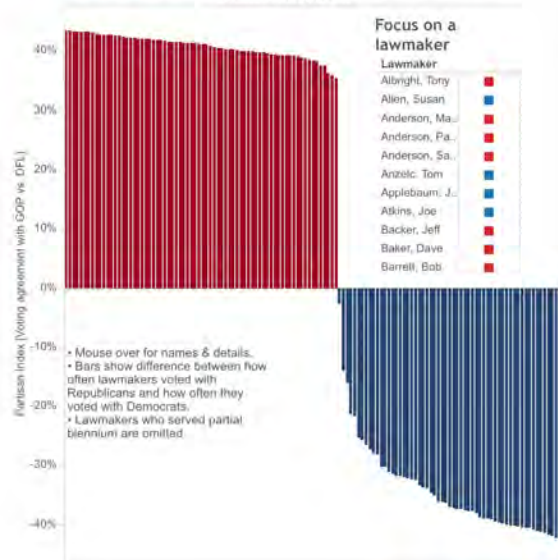
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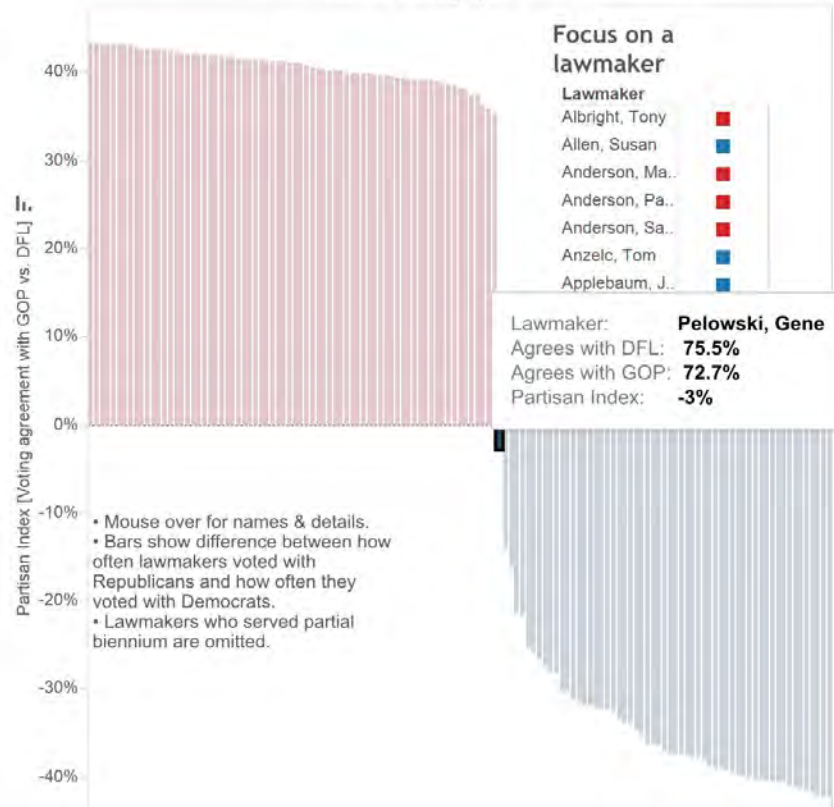
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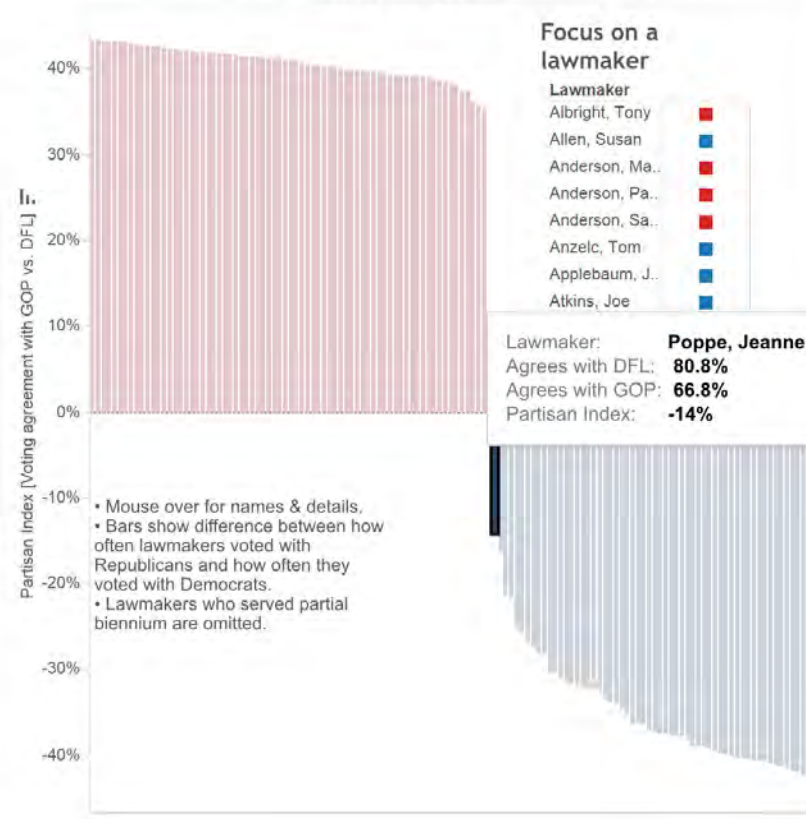
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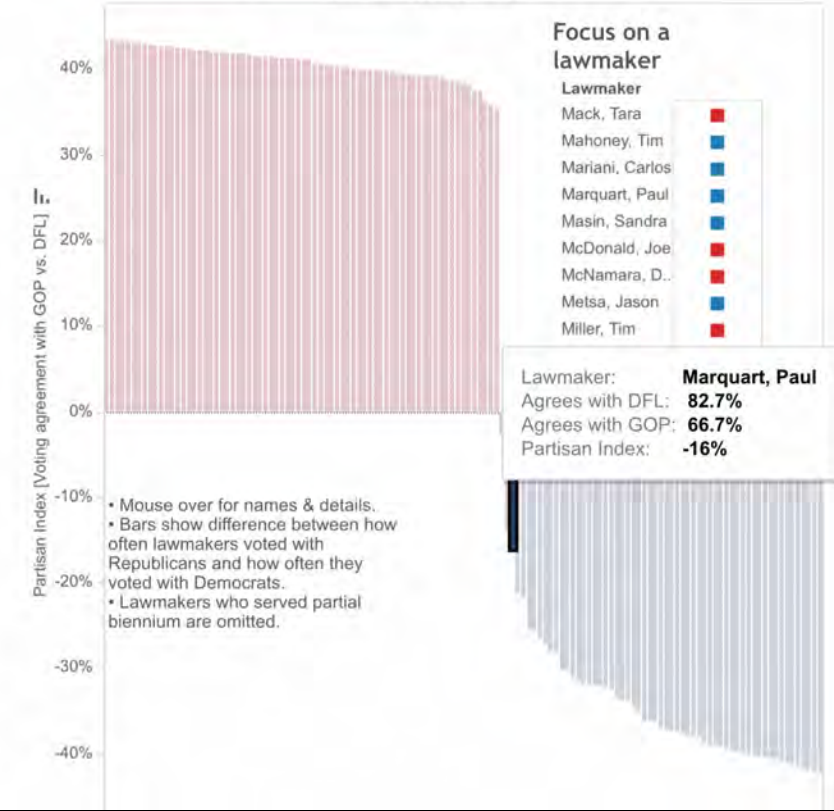
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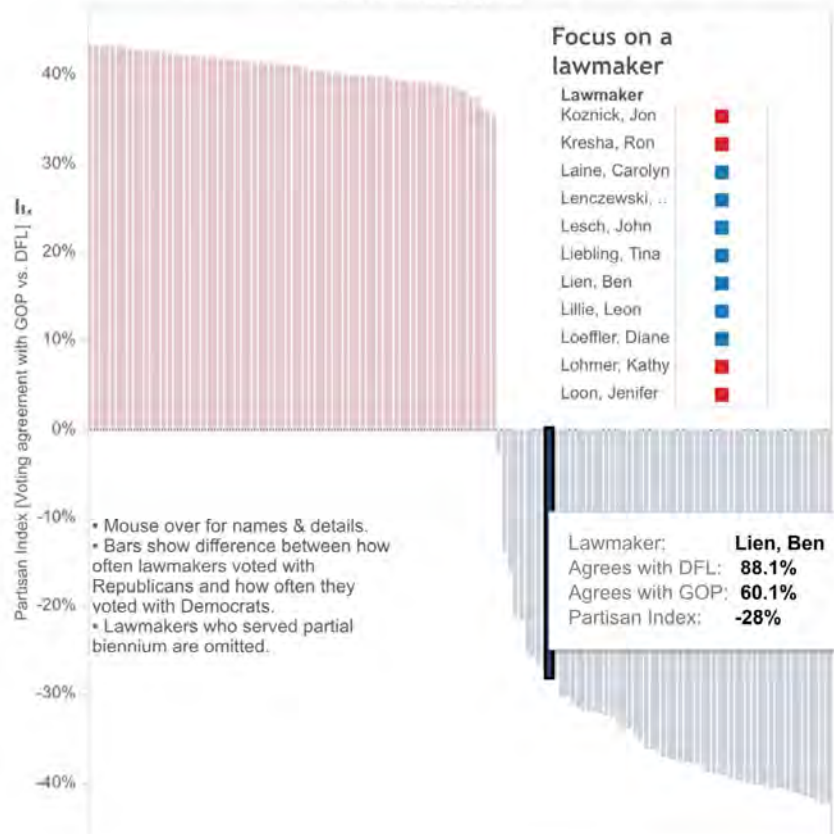
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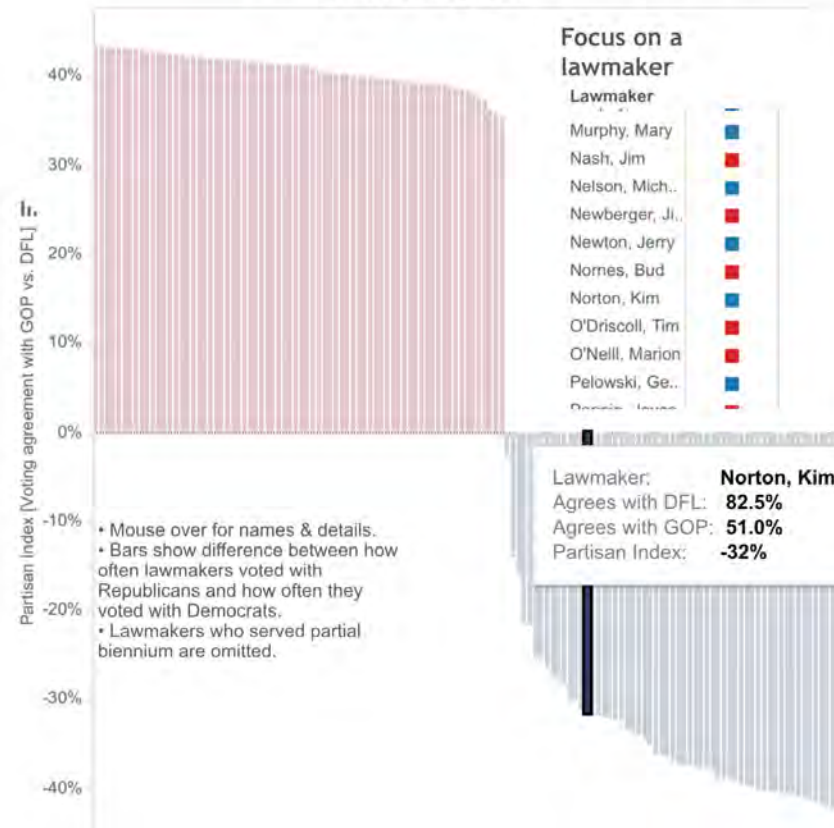
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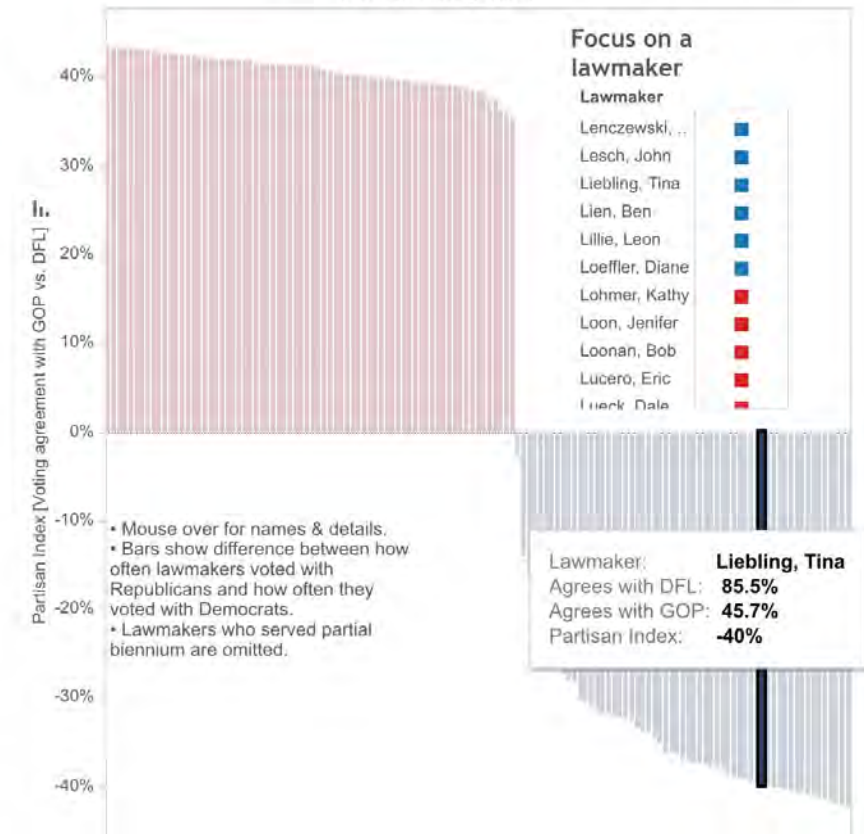
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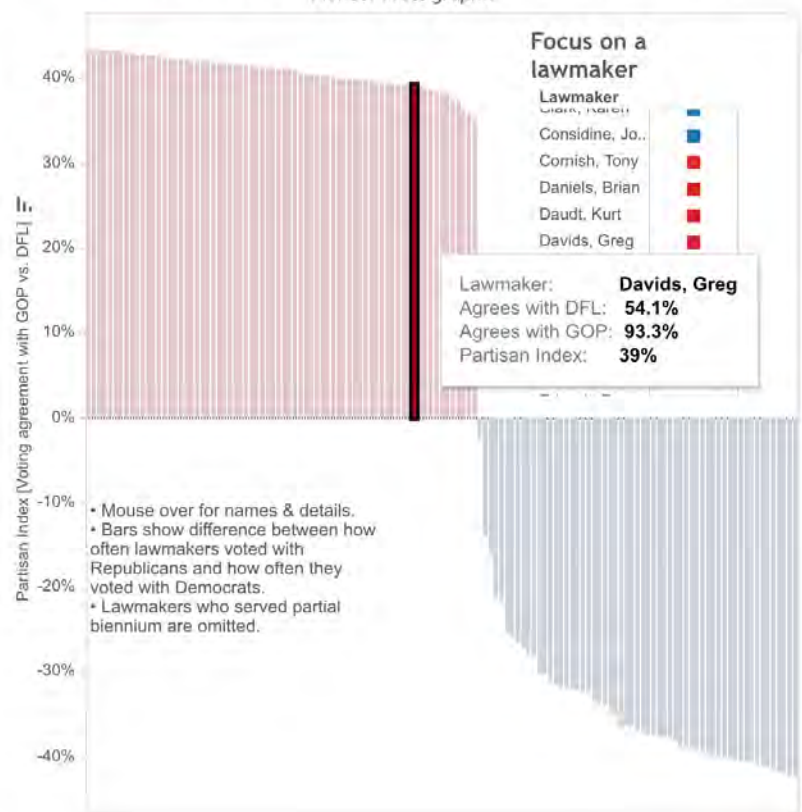
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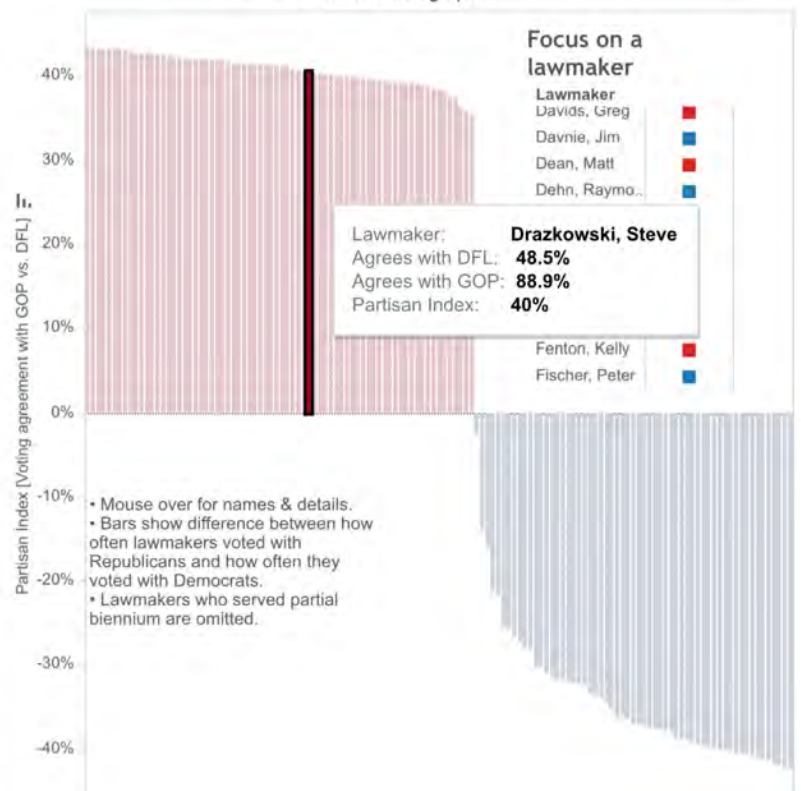
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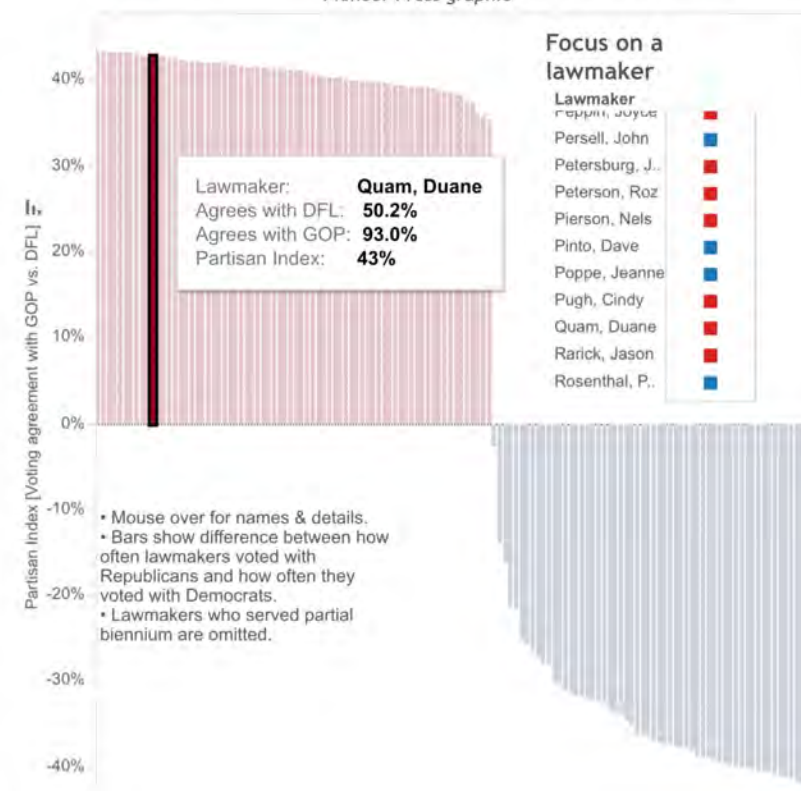
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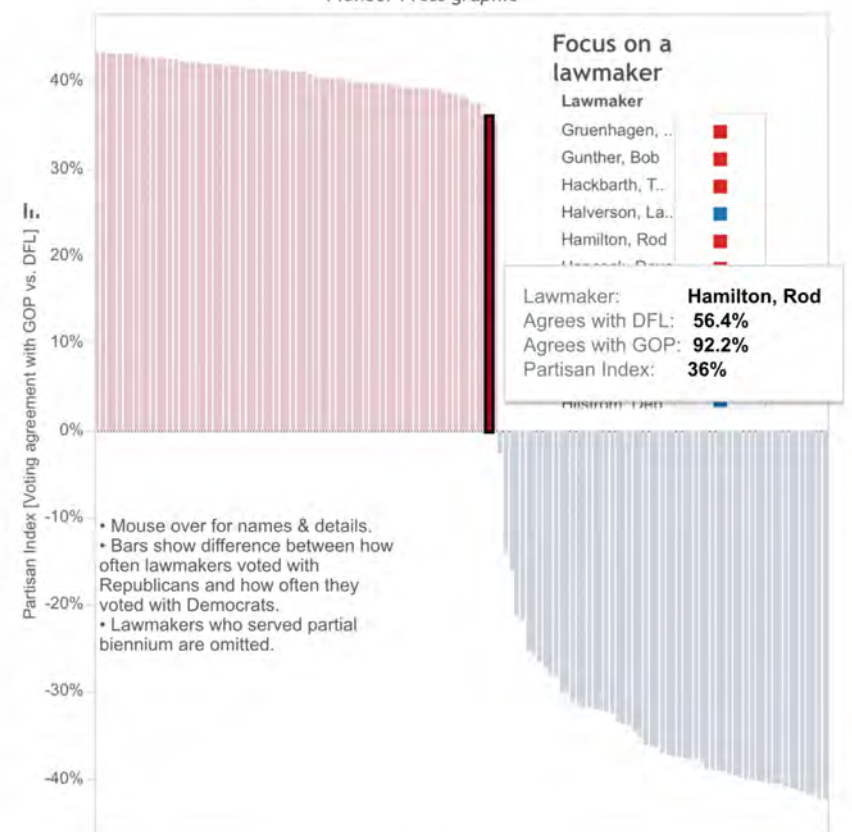
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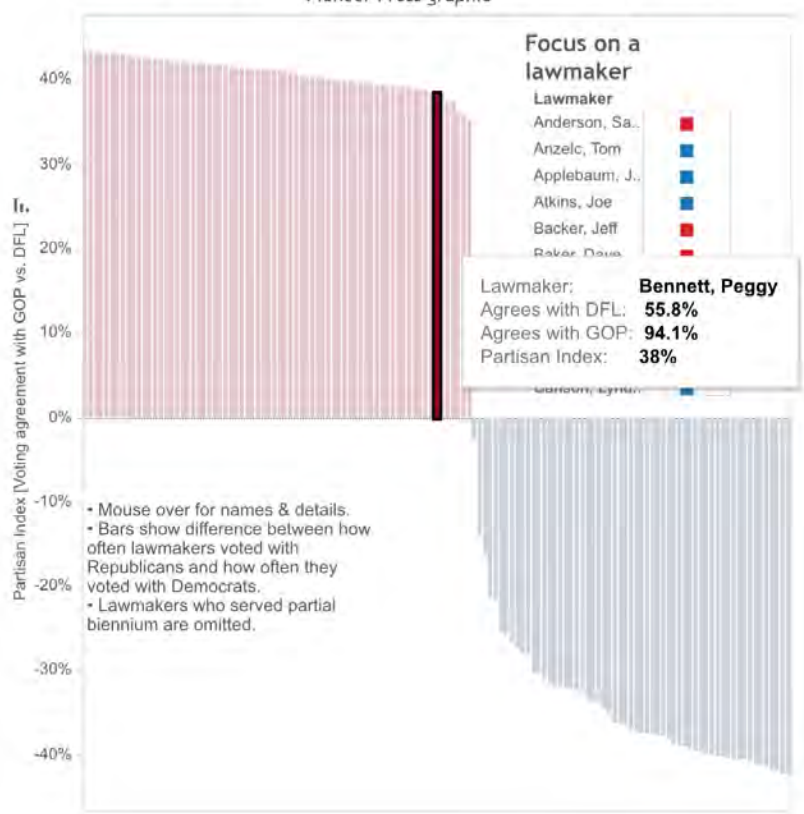
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Pioneer Press graphic



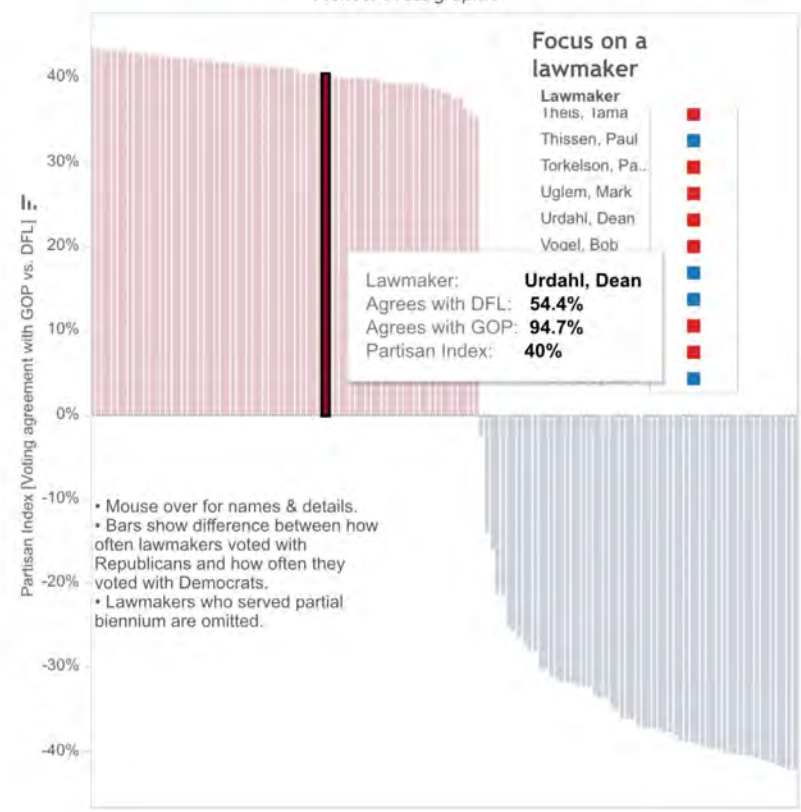
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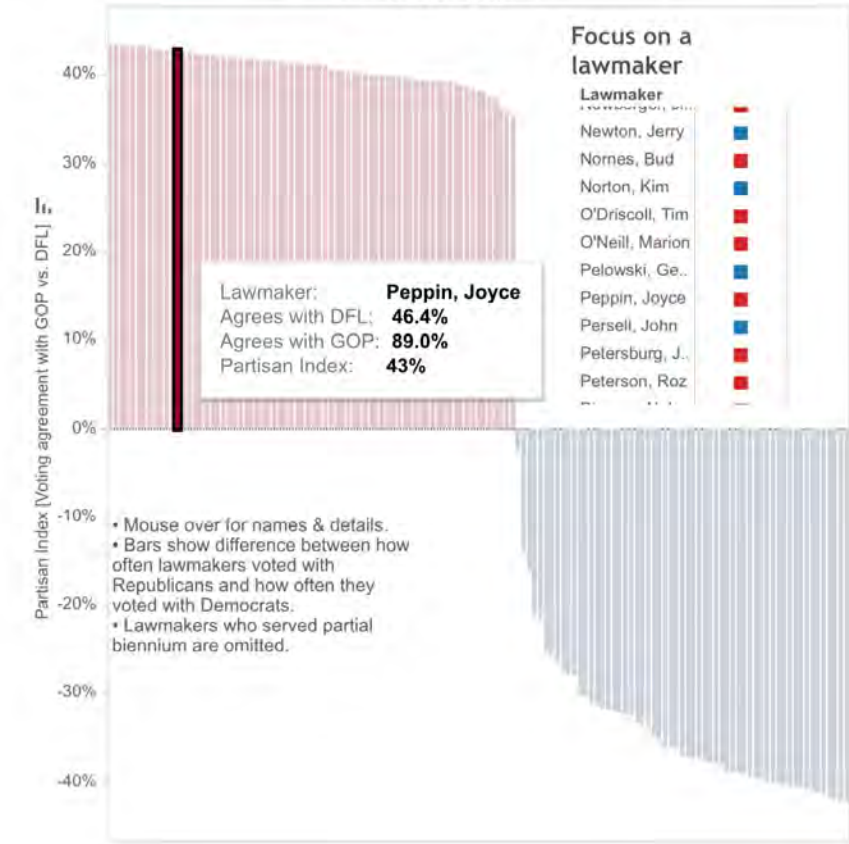


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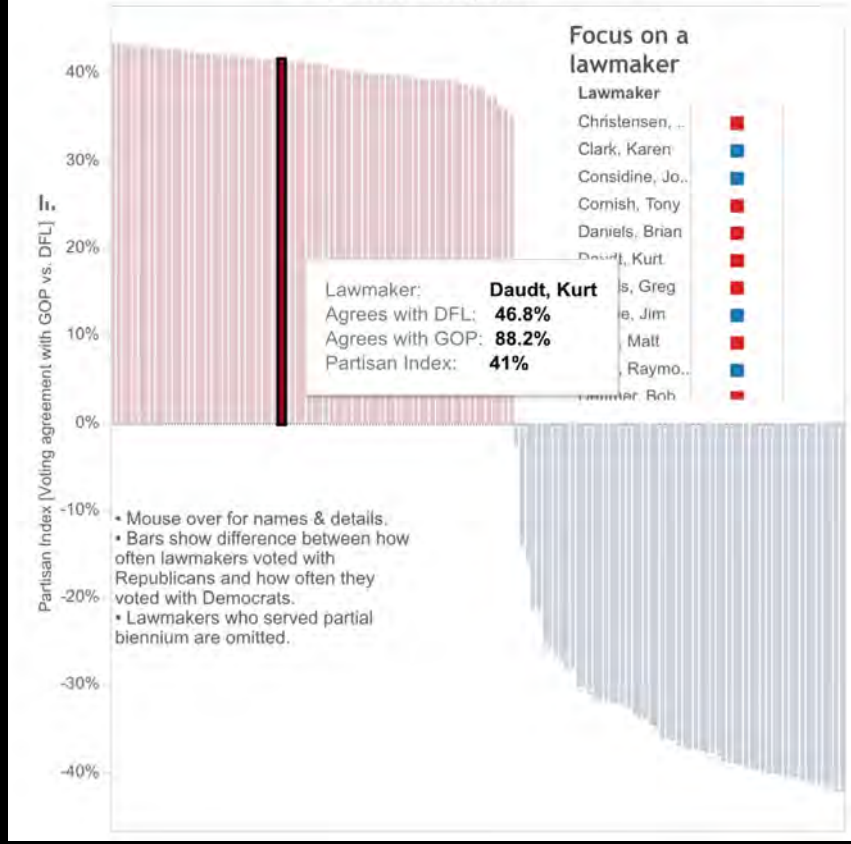
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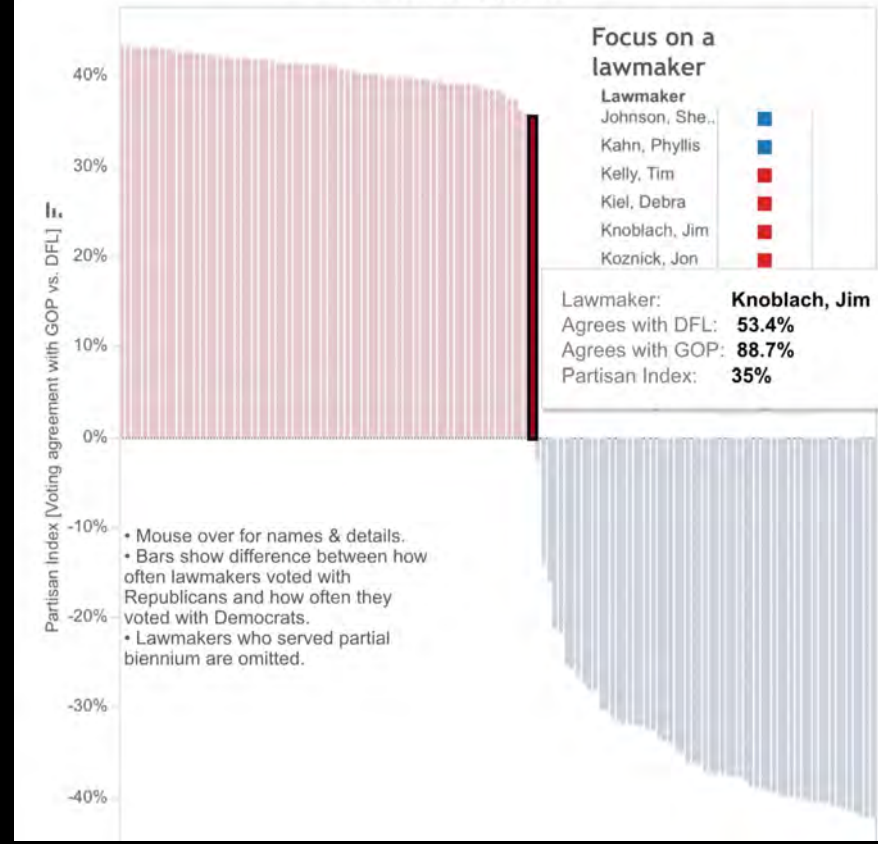
Partisan voting by lawmaker in the 2015-16 MN Legislature *Pioneer Press graphic*



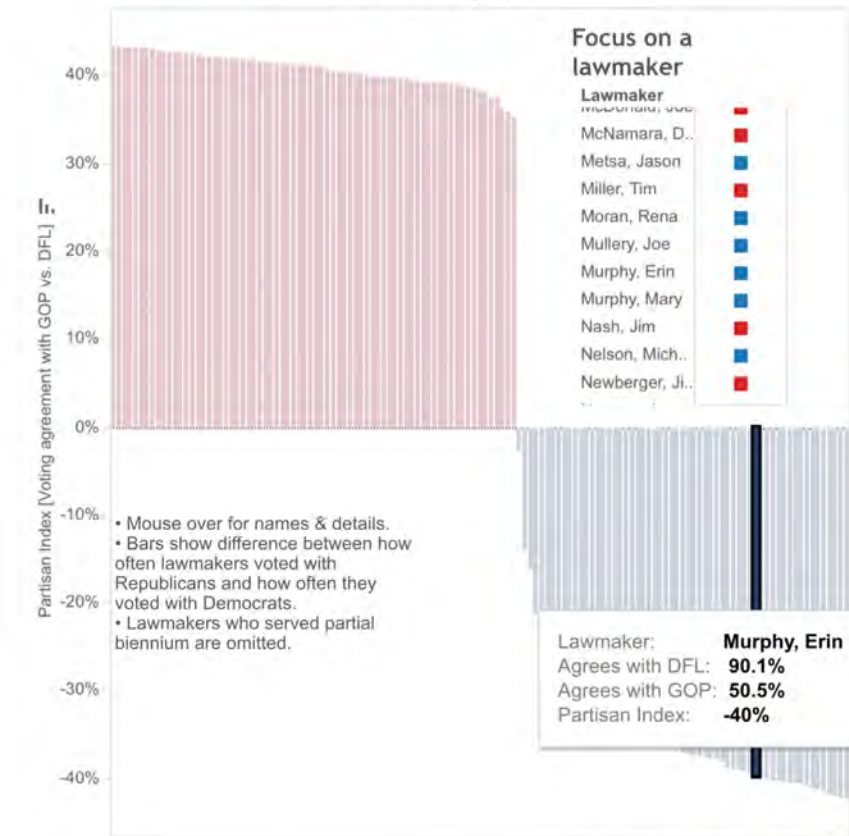
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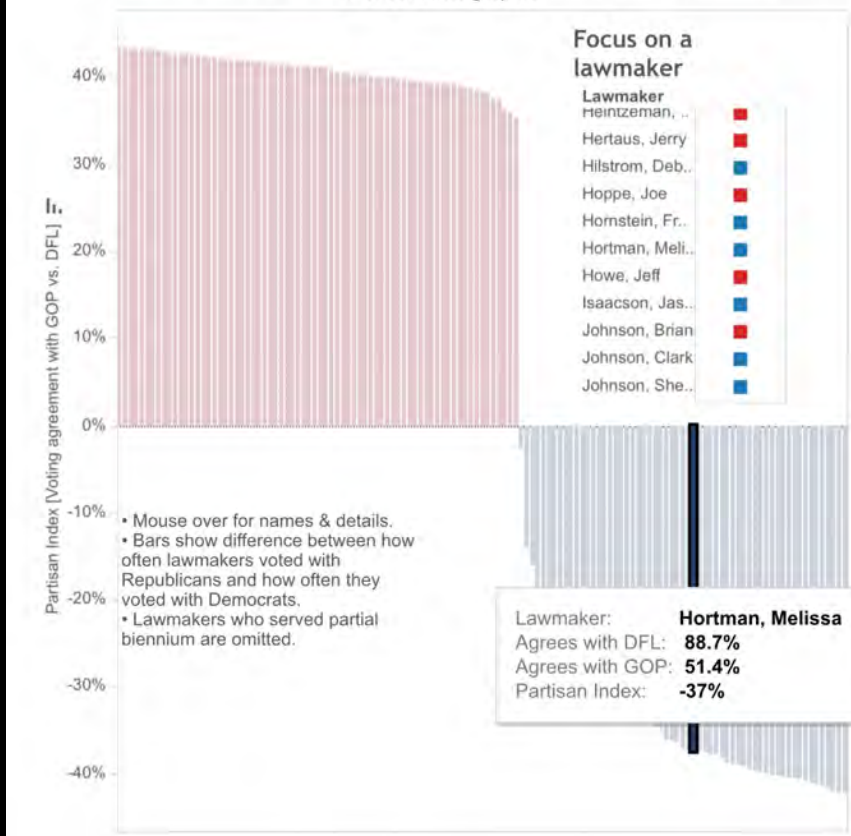
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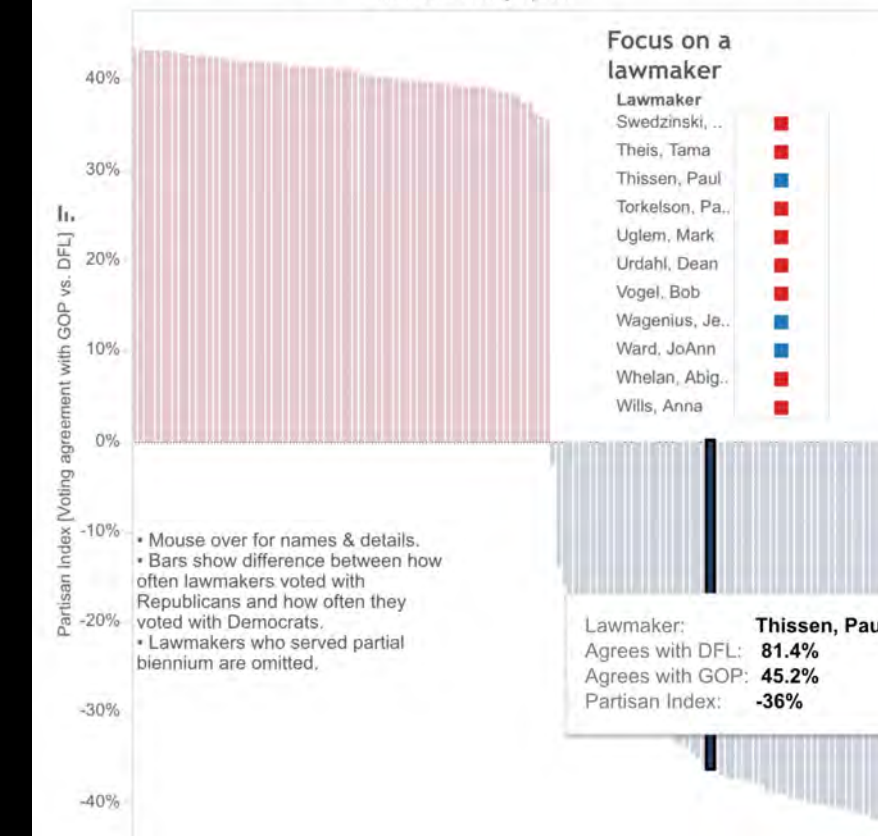
Partisan voting by lawmaker in the 2015-16 MN Legislature *Pioneer Press graphic*



Partisan voting by lawmaker in the 2015-16 MN Legislature *Pioneer Press graphic*



Partisan voting by lawmaker in the 2015-16 MN Legislature *Pioneer Press graphic*





THREE SETS OF FATHERS AND SONS ARE ON MONTANA'S NOVEMBER BALLOT. Five of the six are Republican candidates for the Legislature, and one hopes to become a district judge. House Majority Leader Keith Regier is running for the Senate, and his son Matt wants to succeed him in the House. Representative Greg Hertz is running for re-election, and his son Adam is running in a different House district. Representative Mike Cuffe wants to return to his seat, and his son Matthew is a candidate for district judge.



"A part-time legislature cannot input infinite items into a finite process and expect anything other than a breakdown."

Minnesota Representative Gene Pelowski (DFL) on legislative reform, in the Winona Daily News.

"At a young age, you may not really understand the consequences of that debt."

Indiana Representative Casey Cox (R) on a requirement that colleges accepting state aid inform students of their estimated total loan debt and future monthly payments, in Stateline.



"Laugh if you will but craft beer is considered to be an art form."

Ohio Representative Mike Duffey (R) on his bill to eliminate the state's alcohol limit for beer, which is currently at 12 percent, on Cleveland.com.



VERMONT SENATE PRESIDENT PRO TEM JOHN CAMPBELL (D) IS LEAVING THE LEGISLATURE after 16 years, and one of his key aides hopes to succeed him. Conor Kennedy, deputy chief of staff to Campbell for the last three years, plans to run in the Democratic primary for his boss' seat. Kennedy, 26, served as a legislative aide at age 14, and was endorsed by Campbell as "a very special person" who will "help other people and help this state achieve the goals we set forth." The House also will see a change in leadership, as Speaker Shap Smith (D) announced he will run for lieutenant governor.



CONNECTICUT SPEAKER BRENDAN SHARKEY (D) WILL NOT SEEK RE-ELECTION to what would have been his ninth term in the Assembly. Sharkey became speaker one month after the Sandy Hook Elementary School shootings and helped pass one the country's most far-reaching gun laws. "It's been a brutal four years," he said of his speakership. Only two Connecticut speakers have served more than two terms. House Majority Leader Joe Aresimowicz is seeking the leadership post.



"We keep hearing access, access, access, but when you live in really rural areas you don't have access. We need to do a better job focusing on that."

Kentucky Senator Julie Raque Adams (R) at a 25th Children and Youth with Special Health Care Needs Awareness Day event, at kentucky.gov.



ALABAMA LIEUTENANT GOVERNOR KAY IVEY WAS NAMED TO A LIST OF "50 MOST INFLUENTIAL FEMALE REPUBLICANS" compiled by the media company Newsmax. Others named include Sarah Palin, Carly Fiorina and Condoleezza Rice. Ivey is the state's first female Republican lieutenant governor, a post she's held since 2010. She said she is "humbled to join the prestigious list of hardworking Republican women from across the nation" on the list.



"Those are 1,000-plus New Mexicans who now have a stake and are getting involved in our civic government."

New Mexico Representative Jeff Steinborn (D), who sponsored a successful bill to allow 17-year-olds to vote in primaries, in the Santa Fe New Mexican.

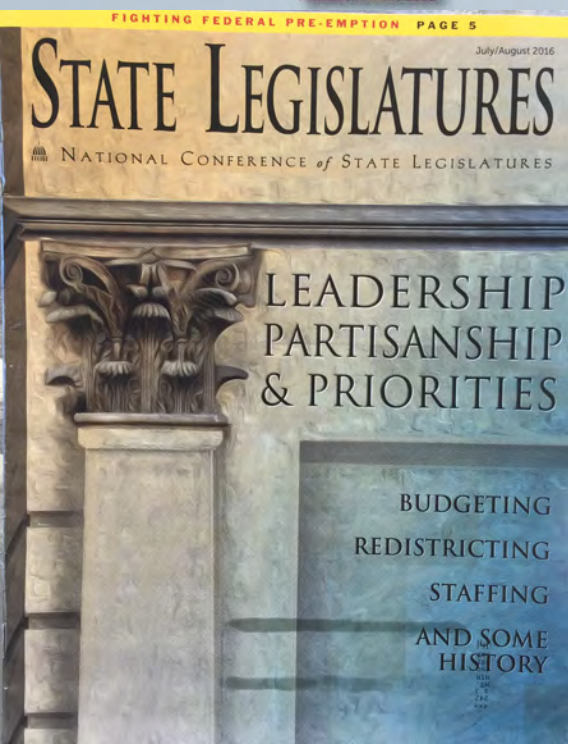


"Who's keeping the lights on? That's the bottom line if there is a cyberattack. How soon can you restart? How soon can you reboot? What is the emergency plan?"

Representative Carol Alvarado (D), on how prepared Texas is for a cyberattack, on WUE.



TWO LOUISIANA HOUSE REPUBLICANS ARE STEPPING DOWN just one year into their terms. Bryan Adams and Joe Lopinto backed Governor John Bel Edwards (D) in his upset victory over U.S. Senator David Vitter (R), and subsequently backed Edwards' speaker candidate, Walt Leger (D), who lost to Taylor Barras (R). Supporting Edwards reportedly cost Adams and Lopinto their respective committee leadership posts. In Louisiana, House and Senate terms are four years, with a 12-year term limit.

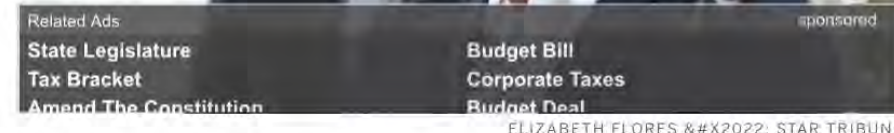


"A part time legislature cannot input infinite items into a finite process without expecting anything other than a breakdown."

A sorry finish to an unproductive legislative session

Consider one more try for tax relief and a bonding bill.

By Editorial Board Star Tribune | AUGUST 19, 2016 — 6:32PM



ELIZABETH FLORES & #X2022: STAR TRIBUNE

Gov. Mark Dayton and House Speaker Kurt Daudt on Aug. 12. Dayton announced Thursday that no deal had been reached on Southwest light rail, so without it, there would be no special session of the Legislature.

The long, twisted tale of the 2015-16 Legislature apparently has come to a sorry but not unexpected end. Legislative leaders and Gov. Mark Dayton announced Thursday that they had reached no deal on Southwest light rail and, without it, there will be no special session to complete the year's lawmaking work.

That means no tax relief, no building projects (bonding) bill, no new transportation funding — and no reason for confidence in the ability of this cast of lawmaking characters to produce a different result next year if they hold their seats in this fall's election.

If it stands, this result will rank the 2015-16 Legislature among the least productive in the modern era. Major bonding and tax bills have failed before, and transportation bills are notoriously difficult to pass. But not in recent memory have two years elapsed with only minor bills in all three of those categories becoming law.

It's a distressing result for a state that habitually looks to state government to solve shared problems and set the table for future prosperity. That habit is eroding — and that's not a change Minnesotans should welcome. Over time, a weaker state government is bound to lead to more local control over public services, which will mean more disparities between rich and poor and a heavier tax burden on low- and middle-income earners, who pay a disproportionate share of local sales and property taxes.

The proximate cause of the breakdown in special session talks is the same one that tripped up the bonding/transportation bill on May 22. The DFL governor and Senate majority insist that some provision for Southwest light rail be on a special-session agenda. The House Republican majority insists that no green light for the project be provided.

Something more fundamental is also to blame. Too many legislators are unwilling to strike the kind of bipartisan compromises that are required when voters send divided government to St. Paul. They appear more concerned about disappointing their partisan bases than about making state government work — and voters reinforce that thinking by failing to hold legislators to account for gridlock.

Each side accuses the other of playing politics — and on that score, both are right. But Republican resistance to Metro Transit's rail projects is shortsighted. The success of the existing Blue and Green Lines in both moving people and spurring development augurs their extensions — the Green Line to Eden Prairie (Southwest) and the Blue Line to Brooklyn Park (Bottineau). Both can meet rigorous federal funding criteria, making available federal money that will flow to other parts of the country if these lines are not built. Both would be an economic plus for the region.

House Republicans were not asked to dedicate state tax dollars to Southwest. Rather, the project's proponents sought either a higher metro-only sales tax for transit, a higher debt ceiling for Hennepin County to borrow for the project or a boost in Metro Transit operating funds so that it could do the borrowing. Those approaches should have been acceptable to a party that has long claimed a preference for local control.

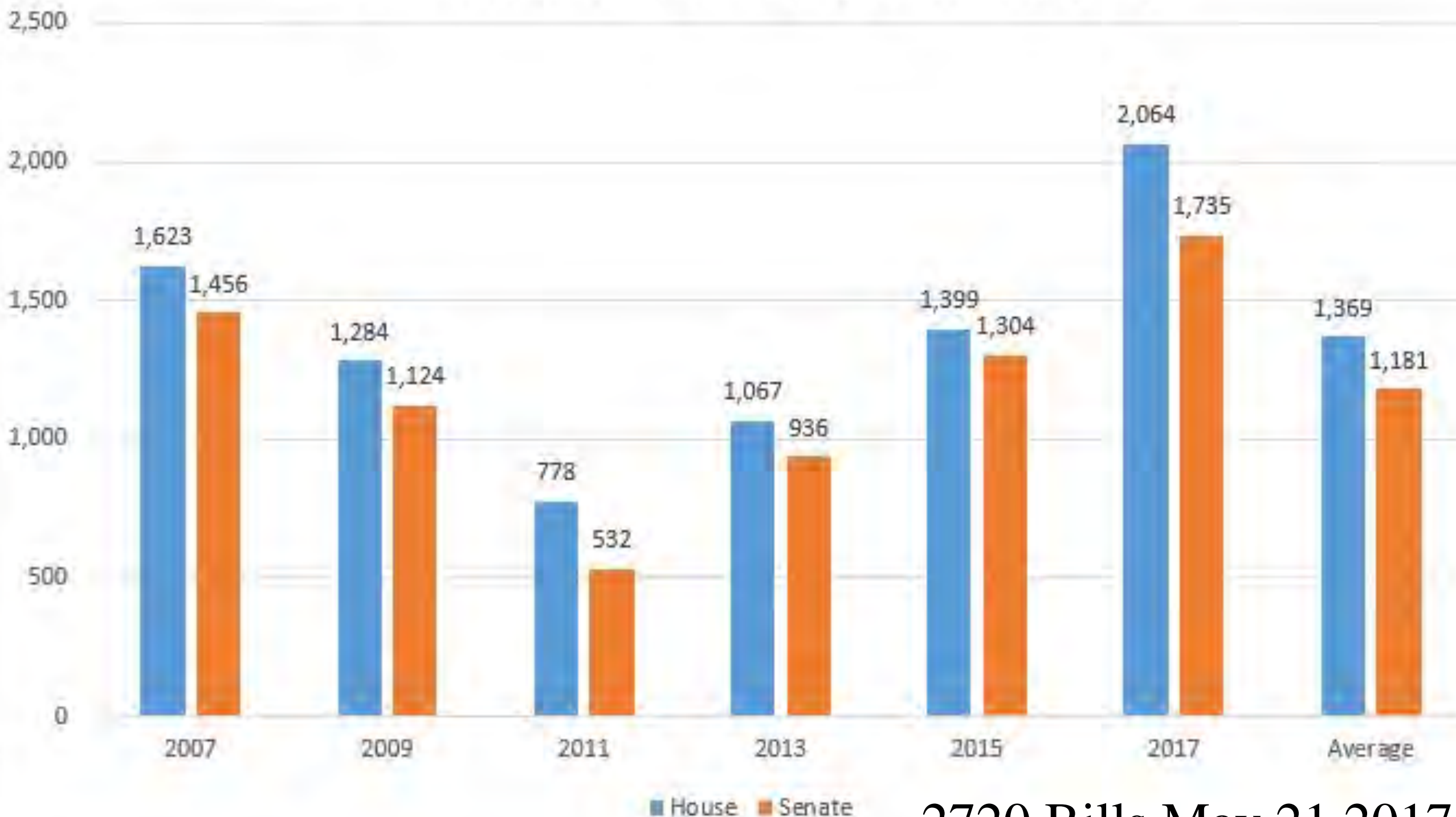
But there's more to this Legislature's failure than a fight over a rail line. Procedural missteps are part of the story. The tax bill was vetoed because it contained a \$100 million error that might have been corrected, had legislators not pushed their deadline too hard. An opportunity to negotiate a multiyear transportation funding package during the 2015-16 interim was not seized. A bonding bill that carried projects with broad bipartisan support moved too late and, in the Senate, became a vehicle for a Southwest rail provision the House would not accept.

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If Thursday's words are the last about a special session, legislative candidates hoping to run against a "do-nothing" 2016 Legislature have their wish. Awareness of that fact should inspire one last stab at compromise. One obvious possibility: Set a special-session agenda containing only mutually agreeable bonding and tax relief provisions, leaving the touchy transportation issue aside.

Action on those bills alone would be less than Minnesotans deserve from these lawmakers. But it would take some of the sting of failure out of the record they've produced to date.

Bill Introductions (as of 03/02 of each odd year)



2720 Bills May 21, 2017

2272 bills were introduced in the House as of 3/8/17
Pelowski Digital Journal Entry



Pelowski Gathering Fish Fry, Friday May 19, 2017 6pm, The Penfield Apt 446
Almanac watched at 7 pm with Dayton & Legislative Leaders

WILL 2017 Session End On TIME?

Ecklund fish freshly caught, Sundin salmon spread & beans

Considine beverage, Sandstede salad

Olson bread, Poppe chocolate treats & Spam

Marquart blender beverage, Slocum beverage

Lillie snack veggies, Lien olives, pickles, chips

Griffin cake, Walfer beverage, Walli extras

Tuesday, May 23, 2017

The Entirely Predictable Minnesota Special Session

A special session for the Minnesota State Legislature was entirely predictable. One practically could guarantee after the 2016 elections that with a Democratic governor and a Republican legislature a special session was likely, and a partial governmental shutdown again a real possibility. While the tentative budget deal brokered at 11:50 Monday night—just minutes before adjournment—could fall apart, it looks for now that the worst scenario has been averted.



Yet no one should take this deal as a sign of victory; instead it points yet again to many underlying failures in the budget process in Minnesota which has created what I have called for years the new normal. The new normal refers to a process dating back 20 years where special sessions, government shutdowns, and failed legislative sessions are the rule and not the exception. So why yet again did the legislature miss its deadline? Why the new normal?

Budgets reflect values. They reflect priorities that different individuals or political parties have regarding what programs are to be funded and for how much, and what public policies they want to see for the state. Budgets are political visions. The new normal in Minnesota reflects a changing political climate in the state that started about 20 years ago. This is no longer a solidly DFL state. As the shifting partisan control of the governor's office and legislature have shown over the last 20 years, Minnesota is a politically competitive and divided state. Clinton's relatively narrow presidential victory over Trump in the state in 2016 demonstrated that.

Look at a map of Minnesota. It reveals from the presidency down to legislative and local races clear patterns of DFL and GOP control. More importantly, the two major parties are polarized along a range of issues ranging from health care, mass transportation, taxes, guns, abortion, and preschool funding. The two parties are relatively equally divided in strength and along their values, making compromise difficult.

Secondly there is a collective action problem. There is a collective interest in compromising and reaching political agreement in a timely fashion, but there is little individual incentive to compromise. Among the 201 seats in the Minnesota legislature, no more than about 15-20 in the House and perhaps a maximum of 10 are from swing districts. The remainder are strongly Democratic or Republican, representing districts where legislators are elected to stand firm on their partisan views. It is only those legislators who come from the swing districts—those with a real chance to flip from one party to another—is there an incentive to compromise. Strong partisanship in one of these districts is a political liability. A paucity of swing seats means less pressure to compromise, and throw in strong party government in the state and even in those swing seats there is powerful pressure to vote straight party line.

Third, there is a leadership issue here. While parties or party polarization may be strong, leadership is weak in the sense of being able to prevent individual members of the legislature from offering bills to appease interest groups or constituents. Moreover, safe-seat legislators are less dependent on party leadership and can pursue or push special legislation, often without fear that leadership will punish them for it.

But finally, as I have argued for more than a decade, there is a structural problem with the budget process that reinforces the values and political polarization. The budget process is antiquated. This is the same budget process that has been in place for decades; it is a horse and buggy process trying to operate in the twenty-first century. It was designed when state government did far less than it does now, when budgets were a tenth or less of what they are now. It is a process premised upon the belief that part-time farmer legislators could show up for a few months, vote yea and nay, and then go back and plant their crops. None of this reflects reality. The budget process is complex, time consuming, and requires technical knowledge that is way beyond perhaps what we can expect of legislators, especially those first elected in November and then two months later asked to master state government and pass a budget. Simply put, government may just be too complex to legislate and budget within the 120 constitutional day limit drawn up for the state in a Norman Rockwell era.

Beyond the fact that legislators suffer from a typical human trait to procrastinate to the last minute, the budget process makes no sense. Legislators take office the beginning of January, wait a month for the governor's budget, then wait another month for the fiscal forecast. Real budget work does not even start until March—half way through the session, and even then, until budget targets for the ten omnibus bills are decided, few details can be worked. Over the years, half of the budget session has been wasted on passing bills to legalize Texas Hold'em card games or Sunday liquor sales. Moreover, because the budget process is so decentralized, it is hard to control and discipline, and the collective disregard for the constitutional single subject rule simply means that policy gets mixed into budgets, and, in many ways, no one has control over the budget until such time as the parties have taken their predictable ideological votes to please their bases before they begin to think about compromising.

Budget process reform is imperative, including mandating automatic continuing resolutions to finance the government to avert shutdowns. But even structural reform will not address the values divide in the state and the peculiar political incentives that the two sides have that encourages them to fight and not compromise.

Posted by ProfDSchultz at 8:23 AM

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Dirty politics takes Minnesota to new low

Times Editorial Board 8:30 a.m. CT June 4, 2017



(Photo: Scott Takushi, AP)

With 16 special sessions in the past 20 years, Minnesotans have grown accustomed to their legislators and governors essentially failing to compromise on policy and budget matters.

This past week, though, Minnesotans saw the bar for acceptable state governance being set to a new low — and possibly cemented there.

With a special session already underway, leaders of the Republican-controlled Legislature grabbed the bar and dove deep into the political gutter. They secretly linked passage of their coveted tax bill to separate language that would have eliminated the state Department of Revenue if Democratic Gov. Mark Dayton vetoed the tax bill.

An outraged Dayton late Tuesday night probably cemented the bar below the political mud line. He signed the Republicans' ransom note of a budget plan, but then used his veto authority to remove all future funding of the Legislature.

Welcome to the subterranean mosh pit that's become Minnesota politics, aka the Capitol in St. Paul. With every session, it moves farther away from a place of honorable public service.

It's now a place where the vast majority of rank-and-file legislators of both parties march to their leaders' beats no matter the level of ridiculousness. Where special interests quietly set those beats. And where party leaders count on the ability to craft closed-door deals long after deadline, knowing their peers and the public won't have time to scrutinize their work before votes must be cast and bills signed or vetoed.

Remember, this session began with a \$1.65 billion budget surplus, low unemployment statewide and a fairly stable fiscal future.

Yet legislators and the governor could not reach reasonable compromises on many key spending and policy issues.

At the local level, it's very hard to find much to celebrate.

Bonding dollars went to some localized projects, none of which will have substantial regional impacts. Despite two years of promises, there remains no funding to test Northstar rail service to St. Cloud. And transportation and education budgets, while adequate in the short term, don't inspire long-term confidence.

Without a doubt, the biggest gains this session came on behalf of (big) business interests and those on the wealthier end of Minnesota's income spectrum.

Certainly, some of those were needed. But it's hard to get excited about the whole package when passage relies on a combination of secrecy and mean-spirited politics that leaves all of Minnesota foundering in mud.

Going forward

Know this: Short of voters demanding differently or legal rulings forcing change, don't expect Minnesota to get out of this mud bath. If anything, expect the state to sink deeper in the mucky wake of this entrenched two-party system.



Some lawmakers huddle under blankets early in the morning as the special session 7 adjournment time came closer on Wednesday, May 24, 2017 in St. Paul. (Photo: AP photo)

Dayton's Tuesday objective was clear: Avoid a government shutdown while forcing the Republican Legislature to return to a special session to renegotiate terms he finds particularly onerous.

House Speaker Kurt Daudt, applying anything but consistent logic, labeled his party's move "genius" while claiming Dayton's was unconstitutional.

The descriptor Daudt should have used was "unconscionable" — for both actions! What happens next is anyone's guess.

Local legislators?

Regardless of what's next involving Dayton and legislative leaders, local legislators, all of whom are Republicans, owe an explanation to all area residents as to why they go along with such tactics.

Of course, if voters accept silence — or worse, "the party made me do it" — then they have little cause to complain now and should expect only more mud wrestling in 2018.

House Speaker Kurt Daudt applying anything but consistent logic, labeled his party's move 'genius' while claiming Dayton's was unconstitutional.

The descriptor Daudt should have used was unconscionable — for both actions!

16 Special Sessions in the last 20 years.

Agreement to have Special Session for Disaster Relief September 2013!

The undersigned all agree that the 88th Legislature, 2013 1st Special Session will convene on Monday, September 9 at 10:00 a.m. at the State Capitol in Saint Paul, Minnesota, and will be limited to the 2013 Disaster Relief Appropriation Bill. The appropriations in the 2013 Disaster Relief Appropriations Bill are reflected in the legislative spreadsheet and the language is reflected in the revisor's bill draft.


Under this agreement, the undersigned agree to the following:

1. No amendments to the Disaster Relief Appropriations Bill, once it is finalized by the signature of all five leaders below, and conveyed to the House and Senate in that exact form on Friday, September 6, 2013, will be voted upon or passed by either body.
2. The only other bill that will be considered or passed, if necessary, will be a technical corrections bill **related to the 2013 Disaster Relief Appropriations Bill**. Before any technical corrections bill can be considered or passed by either body, all of the undersigned must agree to it in writing.
3. An urgency will be declared under Article IV, Section 19 of the Minnesota Constitution, and Permanent Senate Rule 2 and Permanent House Rule 1.04, requiring that a bill be given three readings on three separate days, will be suspended.
4. Under this agreement, no amendment will be considered to the legislation listed above. No other votes will be permitted and no other bills other than those listed above will be passed.

Under this agreement, the Special Session will conclude within one legislative day, and the bodies will adjourn the Special Session sine die no later than 7:00 a.m. on September 10, 2013.




Mark Dayton
Governor




Representative Paul Thissen
Speaker of the House



Senator Tom Bakk
Senate Majority Leader



Representative Kurt Daudt
House Minority Leader



Senator David Hann
Senate Minority Leader

Note the
bipartisan
misspelling!

The word
appropriation
is spelled
three different
ways.

*There is nothing special about a
Special Session!*

Dayton vetoes legislature's funds in attempt to force renegotiation

© May 31, 2017, 2:51 PM

Glen Olson
Daily News



Despite the passage of bills on bonding, transportation and taxes, the legislative drama could still continue in St. Paul due to the governor's veto of funding for the legislature.

Several Republicans in the House and Senate are saying that a lawsuit could be one of the first steps in reclaiming the funding that Gov. Mark Dayton removed in lieu of vetoing the entire tax bill.

"This is an absolutely bizarre move," Miller said.

Both the House and Senate have some funds in reserve, but not enough to pay legislators and staff salaries very long.

SOUTHERNMN: via Heather Carlson at the *Post Bulletin*, **VERBATIM:** "Local lawmakers expressed shock and dismay **Wednesday morning** over Gov. Mark Dayton's decision to defund the Minnesota Legislature. **DAVIDS:** "It's very unfortunate. One branch of government cannot shut down another branch of government. That was totally inappropriate. He'll lose," said Rep. **Greg Davids**, R-Preston... Rep. Tina Liebling, DFL-Rochester, said she is dismayed by the governor's actions, which she said she believes are unconstitutional. She said Republicans have engaged in similar behavior by trying to slash funding for the state's auditor's office and sneaking in the language to defund the revenue department...**LIEBLING:** "It's a tool that should never be used. Period. And the Republicans started it, and I don't agree when the governor does it either," Liebling said...Veteran Rep. Gene Pelowski said Dayton's actions are a first. **PELOWSKI:** "We've never seen anything quite like this," he said.... Rochester GOP Sen. **Dave Senjem** has a very different view. He is upset with fellow Republicans for sticking the revenue language in the state government bill. He said he had no idea that was in the bill when he voted for it. If lawmakers had known about it, Senjem said he doubts the bill would have passed. **SENJEM:** "I don't know where this little missile came from. I'm personally very disappointed about it, very angered about it," Senjem said...He said he would like to see Republicans agree to negotiate with the governor and get the issue resolved adding, "I hope that occurs sooner rather than later." **READ:** <http://bit.ly/2sr7iQ1>

“Sen. Dave Senjem has a very different view. He said he had no idea that was in the bill when he voted for it. If lawmakers had known about it, Senjem said he doubts the bill would have passed.”



A Review of Minnesota's Legislative Process Interview

This interview with Rep. Gene Pelowski from earlier this fall is part of the Civic Caucus's ongoing review of how well Minnesota's legislative process is working and how it might be improved. The Caucus's series of interviews with major, announced candidates for governor of Minnesota, which began in October 2017, will continue in the coming weeks.

State Rep. Gene Pelowski: 'Anything-you-want Legislature' needs limits

Jan. 10, 2018



In this interview from earlier this fall, Minnesota State Rep. Gene Pelowski discusses the lack of limits on legislators, which he says leaves the Legislature in the position where it may be harming the state, rather than improving things for Minnesotans. Legislatures in states that enforce rules like limits on the number of bills legislators may introduce, strict deadlines for committees to complete their work and a drop-dead day to get the budget completed tend to do better than Minnesota's Legislature, he says.

The interview took place on September 29, 2017.

The Civic Caucus works to reach informed, nonpartisan solutions to civic problems by examining a wide range of opinions. The views expressed by our speakers, participants and respondents are entirely their personal views and do not necessarily reflect the views of the Civic Caucus organization.

Notes of the Discussion

Present:

John Adams, Steve Anderson, Janis Clay (executive director), Pat Davies, Randy Johnson, Dana Schroeder (associate director), Clarence Shallbetter. By phone: Paul Gilje, Paul Ostrow (chair), Rep. Gene Pelowski.

Summary.

Calling it the "anything-you-want Legislature," Minnesota State Rep. Gene Pelowski (DFL-Winona) believes the Minnesota Legislature needs a number of limits if the legislative process is to be improved. He discusses various limits the House Government Operations and Reform Committee, which he chaired, recommended in an August 2008 report to the House. While two of the recommendations have been adopted into House Rules, others have not.

Pelowski says technically, there are no limits on legislators at all. There are no limits on the number of bills legislators can introduce, deadlines are not adhered to, policy committees and fiscal committees meet after their deadlines, there is no drop-dead day to get the budget completed, the single-subject rule--the State Constitutional requirement that no legislative bill can include more than one subject--is ignored, the Legislature and its committees can and do meet past midnight, and working conference committees are almost nonexistent.

**“The Anything-you-want Legislature” needs limits.
Representative Gene Pelowski**



John
See John.
See John run.

21 Jan 2018

Gene,

I read the article about your presentation to the Civic Council this morning. I find myself agreeing with just about everything you said.

There was a time when the legal loture worked without such constraints but there

John Kaul - 15500 42nd Street South - Afton-Minnesota 55001

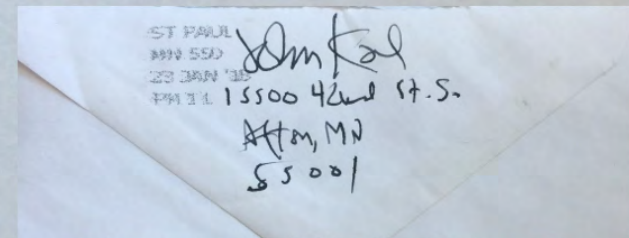
were different people making the laws at that time.

It was before the legal loture developed the new mantra:

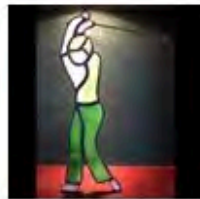
"It doesn't matter whether you win or lose. It's how you place the blame."

Keep pushing.

John



Gene Pelowski
257 Wilson St
Winona, MN 55987



Gene Pelowski

February 5 at 7:13 AM · 👤

Winona Daily News Sunday 2/5/2017

Teaching politics

For Winona educators, focus in strained times is on skills, not issues

BEN STRAND
Daily News

Winona educators who teach politics, government and social studies to high-school students know that it's always a challenge during politically divisive times.

There's no question that today's roiled political culture, filled with anger and tension, meets that standard — or has even set a new standard in recent

history. That, along with the immediacy of social communication the digital age has provided, has led teachers to embrace new approaches — from teaching students to uncouple personal feelings from political beliefs, to hands-on practice in what it means to make laws.

Within the work, Winona teachers said, they've also discovered a big upside — intensity around politics has led students to be much more engaged, and knowledgeable about the issues and process.

Gene Pelowski, a retired government and history teacher at

the Winona High School, and longtime state House representative, has led the Winona Model Legislature program for decades. He said it's always served as a great way for students to experience a political atmosphere, and learn how to get good things done — even while disagreeing.

Students who participate take real-world bills and proposals and go through the process of getting them passed. That means learning the skills of debate, compromise, patience and more.

Please see **TEACHERS**, Page A6

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R-P Model Legislature students help push bill to the Capitol

By MATTHEW RODENBURG, Tri-County Record Staff Writer

Wednesday, June 21, 2017 11:49 AM

Rushford-Peterson students participating in Model Legislature recently had a firsthand look into the group effort needed to pass legislation. R-P students played a significant role in drafting a bill-one affecting their local energy cooperative- passed by the Minnesota legislature last month.

In recent years, Tri-County Electric Cooperative (which is now a part of the MiEnergy Cooperative) had a complaint filed against them on a qualification of a wind turbine installation. Tri-County was one of four electric cooperatives who faced the brunt of this complaint.

The result was costly, but after a year of investigating and resolving the issue, Tri-County, with the help of Attorney General Lori Swanson, found that the blame came from Renewable Energy, the company responsible for providing the poor equipment.

"We felt that clarification was needed in statute," said MiEnergy in a prepared statement. The statement went on to state that MiEnergy felt that the responsibility on local regulators should be to balance interest of customers (referred to as "members") in energy cooperatives with the profits of the company.

MiEnergy, Minnesota Rural Electric Association, Representative Gene Pelowski, and other influential voices worked to draft a bill for introduction. The bill was drafted by the fall of 2016 under the designation HF 234.

Model Legislature

Meanwhile, Winona's Model Legislature, a program instituted by Pelowski, was preparing for their sessions on Nov. 17 and 18. The Model Legislature featured students from Austin High School, Winona Cotter, Winona High and Middle schools, Winona State University, and R-P.

The Model Legislature looked over HF 234 and in their sessions discussed and passed the bill.

"The goal was to run the bill and see what would happen," said Pelowski. "I wanted feedback. I knew we would get a cross section of comments from this."

Andrea Larson took the charge as Senate Author of the bill. As the daughter of Heather, a MiEnergy employee, Larson was in the prime position to get actual working feedback by those in the industry, feedback that she brought to the model legislature.

"When I had a question, I could ask them and vice versa," shared Larson, who also worked with MiEnergy's CEO Brian Krambeer in discussing the bill.

Larson explained that all members of the Model Legislature were split into the House and the Senate with R-P students Hayden Stensgard and Logan Quimby being elected Governor and Lieutenant



Hayden Stensgard, Governor



Andrea Larson, Senate Author



Logan Quimby, Lieutenant Governor

As the Senate finished their work on the bill, they passed it to the House, where the House amended one big issue; who would set prices for members. The House amended the bill to suggest that the Public Utilities Commission would set the prices instead of the Cooperatives. If this happened, the prices would be static across the State of Minnesota and smaller Cooperatives would pay the same pricing as larger Cooperatives.

"(This situation) is the whole thing we didn't want," said Larson. "The (Board) are all members so it's not like they are going to jack the (prices) up."

When the bill bounced back to the Senate, Larson explained to the House Representative why it was beneficial to leave it as is.

"I felt like once it was explained and the other people at model legislature knew what it meant, it went over really well," said Larson. The bill went to Stensgard who signed it as the last bill of the day.

Back to the State Legislature

After the trial run of the bill in the Model Legislature, the actual Minnesota House and Senate began their push of the bill. Pelowski, Representative Greg Davids and Senator Jeremy Miller all sponsored the bill.

The bill achieved bipartisan support, but Governor Mark Dayton vetoed the bill due to some concerns with the politics of the policy.

"The discussion from the Model Legislature was almost identical to the discussion that occurred with the governor," said Pelowski.

Pelowski noted that environmental proponents pushed for the Dayton veto, fearing that the power given to municipal cooperatives would not have the same environmental standards.

Instead, Pelowski noted, these cooperatives have had a strong push towards solar and wind, such as MiEnergy's Renewable Rays Solar Initiative.

The bill underwent several rounds of renegotiation, but Pelowski believed that the biggest push came from a dinner with Lieutenant Governor Tina Smith, as well as with Cooperative representatives. The meeting functioned to "explain the positive parts of the bill," said Pelowski. "That it wasn't as Draconian as the other side was saying."

With Smith's support and understanding, she was able to help push the bill before Dayton finally approved it.

Leaders in the making

Thanks to the exposure in the Model Legislature, Pelowski and other sponsors of the bill were able to get a valuable preview of some of the conversation regarding the bill. Pelowski intends on continuing to provide these experiences for students.

"When the students are there they are dealing with real legislation. It's hands-on learning but hands-on learning with something that may become a law," he said. "It trains students to want to do public service and government."

Pelowski noted current legislators are "graduates" of the Model Legislature and he wouldn't be surprised to see Stensgard, or another one of the many students, running for office in the near future. "It's been fantastic that Rushford has taken a very strong position that students are going to take an interest in Model Legislature," he said.

His role as governor of Model Legislature has been positive for Stensgard. "I had some support from the Rushford kids (to run)," he says. "I figured, I'd just try and see what happens. It's interesting to know that something we passed as high school students ended up being passed in real life."



Winona Model Legislature

Session 2017

Authors of the Bill

Senate Author

Dylan Buckland

House Author

Gabe Mierau

Committee Hearing

1. General Legislation
2. Environmental and Agriculture
3. Taxes
4. Ways and Means

Bill Number
HF3000
[Senate Number]

Legislative Action

Passed
House

Passed
Senate

Signed
Governor

[Override Veto]
Override Veto

Action Taken in Committee

1. Passed
2. Passed
3. Passed
4. Passed

Bill Introduced By
Dylan Buckland
Rushford-Peterson
Senate

A Bill For an Act Relating To
Buffer requirements on
public waters and drainage
ditches clarified and
modified, and authority to
issue administrative penalty
order modified.

Bill text

- 1.1 A bill for an act
- 1.2 relating to natural resources; clarifying and modifying certain buffer requirements
- 1.3 on public waters and drainage ditches; modifying certain authority to issue
- 1.4 administrative penalty orders; amending Minnesota Statutes 2014, sections
- 1.5 103B.101, subdivision 12; 103E.315, subdivision 8; Minnesota Statutes 2015
- 1.6 Supplement, sections 103B.101, subdivision 12a; 103F.48, subdivisions 1, 3, 4,
- 1.7 7, 8, 10.
- 1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.9 Section 1. Minnesota Statutes 2014, section 103B.101, subdivision 12, is amended to
- 1.10 read:
- 1.11 Subd. 12. **Authority to issue penalty orders; generally.** (a) Except as provided
- 1.12 under subdivision 12a, the board may issue an order requiring violations to be corrected and
- 1.13 administratively assessing monetary penalties of up to \$10,000 per violation for violations
- 1.14 of this chapter and chapters 103C, 103D, 103E, 103F, and 103G, any rules adopted under
- 1.15 those chapters, and any standards, limitations, or conditions established by the board.
- 1.16 (b) Administrative penalties issued by the board under paragraph (a) or subdivision
- 1.17 12a, may be appealed according to section 116.072, if the recipient of the penalty requests
- 1.18 a hearing by notifying the commissioner in writing within 30 days after receipt of the
- 1.19 order. For the purposes of this section, the terms "commissioner" and "agency" as used in
- 1.20 section 116.072 mean the board. If a hearing is not requested within the 30-day period, the
- 1.21 order becomes a final order not subject to further review.
- 1.22 (c) Administrative penalty orders issued under paragraph (a) or subdivision 12a,
- 1.23 may be enforced under section 116.072, subdivision 9. Penalty amounts must be remitted



Minnesota's Buffer Legislation

Issue

Present buffer legislation in Minnesota requires a minimum of 16.5 feet perennial vegetative strips next to public drainage ditches, and a 50 feet average buffer, with a minimum 30 feet buffer, next to public waters. While this approach is currently recognized as the approach to follow, provisions of the law passed during the 2015 special session could be interpreted as something else. Correcting the law to fit this approach is important in order to keep consistency from re-interpreting after the session is completed and also to protect from lawsuits by those who believe buffer areas should be put into buffers.

Background

Changes that should be accomplished in the 2016 session include:

- Basing public waters classification as agreed upon to the Public Waters Inventory list with designated shore land protection waterways for the 50 feet average, 30 feet minimum buffers.
- Basing public ditches for the 16.5 feet buffer to only those waters established under 103E of Minnesota statutes in the Public Waters Inventory.
- Removal of the extremely confusing language "within benefited areas" from the law passed in 2015.
- Limiting the role of state agencies in implementation and placing the authority for implementation on local government units.

Proposed legislation, HF 3000 and SF 2503 address Farm Bureau's concerns and establish important clarification matters as well as general improvements. Farm Bureau strongly supports passage of these bills.

It is important that, in order to respond to the intention of improving water quality with buffers, the attention needs to be put on implementation. We support using the identified waterways, public waters and public ditches, which were identified and had their designations established through public processes. The prior announced system for the Department of Natural Resources (DNR) proposing to identify buffer requirements within benefited areas concerned and confused landowners as to what might be invented to require loss of their property to the buffer mandate.

Farmers care about water quality but disagree that application of a mandated single conservation practice will achieve problem solving for all areas of the state. Beyond the changes necessary to correct the law, implementation of buffer requirements need to give full consideration for alternative conservation practices, provided for by the present law.

'I love this place': Winona Model Legislature turns students into lawmakers

Kyle Farris Winona Daily News Nov 17, 2017



Minnesota Secretary of State Steve Simon, middle, leads an oath as the Model Legislature at Winona State University's Tau Center began on Thursday morning. [BUY NOW](#)

CHUCK MILLER PHOTOS. WINONA DAILY NEWS



Dawson Dahl wants to grant veterans free hunting and fishing licenses.

Sophie Tekautz wants to ban protests of reproductive

http://www.winonadailynews.com/news/local/i-love-this-place-winona-model-legislature-turns-students-into/article_8c138c3a-90bf-5819-a28b-ec7a0e6edcf8.html



Clockwise from left, Elizabeth Johannes and Cassidy Tabor challenged Jordan McNamer and Noah Schultz on their argument for a bill that would legalize a variety of fireworks in Minnesota. Students from across Southeast Minnesota participated in the Winona Model Legislature last week.

Students practice leading in Winona Model Legislature

(11/20/2017)

by CHRIS ROGERS

In pant suits, ties, and slip-on sneakers, scores of high school students from across Southeast Minnesota put their hands over their hearts on Thursday morning and swore to uphold the U.S. Constitution, the Minnesota Constitution, and to faithfully discharge the duties of their office to the best of their ability.

For the following two days, their office was a seat in the Winona Model Legislature. Their duty was to propose, debate, and decide what laws to pass, reject, or amend — and to figure how to reason, persuade, entreat, and bluster their way to getting their own bills passed. Students from Austin High School, Cotter Schools, Rushford-Peterson High School, Winona Senior High School (WSHS), Winona Middle School, and Winona State University (WSU) participated. The Model Legislature's organizers — led by real-world Representative Gene Pelowski (DFL-Winona) — said it is the only model legislature of its kind. It is a very detailed model of the actual legislature. Students and their bills have to make it through a gambit of committee hearings, get approval from both chambers, and have any differing amendments reconciled before they can head to the governor's office in hopes that the student-governor will sign their legislation and not ignore or veto it.

It was Austin, Minn., student Miguel Herrera's first year at the model legislature, and he had just been grilled. He pitched a bill to the Transportation Committee that would have tightened rules on when heavy vehicles must stop to be weighed. He said the bill would have helped protect the safety of drivers going over bridges with weight limits. The Transportation Committee rejected it. The committee members had lots of questions about how Herrera's bill would effect drivers' constitutional rights to be free from unreasonable searches, and they saw the kind of weigh-ins he was proposing as unreasonable. "I tried to see from their point of view and agree, but then explain, "Well, this is why we're doing it," Herrera said. "I kind of like it — how much I was asked a lot of questions about my bill. I kind of had to look at both sides of my bill," he added.



55th annual Winona Model Legislature a success

(12/11/2017)

On November 16 and 17, 47 Winona Senior High School and Winona Middle School students came together with students from Austin, Rushford, Cotter and Winona State for the 55th annual Winona Model Legislature. During the event, students participated in a mock version of the Minnesota State Legislature. Students were joined by Secretary of State Steve Simon for the opening ceremonies and were sworn in by Secretary Simon and then elected a governor, lieutenant governor, speaker of the House, and president pro tempore of the Senate.

WSHS student's Noah Schultz and Stephen Shaw were elected speaker of the House and president pro tempore of the Senate for 2017. Students learned firsthand how a bill becomes a law in the state of Minnesota. Over the course of the two-day event, students participated in committees, debated over bills, had house and senate floor debates and presented their own bills to committees just like legislators do in St. Paul. Their goal was to get their bills through the committees, then go through approval of both the House and Senate floors, just to make it to the governor's desk for approval.

<http://www.winonapost.com/Article/ArticleID/57034/Students-practice-leading-in-Winona-Model-Legislature>

<http://www.winonapost.com/Archives/ArticleID/57324/55th-annual-Winona-Model-Legislature-a-success>



Verizon 11:57 PM 59%

Gene Pelowski

Gene Pelowski
1 hr · 👥

An intense fire burns away a failed regular session and a one day special session that turned into four marathon days and nights!



Victor Vieth and 8 others 6 Comments

Like Comment Share

Mike Kennedy 🙌

Revised: April 29, 2016

State of Minnesota
EIGHTY-NINTH SESSION

2015 - 2016

PERMANENT
RULES
OF THE HOUSE



ADOPTED BY THE HOUSE OF REPRESENTATIVES
ON FEBRUARY 12, 2015

PUBLISHED BY THE CHIEF CLERK'S OFFICE

PERMANENT RULES OF THE HOUSE

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ARTICLE 1
DAILY BUSINESS

1.01 CONVENING OF THE HOUSE. Unless otherwise ordered, the House convenes at 3:30 p.m. The Speaker must take the chair at the appointed hour and call the House to order.

The call to order is followed by a prayer by the Chaplain or time for a brief meditation, then by the pledge of allegiance to the flag of the United States of America, and then by a call of the roll of members. The names of members present and members excused must be entered in the Journal of the House.

1.02 READING OF THE JOURNAL. If a quorum is present, the Chief Clerk must read the Journal of the preceding day, unless otherwise ordered. The House may correct errors in the Journal of the preceding day.

1.03 ORDER OF BUSINESS. After the Journal is read, the order of business of the day is:

- (1) Presentation of petitions or other communications
- (2) Reports of standing committees and divisions
- (3) Second reading of House bills
- (4) Second reading of Senate bills
- (5) Reports of select committees
- (6) Introduction and first reading of House bills
- (7) Consideration of messages from the Senate
- (8) First reading of Senate bills
- (9) Calendar for the day
- (10) Motions and resolutions

The House may advance or revert from any order of business to any other order of business either without objection, or by majority vote of the whole House.

Conference committees on House bills and the Committee on Rules and Legislative Administration may report at any time.

5



Gene Pelowski

7 hrs ·

"A part time legislature cannot put infinite items into a finite process and expect anything other than a breakdown," Representative Gene Pelowski.



League of Women Voters hosts second forum for state candidates

Candidates for state offices got a chance to share their views on a variety of issues...

www.winonadailynews.com

Gene Pelowski

@GenePelowski

Prepared & paid for by Pelowski Volunteer Committee, 257 Wilson Street, Winona MN 55987

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Heather J. Carlson @PBhcarlson

17h

DFL Rep. Gene Pelowski focusing on need to reform legislative process.



1



Gene Pelowski @GenePelowski

7h

Legislature Process Reform Discussed
LWV hosts forum for state candidates

winonadailynews.com/news/local/gov... via
[@winonadailynews](https://twitter.com/winonadailynews) #mnleg



2



Facebook and Tweets after Winona League of Women Voters Forum September 12, 2016.

Learning Club September events

Reforming Minnesota's Legislative Process

Monday, September 26, 2016, at 1p.m. at the Winona County History Center.

Monday, May 9, 2016 marked the 95th day of Minnesota's 2015-2016 legislative session. The week ended with the 4,000th bill being introduced in the Minnesota House. Minnesota's Constitution allows the legislature to be in session only 120 days over each two-year period, known as a biennium. A part-time legislature cannot input infinite items into a finite process and expect anything other than a breakdown. The increasingly common oc-

currence of special sessions is evidence of such a breakdown. This presentation will cover the problems faced during the 2015-2016 legislative sessions and possible solutions, such as those proposed in the 2008 Government Operations and Reform Committee report, to avoid future special sessions and government shutdowns and allow the Minnesota Legislature to complete its work on time. This presentation will be given by Gene Pelowski, who has taught history at Winona Senior High School for 35 years and has served as Winona's State Representative in the Minnesota House of Repre-



sentatives since 1986. He currently teaches at Winona State University and is the advisor for the Winona Model Legislature program.

■ As a part of the Heritage Series, on February 10, Learning Club members heard a presentation by Gabriel Manrique, chairman and professor in the department of economics at Winona State University. Originally from the Philippines, he discussed the challenges, the opportunities, and outcomes, of his immigrant journey.

Reforming Minnesota's Legislative Process



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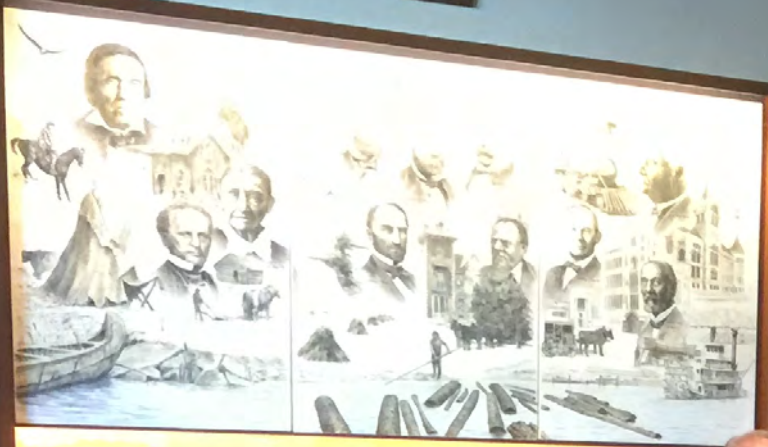
This presentation will cover the problems faced during the 2015-2016 legislative sessions and possible solutions, such as those proposed in the [2008 Government Operations and Reform Committee Report](#), to avoid future special sessions and government shut downs and allow the Minnesota Legislature to complete its work on time.

Gene Pelowski taught History at Winona Senior High School for over 35 years. He has also served as Winona's State Representative in the MN House of Representatives since 1986. He currently teaches at Winona State University and is the advisor for the Winona Model Legislature program.

Date: Monday, September 26, 2016

Time: 1:00 p.m.

Location: Winona County History Center – Wanek Room



EXIT



