



LEAGUE OF
WOMEN VOTERS®
MINNESOTA

Legislative Wrap-Up

Nick Harper, Esq.
Civic Engagement Director

Legislative Auditor Evaluation Report on Voter Registration in Minnesota

- Showed some discrepancies that ineligible persons may have voted, primarily due to confusion over whether or when an individual convicted of a felony could vote
- Mostly recommended modernization of the Statewide Voter Registration System
- No suggestions to implement provisional ballots or end Same Day registration

Provisional Ballots



- Had appeared in a bill last year
- Is a priority of Senator Kiffmeyer, the chair of the Senate elections committee
- We figured it would be brought up again in response to the Legislative Auditor's Report, but that was not the case

No news is good news!

Restore the Vote



- AKA felony re-enfranchisement
- Current law prohibits individuals with felony convictions from voting before their sentence is complete, including probation, parole, and supervised release
- One bill would have allowed those individuals to vote so long as they are not imprisoned. That means individuals on probation/parole would be allowed to vote.
- Received a hearing in committee, but failed on a 8-7 vote, with Rep. Zerwas as the sole Republican vote in favor of the bill
- Will continue to work with the Restore the Vote Coalition on this issue

Election Cybersecurity



- Minnesota was one of the states whose voter registration database was “scanned” by a foreign entity
- Legislature had bipartisan agreement to accept funding from the federal government for
 - modernizing the statewide voter registration system (as recommended by the Voter Registration Report), and
 - Increasing election cybersecurity, especially for the voter registration database
- Funding was included in the supplemental budget omnibus bill

Money in Politics



- Major Campaign Finance Bill based on recommendations from the Campaign Finance & Public Disclosure Board
- Mostly clarifies the law and turns regulatory interpretation into official statutes, which is good
- Bill included a few changes from the recommendations from the Board, but the parties agreed on them, and while they are not ideal, they mostly are also not terribly unreasonable

Money in Politics 2



- One change that LWV Minnesota opposed
- Background:
 - “Coordinated expenditures” are when a spender (individual or PAC or Super PAC) spends money at the direction/suggestion of a candidate to benefit a candidate
 - Typically includes the spender/candidate exchanging any nonpublic information (because money is spent to gather the information and then exchanged for the benefit of the candidate)

Money in Politics 3



- The provision we opposed in the bill created an exemption to coordinated expenditures that would have allowed candidates to provide names of potential donors to a spender
- I.e., candidates giving their email lists to super PACs
- Likely would increase reliance on PACs

- Overall, however, the campaign finance bill was really good. It received bipartisan support and was signed by the Governor.

Elections Bill



- Mostly technical changes
- One or two substantive changes that LWV Minnesota either supported to would not oppose
- For example, it would have implemented recommendations from the Voter Registration Audit Report
- Most provisions were eventually included in one of the major omnibus bills

Voter Registration by State Agencies



- Current law already requires state agencies to offer voter registration services.
- However, not all state agencies are performing those services.
- Bill would have required agencies that issue licenses (drivers, hunting, fishing, occupational, etc.) to provide information on registering to vote
- A modified version that would have applied only to the Department of Natural Resources (hunting/fishing) was included in one of the major omnibus bills
- Was removed from the omnibus bill by request of the Governor

Ranked Choice Vote



- The bill would have prohibited any local government from implementing or using ranked choice voting.
- Would have caused major problems from Minneapolis and St. Paul, which already use RCV, and impeded other cities that are in the process or recently adopted RCV (e.g., St. Louis Park)
- Was a very unpopular bill with only 1 testifier in favor, and several opposing testifiers, including the Secretary of State and the League of Minnesota Cities
- Did not meet one of the deadlines and never made it past the one hearing

Public Campaign Subsidies



- Tax checkoff program allows voters to check a box on tax forms to designate \$5 to a political party or a special fund
- That money is then redistributed to candidates of that party (or, if the special fund was selected, to all candidates equally)
- One bill would have changed the public subsidy program so you could not designate a party, but could only designate the special fund
- However, most people do not designate money to the special fund. The practical result would have been almost no money available for the program, effectively killing it.
- Was eventually removed from the omnibus bill after lobbying by LWV Minnesota and Common Cause

Redistricting



- Did not go through the elections committees, despite clearly being in that committee's jurisdiction
- Instead, was placed into a bill through the House's State Government Finance Committee
- Would have kept redistricting in control of the legislature
- Would have implemented several redistricting principles
- Most the principles were not harmful, but they were not in the ranking LWV Minnesota would prefer
- At least one major principle was missing: prohibition on partisan, candidate, or incumbent gerrymandering
- Was removed from the omnibus bill after lobbying by LWV Minnesota and Common Cause

Campaign Finance Rulemaking



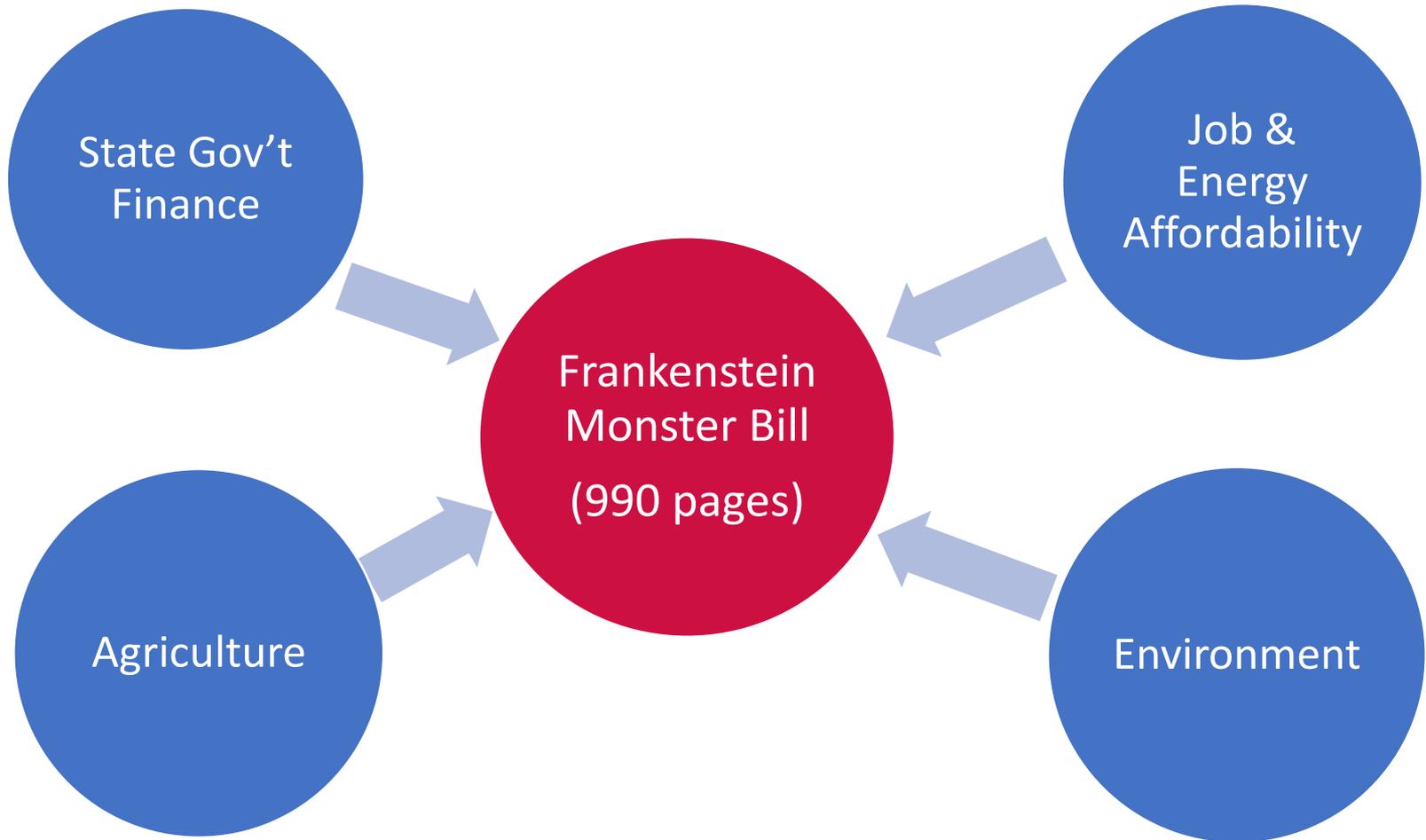
- One provision in the House's supplemental budget bill would have prohibited the campaign finance board from issuing interpretive rules
- This authority is important because it allows the board to clarify statutes and enforce the law
- Was eventually removed in conference committee after lobbying by LWV Minnesota and Common Cause

Political Contribution Refund Program



- Political Contribution Refund program allows a voter to donate up to \$50 to a candidate; the voter then can receive a refund from the state
- Increases broad base of donor participation and decreases reliance on big donors and special interest money
- One provision in the House's tax omnibus bill would have repealed/defunded the PCR program
- The provision was removed during conference committee

Megabus / Omnibus Prime



Last Few Days of Session



- Mad rush by conference committees to complete bills on time
- Governor alleged lack of negotiation with him from the legislature; releases 117 objections to the supplemental budget bill in the last week
- Governor also wanted a few additions, including emergency funding for schools
- Conference committee makes several changes to the bill in the last 24-48 hours of session, working late into the night and over the weekend
- Supplemental budget bill and tax omnibus bill pass out of the legislature
- Both bills are vetoed by the Governor

Next Session: Election Law & Funding



- Elections law technical changes
- Funding for elections cybersecurity and voter registration system modernization
- Will watch both of these issues closely in 2019, asking that they be passed in a standalone bill, not in an omnibus bill

Next Session: Census



- Census and redistricting will be both urgent (timely) and important (impactful)
- Census count informs redistricting, so that happens first and must be accurate
- Most action will be at the federal level
- Funding supplement may be at the state level; unsure whether it will be contentious
- Will work closely with the Census Mobilization Partnership

Next Session: Redistricting



- Will happen only at the state level
- Guaranteed to be a big fight
- Two types of bills to watch out for:
 - Principles – what criteria is used to draw the maps
 - Method – who draws the maps and how
- Will work closely with Common Cause