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Legislative Process 2011 Position Report

Statement to Governor and Legislature on the Legislative Process

Summary: We of the Civic Caucus extend a warm welcome to Minnesota's Governor and legislators taking office in January. Minnesota lawmakers have a realistic opportunity ahead to strengthen representative government and reclaim Minnesota's leadership among states. Toward those goals they should take two key steps early in the session, set overall revenue and spending targets and reassign the job of redistricting.

A Constructive Approach: Wide differences in political orientation among lawmakers need not produce the kind of confrontation or polarization that results in an end-of-session budget frantically cobbled together.

"There is a much better approach," we concluded a year ago in our Different Choices report, "looking at problems with fresh eyes; reexamining old assumptions; concentrating on outcomes; not being afraid to challenge traditional practices; advancing unconventional ways of solving the problems." (<http://bit.ly/4yM7h3>)

But all well-intended proposals will be for naught without revival of true statesmanship. Sharp political divisions call for more consultation across party lines, not less. New and veteran members of both parties need to become personally acquainted with one another and, yes, even develop friendships across the aisle. The obvious bears repeating: both leadership and bipartisan teamwork are imperative for success in the coming session.

Recommended Strategy: To improve the opportunity for an historically significant session, we strongly advise two actions to be taken early:

1. Set revenue and spending targets early in the session rather than at the end— The 2011 session will be extraordinarily difficult, with no easy choices for closing an unprecedented budget shortfall. A huge number of proposals on revenue and expenditures will be voted up or down in the rush to final adjournment. Special steps must be taken to avoid gridlock. The budget debate and final work of the session will be far more enlightened and prospects for good decisions enhanced if a procedural change occurs much earlier in the session: setting revenue and spending targets early in the session rather than at the end.

We expect that the Governor's budget submission in February will represent his best thinking on levels and priorities for revenue and spending. We recommend that following the Governor's budget

message the House and Senate pass a joint budget resolution specifying revenue and spending targets for the budget. Naturally it would be ideal if the Governor and both houses of the Legislature could come to agreement on these targets. Having this honest exchange early on, the Governor and Legislature can explore the implications of each other's approach for both the quantity and quality of state services. The result would be a far better informed budgetary discussion at the Capitol and throughout the state as well as a much earlier revelation of key end-of-session stumbling blocks.

A similar provision was in state law from 1994 to 2006 but apparently was largely ignored. We don't contemplate a new law, simply a one-time resolution that should prove useful in this difficult and unusual budget session.

2. Reassign the job of redistricting —Opportunities in the session are unlikely to be met if the yoke of redistricting hangs on every lawmaker. New boundaries of legislative and congressional districts are constitutionally required before filings open for the 2012 election. Even now, before the session opens, majority and minority caucuses in both chambers, as well as the Governor and his advisors, are no doubt plotting redistricting strategy.

Without pre-emptive action, the House and Senate, controlled by one party, after endless meetings will likely submit to the Governor a redistricting bill representing the interests of the controlling party. Good-will negotiations in these circumstances would prove impossible. Any such bill would be vetoed. Redistricting would end up in the courts, as it has for the last 50 years.

Such a scenario is needlessly wasteful of time and effort that could otherwise be spent on the state's most critical business. Highly politicized and distracting, redistricting can be cleared from the agenda—for this session and all subsequent sessions.

To this end, we recommend that early in the session, before March 15, the Governor and Legislature create a bipartisan redistricting commission, similar to such commissions in other states. This commission, composed of non-legislators, would be charged with drawing the district boundaries. A proposal is already on the table from a bipartisan group of distinguished former elected officials (<http://bit.ly/hQQzjD>). A Civic Caucus report supports the plan (<http://bit.ly/ad4sl8>).

In support of the approach, the Governor and Legislature should agree on the standards to be used in commission deliberations and codify those standards in statute during the 2011 legislative session. This would provide guidance to the commission and, if necessary, to the courts should the Governor and Legislature be unable to agree on a plan.

This commission could begin meeting immediately after the May adjournment of the legislature in 2011. For the rest of the year the commission would redraw legislative and congressional district boundaries, readying a plan for the Governor and Legislature to act on early in 2012. This approach would permit a thorough vetting of the proposals by the public in an open and transparent manner.

Such an approach:

—Avoids unnecessary legislative wrangling.

—Puts citizens on notice that the 2011 Governor and Legislature—while preserving every bit of partisanship in the most torturing budget session imaginable—are committed to serving the public first.

—Preserves the role of the Governor and Legislature in the formal enactment of a plan, but without their painstaking involvement every step of the way.

The Foreseeable Endpoint— Next May, editorials and articles will chronicle the tone, actions and results of the 2011 legislative session. Imagine that those reports might acclaim a governor and legislators who thought first of the state's future, who anticipated demographic shifts and who enacted break-through innovations in education, health, human services and local government. Imagine that our governor and legislators had achieved these even as they painfully, but courageously, enacted a budget with revenues and expenditures in balance. It can happen if there is bold and strategic action from the outset.

Additional information available— Over the last year our weekly interviews, shared with over 2000 participants, have produced more than 40 ranked, actionable proposals. We are currently preparing a summary of these proposals, linked to relevant legislative committees, that we will soon present to the Legislature and Governor, state departments and agencies, legislative staff, interest groups and the general public. In the meantime a detailed report of the proposals and participant responses is available at  <http://bit.ly/hJaByj> .

Civic Caucus process— The Civic Caucus is an open, non-partisan, public policy organization. It concentrates on using the Internet to share creative proposals for redesigning public services. A library of more than 225 interviews with public figures, along with background on the Civic Caucus, including biographies of its leaders, is available at www.civiccaucus.org .

A draft of the Caucus's statement was first circulated among its email participants, yielding some 20 pages of comments and suggestions. The statement was revised and approved by a Civic Caucus leadership group, after which some 130 participants signed on in support .

Persons agreeing to be listed as supporters of this statement —

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Original signatories, December 2010

The Civic Caucus is a Minnesota-based non-partisan organization offering a new model for public affairs dialogue, educating and encouraging citizens and leaders across political ideology to explore solutions to challenges facing the state.