

Summary of meeting with Chuck Slocum and Joe Mansky

Civic Caucus, 8301 Creekside Circle, Bloomington, MN 55437

Friday, June 20, 2008

Guest speakers: **Chuck Slocum**, consultant, and **Joe Mansky**, director, Ramsey County elections

Present: Verne Johnson, chair; Chuck Clay, Paul Gilje, and Jim Olson (by phone)

A. Context of the meeting--The Civic Caucus scheduled this meeting to review whether actions by the 2008 Legislature indicate a change in past polarization and paralysis.

B. Welcome and introductions--Verne and Paul welcomed and introduced the speakers:

* **Chuck Slocum**, president of The Williston Group, is a consultant on professional business development services. His 30-plus year in public affairs in the Twin Cities area began with a stint as governmental affairs coordinator at Dayton Hudson Corp. and later as state chair of the Independent Republican so Minnesota. He also served as executive director of the Minnesota Business Partnership.

* **Joe Mansky** has been Ramsey County elections manager since 2001. Prior to coming to Ramsey County, he was the manager of Governor Jesse Ventura's redistricting commission. He also served 15 years on the elections staff of the Minnesota secretary of state's office, the last 11 years as state election director.

C. Comments and discussion--During comments by Slocum and Mansky and in discussion with the Civic Caucus the following points were raised:

1. Centralized decision making in three offices-- Slocum and Mansky agreed that too many decisions during the 2008 session were concentrated in three offices: the Governor, the Speaker of the House and the majority leader of the Senate. Regular legislative committees as well as conference committees yielded major decisions to the three top officers. Consequently, crucial legislative decisions were not transparent, but hidden within the frequent meetings of the top officers. Such a process, they said, weakened the committee process and made it difficult for other legislators to know what was going on, let alone have influence.

Mansky said that significant improvements in the elections process occurred in 2008, in part because groups like county elections officials received "pre-clearance" for approval of certain legislation from the governor's office and lead legislators. In effect, the county elections officials did what worked for them to get bills passed, but this process effectively reduced the ability of ordinary citizens to have a meaningful impact on the result. Moreover, he said, this process also reduced the opportunity for the news media to report what was going on.

Rules of the House and Senate both have deadlines designed to avoid a late-session rush to completion, Slocum noted, but those rules were widely ignored. Slocum said the legislative process demands public openness to succeed and suggested that the single house legislature is a reform worth consideration. As a first step, Slocum advocated that more House and Senate committee meetings on the same subject could be held jointly, benefiting the public and the Legislature.

2. Whether the 2008 Legislature experienced major accomplishments--

Mansky said he was pleased with legislation that now allows elections officials to utilize information from the National Change of Address system to update voter records. Slocum said that while significant action occurred on transportation and property taxes, the Legislature has left itself with what might be a \$2 billion deficit in the 2009 session.

3. Change the redistricting process--

Slocum and Mansky agreed that the Legislature ought to reduce its current detailed involvement in redistricting. Slocum urged consideration of the Carlson-Mondale amendment for an independent process. The Legislature shouldn't relinquish its ultimate authority over redistricting, Mansky said, but it should establish a commission of citizens, not judges, to bring redistricting plans for the Legislature to vote up or down, without change. If the Legislature rejected three such plans, the judicial branch could then develop a final plan, Mansky said.

Mansky said that the Legislature should enact redistricting guidelines to be followed by any such commission. Such guidelines later would give the courts legislative direction in the development of any court-ordered plans, he said. He believes that House and Senate races would become more competitive if incumbent legislators played a different role in redistricting than has been the case in the past, namely approving plans rather than creating them. As a consequence, the Legislature might be composed of more members who would be amenable to deciding issues by compromising, instead of having to live with excessive polarization and paralysis.

4. Change the precinct caucus system--

More people need to be welcomed into the political process, Slocum said, and that means making it easier for them to have a role in the selection of nominees. As an indication of the widespread desire for participation, he cited the large number of people, many not previously involved in politics, making contributions of time and money to the Obama candidacy.

Open primaries would encourage more participation in the state, he said. Another change would be for political parties to offer multiple endorsements for the same office, rather than having leadership-dominated conventions select a preferred candidate.

Many people came to precinct caucuses in 2008 thinking that they were elections, but the circumstances (clogged roads; unprepared caucus leaders) made it impossible for people to participate in a fashion that inspires confidence in the system, Mansky said.

The group briefly discussed whether—in light of the fact that state law grants political parties certain preferences and donor tax incentives in the elections process—political parties should be required to assume greater responsibilities in opening the endorsement-nominations process to more citizens.

5. Some benefits for repealing party designation for legislators--In response to a question Mansky suggested that, without party designation, minority-party voters and candidates would benefit in districts that are overwhelmingly dominated by the majority. Slocum recalled that he favored party designation when it was enacted in the early 1970s. The change has not improved the quality of candidates or the discourse on issues. If it were repealed, you'd still have majority and minority groups as existed before party designation were imposed, he said. Slocum urged strategic attention to the recruitment and preparation of candidates—a mentoring program of sorts.

6. Potential uses of Instant Runoff Voting (IRV) where its constitutionality is questioned--Mansky took note of legal opinions and legal challenges to IRV, even as St. Paul and Minneapolis are moving ahead. Constitutional questions with IRV may not come into play, he contended, in a primary election. However, in a general election, constitutional and statutory provisions make the legality of the IRV method legally suspect, he said.

Thus, Mansky suggested, if the Legislature chooses to enact a presidential preference primary for 2012, it might want to authorize IRV as the voting method for that primary. Such an approach, he said, would be useful to voters who would be asked to select their choice for party nominee many months before an eventual winner would emerge from the primary and caucus process.

In response to a question, Mansky said he thinks IRV may also be useful in state primary elections.

7. No enthusiasm for the Legislature's handing off controversial decisions to voters via constitutional amendments--Slocum and Mansky believe it is an undesirable trend for the Legislature to turn controversial issues to the voters in constitutional amendments, as was done for transportation in 2006 and is proposed for water, outdoors, and the arts in 2008. Legislators stand accountable for their actions in elections and are legitimately subject to influence from their voters, Mansky said. But, he said, no such accountability is present in a statewide referendum. Initiative and referendum measures in other states are dominated by groups with a special interest in the outcome. A Civic Caucus member observed that other groups, such as education, ought logically be expected to seek constitutional revenue protection in coming years, in light of these other precedents.

Slocum said that despite his opposition to the process he's inclined to support the constitutional amendment because he wants resources made available to outdoors, water and the arts.

8. Immediate, real-time disclosure of all campaign contributions to all types of groups advocating for or against candidates--Way too much money is spent on campaigns, Slocum said. There's no reason, he said, why every campaign contribution and every expenditure by every kind of organization that is campaigning for or against candidates can't be available online within 24 hours of the gift or the expenditure. Mansky said he agrees.

Continuing discussion of campaign finance, Mansky and Slocum agreed that legislative caucuses play too large a role in paying for legislative campaigns, which has the effect of making legislators who receive such support feel beholden to caucus leadership when votes are taken on legislation.

Slocum noted that the House Republican caucus stripped support from six caucus members who went against the House leadership and Governor Pawlenty and supported a major transportation funding bill calling for increases in gasoline and metro sales taxes.

9. Expenses for administration of elections can be much less--Mansky said counties could administer elections for much less money if they were allowed to use the tools available today. An example would include establishing vote centers in locations like shopping centers, large office building and so on where the voters from many communities could conveniently vote for several days before and on election day. Another example would be to permit election officials to use the information in the state driver's license database to establish, verify and update voter records. However, he said, the state is so closely divided politically that both Democrats and Republicans are somewhat wary of making significant changes in election practices that might give one side an advantage.

10. Stagger terms for State Senate--State Senators won't be standing for election this fall, since all their four-year terms expire in 2010, Mansky said. House members stand for election every two years. It's tougher for the House and Senate to reach agreement when the Senate doesn't have any "skin in the game", as was the case in the 2007-2008 session, he said. Mansky suggested that the Senate might become more flexible in its negotiations with the governor and the House if the terms of senators were staggered so that one-half would run for reelection every two years.

11. Minnesota's national role as a public policy leader--Minnesota still has wide respect in the nation but is losing its leadership role in public policy, Mansky said. Many innovative practices are now being implemented in other states, he said. Minnesota still has many strengths and remains the national leader in voter turnout and in its use of independently verifiable voting systems.

12. Thanks--On behalf of the Civic Caucus, Verne thanked Slocum and Mansky for meeting with us today.

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Additional comment by Chuck Slocum--After reviewing and approving the summary, Slocum sent the following memo outlining five changes he has previously advocated and which he thinks still should be considered today. Mansky said he agrees with Slocum.

Regional primaries--For national presidential contests, I urged adoption of the regional primary-caucus option to be held across the country - the East, South, Midwest and West - with each a month apart between March and June of the election year. If they chose to opt-in, all states in a region would be required to schedule their primaries or caucuses on the same day. The order of the contests would rotate by region every four years. Though the idea has generated some interest, it has never been seriously considered by Congress.

Multiple endorsements-- The political parties, I believed, should adopt a multiple endorsement option at conventions to encourage and formally back more than one candidate when the occasion arises, resulting in more broadly based activity within the party and allowing the primary voters to make the final choice.

Unicameral-- After viewing up close the machinations of the Minnesota House-Senate conference committees and resultant political chicanery, I backed the creation of a unicameral - one house - state legislature by constitutional amendment. Years later, in 1999-2000, I was privileged to work with Minnesotans for a Single House Legislature, supporting Gov. Jesse Ventura's effort to place a constitutional amendment before the voters - an effort that was unsuccessful despite overwhelming public support.

Electoral college-- Frankly, even 30 years ago, local governments knew how to count votes accurately. I backed abolishing the antiquated Electoral College. This bipartisan idea had been seriously considered in 1969 when President Nixon and an overwhelming majority of the Democrat-controlled U.S. House supported the move, only to be blocked by the Southern Democrats who controlled the U.S. Senate.

Timely disclosure of contributions-- As I continued my volunteer work over the years as part of "kitchen cabinets" and as a candidate recruiter, fund-raiser and campaign organizer, I began to understand the need for another reform: the timely disclosure of all financial contributions to candidates and parties. I pushed it in the 1990s as an appointee of Gov. Arne Carlson to the Minnesota Ethical Practices (Campaign Finance Disclosure) Board.