

Democratic Renewal: A Call to Action from America's Heartland

Minnesota

Summary of Findings and Recommendations

Findings

1. Minnesota's campaign finance system has serious shortcomings. As a result money is often the determining factor of who runs for public office and who wins.
2. At present, more legislators than ever support strengthening Minnesota's campaign finance system. Significant opposition from large donors, political parties, and Governor Tim Pawlenty has prevented reform.
3. Judicial elections in Minnesota are under serious threat of following the national trend of becoming more partisan and far more costly.
4. Despite historically high voter turnout, Minnesota's new-found status as a swing state has led to efforts to erect barriers to voting and manipulate the voting process itself.
5. As Minnesota becomes increasingly diverse it needs to make voting accessible to its newest residents.
6. While generally viewed as having high standards and clean government, Minnesota has several holes in its ethics rules that need attention.
7. As a key supplier of public information and ideas, particularly around candidates and issues, the media warrant examination by Minnesota's democratic reform community.

Policy Recommendations

Campaign Finance

The values connected to making our political system more accountable to voters are: 1) civic engagement—people should have access to elected officials because they vote, not because they pay; 2) public accountability—candidates need to campaign around issues that reflect the concerns of their constituents and not just to raise money; and 3) democratic representation—the strength of parties, candidates, and interest groups should come from numbers of supporters, not numbers of dollars.

Replace Minnesota's current campaign finance system with a Fair And Clean Elections system, which would:

- Provide all candidates with the option of full public financing if they agree to forego nearly all private contributions.
- Limit the size of contributions individuals and PACs can give to political parties and legislative caucuses.
- Reduce unfair advantages caused by independent expenditures.
- Encourage grassroots participation in the political process.

Judicial Independence

To keep Minnesota courts impartial and judicial elections from becoming politicized the Citizens Commission on the Preservation of an Impartial Judiciary assembled by former Governor Quie issued the following recommendations in May 2007:

- Merit Nominations. Nomination of qualified candidates for judicial vacancies by a merit selection commission.
- Gubernatorial Appointment. Appointment of judges by the governor, from a list of candidates provided by a merit selection commission, for an initial term of approximately four years, and, if retained by the voters, for subsequent terms of eight years.
- Performance Evaluation. The creation of a 30-member performance evaluation commission, a majority of whom would be non-lawyers, in order to assist voters in evaluating the performance of judges standing for election, facilitate the self-improvement of all judges, promote the public accountability of the judiciary, provide voter education, and accommodate considerable public input and transparency.
- Retention Elections. Voters will be advised on the ballot as to whether the performance evaluation commission finds the judge qualified or not qualified and will be given an opportunity to vote to retain the judges.

Voting Rights and Election Administration

Recently, reform advocates, policymakers and elections officials have turned from defending the current system against these attacks and have focused more on removing the remaining barriers to voting, making the system even more accessible using 21st-century technology.

Recommended improvements include:

- Automatic registration. A system whereby all eligible Minnesotans who have a driver's license or Minnesota ID would automatically be registered to vote, unless they choose to opt out of the system. This new model has the added benefit of ensuring regular and systematic updates of the voter file by comparing databases from the U.S. Postal Service change of address system with those from Minnesota state agencies dealing with drivers' licenses, felony convictions, and citizenship, and thus increasing accessibility and security.
- No-excuse absentee voting. Currently, Minnesotans who wish to vote by mail via an absentee ballot must swear that they will be out of the precinct on Election Day. This restriction is ignored and/or abused by some who simply use the system for their convenience; it is adhered to by others who would clearly benefit from being able to vote by mail. Some frail, elderly, or disabled voters may well be at home on Election Day but are unwilling to venture out into Minnesota's often-inclement November weather. Technically, they are not able to vote by mail simply to ensure that their vote gets cast, whatever the weather. Reform advocates have proposed that the use of absentee ballots be used to cover these individuals, as well as for those whose occupations regularly call them away from home unexpectedly.
- Improved re-enfranchisement of ex-felons. Minnesota currently suspends the voting rights of persons who are convicted of a felony, and the felons are so informed. The felon's voting privilege is automatically reinstated once the entire sentence is completed, including any probation or parole period. However, the felons are never officially notified that their voting rights have been restored. Reformers have proposed that voting rights be reinstated upon a person's release from custody, which would then further clarify whether one could or could not vote.
- Creation of additional elections materials by the Office of the Secretary of State. Reform advocates have proposed that election information, including materials in languages other than English and materials with information about candidates running for office, should be paid for and produced by the Secretary of State. Currently, many of these services are provided by nonprofit organizations, or are simply not available.
- Expanding Election Day registration. There are currently many forms of identification that one can use to register to vote on Election Day in Minnesota. Reform advocates have identified several forms of ID that prospective voters commonly bring to the polls that currently are not allowed. These include: current driver's licenses from other states, leases, and some utility bills that are common now but were not common when the law was written. Reform advocates and election officials have proposed allowing the use of these additional forms of ID, especially if the proposed system for automatic registration is not adopted.

- Americans Voting Overseas. Recommendations include:
 - Allowing elections officials to transmit ballots electronically, while continuing to require the completed ballot to be returned by mail. Though not ideal, this system would cut in half the mail time currently involved. Current mailing time effectively disenfranchises many military voters.
 - Allow Americans living abroad to return their completed ballots without having to have their ballot notarized or witnessed by another Minnesota voter.
 - Allow for the creation of a more advanced version of the current “submarine” ballot, which is used to allow Americans to vote even if they are not available to obtain a new ballot in between the primary and the general election (for instance, if they are stationed on a submarine). The proposed system would allow individuals to cast a vote for the candidates they would like, in rank order of preference, with the actual vote going to the candidate highest on the list who is actually on the general election ballot.
- Instant runoff voting. Voters in Minneapolis passed a referendum in 2006 directing the city to begin using a system of instant runoff voting (IRV) in its elections. Other municipalities, including St. Paul, are considering adopting IRV as well. Reform advocates recommend testing the new system as a way to work toward statewide IRV.

Ethics

Minnesota enjoys a relatively high standard of ethics in government and elections. This is due to a well-thought-out and integrated system of regulations and regulatory bodies. There are, however, some significant holes in these worthy ethical standards that need to be addressed. Minnesota’s ethics law could be improved by adopting the following changes:

- Implement improved cronyism and nepotism laws and a tighter system of financial interest disclosure.
- Initiate an “anti-revolving door” policy which regulates the time between leaving a public policy making position in government and beginning private employment in situations which create conflicts of interest.
- Require donation reporting by lobbyists and government contractors, and expand all reporting to include spouses.

Media Reform

The *Minnesota Compact* has advocated voluntary standards “to raise the level of political discussion among Minnesota candidates, their campaigns, the media, and the voters themselves.” Their recommendations include:

- Identify issues of concern to voters based on data from polls or other methods and then emphasize those issues during campaign coverage by providing in-depth, informative reports on the issues and covering the candidates’ positions and proposals for dealing with them.
- Expanding daily coverage of substantive campaign issues as the election approaches.
- Place less emphasis on campaign strategy and predictions about the outcome of the elections.
- Review campaign ads for accuracy and fair play. Point out statements and tactics that are misleading and/or untrue.
- Promote, broadcast, and follow up candidate debates and responses to questionnaires.
- Encourage participation in elections.
- Describe the news organization’s decision-making process for when and how to cover controversial and/or ethically challenging news about the candidates or campaigns.

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