

# Reform the Election Process, Restore the Public Trust

*Public affairs  
research and education  
in the Twin Cities  
metropolitan area*

**Citizens League Report**

**Reform the Election Process,  
Restore the Public Trust**

Prepared by:

**Obstacles to Seeking Elective Office Committee**

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## EXECUTIVE SUMMARY

Races for elected office in Minnesota must become more open, fair and competitive. Our current system of running for office limits people's choices in the democratic process. The combination of partisan redistricting, unfair campaign financing and special-interest groups' influence has created a drift away from the one person, one vote principle. Power has shifted to those candidates in the best position to take advantage of large campaign contributions and well-organized groups with parochial interests. Interest and concern for advancing the commonweal is not sufficient to get elected to public office.

Races can not be open, fair and competitive when:

- the public subsidies intended to moderate incumbents' advantages in campaign financing actually benefit those already in office;
- policymakers draw election-district boundaries aimed at preserving the status quo instead of giving candidates balanced opportunities to get elected;
- candidates face established incumbents with ample campaign treasuries, financed with significant contributions from special interests;
- the time needed to campaign and serve in office becomes a full-time requirement, preventing from running those people with other job and family obligations.

To restore real choices to the citizenry and reclaim broad participation in public service, we must change the system. The system must encourage competent, independent candidates who are committed to public service with a sense of civic duty. The system should be fair, promote diversity and openness and enhance accountability of candidates and elected officials to the public. The following changes are intended to begin this shift.

We recommend changes in drawing the election districts for public offices, campaign financing, the time required to serve and the opportunities for persons from groups traditionally underrepresented in elected office.

We recommend the following.

- **The Legislature should place on the election ballot a proposal to establish a bipartisan redistricting commission to draw legislative district boundaries every decade. Local units of government should use redistricting commissions consisting of persons who are not themselves members of the elected body.**

Objective, nonpartisan redistricting is necessary for fair, open and competitive races for elected office.

- **The Legislature should change the rules of the Senate and the House to require the Senate Committee on Committees and the Speaker of the House, who control appointments of committee chairs, to rotate chairs of committees in their respective houses.**

Together with the other advantages of incumbency, this advantage builds the power of incumbents and can deter potential candidates from running.

- **The Legislature should replace the existing check-off system for financing public subsidies of campaigns with an arrangement that equitably distributes public dollars among candidates. Candidates who apply for the public subsidy should demonstrate some threshold level of financial support from individuals residing within their own districts.**
- **The Legislature should prohibit PAC contributions to individual candidates but continue to allow such contributions to political parties.**

The Legislature should further reform the system of campaign financing by making the following changes.

- **Lower the limit on individual contributions to legislative candidates during election years.**
- **Prohibit candidates who run unopposed in both the primary and general elections from receiving direct public financing for their campaigns.**
- **Prohibit the formation of more than one campaign committee for each legislative candidate.**
- **Require candidates to submit to the state's general fund any balance above zero remaining in the funds of their principal campaign committees at the end of the election year.**
- **Prohibit transfers of funds from one campaign fund to another.**
- **Change the law that prohibits contributions to any candidate for the Legislature while the Legislature is in session, to allow contributions to nonincumbents.**
- **Count any election-year mailing by a legislative candidate following the close of a legislative session, or any districtwide mailing paid for by that candidate's campaign committee, as a campaign expenditure.**
- **Allow the expansion of a system of public subsidies to campaigns for other general-purpose elected offices, such as county boards and city councils. Public subsidies for local campaigns should come from the treasuries of the local units of government.**
- **Encourage private and public employers to recognize the value of public service inherent in running for elected office and to accommodate employees seeking a party's nomination or election to office.**

To cut down on the time requirements that can prevent persons from seeking elected offices we recommend the following.

- **Elected members of local units of government should avoid scheduling meetings at hours which preclude officials from holding other jobs.**

- **The Legislature should avoid heavy scheduling of meetings and other activities during normal work hours over the interim. To ensure this happens, the Senate Majority Leader and the Speaker of the House should assume responsibility for the committee schedules proposed by committee chairs in the respective houses.**
  
- **To be sure that legislators with other occupations can continue to serve, the Legislature should take steps to maximize legislators' time spent on policy-making duties and limit the time spent on providing services to individual constituents. These steps include:**
  - (1) **referring constituent requests to ombudsmen or similar offices in state government as appropriate, such as the ombudsman for mental health and mental retardation or the consumer division of the state attorney general's office;**
  - (2) **establishing other department ombudsmen where appropriate;**
  - (3) **declining to offer assistance for requests that involve ignoring or bending rules set by state agencies or other authorities;**
  - (4) **establishing an office of constituent services, similar to the House of Representatives constituent services division of the DFL caucus. This would allow legislators to shift the responsibility for these services elsewhere, to the extent practical, and concentrate instead on their policy-making role.**

To help remove the barriers that have prevented the involvement of persons traditionally underrepresented in elected offices, we recommend the following.

- **Organizations of persons of color, women's groups and community organizations should identify, encourage and develop more candidates from the traditionally underrepresented populations to run for office.**
  
- **Civic groups, major political parties and other organizations should support opportunities to educate children and young adults, particularly girls and persons of color, about citizenship and leadership, including the process of running for office.**
  
- **Persons with authority over appointments to boards and commissions should increase the number of women and persons of color appointees. Experiences and contacts developed on these appointed boards can provide the necessary backdrop for running for elected office.**
  
- **Minnesota's political parties should actively involve persons of color in party activities to increase their participation in the political process and empower them as citizens.**

## INTRODUCTION

We began our study with the assumption that broad participation in public elective office by well qualified citizens from diverse backgrounds is necessary for a workable representative democracy.

We explored the perception that the system in which people run for and get elected to public office contains barriers that could prevent otherwise qualified candidates from seeking office. This report identifies those barriers. Some of those barriers, paradoxically, are the result of laws and practices established to protect and open the system. Not all the barriers identified ought to be changed or removed. Others truly reduce the opportunity to run for public office.

The requirements and practices of running for office vary by office. We focused on races only within the state of Minnesota. Elections for the U.S. Congress and the presidency were outside our purview. Similarly, we did not examine races for the judiciary. These types of races have unique characteristics that demand analyses independent of this look at statewide and local political races.

Minnesotans elected more public officials in 1987 than all but seven other states, and had 3,556 units of government.<sup>1</sup> Given the large number of offices it is not surprising to learn that the races to occupy them differ dramatically. The characteristics and constraints of running to serve on a school board are substantially different from a race for the Legislature, for instance, and even more so when compared to a gubernatorial race. In our study, we grouped the various races into three categories according to the general scope of the campaigns: We analyzed statewide and legislative races in one group, large cities and counties (measured by population) in a second, and school boards, small cities and small counties in a third.

We also limited the study largely to races for general-purpose offices in Minnesota with a few exceptions. We examined the races for constitutional offices and the Legislature, county boards, city councils and mayor, as well as school boards. We did not include local races for special purpose offices, such as county auditor, or special purpose districts, such as fire protection districts. Nor did we distinguish between small cities and towns.

Even though we separated our analysis of large cities and counties (in terms of population) from smaller cities and counties, we recognized some differences between the metropolitan area and non-metropolitan Minnesota. Legislative races, for example, attract certain media attention in the non-metropolitan parts of the state that metropolitan contests rarely receive. Differences between the metro and non-metropolitan areas are noted in the report where appropriate.

It is important to state that we do not wish to imply dissatisfaction with current officeholders. Neither the charge to the study committee, nor the testimony it received, would suggest Minnesota has poorly qualified elected officials. The issue is the need to have an election process that is open and available to all, not the quality of incumbents or current candidates for office.

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<sup>1</sup> Minnesota State Demographer, *Population Notes*, May 1991, p. 1. The numbers of elected officials and of units of government in the state declined 28 and 15 percent, respectively, since the late 1960s.

## **WHAT THIS REPORT CONTAINS**

Chapter 1 of this report describes Minnesota's system of running for office and the barriers in that system. It explains that some barriers are more significant than others in preventing the system from being as open and competitive as possible. It describes why some barriers we've identified should be changed or mitigated and why others should not or can not be changed.

Chapter 2 explains what we concluded has to change about the process of running for office. It also lists the fundamental values that guided our decisions.

Chapter 3 describes our recommendations for change.

Chapter 4 contains appendix material with background information that supplements the committee's findings and conclusions. Throughout this report we make references to a survey conducted in April 1992 of candidates who ran unsuccessfully for the Minnesota Legislature in 1990. We conducted this survey to determine what makes persons run for a legislative office and what about the system, if anything, prevents them from running again. Appendix 7 contains the complete results of this survey.

Finally, Chapter 5 describes the work of the committee, including the committee's charge, its members and how it conducted its work.



# CHAPTER 1

## A DESCRIPTION OF MINNESOTA'S SYSTEM OF RUNNING FOR ELECTIVE OFFICE

Running for office in Minnesota involves different procedures for different races. Differences occur in such factors as the willingness of potential candidates to run, the cost of campaigns and campaign financing. Minnesota races also share some similarities. At all levels of government, for instance, incumbents enjoy certain advantages that challengers don't have, and likewise, incumbents have a voting record to defend against challengers' attacks.

### RUNNING IN THE GENERAL ELECTION

To get one's name on the state general election ballot, a candidate must either win nomination at the primary election or submit a nomination petition with the appropriate number of signatures. For nonpartisan races, candidates' names are on the ballot if they are nominated without facing more than one challenger (thus negating the need for a primary election).<sup>2</sup>

State statutes govern the timing and process of both the statewide primary and general elections. For partisan offices in Minnesota, that is, the constitutional officers and the Legislature, the primary elections determine the nominees for each of the two major political parties in the state.<sup>3</sup> For nonpartisan races, primaries also eliminate candidates when more than two are running for the same office. To run in the statewide primary, candidates must file an affidavit of candidacy with the secretary of state (or with the county auditor for offices exclusively within a single county).

Statutes also specify procedures for municipal elections, except in cities with charters that provide their own manner of holding elections. Candidates for city offices in Minnesota file affidavits of candidacy and pay the appropriate filing fees to the municipal clerk. Candidates for mayor and city council in Minneapolis, St. Paul and Duluth file nominating petitions. The petitions must contain names of at least 500 residents or two percent of the total number of individuals who voted in the election district at the last election, whichever is greater.<sup>4</sup> Municipalities hold nonpartisan primary elections when more than two persons file for nomination for the office.

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<sup>2</sup> Third-party candidates may be nominated by petition. This requires a certain number of eligible signatures for the different offices: For a statewide office, the lesser of 2,000 signatures or one percent of those voting in the last general election is needed; for county or legislative offices, the lesser of 500 signatures or 10 percent of the total voting in the district at the last election is needed. *Minn. Stat.* (1990) §204B.08, subd. 1. Write-in campaigns are also allowed in the general (but not the primary) election.

<sup>3</sup> The statewide primary is currently held on the first Tuesday following the second Monday in September. Candidates who are nominated by petition are not placed on state primary ballots. *Minn. Stat.* (1990) §204D.07, subd. 2.

<sup>4</sup> *Minn. Stat.* (1990) §205.13, subd. 5.

## ELECTED OFFICIALS IN MINNESOTA

Even though Minnesota elects many public officials, few of those elected are women or persons of color. Minnesota has a high proportion of white elected officials and of male elected officials.<sup>5</sup> (See Table 1.)

Of the 18,887 elected officials in Minnesota in 1987 (the last year for which data are available), 49 or 0.26 percent were Hispanic, 46 or 0.24 percent were Native Americans, 14 or 0.07 percent were African-Americans and one or .005 percent were Asian/Pacific Islander. For comparison, of the state's total population in 1990, 1.2 percent were of Hispanic origin, 1.1 percent were Native Americans, 2.2 percent were African-American, and 1.8 percent were Asian/Pacific Islander.<sup>6</sup> Only 16.5 percent of all local elected officials in 1987 were women.

**TABLE 1**

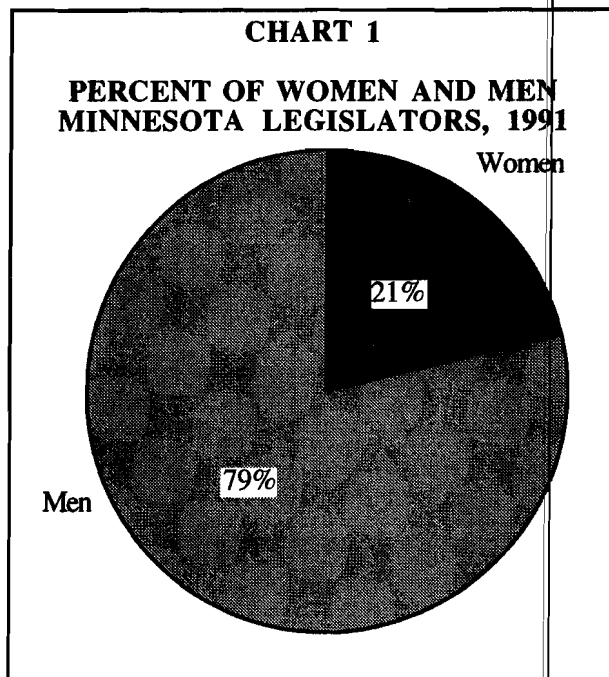
**LOCAL ELECTED OFFICIALS BY RACE AND GENDER IN 1987**

	WHITE ELECTED OFFICIALS	MALE ELECTED OFFICIALS
<b>Minnesota</b>	99.6%	83.5%
<b>Nationwide</b>	97.5%	80.0%

The number of women legislators in Minnesota has gradually increased, but was still about 21 percent of all legislators in 1991. (See Chart 1.) In 1991, 29 House members (21.6 percent) were women, up slightly from 26 women (19 percent) in 1989.<sup>7</sup> The number of female House members has increased gradually over time from three in 1963 and 1965, to six in 1973, 19 in 1983, and 22 in 1987.<sup>8</sup>

In the Minnesota Senate in 1991, 14 members (21.2 percent) were women, a slight increase from the 1989 session when 10 (15 percent) were women. The Senate was an all-male institution in the 1960s and early 1970s. In 1973, one woman served in the Senate. This number increased gradually to three in 1977, four in 1981, eight in 1983 and nine in 1987.<sup>9</sup>

In both houses in 1991, only four legislators (less than two percent) were from communities of color. In the 1990 census, persons of color made up 6.3 percent of the state's population.<sup>10</sup>



<sup>5</sup> Minnesota State Demographer, *Population Notes*, May, 1991, p. 4. In Minnesota, ethnicity was not reported for 8.6 percent of elected local officials. The proportion unreported for the nation was 12.5 percent.

<sup>6</sup> Minnesota State Demographer, *Population Notes*, September 1991, p. 1. This data is based on 1990 census data. Minnesota has a smaller minority population than all but six states.

<sup>7</sup> *Official Directory of the Minnesota Legislature*, 1989-1990 and 1991-1992 editions.

<sup>8</sup> Royce Hanson, *Tribune of the People*, University of Minnesota Press, 1989, p. 52-53.

<sup>9</sup> *Ibid.*

<sup>10</sup> Minnesota State Demographer, *Population Notes*, September 1991, p. 1.

## REDISTRICTING

Every decade the state of Minnesota redraws the boundaries of the election districts to conform to population changes recorded by the U.S. Bureau of Census. Article IV of Minnesota's Constitution grants the Legislature power to "prescribe the bounds of congressional and legislative districts" following each population count by the U.S. government. It states that both the House and the Senate representation must be apportioned equally throughout the state based on population. The Constitution also says "Senators shall be chosen by single districts of convenient contiguous territory. No representative district shall be divided in the formation of a senate district." These are the only constitutional restrictions on the Legislature's redistricting authority.

To survive court challenges, a redistricting plan must meet certain constitutional and statutory standards, such as one requiring the districts to have approximately equal population.<sup>11</sup> States can deviate somewhat from equal population districts in limited instances. Preserving municipal or other political-subdivision boundaries, for example, might require unequal population districts. Certain redistricting plans abridge the Voting Rights Act requirements: Challengers have shown the plans would dilute the voting strength of black populations or other minority groups.

Because the Legislature has such wide discretion in setting the boundaries, and because the results can help determine the outcome of legislative races, redrawing the districts is susceptible to partisanship. Gerrymandered district lines can result. This is so because the stakes are high: The effect of redistricting can change district boundaries so elected officials no longer reside in the district from which they were last elected. In these cases, incumbents could find themselves facing other incumbents for the same office and some districts could have open seats with no incumbents.

However, in practice the legislators tend to draw districts that will benefit the majority legislators in office. The process for redrawing the districts following the 1990 census is a case in point. The redistricting plan drawn by legislators in the majority party did not affect nearly as many incumbents' districts as did a plan drawn by a federal court panel. IR Gov. Carlson vetoed a DFL-drawn plan approved by the Legislature in 1991. But Carlson missed the three-day veto deadline set in the Constitution, was challenged by legislators and lost in court. Because the DFL-drawn plan contained many errors the Legislature passed a second redistricting bill in early 1992, only to have Gov. Carlson veto it. Meanwhile, a three-judge state-court panel approved a plan in the fall of 1991 that embraced the DFL's plan. However, a panel of three federal judges intervened and issued a redistricting plan that pitted many legislative incumbents against one another.

In mid-March 1992, U.S. Supreme Court Justice Harry A. Blackmun issued a ruling that stays the federal plan for the legislative districts which has the effect of putting in place the plan of the state-court panel.<sup>12</sup> Consequently, the DFL plan governs the redrawing of legislative districts for 1992 even though Blackmun's ruling is an initial one and the full U.S. Supreme Court could change it. The Court announced in March 1992 that it will hear a challenge to Minnesota's redistricting plans. Observers expect the Court to issue a decision after the 1992 general election.

The state-panel plan affects 32 legislators (16 percent of the Legislature), forcing eight senators to face each other and 24 House members to face each other.<sup>13</sup> On the other hand, the federal plan would have affected 72 legislators (36 percent of the Legislature). It would have put 17 senators into eight new districts and 55 House members into 27 new districts.

Although the redistricting process differs from state to state, most states are like Minnesota in that the legislatures draw the district boundaries. Ten states have boards or commissions on reapportionment,

<sup>11</sup> Peter S. Wattson, Minnesota Senate Counsel, *How to Draw Redistricting Plans that Will Stand Up in Court*, paper to the National Conference of State Legislatures, August 8, 1990.

<sup>12</sup> Justice Blackmun's ruling denies a stay with respect to the federal panel's plan for *congressional* districts.

<sup>13</sup> Two of the four senators and two of the 24 House members have announced they will not seek reelection.

some of which are advisory only or become active only if the legislature fails to meet a deadline.<sup>14</sup> Washington, Colorado, Hawaii, Montana and Iowa have what some consider to be open redistricting processes. They use independent commissions (typically appointed by the majority and minority leaders in the legislatures) to draw the districts. Iowa is an exception; it gives this responsibility to a nonpartisan research arm of the legislature. (See Appendix 8.)

A 1972 Minnesota Constitutional Study Commission and a 1975 Citizens League report recommended that the Legislature submit a constitutional amendment establishing a bipartisan-redistricting commission. Voters failed to approve an amendment in 1980 to establish such a commission in Minnesota.<sup>15</sup>

The persons charged with redistricting in Minnesota are those directly affected by the results -- the legislators themselves. The problems with this are twofold. Legislators spend an inordinate amount of time planning, rehashing and drawing the boundaries, time which they could spend on other pressing issues. Agreement on redistricting plans has been nearly impossible, as Minnesota's history of redistricting bears out. Past redistricting plans have involved special sessions of the Legislature, gubernatorial vetoes and court interventions. The 1991-92 redistricting process is no exception.

Second, because of the partisan nature of redistricting, the plans generally benefit the incumbent-majority members of the Legislature. Elected officials typically do not redistrict in a way that ensures candidates from both political parties will have reasonable opportunities for election. When this is the case, the shape of the districts will enhance the likelihood of the incumbents' reelection. This affects the process of seeking elective office because candidates are not likely to run if they believe they have less than a fair opportunity to win.

## ELECTION DISTRICTS FOR LOCAL UNITS OF GOVERNMENT

State statutes grant authority for drawing local election districts to the affected local units of government.<sup>16</sup> Each municipality's governing board sets its election-precinct boundaries. Minneapolis and St. Paul each have independent commissions to recommend boundary lines to the city councils.

Statutes say each town and statutory city constitutes at least one election precinct. For those cities that divide themselves into wards, each ward is at least one precinct. The boundaries of the election precincts are to follow visible, clearly recognizable physical features, such as streets, boulevards, rivers or railroad tracks. No precinct may lie in more than one legislative district. Statutes require municipalities to reestablish precinct boundaries within 45 days following legislative redistricting, or by May 10 of years ending in 2, whichever comes first. Counties, school districts and other units of government must set their election districts after the municipalities set the precincts and within 65 days of the legislative redistricting, or by June 1 of a year ending in 2, whichever comes first.

<sup>14</sup> Common Cause, *Reapportionment in the States*, September 1991, p. 16.

<sup>15</sup> Although the vote on the constitutional amendment was 1,036,581 in favor and 754,935 against, the measure failed because a majority of the total number of voters voting in the election is needed to pass a constitutional amendment. In this case, the total number of voters was 2,079,411, and the number voting "yes" came up 6,250 votes short of a majority. Minnesota Secretary of State, *The Minnesota Legislative Manual 1991-1992*, p. 54.

<sup>16</sup> *Minn. Stat.* (1990) §204B.135-14.

## BARRIERS TO RUNNING FOR OFFICE

For some persons running for public office in Minnesota, the institutional and societal barriers are considerable. After hearing testimony from persons who ran for a variety of offices and from persons who opted against running, we compiled a list of barriers that confront potential candidates.

In this section we list the important obstacles we believe could dissuade a candidate from running. In addition to this list of obstacles, we identified other obstacles that, for a variety of reasons, we concluded should not or could not change. We describe these barriers at the end of this chapter.

The obstacles we believe can and should change are grouped below into six major categories: *incumbency, role of the political parties, campaign financing, the nature of the work and campaigning, compensation levels and the role of the media.*

### INCUMBENCY

Incumbents enjoy certain advantages that are not available to challengers. Some of these advantages have to do with the way campaigns are financed (as explained later). Others are simply inherent to election. These advantages are strong enough to deter others from running for office. The advantages of incumbency present the following barriers.

- Incumbents have a relatively easier time of raising campaign contributions from individual contributors and special-interest groups.
- Incumbents have staff support and resources to send mailings to constituents and answer constituent requests for help.

In our survey of candidates who ran unsuccessfully for the Legislature in 1990, many said they ran because of the incumbent. Eighty-four percent said dissatisfaction with the incumbent's performance strongly or moderately influenced their decision to run for office. (See Appendix 7 for complete results of the survey.) Yet 59 percent said they have either not considered running again or already decided against running. Of those individuals, 41 percent said the fact the incumbent appeared to be unbeatable either applied or strongly applied to their decision against running again. Fifty percent said the relative ease incumbents had in raising contributions either applied or strongly applied to their decision. And 31 percent said the incumbent's services to constituents either applied or strongly applied to their decision.

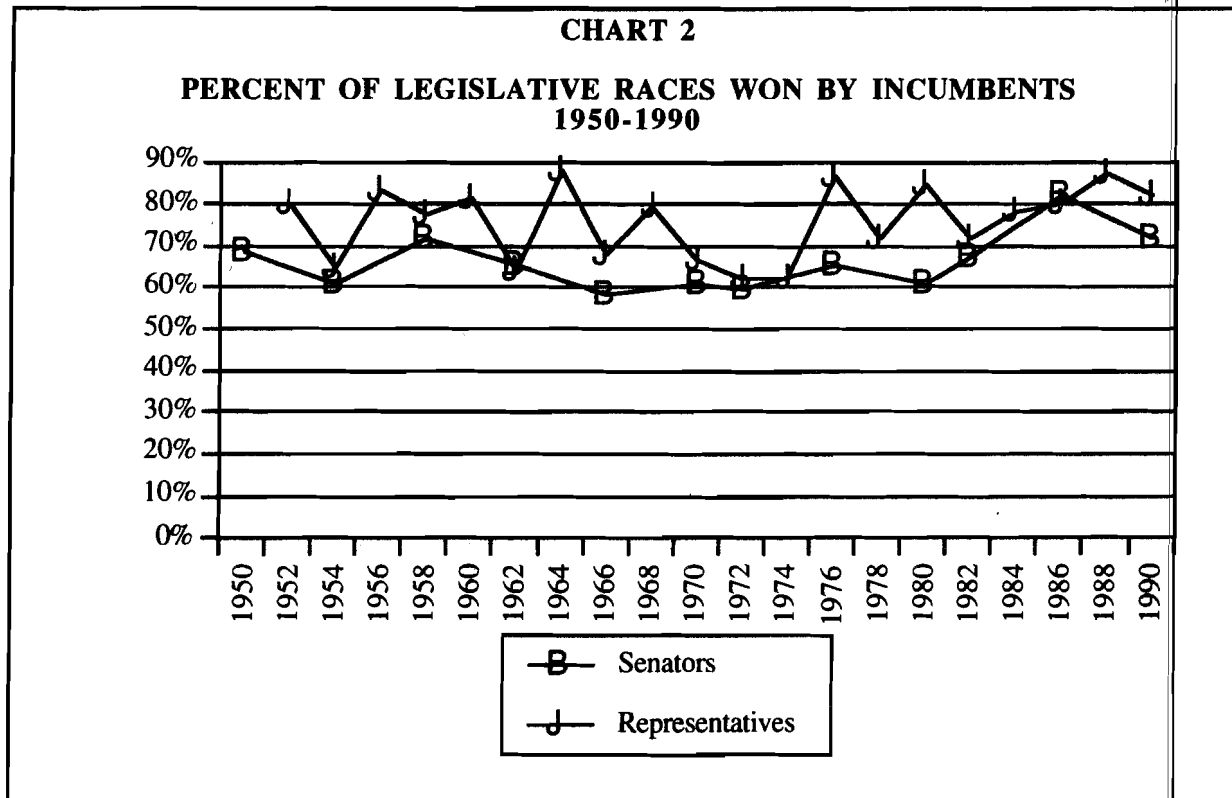
### Consequences of Incumbent Advantages

Incumbents' advantages help them win political races. For instance, the percent of legislative races won by incumbents has been consistently high. The number of senior members of the Legislature has fluctuated over the years, but is now on the high end of the range. However, turnover in the Legislature continues. Turnover in local government offices remains high, although some elected representatives have held office for many years.

**Incumbent legislators win races.** Incumbents in the Legislature win a high percentage of the time. (See Chart 2.) To determine this we looked at each legislative election cycle from 1952 through 1990, plus the Senate races in 1950.<sup>17</sup> For each race we noted whether the incumbent or a challenger won, or whether no incumbent ran.<sup>18</sup> For many of these years, incumbents won at least three-quarters

<sup>17</sup> The data source was the Legislative Manuals, produced by the office of the Secretary of State, from 1950 through 1991.

<sup>18</sup> Legislative redistricting changes the boundaries of some legislative districts every decade. In those instances we counted as an "incumbent win" any race won by a legislator who had served in the immediate past year, regardless of whether the legislator represented the same district number.



of the seats in the House and two-thirds of the seats in the Senate. (Appendix 2 contains more information from this analysis.)

**Seniority in the Legislature fluctuates over time.** The level of seniority in the Legislature was high in the 1960s. It dropped in the 1970s and rebounded in the 1980s.<sup>19</sup> (See Chart 3.) In the 1960s the average length of service in the House was 8.1 years; this declined in the 1970s to 6.9 years but increased by 1983 to 7.4 years.<sup>20</sup> In 1991, the average length of House service was 7.7 years.<sup>21</sup> The Senate saw its average length of service change from 9.2 years in the 1960s to 7.6 years in the 1970s. Average Senate service rose to 10.2 years in the 1980s.<sup>22</sup> In 1991, the average length of Senate service dropped again, this time to 8.3 years.<sup>23</sup>

The number of legislators with more than 10 years experience has increased. In 1991, 38 House members (28 percent) and 25 Senate members (37 percent) had 10 or more years of

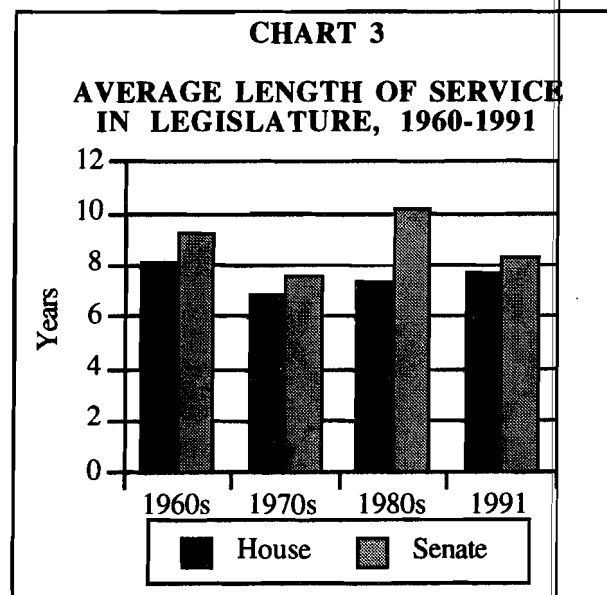
<sup>19</sup> Royce Hanson, *Tribune of the People*, 1989, p. 42-49.

<sup>20</sup> *Ibid.*

<sup>21</sup> Source: *Official Directory of the Minnesota Legislature 1991-1992*.

<sup>22</sup> Royce Hanson, *Tribune of the People*, 1989, p. 42-49.

<sup>23</sup> Source: *Official Directory of the Minnesota Legislature 1991-1992*.



legislative experience.<sup>24</sup> By comparison, in 1963, 30 House members (22 percent) and 12 senators (18 percent) had 10 or more years of service. The number of legislators with 10 or more years experience dipped to 21 in the mid-1970s, but rose again to 48 by 1987.<sup>25</sup> (See Chart 4.)

**Turnover in the Legislature is ongoing.** The turnover of seats in the Minnesota Legislature indicates how many sitting legislators lose their seats or retire and how many new legislators come on board. Between 1970 and 1990, a median one-third of the Senate seats has turned over in the seven election cycles.<sup>26</sup> For the 11 House elections during that same period, a median 23 percent of the House seats turned over. (See Appendix 2 for additional information on this analysis.)

Since 1970, the House of Representatives has gone through 11 election cycles. The House seats turning over in a given election year ranged from 13 percent in 1988 to 43 percent in 1974. A median 23 percent of the seats turned over in 1986. The average turnover of House seats over this period was 27 percent. (See Chart 5.) In that same period, the Senate has gone through seven election cycles. The Senate seats turning over since 1970 ranged from 16 percent in 1986 to 39 percent in 1970 and 1972. A median 33 percent of the seats turned over in 1982. Except 1986, the Senate turnover has been at least 28 percent in each election. The average turnover during this time has been 32 percent of the Senate seats.

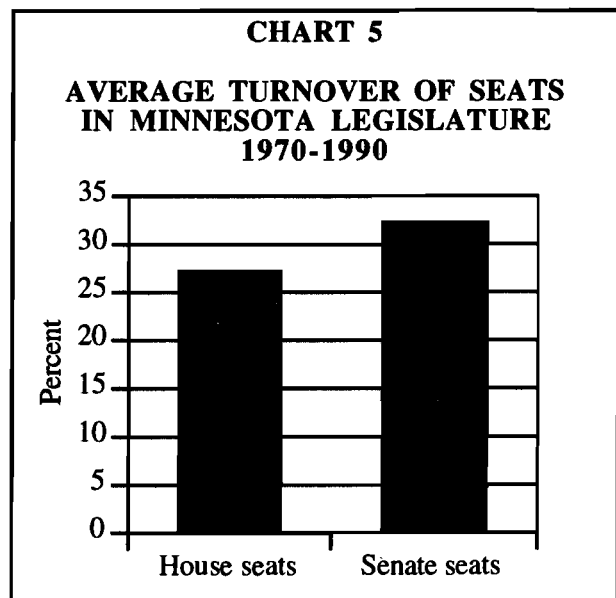
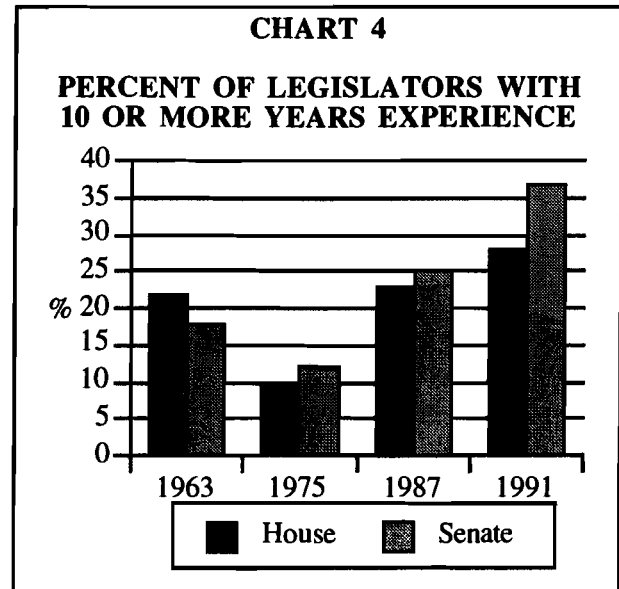
**Turnover at other levels of government.** Turnover is fairly rapid at the local levels of government. On Minnesota school boards for instance, only about 12 percent of the members have served for 11 or more years, according to the Minnesota School Boards Association.<sup>27</sup> Most school board members are serving their first, second or third terms. In 1991-92, nearly half of the school board members in Minnesota (49 percent) were serving their first term. (See Chart 6.) For comparison purposes, 19 percent of members in the Minnesota House of Representatives and 28 percent of senators were in their first terms of office in 1991.

<sup>24</sup> *Ibid.* Twenty House members (15 percent) and 12 senators (18 percent) had 15 or more years of experience in 1991. Legislators with 20 or more years of service are not as common today as in the 1960s and earlier. In 1963, 14 House members and four senators had 20 or more years of experience; in 1975, none did; in 1991, two House members and three senators had served 20 or more years.

<sup>25</sup> Royce Hanson, *Tribune of the People*, 1989, p. 48.

<sup>26</sup> Sources: *Book of the States*, The Council of State Governments, 1974-75 through 1990-91 editions; *Legislative Manual*, Minnesota Secretary of State, 1991-1992 and 1971-1972 editions.

<sup>27</sup> Terms for board members of independent school districts in Minnesota are three years.



A survey in 1991 of county boards in Minnesota, shows that the largest group of commissioners is in its first term on a board.<sup>28</sup> Of the respondents, 138 (or 39 percent of the total) were in their first term. About 25 percent of the board members who responded were in their second term. Over 16 percent were in their third term. The remainder, about 20 percent, were in office for at least their fourth term.

### POLITICAL PARTIES

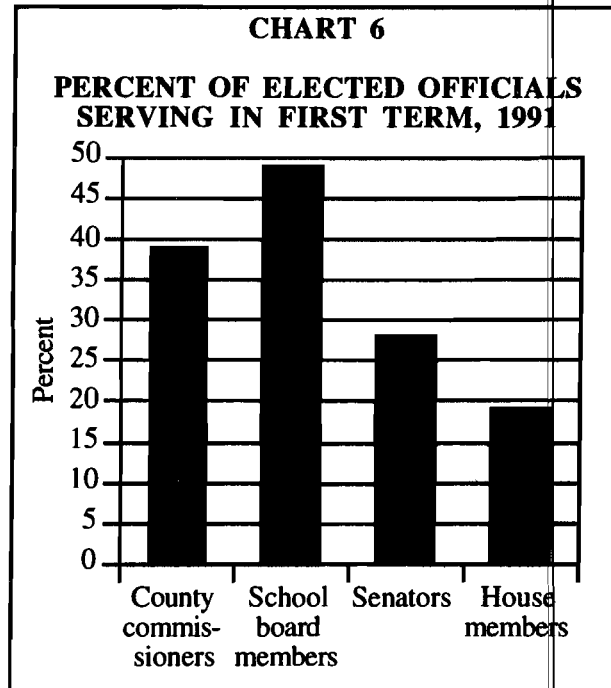
The role of the political parties in elections has changed here and around the country. Most political parties no longer have the power they once had in nominating or recruiting candidates, assisting campaigns or rewarding party loyalists with jobs. Parties are not in the forefront of financing campaigns and party membership and affiliations have declined.

### Endorsing and Nominating Candidates

In Minnesota the major political parties endorse candidates before the statewide September primary. Parties officially begin their candidate endorsement process with the precinct caucuses now held on the first Tuesday following the first Monday in March. Participants elected at the precinct caucuses go on as delegates to conventions for the county or legislative district, congressional district conventions and finally to the state party conventions typically held in early summer. In addition to other business, these delegates vote to endorse candidates for various offices.

Although Minnesota political parties endorse candidates, the primary ballot does not list that endorsement next to the candidate's name. The statewide primary election determines the parties' nominees. Most states now use primary elections to determine a party's nominee for office. In the past the parties controlled this decision. General election ballots in Minnesota do not bind a voter to a particular party. Ballots in the fall primary election allow voters to select which party to vote for in the privacy of the voting booth.<sup>29</sup>

Parties provide other support, such as sample ballots, to the candidates they endorse. But this is a role that is far diminished from the days when the party organizations controlled candidate selection. Nonetheless, party endorsement is critical in some races. Endorsement is in some areas tantamount to winning the primary. And in districts heavily dominated by residents of one party or another, candidates who win the primary (and thus, their party's nomination) have in effect won the general election.



<sup>28</sup> One term for a county commissioner is four years. Eighty-one percent of all county commissioners (358 of 440) responded to this survey. Source: Robert Kvavik, unpublished Minnesota County Commissioner Survey, 1991, University of Minnesota.

<sup>29</sup> Minnesota's presidential preference primary, established by the Legislatures in 1989 and 1990 for the 1992 election, requires voters to request the ballot of a specific party.



## Party Financing of Campaigns

State law limits the ability of the parties to finance campaigns for statewide or legislative offices. Specifically, political parties may not give more than five times the amount of the contribution limits imposed on political committees or individuals. Minnesota statutes also control how parties' may spend their share of the state campaign fund (see the section below on campaign financing).

## Other Party Roles in Campaigns

Parties no longer play the same roles in campaigns as they did in the past. For instance, lack of party help affected many of the respondents to our survey of legislative candidates in 1990 races who have not decided to run again. Forty-eight percent said one factor that applied or strongly applied to their decision was that they could not expect enough help from the party.

The transformation of the parties here and elsewhere has enabled other entities to assume some of the roles the parties once played. The number of single-interest groups and special-interest groups has proliferated. Some of these groups provide financial support to candidates, some lend volunteer help in campaigns, others lend their names in endorsement of candidates. Increasingly these groups support candidates financially. From 1986 to 1990, the number of political committees and political funds (exclusive of political parties) which filed campaign finance reports increased from 395 to 483, or 22 percent. Total contributions made by these groups increased during that five-year period from \$2.9 million to \$4.7 million, about 61 percent.<sup>30</sup>

Fifty percent of the legislative candidates we surveyed who have not decided to run again said the special-interest groups' large role in the campaign was a factor that applied or strongly applied to their decision. Only 26 percent said the role of special-interest groups did not apply to their decision against running again.

Even within the parties themselves, members of single-interest groups have come to dominate. Because these active members espouse views that may not be in line with other party members, they make the process less pleasant for others. Consequently, some believe these people tend to drive away others with more moderate viewpoints, further weakening the parties.

In addition to special-interest groups, the caucuses in each house of the Minnesota Legislature have assumed larger roles in the campaigns. Leaders of the respective caucuses both actively recruit candidates to run and help finance campaigns in select districts where the party stands a good chance of gaining a seat.

The parties' endorsement process in Minnesota relies heavily on the precinct caucuses held in the 4,100 election precincts around the state. Candidates have been able to win their party's endorsement from long-time incumbents by organizing friends and neighbors to support them at their precinct caucus. Yet to people who are unfamiliar with the parties' processes, the caucus can seem complex and confusing. As they are currently structured, the caucuses could actually undermine the parties' efforts to nurture potential candidates. In those areas where party endorsement is tantamount to election, potential candidates who didn't make the early deadline for endorsement are effectively barred from running. The same is true for people who are not aligned with party positions and could not, in good faith, seek endorsement.

The role that political parties play in elections presents the following barriers.

- For some races, the party endorsement process presents obstacles to persons unfamiliar with it and to those not aligned with one of the two major political parties.

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<sup>30</sup> Minnesota Ethical Practices Board, *Campaign Finance Summary: 1990*, June 1991.

- At the same time that the role of the parties in assisting campaigns has diminished, the number and influence of special interests have grown.

## CAMPAIGN FINANCING

Although the Legislature set up our system of financing campaigns in part to make the election process more open and accessible to potential candidates, in fact it supports and sustains incumbents. These laws, described below, govern a process that creates barriers that may dissuade persons from running for office. The system here (and in other states) creates the appearance of corruption and shakes public confidence. Some believe its biggest cost is "denying opportunity to those who want to serve the public."<sup>31</sup>

Minnesota's laws on campaign financing include: limits on how much candidates for constitutional offices and legislative seats can accept, limits on how much those candidates can spend, public financing for those candidates and disclosure requirements for all candidates. The existing system of campaign finance presents the following barriers.

- Contributions from special interests make up a significant amount of campaign money and typically go to incumbents.
- Officeholders who have large, unspent campaign treasuries have an advantage over potential challengers who would view those campaign fund balances as insurmountable odds. These balances could deter candidates from running.
- Campaigning requires money on the front end of the process, as well as campaign acumen and organizational skills. Without these resources potential candidates may choose not to run.
- The amounts of public financing can vary considerably between opponents for the same seat and between legislative candidates from adjacent districts. For instance, in the Senate District 42 special election in Edina, the public subsidy in 1991 was \$31,138 for the IR candidate, but only \$14,310 for the DFL candidate. This is because the system distributes the public subsidy in part on the votes cast in the last election and the contributions by tax filers to specific political parties. Uneven amounts of public financing may be a barrier to candidates, particularly those who rely heavily on public dollars as a primary source of campaign financing.

Some of the barriers we've identified result as unintended consequences of the laws. The heavy reliance on special-interest groups and the incumbents' overpowering advantage in raising money are examples. In our survey of unsuccessful legislative candidates, 47 percent of those who have not decided to run again said their opponents' contributions from special-interest groups applied or strongly applied to their decision against running. Fifty percent of those respondents said the relative ease with which incumbents raised contributions applied or strongly applied to their decision.

### Minnesota Laws Limiting Campaign Contributions

Since 1974, state law has limited the amount of money that campaigns for statewide or legislative offices can accept. One limit applies to contributions by individuals, political committees and political funds.<sup>32</sup> The second applies to contributions from political parties. Minnesota is one of 20 states that

<sup>31</sup> Herbert E. Alexander, *Reform and Reality: The Financing of State and Local Campaigns*, Twentieth Century Fund Press, New York, 1991, p. 24.

<sup>32</sup> Minnesota statutes define *political committees* as any political party and an association of two or more persons whose major purpose is to support or oppose the nomination or election of candidates (or ballot

prohibit *corporate* contributions. (See Appendix 1 for a summary of campaign contribution limits in other states.) The sidebar below lists these limits.

LIMITATIONS ON CONTRIBUTIONS FROM INDIVIDUALS, POLITICAL COMMITTEES OR POLITICAL FUNDS		
Office	Limit During Election Year	Limit During Other Years
Governor/Lieutenant Governor	\$20,000 (was \$60,000 before 1991)	\$3,000 (was \$12,000 before 1991)
Attorney General	\$10,000	\$2,000
Secretary of State, State Treasurer, Auditor	\$5,000 (each)	\$1,000 (each)
State Senator	\$1,500	\$500
State Representative	\$750	\$250

State law also restricts the amount that a candidate can accept from political parties. The limit is no more than five times the limit on contributions by political committees.<sup>33</sup> (See the sidebar below.)

Minnesota law prohibits candidates for constitutional offices or for the Legislature from asking for or accepting contributions from a registered lobbyist, political committee or political fund *during the regular legislative session*.<sup>34</sup> However, the law exempts political parties and the legislative caucuses from this provision.

Furthermore, the law applies to any candidate for the Legislature, incumbents and challengers alike. However, non-incumbents are not acting on legislation during this period as legislators are and, therefore, can not have a potential conflict of interest.

### Minnesota Laws on Campaign Expenditure Limits and Public Subsidies

Public subsidies are available for candidates who follow certain rules and abide by campaign spending limits. All candidates must organize principal campaign committees to handle campaign contributions and expenditures. A candidate may not accept more than \$100 in aggregate contributions without a principal campaign committee. Nor may the candidate

questions). *Political funds* are any accumulation of dues or voluntary contributions to an association other than a political committee which is collected or expended to influence the nomination or election of candidates. *Minn. Stat.* (1990) §10A.01 subd. 15-16.

<sup>33</sup> *Minn. Stat.* (1990) §10A.27, subd. 2.

<sup>34</sup> Before action taken by the 1991 Legislature, this prohibition applied only to *legislative* candidates.

LIMITATIONS ON CAMPAIGN CONTRIBUTIONS FROM POLITICAL PARTIES		
Office	Limit During Election Year	Limit During Other Years
Governor/ Lt. Gov.	\$100,000 (was \$300,000 before 1991)	\$15,000 (was \$60,000 before 1991)
Attorney General	\$50,000	\$10,000
Secretary of State, Treas- urer, Auditor	\$25,000 (each)	\$5,000 (each)
State Senator	\$7,500	\$2,500
Representative	\$3,750	\$1,250

receive a public subsidy without such a committee.<sup>35</sup>

To receive the public subsidy, candidates must sign a "public subsidy agreement" with Minnesota's Ethical Practices Board. They must also gather a minimum amount of contributions; this is the equivalent of 20 percent of what the candidate could expect to receive from the state's Elections Campaign Fund. Candidates must file an affidavit regarding the matching contributions with the Ethical Practices Board. Expenditure limitations apply only to those candidates who agree to the spending limits *and* whose major political party opponents also agree to the limits. (See the sidebar that lists spending limits. Appendix 4 lists additional information on the public subsidy, eligibility for it and its distribution.)

**ELECTION YEAR  
SPENDING LIMITS<sup>36</sup>**

Governor/	\$1,626,691
Lieutenant Gov.	
Attorney General	\$ 271,116
Secretary of State, Treasurer,	
State Auditor (each)	\$ 135,559
State Senator	\$ 43,150
State Representative	\$ 21,576

### Use of Public Money in Campaigns

Candidates may use their public subsidy for campaign expenditures of any kind, defined as purchases made to influence the nomination or election of the candidate. Statutes distinguish *campaign expenditures* from *noncampaign disbursements* to determine how much public subsidy the candidate may use. Candidates may not use the public subsidy to pay for those expenditures defined as non-campaign disbursements. The sidebar below lists these noncampaign disbursements.<sup>38</sup> (Appendix 4 describes the conditions for returning the public subsidy to the Elections Campaign Fund.)

State political party committees may not spend their share of the state campaign finance fund on a single candidate. They may only spend the money for purposes that benefit several political party candidates. (Appendix 4 lists the restrictions on spending the party account distributed to the political parties.)

### Minnesota's Ethical Practices Board and Disclosure of Economic Interests

Minnesota's Ethical Practices Board, established by the Minnesota Legislature in 1974, has jurisdiction over campaign finances, the filing of candidates' personal financial disclosures, lobbyists' registrations and reporting, and occasionally, providing advisory opinions on questions raised by individuals or associations about compliance with the laws administered by the Board. It is the repository of information on candidates who file for state elective office. The Board reports on the amounts and sources of campaign contributions and expenditures.

**NONCAMPAIGN DISBURSEMENTS**

- Accounting and legal services
- Return contribution to the source
- Repay a loan by a political committee or fund
- Return of public subsidy
- Payment for food, beverages, entertainment, or facility rental for fundraising
- Services for a constituent
- In-kind donation for the purpose of the latter two disbursements
- Transfer of money to another candidate
- Transfer from a campaign committee to a political party<sup>37</sup>

<sup>35</sup> *Minn. Stat.* (1990) §10A.18.

<sup>36</sup> These limits are adjusted for general election years to reflect changes in the consumer price index. For instance, the limits listed for the constitutional officers are 1990 limits that will be adjusted in 1994 for the election that year. A 1991 change states that a candidate who has won a primary by fewer than twice as many votes as any of the candidate's opponents may spend 20 percent more than the spending limit. However,

**Disclosure of economic interests.** Those who file affidavits of candidacy or petition to appear on the ballot must file a statement of economic interest.<sup>39</sup> (See Appendix 3 for rules of the Minnesota Ethical Practices Board about disclosure and additional details on economic interest statements.) The accompanying sidebar summarizes the information required in these statements.

### Sources of Campaign Financing

Incumbents from both parties receive larger shares of contributions from political committees and funds than do challengers. Candidates in the general election for the Minnesota House and Senate received \$3.19 million and \$2.94 million, respectively, in contributions for 1990 races. They received \$1.35 million and \$1.74 million, respectively, in public subsidy.<sup>40</sup> The three largest sources of campaign financing for House candidates were, respectively:

- contributions under \$100,<sup>41</sup>
- public financing and
- contributions over \$100 from political committees and funds. (See Chart 7.)

Nearly 37 percent of the contributions came in the form of contributions under \$100. About 30 percent was public subsidy. Another 22 percent was contributions over \$100 from political committees and funds. Individuals giving over \$100 and party contributions over \$100 made up smaller percentages, 6 percent and 4 percent, respectively.

On the Senate side in 1990, public subsidies made up slightly more than 37 percent of all sources of contributions. Contributions under \$100 (from all sources) accounted for 31 percent of all sources. Contributions from political committees and funds accounted for 20 percent. Individual contributions over \$100 made up nine percent, and contributions over \$100 by party units made up three percent of all sources of contributions.

House incumbents received more money in major contributions (more than \$100) from the political committees and funds than did challengers. (See Chart 8.) In addition, incumbents in the *majority party* received the highest percentage of major contributions from political committees and funds. Of the 71 DFL incumbent candidates for the House, only one incumbent did not receive such contributions. Among the other 70, the median contribution from political committees and funds was 29.9 percent of total contributions, and the highest was 47 percent of all contributions.

#### DATA REQUIRED ON ECONOMIC INTEREST STATEMENTS

- The person's name, address, principal occupation and place of business.
- The name of each associated business and the nature of the association.
- A listing of all real property in the state owned by the candidate, excluding homestead property, with a value of \$2,500 or more, or property of \$50,000 or more in which the individual has an option to buy; as well as a listing of real property owned by a partnership in which the candidate is a member, with the same value as listed above.
- A listing of the person's investments and ownerships, as well as any interests in property connected with pari-mutuel horse racing.

the expenditures can be made only after the primary is over.

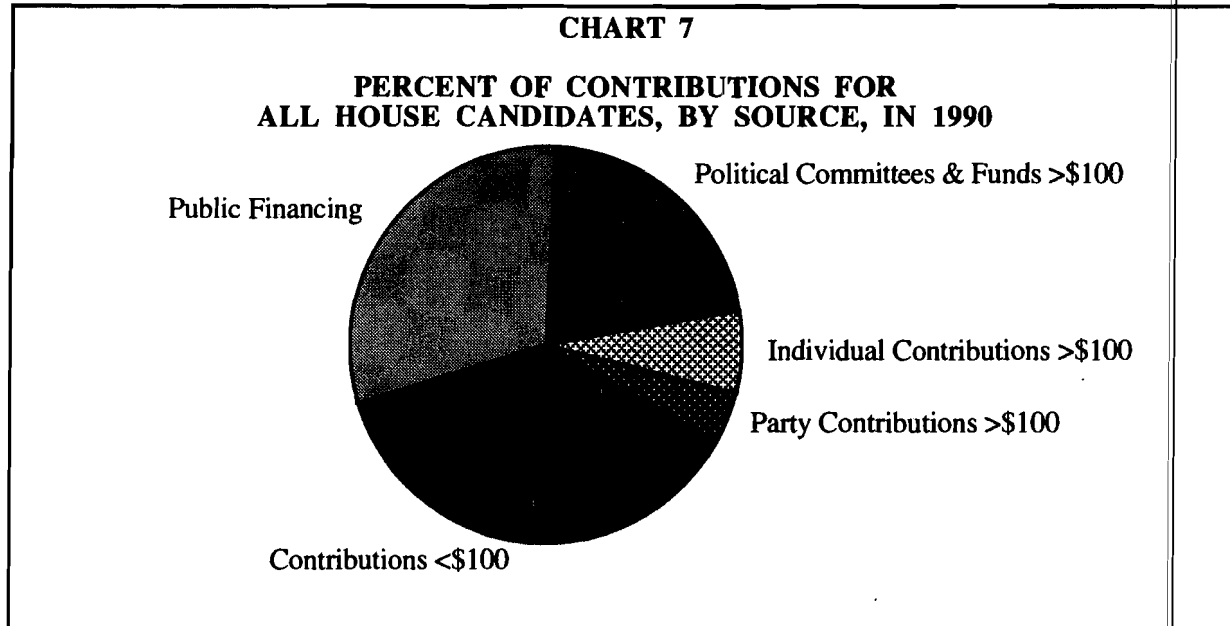
<sup>37</sup> Transfers to other candidates or to a political party are pertinent as noncampaign disbursements only in the calculation of whether a candidate must return some or all of the public subsidy received.

<sup>38</sup> A 1991 law change restored a provision (inadvertently dropped in 1990) requiring that the sum of all non-campaign disbursements be reported to the Ethical Practices Board.

<sup>39</sup> *Minn. Stat.* (1990) §10A.09 subd. 1. Statements of economic interest must also be filed by those employed as public officials or local officials in a metropolitan government.

<sup>40</sup> Ethical Practices Board, *Campaign Finance Summary: 1990*, June 1991.

<sup>41</sup> Contributions of this size include those made both by individuals and by PACs or other political committees or funds.



Nonincumbent DFL candidates for the House received a smaller percentage of their overall contributions from the political committees and funds than did incumbents. The median for nonincumbents was 19 percent.

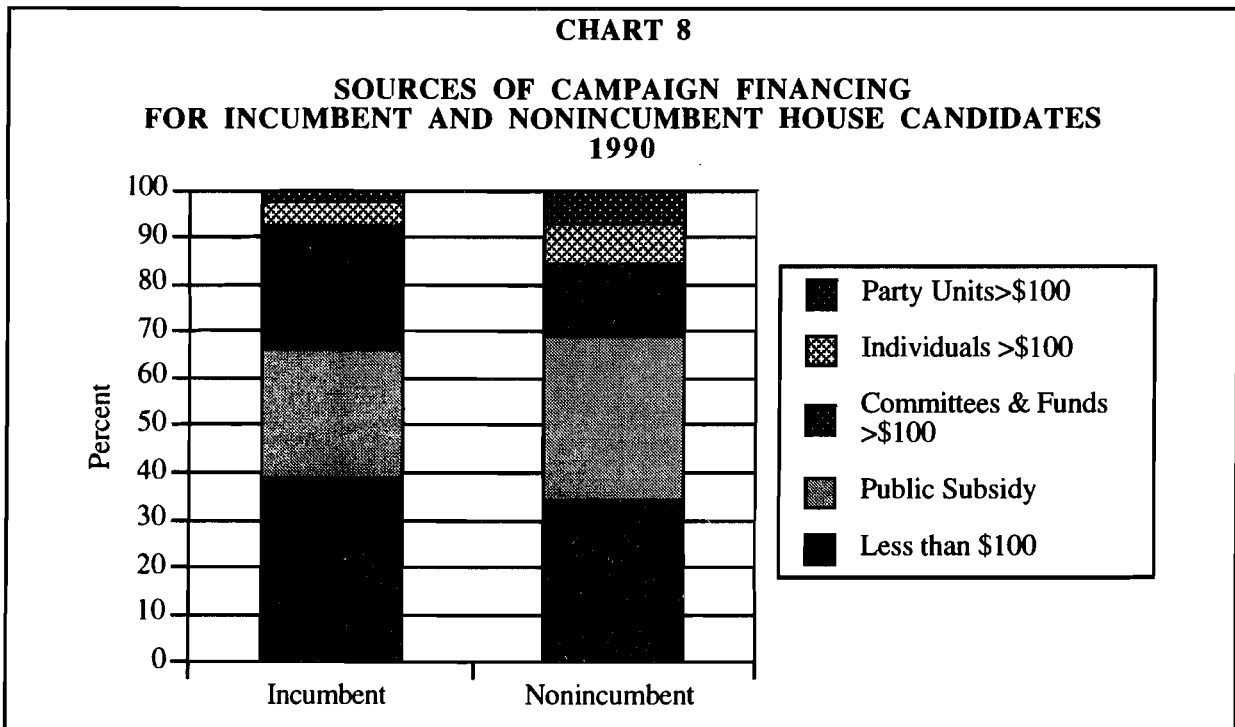
The same was true for IR House candidates. Forty-five of the 46 IR incumbents who ran received major contributions from the political committees and funds. A median 19.7 percent of all contributions came from this source. On the other hand, 52 IR nonincumbents ran, and half of those did not receive any major contributions from political committees and funds. For those IR challengers who did receive such contributions, the amounts accounted for a smaller share of the total, a median 10.5 percent, than for incumbents.

Incumbents typically receive higher public subsidy amounts than nonincumbents. Of the 90 incumbents in the House of Representatives who received public subsidies for campaigning in 1990, 73 incumbents (81 percent) received more public subsidy than their challengers.<sup>42</sup> These incumbents received a median 23 percent more public subsidy than the challengers, with one incumbent receiving eight times the amount of the opponent. The 17 House incumbents who received less public subsidy than their opponents received a median five percent less. Incumbents tend to receive more in public subsidy because the distribution relies, in part, on the number of district residents checking off a contribution to the State Elections Campaign Fund and the number of voters. DFL candidates from a DFL-dominated district where taxpayers are likely to check off will receive relatively larger amounts of subsidy.

Twenty House incumbents ran unopposed in 1990 but still collected public subsidies totalling \$115,467.

As a share of all financing, public subsidies accounted for 34 percent of House nonincumbents' (from both parties) campaign financing. They accounted for 27 percent of House incumbents' financing. (See Chart 8.)

<sup>42</sup> In 1990, eight House races had candidates for whom the spending limit was waived or who did not sign public subsidy agreements; these races were not included in this report's statistics. Data source: Ethical Practices Board, *Campaign Finance Summary 1990*, June 1991.



Nonincumbents also received slightly larger shares than incumbents of contributions over \$100 from both individuals and party units. However, these two sources of contributions accounted for only small percentages of overall contributions for both incumbents and nonincumbents.

**Contributions from elected officials increased.** Increasingly, legislators are transferring campaign contributions to the campaigns of other candidates they wish to help. In 1990, candidates transferred more than \$760,000 of their contributions to other campaigns, a 60 percent increase since 1986.<sup>43</sup> Typically the transfers come from legislators who are not facing strong election challenges and who want to support other candidates in their party. Frequently, though not universally, the transfers go to the campaigns of candidates who are challenging incumbents.

Transfers of contributions pose troubling implications. People who give have no say over whether their money should support a different candidate. It is not clear what allegiances such contributions create. However, these transfers can leave voters wondering if the recipients are beholden to the legislator who made the transfer. Furthermore, legislators may use public subsidies to free up campaign money that they later transfer to other candidates.

We did not view transfers of campaign contributions from the legislative caucuses as a barrier to running for office. Many of the transfers help candidates who are challenging incumbents and the relationship between a caucus and its members is different from that between individuals.

**Incumbents build excess campaign funds.** Because successful campaigns can be expensive, candidates facing the prospect of raising contributions may think twice before proceeding. Even more daunting is the task of raising enough to compete against those incumbents with substantial funds left over from previous campaigns. Many legislators have built up campaign treasuries which may deter potential challengers. The cash balances at the end of the 1990 election year totaled \$871,181 for members of the House and \$817,076 for senators.<sup>44</sup> These amounts were 76 percent and 63 percent higher, respectively, than the cash balances at the end of the 1986 election year. Most legislators had several thousand dollars on hand at the end of 1990. The median cash balance in the Senate was

<sup>43</sup> Common Cause, *Minnesota Money-Go-Round*, February 1992, p. 3.

<sup>44</sup> Ethical Practices Board, *Campaign Finance Summary 1990*, June 1991.

\$8,813 and the median in the House was \$4,538. Thirty senators and 17 House members had over \$10,000 on hand. One senator had \$95,255 on hand at the end of the 1990 election year.

### Political Contribution Refund

Minnesota taxpayers who give to candidates or political parties may claim a refund from the state. The refund is up to \$50 for individuals and \$100 for married couples filing joint tax returns. Only contributions to candidates who agreed to limit their campaign expenditures, have a principal campaign committee and run for the Legislature, state constitutional offices or the U.S. Congress, are eligible for the refund. A taxpayer may receive only one refund per year.

For political contributions in 1990, 46,000 persons filed for a total of \$2.5 million.<sup>45</sup> Although the filing for refunds of contributions made in 1991 is open through April 15, as of early 1992, 28,000 people filed for a total refund of \$1.7 million.<sup>46</sup> Public dollars from the state's general fund (consisting principally of revenues from income and sales taxes) provide the refunds.

Because the data on the political-contribution refund does not distinguish between contributions to legislative candidates and those to candidates for congressional offices, it is impossible to ascertain what share the refund represents of all contributions to candidates.<sup>47</sup> Nor is it possible to determine how much of an individual candidate's contributions came from the refund. Nonetheless, for the purpose of scale, the political contribution credit in 1990 (for candidates for legislative and constitutional races, and congressional races) amounted to \$2.5 million, compared to \$4.5 million in contributions under \$100 from all sources (to legislative and constitutional office races only).

### NATURE OF THE WORK

The demands of campaigning and serving in office can serve as barriers and discourage persons from running for office. Of the respondents to our survey of unsuccessful legislative candidates, 64 percent of those who have not decided to run again said the excessive time involved in campaigning applied or strongly applied to their decision against running. Only 11 percent said the campaigning time was not a factor in their decision. Nearly half said the time needed to serve in office applied in some degree to their decision against running again.

Some of these barriers are the result of evolving societal trends over which we have limited control. Others simply come with the job: contact with the public is part of being a public official. Yet others result from the way Minnesotans have structured jobs held by public officials. Campaigning and the nature of the work in public office present the following barriers.

- Campaigning can require candidates to either take time from work, rely on a second income in the family or possibly accept a lower income.
- The time involved with serving in office may discourage persons from running. Time requirements may be especially difficult on single parents or those who can not afford extensive time away from their jobs .

<sup>45</sup> The refunds were available for the first time in 1990. The 1991 Legislature clarified that the refunds are for gifts of money only, not in-kind contributions. *Minn. Stat.* (1991 Supplement) §290.06, subd. 23.

<sup>46</sup> Conversation with Carole Wald, Minnesota Department of Revenue, Tax Research Division, March 25, 1992.

<sup>47</sup> Another problem makes a direct comparison of political contribution refunds to total contributions impossible: The contribution refund is available only to individuals (and their spouses) who file the appropriate form. The contributions, on the other hand, could come from many other sources such as parties and PACs.



- Women and persons of color are currently underrepresented in elected offices. It is not clear whether this is partly a result of potential candidates' expecting overt racism or sexism during their candidacies, or whether they actually encountered racism or sexism, and therefore, did not run. In any event, the numbers reveal a problem. Discrimination of this type could deter women and persons of color from entering races for public office.
- For some public offices, increased time demands may have turned the positions over time into full-time ones. This is most clear in the Legislature, although evident in other offices as well. Several factors have contributed to the time overload. These include the complexity of the problems being addressed as well as the focus on answering individual constituent's requests for help. In the Legislature, committee and sub-committee chairs call interim meetings and place additional demands on the part-time legislators, making it increasingly difficult to serve as a part-time legislator.
- Special-interest groups pushing single-issue agendas have proliferated and become more prominent in campaigns. Many of these groups decide whether to support candidates based only on the candidate's position on a single issue. Often they ask candidates to respond to a question on a topic before candidates can discuss the issue or learn the views of their constituents. Such tactics may deter those potential candidates whose concerns lie more with serving the general public interest.
- The cost of conducting a campaign is high. This is particularly true for races for the Legislature, constitutional offices and races in large cities and counties. Such costs can deter potential candidates. A third of the respondents to our survey of legislative candidates who have decided against running again said the high cost of the campaign applied or strongly applied to their decision not to run again. Thirty-nine percent said insufficient money to campaign either applied or strongly applied to their decision.

## Campaigning

Candidates for elective office know they have to campaign. However, campaigning skills aren't necessarily innate, and the actual campaign work is very time-consuming. For some offices, campaigning becomes a full-time job, particularly as the time of the election approaches. Some candidates told us of needing to quit their jobs to have enough time to campaign. For other offices, such as school board positions, most candidates find they can campaign during the evenings and on weekends and still fulfill their employment and family commitments. Campaigns can be very long. It is not unusual for a candidate to start campaigning before the precinct caucuses in March. They continue campaigning until the general election in November. Some campaigns begin years in advance of the general election with events designed to test the candidate's viability. People who must work to support their family are at a disadvantage unless they can make other arrangements for many months during campaign season.

The common denominator for virtually all candidates is the need to raise money. Many campaigns by candidates for statewide office involve sophisticated communication strategies including polling, communicating directly with constituents, controlled media exposure (particularly through the electronic media) and extensive statewide travel. Candidates for the Legislature and for local elected offices may employ some of these strategies though usually not on the same scale. However, they all need money to finance these activities, and few have the means to do that solely with personal resources. Campaign financing and the sources of campaign contributions may pose several barriers to candidates. Earlier in this chapter, the section entitled "Campaign Financing" discusses these barriers.

Besides time and money, candidates need stamina. Most campaign by knocking on doors and introducing themselves to their constituents. In addition to being arduous, this task isn't always pleasant: One candidate told us about a disgruntled neighbor who sprayed the candidate with a garden hose as he approached.

Beyond the occasional disagreeable act of this sort is an attitude on the part of a growing number of people that politics are "dirty." The pervasiveness of this attitude can color persons' decisions about running for office. If the public widely perceives elected offices as parts of a large, lumbering and ineffective system, fewer people will be attracted to running for them.

Candidates must also be willing to open their lives and those of their family members to public inspection. And the voting public deserves to know who the candidates are and what they stand for. There is a gray area, however, between what the public has a legitimate interest in knowing and what is purely personal. It is an area that a candidate's opponents could exploit if it is to their advantage. Candidates for public office must prepare to deal with that possibility. Some potential candidates may be unwilling to contend with those possibly unpleasant prospects. That scrutiny does not lessen once a person is in office, particularly for those in the more visible offices.

Campaigning is very time consuming. Of the legislative candidates surveyed who have decided not to run again, 64 percent said the extensive time needed to campaign applied or strongly applied to their decision against running. Respondents cited the time factor more than any other factor in their decisions against running. State statutes allow elected officials to take time away from their employment to attend public office meetings without penalty by their employers. By law, "A person elected to a public office must be permitted time off from regular employment to attend meetings required by reason of the public office. The time off may be without pay, with pay, or made up with other hours..."<sup>48</sup> However, candidates are entirely on their own in finding time to campaign.

Historically many candidates have sought the support of groups and coalitions aligned with the candidates' views to aid their campaigns and provide visible, vocal support. Although this hasn't changed, the number of single-interest groups that lend support only to candidates who pass their special "litmus tests" has increased noticeably, according to people who have run over a period of years. Often these groups will ask early in the campaign for the candidate's allegiance to their special cause in exchange for the group's support. This requires the candidate to decide an issue without the benefit of public discourse or debate. Some believe the prevalence of special-interest groups tends to lower the public's opinion of elected officials because of the appearance that officials are tied to the interests of the small group at the expense of the larger public interest.

Some candidates have to deal with additional hardships. People who have not traditionally held elected office, particularly at the higher levels, must also fight the prevailing view that they aren't capable to serve simply because they haven't served in the past. Women and persons of color have held far fewer elected positions than white males. While this is slowly changing, women candidates and candidates of color told us that they must deal with this problem in every aspect of campaigning. The problem manifests itself in everything from raising money from people who aren't used to giving to nontraditional candidates, to facing voters who believe women should stay at home with their families, to overcoming racist attitudes.

Legislators who are running for legislative offices have a particular campaign advantage over their nonincumbent challengers in communicating with their constituents. State statutes now allow legislators to use their campaign treasuries to provide services to constituents, such as districtwide mailings, for up to 60 days following the adjournment of the Legislature in an election year. This type of expenditure is a payment that legislators who have signed public subsidy agreements do not have to count against their spending limits when calculating how much of the public subsidy to return. (See the section on *Minnesota Laws on Campaign Expenditure Limits and Public Subsidies* beginning on p. 13 of this chapter.)

**State statutes governing campaign practices.** Although there isn't an easy-to-follow guidebook or school course telling people how to campaign, candidates must abide by state statutes governing candidate eligibility and conducting campaigns. (Specific statutes on campaign financing are

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<sup>48</sup> *Minn Stat.* (1990) §211B.10, subd. 2.

covered earlier in this chapter.) For instance, candidates must file an affidavit of candidacy verifying they meet basic qualifications.<sup>49</sup> The candidate must:

- be an eligible voter,
- have no other affidavit on file as a candidate for any office at the same primary or next general election,
- be 21 years of age or older upon assuming office and
- have maintained residence in the district from which the candidate seeks election for 30 days before the general election.

In addition, candidates for governor or lieutenant governor must be at least 25 years old (by the first Monday of the next January). They must have resided in Minnesota for at least one year. Candidates for the Legislature must have resided in the state for at least one year and at least six months in the legislative district from which they seek election.

All political committees and funds (including the principal campaign committees for legislators and statewide officials) must file campaign reports on contributions and expenditures at the point they receive or give more than \$100. Other candidates who receive or spend more than \$750 in a calendar year must submit an initial financial report on receipts and expenditures within 14 days, and ongoing reports by January 31 of each year.<sup>50</sup>

Statutes regulating campaign practices apply to all candidates for federal, state and local offices, except the presidency.<sup>51</sup> They apply to: regulating campaign materials and literature, prohibiting certain activities on election day, defining legal campaign expenditures, prohibiting undue influence on voters, prohibiting bribery and treats in exchange for voting and allowing candidates access to multiple unit dwellings. (Appendix 5 summarizes the statutes regulating campaign practices.)

## COMPENSATION

Compensation levels for public officials vary widely as described below. Some offices, for example the Minneapolis School Board, provide part-time pay for what amounts to full-time or nearly full-time work. Current compensation levels present the following obstacle.

- Some officeholders receive a level of pay equivalent to that paid for part-time work even though time demands make the office full time or nearly so. This level of pay is insufficient to compensate for income lost while holding public office.

### Compensation for Constitutional Officers

The constitutional offices are full-time positions. (Table 2 lists their salaries.) Each even-numbered year, a compensation council establishes the compensation levels for the constitutional officers, legislators and judges. The Legislature has the authority to modify or reject the recommendations. The

<sup>49</sup> *Minn. Stat.* (1990) §204B.06.

<sup>50</sup> *Minn. Stat.* (1990) §211A.01-11. These statutes require candidates for county, municipal and school district offices to submit financial reports. The report shall include the total amount of receipts and expenditures for the period, the purpose of each expenditure and the name of any contributor of \$500 or more (in the aggregate). Additional financial reports must be submitted 10 days after the primary, 10 days before the general election, and 30 days after the general election. Those who fail to file are guilty of a misdemeanor and forfeit the nomination or office. Chapter 10A governs reporting by candidates for statewide or legislative offices (and judicial posts).

<sup>51</sup> *Minn. Stat.* (1990) §211B.

compensation council's recommendations are due by May 1 of each odd-numbered year. If approved, the recommendations go into effect July 1 of the next odd-numbered year.<sup>52</sup>

### Compensation for Legislators

All legislators, regardless of tenure or committee responsibilities, receive an annual salary of \$27,979, set in 1991. As with the constitutional officers, a compensation council establishes compensation levels that are approved by the Legislature. Of the surveyed legislative candidates from 1990 who have not decided to run again, only 14 percent said the level of compensation applied or strongly applied to their decision against running again.<sup>53</sup>

State law allows each House to designate up to three legislative-leader positions to receive 140 percent of the pay of other members. Therefore, the House speaker, majority leader and minority leader, and the Senate majority and minority leaders receive \$39,171.

A seat in the Legislature is considered to be a part-time position, although the time demands and workload are increasingly full-time in nature. This is particularly true for legislators holding leadership positions and for committee chairs. However, only 29 percent of the surveyed legislative candidates indicated that this applied or strongly applied to their decision against running again. Fifty percent said it was not applicable to their decision.

Legislators are eligible to receive additional pay to supplement their salaries. Legislators may apply for per diem allowances to compensate for legislative business transacted during the interim period between sessions: Senators' per diem allowance is \$50 per day, and House members' is \$48 per day.<sup>54</sup> In 1991, legislators in the House collected a total of \$1.05 million in per diems, ranging from \$3,124 to \$14,352 and averaging \$7,861 per legislator.<sup>55</sup>

In addition, legislators who cannot make a daily commute to the Capitol receive reimbursements for lodging during the session. Senators may receive up to \$450 per month for lodging during the session; House members may receive up to \$500. During the interim, the reimbursement is up to \$55 per night for lodging. Legislators also receive reimbursements for round trips between their home and the Capitol. The rate in 1991 was 27.5¢ per mile. Expenses for House members' travel, mileage, lodging, registration and membership fees totaled \$652,028 in 1991. Expenses ranged from \$60 to \$18,805, and averaged \$4,865 per House member.<sup>56</sup>

Legislators are eligible for a pension under the state retirement system. A legislator becomes qualified to receive a retirement allowance after serving six full years, or after serving during all or part of four regular sessions. The years served do not have to be consecutive. To receive the retirement allowance the person must no longer be serving in the Legislature and must have turned 62 years old.<sup>57</sup> As of

TABLE 2

### 1991 SALARIES OF MINNESOTA CONSTITUTIONAL OFFICERS

Public Office	Salary
Governor	\$109,053
Lieutenant Governor	\$59,981
Secretary of State	\$59,981
State Auditor	\$65,437
State Treasurer	\$59,982
Attorney General	\$85,194

Source: Secretary of State, *Minnesota Legislative Manual 1991-92*.

<sup>52</sup> *Minn. Stat.* (1991 Supplement) §15A.082.

<sup>53</sup> Note that these persons ran in 1990 knowing the level of pay at the time.

<sup>54</sup> Legislators must submit a request for the per diems; the compensation is not automatically granted.

<sup>55</sup> House of Representatives Fiscal Services, *Member Per Diem Summary for 1991*.

<sup>56</sup> House of Representatives Fiscal Services, *Member Expense Summary for 1991*.

<sup>57</sup> For legislators who ended their service before 1981, the normal retirement age is 60. *Minn. Stat.* (1990), §3A.01, subd. 8.

June 1991, the average monthly benefit paid to former legislators was \$763 per month.<sup>58</sup> Legislators who served after 1979 (or for at least eight years before 1979) receive an amount equal to *two and a half* percent per year of service multiplied by that person's average monthly salary. Consequently, the longer legislators serve, the more pension they can collect.<sup>59</sup>

Legislators are also eligible for state-paid life insurance and hospital, medical and dental benefits. The medical plan is similar to what collective bargaining units negotiate for state employees. It offers the insured person a choice of several medical plans. The state pays in full the premium for individual coverage in the lowest-cost plan. It also pays 90 percent for dependent coverage based on the lowest-cost plan. If the insured chooses a different plan the insured pays the difference in cost between it and the lowest-cost plan.

By statute, changes in benefits resulting in increased costs to the state are not effective until the terms of the existing House members expire. Members may enroll themselves or their dependents for optional coverages when there is no cost to the state.

### Compensation for Local Officials

Many elected officials in Minnesota hold posts that are part time with low compensation.

**School board.** School board members, whose elected positions are not full-time jobs, have salaries that range from no pay to \$9,600 per year in Minneapolis, according to the Minnesota School Board Association. The median annual salary paid to school board members was \$435 for the 1989-90 school year.<sup>60</sup>

Outside of the seven-county metropolitan area, the highest school board salary was \$7,200 in Rochester. Most school districts pay far less than that to their board members. (Table 3 lists the five highest school board salaries in and outside the metro area.)

TABLE 3

HIGHEST SCHOOL BOARD SALARIES  
IN MINNESOTA SCHOOL DISTRICTS, 1990-91 SCHOOL YEAR

METRO AREA		NON-METRO AREA	
DISTRICT	ANNUAL SALARY	DISTRICT	ANNUAL SALARY
Minneapolis	\$9,600	Rochester	\$7,200
St. Paul	\$9,000	Moorhead	\$5,400
Bloomington	\$6,480	Brainerd	\$4,200
Burnsville & Richfield	\$4,800	Duluth & Little Falls	\$3,600
North St. Paul	\$4,320	Bemidji, Hutchinson, East Grand Forks, Thief River Falls	\$3,000

SOURCE: Minnesota School Board Association, *Administrative Salaries & Related Information*, 1990-91.

<sup>58</sup> Minnesota State Retirement System, *Comprehensive Annual Report July 1, 1990-June 30, 1991*, p. 49.

<sup>59</sup> The average monthly salary is computed as the average of the person's highest five successive years of salary received as a legislator. Legislators who served before 1979 but fewer than eight years receive an amount equal to *five* percent per year of service times their average monthly salary.

<sup>60</sup> Minnesota State Demographer, *Population Notes*, May 1991, p. 3.

**Municipalities.** In towns of 2,500 or less, city officials' salaries range from no regular salary to \$3,600 annually (1989). Many officials receive a fixed stipend per meeting. Annual salaries for the larger suburban cities in the metro area range from \$3,600 to \$15,000.<sup>61</sup> In the non-metropolitan cities above 2,500 population (but excluding Duluth), the 1991 salary for council members ranges from \$900 in St. Charles to \$6,600 in St. Cloud; the salary for mayor ranges from \$1,050 in Lake City to \$24,980 in St. Cloud.<sup>62</sup> Virtually all of these mayoral and city council positions are part time.

Currently, only two cities--Minneapolis and St. Paul--have both the mayoral and council positions as full-time positions with commensurate compensation. After 1993, this will be true only in Minneapolis.<sup>63</sup> (Table 4 illustrates some sample compensation levels for officials in large cities.)

<b>CITY</b>	<b>MAYOR</b>	<b>CITY COUNCIL MEMBER</b>
Bloomington	\$15,000; travel allowance	\$10,000; travel allowance per mile
Duluth	\$62,195; travel and meals reimbursement	\$7,500; mileage and meals reimbursed
Minneapolis	\$67,000; travel allowance	\$49,500; for out of city travel, \$50 in actual expenses may be reimbursed
St. Paul	\$71,592; travel allowance	\$45,515; <sup>64</sup> travel allowance per mile

**County.** County boards set the salaries for board members. By state law, the commissioners may receive per diems and reimbursements for necessary expenses and travel expenses. However, a county board with a salary greater than 50 percent of the governor's salary may not receive per diems except as a reimbursement for expenses.

(Table 5 on the next page lists the 1991 salaries for county commissioners in eight selected counties.)

## **ROLE OF THE MEDIA**

For many statewide campaigns the media plays a significant role. The amount such campaigns spend on media advertisements indicates the value candidates place on media exposure. However, the importance of the media varies for races at different levels of government and in different geographic locations around the state. For instance, the newspaper coverage afforded legislative candidates outside the metropolitan area is far greater than that in the Twin Cities. This is a result, in part, of the sheer number of races in highly populated areas.

Coverage of campaigns for local office suffers from different problems in different parts of the state. In the metro area, few races for county seats, city offices or school boards receive in-depth media attention in the daily newspapers or from the electronic media. One candidate for a county board seat in the metropolitan area said he never received television coverage and the only time the newspaper covered his race was when a controversy erupted over allegations of illegal placements of lawn signs. Outside the metropolitan area, lack of coverage is less of a problem. Local newspapers and radio stations there cover the local races in far greater detail than in the metropolitan area.

<sup>61</sup> *Ibid.*

<sup>62</sup> League of Minnesota Cities, *1991 Salary and Benefit Survey*.

<sup>63</sup> In 1991, St. Paul voters approved a part-time city council and lowered salaries to \$30,000, effective 1994.

<sup>64</sup> This is the salary of the full-time council; it decreases to \$30,000 when the council becomes part time.

TABLE 5

1991 COMPENSATION FOR COUNTY COMMISSIONERS,  
SELECT COUNTIES

COUNTY	SALARY	NOTES
Dakota	\$35,200	Each commissioner has an expense account of \$3,276
Goodhue	\$13,312	Per diem of \$15 for meetings attended; 27.5¢/mi. travel
Hennepin <sup>65</sup>	\$64,320	Travel reimbursement: 27.5¢/mi.
Pine	\$10,300	Per diem of \$20; travel reimbursed at 22¢/mi.
Ramsey	\$37,996	Administrative allowance of \$100/month (\$200 for chair); transportation allowance of \$150/month
Red Lake	\$6,815	Per diem of \$40 for committee assignments; mileage
Scott	\$26,166	Per diem of \$30; travel reimbursed at 27.5¢/mi.
Stearns	\$21,321	Per diem of \$25-\$50 depending on committee; travel reimbursed at 25¢/mi.

The media's role has shifted and continues to evolve. Some claim that for at least the statewide races, the media now shapes the campaigns instead of reporting them. Others indict the media for emphasizing the sensationalism of the contest over the policy messages of the candidates. Complaints abound over the lack of coverage of races for local offices.

Two other concerns arose repeatedly in our discussions. One was that for statewide races and legislative races in the metropolitan area, electronic media treatment of campaigns is largely confined to superficial coverage of the races, not the issues. Often this means that local community newspapers are the only forum in the media for describing the candidates and their positions.

The second was the media coverage that officeholders receive simply because they are already in the public limelight. Of the legislative candidates surveyed who have not decided to run again, 39 percent said the difficulty of beating an incumbent who received a large amount of media coverage applied or strongly applied to their decision not to run again. About a third said the incumbent's media coverage did not apply to their decision.

We believe the emphasis the media places on political strategies over substance is at least as harmful to the voters as to the candidates. For statewide races and many local races, voters rely, sometimes exclusively, on media reporting for information on the candidates. The format of the electronic media drives out the capacity to transmit explanations of issue positions. Because of the "pressure to treat politics and public affairs more as entertainment than as serious business," the media tends to concentrate on visuals and personality-based politics at the expense of issue discussion.<sup>66</sup> As a result voters are at a loss. The media expose people to the politician's advertisements with very little issue-based coverage.

## DIFFERENCES AMONG THE BARRIERS

Not all the barriers we identified apply uniformly to races at all levels of government. Some of the barriers pose more serious limitations than others. Therefore, we discussed each barrier in the context of the different races. We divided the races in the following way:

<sup>65</sup> Although the Hennepin County Board approves pay increases, individual commissioners must agree to accept them. Two commissioners who did not accept the increase in 1991 have annual salaries of \$61,800.

<sup>66</sup> Joan Shorenstein Barone Center on the Press, Politics and Public Policy, *Restoring the Bond: Connecting Campaign Coverage to Voters*, John F. Kennedy School of Government, Harvard University, November 1991, p. 11.

- races for constitutional officers and the Legislature,
- races for large cities and counties and
- races for school boards, and small cities and counties.

Some barriers are relevant in virtually all races. For instance, the value of incumbency and the implications that has for challengers cut across all types of races.

Nonetheless, we examined each barrier relative to the three categories of races (outlined above). We then ranked the barriers to show how important each was for the different races. (See Appendix 6 for the ranking of the barriers for each category of race.) Finally, we determined through committee discussion which barriers ought to change and which either could not or should not change.

### **BARRIERS THAT APPLY TO SPECIFIC TYPES OF RACES**

The preceding pages of this report list those barriers we believe should or could change. With the following exceptions, those barriers apply to all types of races in Minnesota. One exception is a barrier that applies only to races for the Legislature and statewide races and not to others. This barrier is:

- The amount of public financing for campaigns varies widely and tends to favor incumbents.

The second exception is the following list of barriers. It applies to legislative and constitutional offices as well as in large cities and counties. These barriers do not generally apply to school boards or in small cities and counties.

- The high cost of conducting a campaign may prevent some people from running.
- Special interests' contributions make up large shares of campaign contributions and typically go to incumbents.
- Electronic media treatment of campaigns is largely confined to superficial coverage of the races, not the issues.
- For some public offices, increased time demands can turn the position into a full-time one.
- Local community newspapers might often provide the only in-depth coverage of candidates and their positions.

### **BARRIERS THAT CAN NOT OR SHOULD NOT CHANGE**

We decided that several barriers either could not or should not change, for a variety of reasons. Those barriers are listed beginning on the next page. This list applies to races at all levels, statewide and local.



BARRIER	REASON NOT TO CHANGE
<ul style="list-style-type: none"> <li>Incumbents enjoy greater name recognition</li> </ul>	<ul style="list-style-type: none"> <li>Regardless of how the campaign system changes, incumbents will usually have greater name recognition because their names are before the public on current policy matters.</li> </ul>
<ul style="list-style-type: none"> <li>Incumbents know the election system, have campaign experience, broad networks and inside knowledge of issues</li> </ul>	<ul style="list-style-type: none"> <li>This is an inherent advantage gained by anyone who has already been through the election process.</li> </ul>
<ul style="list-style-type: none"> <li>Candidates and their families undergo intense scrutiny from the media and the public</li> </ul>	<ul style="list-style-type: none"> <li>There is a line beyond which it is unreasonable and unnecessary to scrutinize candidates. Nonetheless, the public should understand who the candidates are before voting. Candidates should anticipate public scrutiny as part of the job of a candidate.</li> </ul>
<ul style="list-style-type: none"> <li>Raising campaign money is necessary but generally unpleasant, distasteful work</li> </ul>	<ul style="list-style-type: none"> <li>Until that point when public subsidies provide all financing for campaigns (which we do not advocate), candidates will have to endure the prospect of raising money. Candidates should have to show some threshold level of local support.</li> </ul>
<ul style="list-style-type: none"> <li>Effective electronic media ads are necessary to win</li> </ul>	<ul style="list-style-type: none"> <li>For statewide races, this will continue to be the case because this format is successful in reaching the widest audience. Short of banning such ads, they will continue.</li> </ul>
<ul style="list-style-type: none"> <li>Incumbents receive free publicity when on radio and T.V. or in newspapers</li> </ul>	<ul style="list-style-type: none"> <li>This is a reality of being a public official. The flip side is that the public will hold incumbents accountable for the decisions that have gained them the media exposure.</li> </ul>
<ul style="list-style-type: none"> <li>A disaffected public believes politics are dirty</li> </ul>	<ul style="list-style-type: none"> <li>Changing this attitude will require building up (over the long term) the trust and public confidence in elected officials and the institution of government itself.</li> </ul>
<ul style="list-style-type: none"> <li>Candidates and elected officials are subject to intrusive public contacts</li> </ul>	<ul style="list-style-type: none"> <li>Contacts with the public are necessary for effective representation. Candidates will have to draw their own lines for taking phone calls at home, on the weekends, etc.</li> </ul>
<ul style="list-style-type: none"> <li>Today's campaigns lack civility</li> </ul>	<ul style="list-style-type: none"> <li>Campaigns in the past weren't necessarily civil either. Short of breaking laws, it is up to participants in the campaigns to determine the extent of the campaigns' civility.</li> </ul>
<ul style="list-style-type: none"> <li>Minor party candidates have additional disadvantages</li> </ul>	<ul style="list-style-type: none"> <li>Changing the political system to allow easier access by additional parties might or might not be desirable, but it is beyond the scope of this study.</li> </ul>
<ul style="list-style-type: none"> <li>Changes in vocational choices and demographics, such as the increase in two-career families, might affect who runs.</li> </ul>	<ul style="list-style-type: none"> <li>These social trends reflect people's lifestyles and desires. They probably are both impossible and undesirable to change.</li> </ul>
<ul style="list-style-type: none"> <li>Candidates who accept public financing are subject to spending limits</li> </ul>	<ul style="list-style-type: none"> <li>Although not every candidate follows the spending limits, the limits are reasonable and help to reduce excessive spending on campaigns at the state and legislative levels.</li> </ul>
<ul style="list-style-type: none"> <li>Lack of an involved, informed citizenry adds to the distance between the public and government, creating further disinterest in the institution</li> </ul>	<ul style="list-style-type: none"> <li>This results from the public feeling that it has no impact on public decisions. Changing this feeling of alienation is necessary but will require ongoing efforts both inside and outside the formal institutions of government. All levels of government need active, informed citizen participation. It is a change that takes us beyond the charge of this report.</li> </ul>

<ul style="list-style-type: none"><li>• State law limits contributions from individuals, PACs and parties</li></ul>	<ul style="list-style-type: none"><li>• The contribution limits provide more benefit than harm. They help to ensure that no one group exerts undue influence on elected officials.</li></ul>
<ul style="list-style-type: none"><li>• The level of compensation may be a deterrent to those who would otherwise make larger sums from their occupation</li></ul>	<ul style="list-style-type: none"><li>• There's no guarantee that increasing compensation will bring higher quality candidates. Furthermore, increased compensation would encourage more full-time office-holders with no incentive to work outside the public office. Attempts to increase compensation would encounter financial and political obstacles.</li></ul>
<ul style="list-style-type: none"><li>• Campaign regulations can be a nuisance</li></ul>	<ul style="list-style-type: none"><li>• Although a nuisance, the regulations are necessary to ensure candidates disclose pertinent information and meet state requirements on campaign financing.</li></ul>

## CHAPTER 2

# CONCLUSIONS

### FUNDAMENTAL VALUES

As we evaluated the issues and various possible recommendations, we decided that certain values had provided the background to much of our deliberations. The values provide the basis for our conclusions and recommendations. These values are described here briefly in the belief that making them explicit aids in both the analysis of the issues and understanding of the recommendations. It is also important to note that these values may conflict with one another.

**Competence** is a characteristic we value in our elected representatives. Candidates for public office ought to have both the abilities and interest necessary to understand and analyze a variety of complex public-policy issues. Furthermore, they should have the listening, comprehension and critical-thinking skills that a person needs to make decisions that affect competing, diverse interests in the public arena.

**Independence** is another characteristic we value in our elected officials. Several speakers identified the role of special-interest groups as a deterrent to running for office, in part because of the implicit or explicit loss of independence involved in obtaining the support of such groups. It is important to have elected officials who put the interests of the general public ahead of parochial interests. This value has limits because we recognize that citizens do not want their elected representatives to become so independent that the representative is unresponsive to the needs and desires of constituents.

**Public service** is a value we hold and, we believe, most citizens hold. Citizens have a duty to serve their community and holding elected office is one way that the duty of public service is satisfied. One implication of this value is that we as a community do not believe that elected officials should profit from their public service. Another possible, though more debatable, implication is that more citizens ought to be involved in public service as elected officials. The public service value is especially important in the discussion of compensation for elected officials. Although increased pay might induce more citizens to seek office, increased compensation would conflict with the duty aspect of public service.

**Diversity and openness** constitute another set of important values. Our elected officials should represent in some sense the diversity of our community. Because not all citizens could afford to serve in elected office if it were not adequately compensated, we acknowledge the need to compensate office holders. At the same time we are aware of the need to set levels of pay that are not so high as to motivate people to seek office for the pay alone.

Achieving diversity also requires an open process that affords every able person an equal opportunity to be evaluated by his or her fellow citizens and elected. The degree of openness in our political system is an important value in the assessment of the cost of campaigns, sources of campaign financing and the role of the political parties in recruiting, endorsing and supporting candidates.

**Fairness** is a critical value in our system of developing and electing qualified individuals to public office. Our current system is perceived as unfair because of the many advantages held by incumbents that interfere with an equal evaluation of the candidates. This unfairness appears in the prerequisites of

office that give incumbents an advantage as well as in the structure of the campaign finance laws that appear to favor incumbents.

**Accountability** is another value we identified. Citizens in a democracy ought to be able to hold their elected officials accountable. A lack of well-qualified challengers makes it more difficult to assess incumbents critically. Moreover, a campaign finance system that gives more clout to special-interest contributions than to constituent contributions also reduces the elected official's sense of being accountable. The recommendations that follow are designed to add accountability while serving the other values too.

## CONCLUSIONS ABOUT MINNESOTA'S SYSTEM OF RUNNING FOR OFFICE

- **The system of running for office, and the characteristics of the elected offices, should encourage broad participation from a diverse cross section of candidates.**

We believe the members of elected boards and councils should be diverse in experience and varied in background. The strength of the deliberations of such elected bodies lies in the different viewpoints on issues brought by members with varied experiences and backgrounds.

Elected bodies need a mix of officeholders. Not all elected officials can or should be expected to devote full time to their elected offices. Many persons simply could not afford to work full time in their elected position. Elected officials who devote full time to their public office run the risk of becoming enmeshed with administrative details of the office instead of concentrating on the broader public policy issues. They are more likely to have time to respond to requests for special help from constituents. This work detracts from the policy-making work the person was elected to perform. It is true that part-time officeholders are not immune from these pressures. And most elected officials, full or part time, feel compelled to respond to at least some constituent requests. However, the offices should not be structured in such a way that they require only full-time participants to fulfill their obligations.

- **Although Minnesota's system of running for elective office is generally sound, it contains certain obstacles that prevent it from being sufficiently open to all.**

Minnesota's system of running for office is generally good. It is in many respects an open process, designed to allow interested Minnesotans to become candidates as they see fit.

Yet certain aspects of the process needlessly work against persons considering a run for office. The built-in advantages of incumbent officeholders, for instance, weigh heavily on people considering candidacy. Some of these advantages are inherent to the nature of the job and can not change. Others though, such as the advantages provided to incumbent legislators in the campaign finance system, could change or be mitigated.

Some people have been historically underrepresented in elective offices. This is true at all levels of government in Minnesota. Although this is slowly changing, for instance, the number of women candidates is increasing, additional changes could ensure that the process for getting elected does not impede the candidacies of those traditionally underrepresented in public office.

- **Because the advantages enjoyed by incumbents represent major impediments to potential challengers, Minnesota should ensure that the process of running for elected office provides ample opportunity for all candidates to wage fair, open and competitive races. In addition, our**

**system of campaigning needs changes to improve the public's perceptions about running for and holding elected office.**

Some aspects of campaigning give advantages to certain candidates over others. And the public is increasingly viewing public office, and the process of getting there, in a negative light. Both these factors discourage people from seeking office. Campaign reforms could increase the likelihood that potential candidates can finance their races equitably. Campaign reforms could also make the institution of government more believable and trusted.

Changes are needed to encourage broad participation from a diverse cross section of candidates. In the current process, incumbency deters otherwise qualified candidates from running.

**Limiting terms.** Although we feel strongly about the need for a system that gives challengers reasonable opportunities to run against incumbents, we rejected the idea of imposing limits on the number of terms an elected official can serve. We want better opportunities for challengers -- but don't want to limit opportunities for incumbents.

We believe the negative consequences of imposing term limits outweigh the potential benefits. Other measures are more desirable for relieving some of the ills for which term limits have been proposed as cures. Limiting terms by means other than the voting booth undermines the public's ability to control its elected officials and hold them accountable for their actions.

The problems created by elected officials who stay too long in office are real. We heard from both former and currently-elected officials about public officials whose expectations and orientation change after serving in an elected position for many years. Some begin to expect that they belong in that office and this expectation colors their decisions, making them perhaps protective and more timid about supporting bold and controversial policy. They become oriented to taking parochial actions instead of acting in the larger public interest. We believe the solution lies in lowering or ending the barriers to running for office and ensuring that races are fair and competitive.

The effect we seek--fair, open and competitive races--would negate the need for limiting terms. A redistricting process that objectively draws election district boundaries, campaign financing strategies that do not favor the incumbent over the challenger and diminished influence over incumbents by special-interest groups will help accomplish this goal without the negative side effects of term limitations.

- **Because women and persons of color have been traditionally underrepresented in elected office, steps are necessary to ensure that these groups do not face additional barriers that prevent them from assuming elected office.**

Women and persons of color would provide diversity in elected offices that encourages different viewpoints and perspectives, brings new blood and infuses new energy into public institutions. They would also represent groups that have long been underrepresented.

Sexism and racism remain pervasive in nearly all facets of our society. While we can do little to erase these negative attitudes overnight, we should recognize and promote the value of increasing the number of women and persons of color in elected offices. This value comes from the strength that persons with varied experiences bring to policy discussions. We ought to ensure that no public policies contribute to the obstacles that racism and sexism have already mounted.

- **Preserving a broad cross section of candidates is the primary factor on which decisions ought to be made about the levels of compensation for elected officials and the time required to fulfill the obligations of the office.**

Although the levels of pay for serving in many elective offices may be a deterrent to those candidates who would otherwise make larger sums from another occupation, raising compensation levels for public officials would be problematic. Compensation might be a barrier but the cure could be worse than the problem.

Increasing the level of compensation may cause potential candidates for those offices to regard them as full-time positions, or even career ones. Further, increasing the compensation paid to some incumbents could induce them to rely solely upon their public income with no attempt to sustain a career elsewhere. This trend toward full-time positions would narrow the field of persons who could become candidates. Elected boards function best when their members bring to them a wealth and diversity of experience and backgrounds. When only those without substantial other commitments can run, the system restricts the universe of candidates.

This is true for virtually all general-purpose boards, but particularly relevant for the Minnesota Legislature. Important elements of the legislative process will be lost if only full-time participants can serve.

Notwithstanding the conclusion above, the levels of compensation paid to some officeholders, such as the mayors in the largest cities and commissioners on the boards of the largest counties, effectively establish those offices as full-time positions.

Likewise, additional increases in the amount of scheduled time for legislators will add to the trend toward a full-time Legislature. This will prevent many qualified candidates, who have substantial other commitments, from running.

For this reason, the time involved with serving in the Legislature is a problem. We believe the Legislature has to be sensitive to timing problems when scheduling meetings during the interim. During the months the Legislature is in session, legislators know they must devote their time to legislative activities. They expect that and know they must arrange their other activities accordingly. However, the interim months should not pose that same expectation.

Activities other than policymaking increasingly take up legislators' time. Too often legislators must attend to requests for help from individuals or specific groups; the responsibility for providing these services should not rest with legislators. While some of this may be necessary and legislators may enjoy the satisfaction that comes with helping their constituents, too much of it becomes a burden. It only adds to the time legislators must spend on the larger state issues. As it is, the time crunch for legislators, particularly at the end of the session, makes meeting family commitments or other obligations difficult. As the time burden associated with public service increases, fewer persons will be able to set aside other commitments to run.

Since the passage of a 1972 constitutional amendment, the Legislature has met in both years of the biennium (for a total of 120 legislative days).<sup>67</sup> In recent years, legislative leaders have favored limiting the agenda of the Legislature during the second year of the biennium (the even-numbered year). We commend them for recognizing the importance of such limits. We urge them to continue this practice and curtail the number of bills introduced in the second year to prevent any further shift toward an institution that could require full-time legislators.

- **The role of the parties in the election process--from candidate recruitment to evaluations of elected officials--needs strengthening.**

We do not believe that changes in the regulation of political parties will by themselves turn the tide for the parties' declining role in the elective system. The factors that have led to the parties' decline are too complex and far reaching for a simple fix. Nonetheless, certain changes could release the parties from

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<sup>67</sup> Minnesota's Constitution prohibits the Legislature from meeting after the first Monday following the third Saturday in May during any year.

some of the ties that hinder parties today. They could give parties the opportunity to be a greater force in the elective process.

For all their faults, political parties generally have broader interests and broader donor bases than special-interest groups. Strong parties would lend to the election process a greater interest in the commonweal than the narrower interests of special-interest groups.

## CHAPTER 3

# RECOMMENDATIONS

We believe our system of running for office contains many obstacles that should change. Lowering or ending these barriers can improve the opportunities for potential candidates to run. Here is what we propose.

### RECOMMENDATIONS ON INCUMBENCY

- **The Legislature should place on the election ballot a proposal to establish a bipartisan redistricting commission to draw legislative district boundaries every decade. Local units of government should use redistricting commissions consisting of persons who are not themselves members of the elected body.**

Taking redistricting out of the hands of the elected officials--the primary beneficiaries of the results--could ensure that district boundaries reflect reasonable opportunities for all candidates and members of both political parties in partisan elections. As it is, redistricting largely benefits the sitting officials, particularly for legislative seats, thereby deterring open and competitive races.

Some states that employ independent commissions to draw political district boundaries have had success in allowing candidates from both parties a reasonable opportunity for election. Iowa is a case in point. In 1991, Iowa's redistricting process, which uses a nonpartisan bureau in an attempt to separate redistricting from partisan politics, pitted 40 percent of the incumbent legislators against one another. The redrawn districts paired 20 of the 50 incumbent senators and 40 of the 100 incumbent representatives together. Among them were the Iowa Senate Majority and Minority leaders, the House Majority leader and the Speaker of the House. The pairings affected Democrats and Republicans equally (although Democrats control a majority of both houses). Additional information on Iowa's redistricting process is available in Appendix 8.

- **The Legislature should change the rules of the Senate and the House to require the Senate Committee on Committees and the Speaker of the House, who control appointments of committee chairs, to rotate chairs of committees in their respective houses.**

In the Senate, seniority is the principal basis for chair appointments. The House Speaker has leeway over chair appointments to House committees and is likely to seek geographic balance as well as seniority. In both houses, it is not uncommon for committee chairs to remain in control for many years, gaining political power along the way. Veteran committee chairs tend to receive heavy support from special-interest groups and can raise campaign money relatively easily.

This power base of the incumbents deters potential candidates. Changing it would promote our value of fairness between incumbents and challengers. It could also reduce one of the incentives for staying in office for long periods and thereby advance our values of public service and diversity by encouraging more persons to run.



## RECOMMENDATIONS ON CAMPAIGN FINANCING

- **The Legislature should replace the existing check-off system for financing public subsidies of campaigns with an arrangement that equitably distributes public dollars among candidates. Candidates who apply for the public subsidy should demonstrate some threshold level of financial support from individuals residing within their own districts.**

The current system of public financing provides incumbent advantages that discourage challengers from running. A system that more fairly distributes financial help should replace it. To avoid distributing uneven amounts of public financing, the state could replace the system of taxpayer check-offs to the State Elections Campaign Fund with an appropriation from the state general fund that is divided equally between the two candidates who win the primary election for a given seat.

In the current arrangement, the courts have established that the distribution of money checked off by taxpayers must relate to the support for particular political parties within legislative districts. The effect is that a Republican candidate in a district that votes heavily Republican and checks off contributions to the IR party will receive a relatively large public subsidy. The opposite is true for a DFL candidate in that district. Candidates from the party that commands the higher share of the votes and candidates in districts with high check-off rates for their party will receive higher amounts of public financing. Consequently, incumbent candidates in relatively safe districts (where challengers from outside the dominant political party are unlikely to win) receive relatively large amounts of public financing.

In addition, we believe candidates should demonstrate a level of support from within their own district. Similar to today's arrangement whereby candidates must raise 20 percent of what they expect to receive in public subsidy, candidates should be required to raise some threshold amount from individuals living within the candidates' own districts. This system reflects our value of accountability in candidates. It would give more clout to constituent contributions than to contributions by others from outside the candidate's district. In addition, it would encourage independence in candidates who would no longer rely as heavily on special-interest support.

- **The Legislature should prohibit PAC contributions to individual candidates but continue to allow such contributions to political parties.**

Ending PAC contributions to individual candidates would lessen concern over the influence of special interests on candidates. It would help attain the independence we value in candidates, because they would not rely directly on special-interest money to finance their campaigns. It would also help steady the decline of the political parties' influence in the campaign process. For purposes of PAC contributions to party units, the legislative caucuses would be ineligible. The caucuses would retain their ability to finance candidate campaigns. However, they would have to accomplish that with individual contributions, not PAC money.

Prohibiting PAC contributions to individuals would force a heavier reliance on individual contributions and party resources. Although some major contributions from political committees and funds went to nonincumbent candidates in 1990, far more went to incumbents. Special-interest contributions not only give an advantage to incumbent candidates, but they also diminish the public's confidence in elective offices. When such contributions account for large shares of some public officials' campaign financing, they appear to lend special influence to these interests whether or not such influence actually exists.

Political parties are less narrowly focused than most special-interest groups; their agendas are not targeted to advancing their own special interests at the expense of the general public's welfare. Their interests lie in getting candidates from their parties elected to office.

The Legislature should also increase the share of campaign financing that political parties are allowed to provide. Over the years, the percent of party financing has not changed even though campaign spending limits have increased. With the shift to the party as the recipient of PAC contributions, as we suggest, it will be necessary to change the amount parties may spend on candidates. The existing limits are inadequate. The Legislature will have to establish some limits to prevent what would otherwise be undue influence on the part of the parties over the candidates in the elective system. The limit could be based, for instance, on the size of the political unit: The statewide organization would be allowed a larger amount than a senate district unit, just as candidates for statewide office can spend more under the existing expenditure limits than can candidates for the Senate.

We hope that this recommendation will allow the parties to become more active in several endeavors. In addition to more active participation in individual campaigns, political parties could, for instance, become partners with schools and civic organizations in providing education about the election process. They could be more proactive in evaluating officeholders against the parties' established platforms. And the political parties could evaluate their endorsement procedures in light of their impact on new or potential candidates. This evaluation could review the familiarity and understandability of precinct caucus procedures, and the length of time for campaigning between endorsement and the election. It could also evaluate the role of special-interest groups in the process. This could lead to more opportunity for the diversity and openness we value in the elective system.

- **The Legislature should lower the limit on contributions from individuals to legislative candidates during election years.**

Limits on contributions by individuals to Senate and House candidates should be reduced to \$1,000 and \$500, respectively. A reduction is necessary to control the potential for concentrating power in individuals who bundle together a number of contributions to give to one candidate.

People could attempt to sidestep the prohibition against PAC contributions to individuals, recommended above, by bundling several contributions and giving them collectively to candidates. Reducing the contribution limit will not prevent people from brokering contributions but it will limit the amount such individuals can give. Without a reduction in the limits, the power over contributions would become lopsided in favor of the contribution brokers.

Reducing these contribution limits would promote the independence we value in candidates. Candidates would be less dependent on large contributions and rely more heavily on contributions of smaller amounts. The reductions could also help lower the public cynicism over campaigns that are financed with a small donor base and sizable contributions.

- **The Legislature should prohibit candidates who run unopposed in both the primary and general elections from receiving direct public financing for their campaigns.**

Public subsidies from the State Elections Campaign Fund should not be spent on candidates who run without opponents. Candidates who have opponents in the primary but not in the general election should remain eligible for this public subsidy.

Although candidates who run unopposed might still want to campaign and communicate with their constituents, there is no compelling public interest served by financing these candidates' campaigns with public dollars. Typically these unopposed candidates are incumbents; their very incumbency discourages challengers. The function of public dollars in campaign financing ought to be to ensure fair, open and competitive races. Public dollars should not pay for races in which there is no opposition.

- **The Legislature should prohibit the formation of more than one campaign committee for legislative candidates.**

The so-called "friends of" committees allow legislative candidates to accumulate additional campaign dollars beyond what is allowed for their principal campaign committee. While establishing such committees is not limited to incumbents, in practice virtually all have been. Eliminating them is a matter of fairness between incumbents and other candidates.

- **The Legislature should require candidates to submit to the state's general fund any balance above zero remaining in the funds of their principal campaign committees at the end of the election year.**

With a system of public subsidies coming as an appropriation from the state's general fund, it is fair and reasonable to expect candidates to return any leftover money to the general fund. Returning the balance of the treasuries would bring another element of fairness to a system that now allows incumbents to carry over large sums of campaign funds from one election to the next.

- **The Legislature should prohibit transfers of funds from one campaign fund to another.**

State statutes should not allow transfers between campaign funds. It is inappropriate for individual legislators to be beholden to other individual legislators in return for contributions. However, the practice of the legislative caucuses financing campaigns should be allowed to continue. It is appropriate for the members of the legislative caucuses to form allegiances and work together to pass legislation.

- **The Legislature should change the law that prohibits contributions to any candidate for the Legislature while the Legislature is in session, to allow contributions to nonincumbents.**

Currently *all* candidates, not just those who now serve in office, must refrain from receiving contributions during the session. This could harm candidates who are trying to establish a campaign that will carry them to the general election in the fall. For instance, a first-time woman candidate for the Legislature hoping to receive financial help from a women's organization could not do so during the Legislative session.

In its attempt to protect the integrity of the body as a whole by preventing any potential conflict of interest that could arise when sitting legislators receive contributions during the session, the Legislature went too far. Nonincumbents do not face conflicts of interest because they are not voting on legislation that could affect their contributors. The Legislature should change this provision as it now affects candidates who are not legislators. The Legislature should continue to prohibit lobbyists' contributions during the session to those candidates who are currently elected officials.

- **The Legislature should require that any election-year mailing sent by a legislative candidate following the close of a legislative session, or any districtwide mailing paid for by that candidate's campaign committee, be counted as a campaign expenditure.**

This change, affecting communications during an election year, would somewhat balance out the advantage incumbents have over challengers. Any such mailing by a challenger would be counted as a campaign expenditure. In the interest of fairness the same should be true for incumbents.

- **The Legislature should allow the expansion of a system of public subsidies to campaigns for other general-purpose elected offices, such as county boards and city councils.**

The Legislature should pass enabling legislation that gives local units of government the option of public financing for the campaigns of their elected officials. However, the dollars for financing local-government races should not come from the state treasury. Local units themselves should finance their own systems of public subsidies. The governing boards in counties and cities would have to design, adopt and fund their own systems for publicly financing campaigns. We believe local units of government should provide the financing for accountability reasons: Public dollars spent on local campaigns ought to be raised locally. Taxing the residents of Fairmont, for example, to pay for county board races in Hennepin County is unreasonable as well as politically unpalatable.

Not all cities or counties in Minnesota would need public campaign financing. However, a system of public subsidies could be beneficial in those jurisdictions where the costs of campaigns are high and where contribution and expenditure limits would make sense. Large cities around the country, including Los Angeles, Seattle, Tucson and New York, as well as some counties such as Sacramento County, California, and King County, Washington, have initiated their own public financing measures for campaigns of their elected officials.

Public financing, and the conditions attached to the use of public subsidies, can neutralize the advantages of candidates with large amounts of wealth or access to wealth. It provides a fairer system of campaign financing than the one in existence today. It could also provide help to candidates from groups that have traditionally been underrepresented in these local offices. Public financing structured correctly also advances the value of independence in our candidates and elected officials.

- **The Legislature should encourage private and public employers to recognize the value of public service inherent in running for elected office and to accommodate employees seeking their party's nomination or election to office.**

Citizens ought to be involved in public service and this recommendation is one way of acknowledging the value of the public service embodied in running for elected office. Currently, state statutes allow elected officials to take time to fulfill their public duties without penalty from their employers. The state has recognized the importance of the service provided by the national guard by granting leaves of absence with rights of reinstatement to guard members, employed in both the private and public sectors, who are called to duty. It has also provided athletic leaves of absence for public employees who qualify for olympic athletic competition. We believe the value of public service is important enough that the state and private sector employers should accommodate the efforts of candidates for elected office.

## **RECOMMENDATIONS ON THE NATURE OF THE INSTITUTION**

- **Elected members of local units of government should avoid scheduling meetings at hours which preclude officials from holding other jobs.**

Elected boards and councils at all levels of government should be aware that the timing of their regularly scheduled meetings affects who is available to attend. Meeting during the workday, for instance, effectively prohibits the participation of many persons who are otherwise employed. Persons in jobs without flexibility in work-hour scheduling have little opportunity to run for offices that require regularly-scheduled daytime meetings. Furthermore, constituents are less likely to be able to participate in meetings held during customary daytime work hours.

- **The Legislature should avoid heavy scheduling of meetings and other activities during normal work hours during the interim.**

Legislative leaders, including the Speaker of the House, the Senate Majority Leader and committee chairs in both houses, should avoid placing demands on legislators' work time during the interim. If legislators are to be able to return to their jobs or other commitments following the session adjournment, they should not be expected to devote more time during workdays of the interim to legislative activities.

This does not necessarily mean that the Legislature should not hold interim meetings. However, those meetings, such as the House mini-sessions that have been held in different communities around the state in the past few years, could take place on weekends. This would benefit both legislators and their constituents. Legislators would be able to tend to their jobs or other commitments as necessary and still partake in legislative activities. Constituents would also be able to participate in legislative hearings without taking time from their work or other normal daily activities.

To help ensure that interim meetings do not require full-time legislators, we recommend that:

- **The Senate Majority Leader and the Speaker of the House assume responsibility for the committee schedules proposed by committee chairs in the respective houses.**

With this responsibility, legislative leaders could control the frequency of committee meetings and, to some extent, the time required to serve in the Legislature. The time requirements would be a matter of policy instead of preferences by the various committee chairs.

- **To ensure that legislators with other occupations can continue to serve, the Legislature should take steps to maximize legislators' time spent on policy-making duties and limit the amount of time spent on providing services to individual constituents. These steps include:**
  - (1) **referring constituent requests to ombudsmen or similar offices in state government as appropriate, such as the ombudsman for mental health and mental retardation or the consumer division of the state attorney general's office;**
  - (2) **establishing other department ombudsmen where appropriate;**
  - (3) **declining to offer assistance for requests that involve ignoring or bending rules set by state agencies or other authorities; and**
  - (4) **establishing an office of constituent services, similar to the House of Representatives constituent services division of the DFL caucus, to allow legislators to shift the responsibility for these services elsewhere, to the extent practical, and concentrate instead on their policy-making role.**

Our chief concern is that legislators have sufficient time to complete their policy-making duties without foregoing their other occupations or responsibilities. Demands on legislators' time are keen. By diverting some of the nonessential activities away from legislators' more important policy-making responsibilities, the Legislature can help limit the amount of time legislators must spend fulfilling their obligations. In so doing, it will open doors to public service for many persons for whom time is an issue.

We acknowledge that many legislators relish the opportunity to help constituents and view such action as necessary for re-election. Some legislators will insist on continuing to provide these services

personally, regardless of what other resources are available. Nonetheless, the need to focus on policy making and keep the opportunity for elected service open to as many as possible should prevail.

## RECOMMENDATIONS ON WOMEN CANDIDATES AND CANDIDATES OF COLOR

- **Organizations of persons of color, women's groups and community organizations should identify, encourage and develop more candidates from the traditionally underrepresented populations to run for office.**

These groups should provide the assistance and encouragement that individuals from the respective communities and organizations need to overcome what potential candidates might lack in campaigning experience and fund-raising skills. The organizations should: broaden the pool of prospective candidates for office at all levels; maintain networks of like-minded individuals interested in public affairs; provide campaign training; begin communications networks to assist potential candidates; conduct research on effective campaign techniques and disseminate it to potential candidates; and provide education about the obstacles such persons face and what help is available to overcome them. These activities could be especially beneficial if members of the candidates' own communities provide them to potential candidates and if they gear the activities toward the particular needs of each community.

One organization already pursuing these goals is the Women Candidate Development Coalition. The Coalition is a group dedicated to greatly increasing the number of women candidates and enhancing their chances of winning. It has succeeded in recruiting women from both sides of the political aisle to run in races at all levels of government within Minnesota. Its work could provide a model for other organizations.

- **Civic groups, major political parties and other organizations should support opportunities to educate children and young adults, particularly girls and persons of color, about citizenship and leadership, including the process of running for office.**

These activities should target special outreach to girls and students from communities of color. For instance, the major political parties could work in a systematic, ongoing way with local schools to provide first-hand information about the election process, becoming a candidate, campaign training and the like. We are not so hopeful as to believe that such activities will revamp people's understanding of and attitudes toward citizenship and running for office. Yet we believe the responsibilities of citizenship are so important that even this limited strategy is essential. It is particularly important to spread the message to persons from groups traditionally underrepresented in elected offices.

One example of this sort of effort is the Public Achievement groups sponsored by Project Public Life, a program at the Humphrey Institute of Public Affairs devoted to developing new ideas about how to make democracy work. Public Achievement groups organized in high schools in the Twin Cities metropolitan area enable students to participate actively in the decisionmaking at their schools. They help develop skills of participatory democracy in students.

- **Persons with authority over appointments to boards and commissions should increase the number of women and persons of color appointees.**

These appointments allow the individuals to increase their qualifications for elected office. They offer a training opportunity and provide experience, contacts and legitimacy for the appointees. Often the experience on appointed boards will lead the appointees to consider running for some elected office.

That kind of background and involvement could provide the impetus necessary to convince women and persons of color to pursue an elected office. Therefore, appointments of women and persons of color to these boards is especially important.

- **Minnesota's political parties should actively involve persons of color in party activities to increase their participation in the political process and empower them as citizens.**

Although some party organizing occurs in communities of color now, the political parties should take it upon themselves to expand this activity. They should systematically work within the communities of color to organize them to increase their political capacities. We urge a partnership between parties and communities of color to jointly pursue increased citizen action and participation on significant issues. It is empowerment of this sort that could lead to more candidates of color and the realization of our values of diversity and openness in elected offices.

## APPENDICES

### APPENDIX 1: STATE CAMPAIGN CONTRIBUTION AND EXPENDITURE LIMITS AND PUBLIC FINANCING IN THE U.S.

#### LIMITS ON CAMPAIGN EXPENDITURES

As of 1989, only nine states regulated the amount of campaign expenditures by candidates.<sup>68</sup> Forty-one states had no reference in their laws to limiting campaign expenditures. The nine are: Alaska, Delaware, Florida, Hawaii, Maryland, Michigan, Minnesota, New Jersey and Wisconsin.

In the 1976 U.S. Supreme Court case *Buckley v. Valeo*, the court ruled that states could limit candidates' expenditures only as a condition of candidates' acceptance of public financing. The Court found other limits to be unconstitutional because they curtailed first amendment rights by restraining the quantity of political speech.<sup>69</sup> The following section summarizes the practices in the nine states with limits on campaign expenditures.

#### Alaska

Alaska laws limit gubernatorial candidates to spending the equivalent of \$0.40 multiplied by the total population in the state. Persons running for the state Senate or House are limited to \$1 multiplied by the population in their district, divided by the number of seats in the district.

#### Delaware

For primary elections, Delaware limits the amount that candidates for statewide offices can spend to \$0.25 multiplied by qualified voters. The law limits candidates for the state Senate to the greater of \$4,000 or \$0.25 multiplied by qualified voters. Candidates for the House of Representatives are restricted to the greater of \$0.25 times qualified voters or \$2,000.

For general elections, the spending figures are doubled.

#### Florida

In Florida the candidates for governor and cabinet posts who accept public financing must meet spending limits. The limit on the gubernatorial candidates is \$0.75 multiplied by the number of votes cast for governor in the last general election. Candidates for a cabinet post must limit expenditures to \$0.25 multiplied by the number of votes cast for that office in the last general election, or if the office

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<sup>68</sup> James A. Palmer and Edward D. Feigenbaum, *Campaign Finance Law 90*, Federal Election Commission, Washington D.C.

<sup>69</sup> Lisa Larson, *Public Financing of Election Campaigns: Minnesota Ethics in Government Act*, Minnesota House of Representatives Research Department, September 1987.



was uncontested, then \$0.25 times the number of votes cast for governor. Candidates who face opponents in the primary only are limited to 60 percent of the expenditure limit.

### Hawaii

The law in Hawaii limits expenditures during the election year as follows. The candidates for governor are limited to \$1.25 times the number of registered voters. Candidates for lieutenant governor are limited to \$0.70 times the number of registered voters. Candidates for state senator and representative are limited to \$0.70 times the number of registered voters. Mayoral candidates are limited to \$1 times the registered voters. A variety of other offices are limited to \$0.10 times the number of registered voters. The dollar amounts may increase 10 percent each year to allow for inflation.

### Maryland

Maryland limits the publicly-financed candidates for the joint governor/lieutenant governor ticket to expenditures in the amount of \$0.20 times the number of qualified voters. This amounted to about \$911,000 for the 1990 elections.<sup>70</sup>

### Minnesota

Minnesota statutes cover candidates for all state constitutional offices and the Legislature who accept public financing. The current expenditure limits in Minnesota are listed in the accompanying sidebar.

If Minnesota practiced the same expenditure limitations as Hawaii, using the number of eligible voters in Minnesota in 1988, the spending limits would be significantly higher.<sup>71</sup> For instance, the gubernatorial candidate would be able to spend up to \$3.95 million -- about six times the amount Minnesota law actually allowed in 1988.

#### MINNESOTA CAMPAIGN EXPENDITURE LIMITS DURING AN ELECTION YEAR

- Governor and lieutenant governor, running together - \$1,626,691
- Attorney general - \$271,116
- Secretary of state, state treasurer, state auditor - \$135,559 each
- State senator - \$43,150
- State representative - \$21,576

### Michigan

Michigan's expenditure limits apply only to candidates for governor. Candidates for governor can spend a maximum of \$1.5 million per election, with up to \$200,000 more to solicit contributions. Further expenditures may be authorized to respond to editorials, endorsements, etc.<sup>72</sup>

### New Jersey

New Jersey's limits also apply only to the gubernatorial candidates. In the 1989 primary, the limits were \$2.2 million and in the general election the limit was \$5 million. The spending limits are subject to adjustments prior to the election year to reflect changes in campaign costs. In addition, gubernatorial

<sup>70</sup> Herbert Alexander and Mike Eberts, *Public Financing of State Elections*, Citizens Research Foundation, University of Southern California, 1986, p. 18.

<sup>71</sup> The number of qualified voters in Minnesota is significantly higher than in Hawaii. In Minnesota, the number of qualified voters in 1988 was 3,161,000. In Hawaii, the number of qualified voters in 1990 was 362,452.

<sup>72</sup> James A. Palmer, *Campaign Finance Law 90*, Federal Elections Commission.

candidates are limited to spending \$25,000 from their own funds for each the primary and general election.

### Wisconsin

The state of Wisconsin gives a grant to candidates who volunteer to have their campaign expenditures limited, on the condition that their opponents do the same. A candidate might not receive a public subsidy for one of three reasons:

- (1) the candidate could not raise a certain percentage of money obtained from individuals making contributions of \$100 or less,
- (2) the candidate could not win in the primary or
- (3) the candidate had no opponent in the general election.

The spending limit for publicly-subsidized candidates for various Wisconsin state offices is listed in the sidebar below.

1991 WISCONSIN CAMPAIGN EXPENDITURE LIMITS				
Office	After Registration*	Primary	General Election	Not to Exceed
Governor	5%	\$323,450	\$754,750	\$1,078,200
Lt. Gov.	5%	\$215,650	\$107,825	\$323,475
Attorney General**	5%	\$269,550	\$269,550	\$539,100
Treasurer	5%	\$86,250	\$129,375	\$215,625
Senate	10%	\$21,575	\$21,575	\$35,500
Assembly	10%	\$10,775	\$10,775	\$17,250

\*Designates period from registration to the primary, during which time there is a given percentage of general election spending limit that can be spent above and beyond the regular limits.

\*\*These limits also apply to court justices, the superintendent of public instruction, and secretary of state.

### Limiting Expenditures Prior to Candidate Registration

As of 1988, 29 states, with Minnesota among them, did not limit campaign spending prior to the date on which candidates register.<sup>73</sup> Eight states specified that no expenditures will be permitted before this date. Twelve states did not allow candidates to make expenditures until their campaign treasurers have been chosen. One state, Louisiana, allows a candidate to spend a maximum of \$500 before registration.

### Controls on Surplus Campaign Funds

As of 1988, 35 states did not regulate how excess campaign funds may be spent.<sup>74</sup> Seven states loosely outlined that the funds could be used in various ways -- for charity or political party contributions, repayment of campaign debts, personal income or for the candidate's future campaigns.

<sup>73</sup> Council of State Governments, *The Book of the States, 1990-91*.

<sup>74</sup> *Ibid.*

Eight states limited the use of the surplus funds more strictly. For example, Colorado specifically stated that the funds cannot be given to the candidate or a political party. Three of these eight states, Connecticut, Iowa and Michigan, will not allow candidates to spend the money on future campaigns, while Virginia provides this as the only option. Wisconsin and Minnesota limit the use of surplus publicly-subsidized campaign money, by requiring, under certain conditions, the return to the state's campaign election fund of the public subsidy that is not spent during the election.

## LIMITS ON CAMPAIGN CONTRIBUTIONS

Half the states have contribution limits in one form or another.<sup>75</sup> In many states, different limits apply to contributions given by corporations, political action committees (PACs) and individuals.

### Corporate Contributions

Around the country, state regulations on corporate contributions range from outright prohibitions on corporate contributions to no limitations at all. Minnesota does not allow corporations to make contributions to candidates.<sup>76</sup>

In 12 states in 1989, corporations were allowed to give an unlimited amount of money to a candidate or political committee each election year.<sup>77</sup> On the other hand, 19 states prohibited corporations from making contributions to a candidate or political committee at any time. Wisconsin and Minnesota are among them.

Another 19 states place some limit on the amount that corporations can contribute to a political campaign. The limitations range from \$500 to \$5,000 per candidate per election year, with an average of \$1,750 per candidate. However, most of the limits are for \$1,000 per candidate in an election year.

Four states limit corporate contributions by setting a maximum aggregate sum that can be given during a year. Hawaii allows corporations to give a total of \$2,000 in an election period, while New York allows corporations to contribute an aggregate of \$5,000 each calendar year. Rhode Island allows contributions up to an aggregate of \$2,000 per calendar year. Washington allows corporations to contribute up to an aggregate of \$50,000 for statewide candidates and an aggregate \$5,000 for other candidates. However, these contributions can not be made within 21 days of a general election to a candidate for any office in Washington.

### Political Action Committee Contributions

Political action committees, which collect separate segregated funds from individuals or organizations and give them to candidates or political committees, have different limits. Fewer states limit contributions from PACs than limit contributions from corporations. Twenty-six states allow unlimited PAC contributions to a candidate or political committee.<sup>78</sup>

The other 24 states restrict PAC contributions, although not necessarily in the same manner as corporate contributions.

Some states designate different limits for candidates at different levels of government. PAC contribution limits range from \$1,000 per candidate per year for statewide offices to \$20,000 for

<sup>75</sup> Frederick Herrmann, *Campaign Finance 1990: Legislation and Litigation*, Council of State Governments, September 1990, p. 1.

<sup>76</sup> *Minn. Stat.* (1990) §211B.15, subd. 2.

<sup>77</sup> James A. Palmer, *Campaign Finance Law 90*, Federal Election Commission, Chart 2-A.

<sup>78</sup> *Ibid.*

governor. At \$20,000, Minnesota's contribution limit for gubernatorial candidates is the highest allowed. For the district offices such as the legislative seats, the contribution limits range from \$250 to \$5,000, and average \$1,645.

Seven states impose PAC contribution limits on a per-candidate basis, regardless of the office sought. These limits range from \$1,000 to \$5,000 and average \$3,000.

Several states limit PAC contributions to aggregate amounts per election year. For instance, Alaska limits PAC contributions to \$1,000 per election per year. Hawaii and Rhode Island allow PAC contributions only up to \$2,000 per election period and per calendar year, respectively.

Connecticut allows labor organization PACs to contribute an aggregate of \$50,000 and corporate PACs to give an aggregate of \$100,000 every election period. Louisiana's aggregate limit on PAC contributions is \$50,000 for candidates to major offices and \$35,000 to candidates for district offices. Washington's limit is an aggregate \$50,000 for statewide offices and \$5,000 for others. These contributions may not be made within 21 days of the general election.

As described earlier in this report, Minnesota's campaign contribution limits are as follows:

LIMITATIONS ON CONTRIBUTIONS FROM INDIVIDUALS, POLITICAL COMMITTEES OR POLITICAL FUNDS		
Office	Limit During Election Year	Limit During Other Years
Governor/Lieutenant Governor	\$20,000 (was \$60,000 before 1991)	\$3,000 (was \$12,000 before 1991)
Attorney General	\$10,000	\$2,000
Secretary of State, State Treasurer, Auditor	\$5,000 (each)	\$1,000 (each)
State Senator	\$1,500	\$500
State Representative	\$750	\$250

### Individual Contributions

Twenty-one states had no limits on individual contributions to candidates as of 1989. The other 29 states imposed some limit.<sup>79</sup>

For candidates to statewide offices, the range on the contribution limit is from \$550 (in Arizona) per candidate to \$20,000 (in Minnesota). Contributions to candidates for the legislatures and other non-statewide offices often have lower limits; the range is from \$250 to \$3,000 per candidate per year.

Several states set aggregate limits on contributions from individuals. For instance, Arizona's limit is \$2,200 per calendar year. Connecticut imposes an aggregate limit of \$15,000 in contributions for candidates in either the primary or general election. Maine imposes an aggregate limit of \$25,000 per year. Maryland's limit is \$2,500 per year. New York's limit is \$150,000 per year. Rhode Island limits individual contributions to \$2,000 per calendar year. As it does on contributions from corporations and PACs, Washington limits individual contributions to an aggregate of \$50,000 for statewide campaigns and \$5,000 for others. West Virginia's limit is \$1,000 per election. Wisconsin's limit is \$10,000 for statewide and local offices. Wyoming's limit is \$25,000 per election.

<sup>79</sup> *Ibid.*

## STATES WITH PUBLIC FINANCING

Twenty-four states have some operating system of public financing for elections.<sup>80</sup> Most states use a taxpayer check-off to determine how much public subsidy to provide. Some states allow taxpayers to add on to their tax bills an amount that is designated for the public subsidy. Florida relies exclusively on a legislative appropriation to provide public subsidies to candidates for governor/lieutenant governor and members of the cabinet. In 1988 Rhode Island began a gubernatorial election fund financed with appropriations, replacing a former check-off program.

In 15 states the public subsidy goes to political parties, as designated by the taxpayer, for party activities. In at least five of these 15 states, the parties distribute some of the public subsidy to candidates for particular offices.

In 10 states, candidates receive the public subsidy directly. Florida, Maryland, Michigan, Montana, New Jersey and Rhode Island allow the public subsidy only to gubernatorial candidates or candidates for other statewide offices. Hawaii, Massachusetts, Minnesota and Wisconsin allow the public subsidy to legislative candidates as well.

A court challenge to Minnesota's public finance system in 1977 (*Bang vs. Chase*) struck down the contribution and spending limits and the distribution of the public subsidies. The U.S. district court ruled that the distribution arrangement should bear relation to the support for political parties or for particular candidates within legislative districts.<sup>81</sup> As a result, the Legislature changed the distribution formula. It is now based in part on the number of votes a candidate receives in the general election, and in part on the number of taxpayers in a legislative district who checked off the \$5 amount for campaign financing on their tax forms.

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<sup>80</sup> James A. Palmer, *Campaign Finance Law 90*, Federal Elections Commission, and Herbert Alexander, *Reform and Reality: The Financing of State and Local Campaigns*, Twentieth Century Fund Press, New York, 1991. According to Alexander, Oklahoma established a system of public financing but it is no longer operating.

<sup>81</sup> Lisa Larson, *Public Financing of Election Campaigns: Minnesota Ethics in Government Act*, Minnesota House of Representatives Research Department, September 1987.

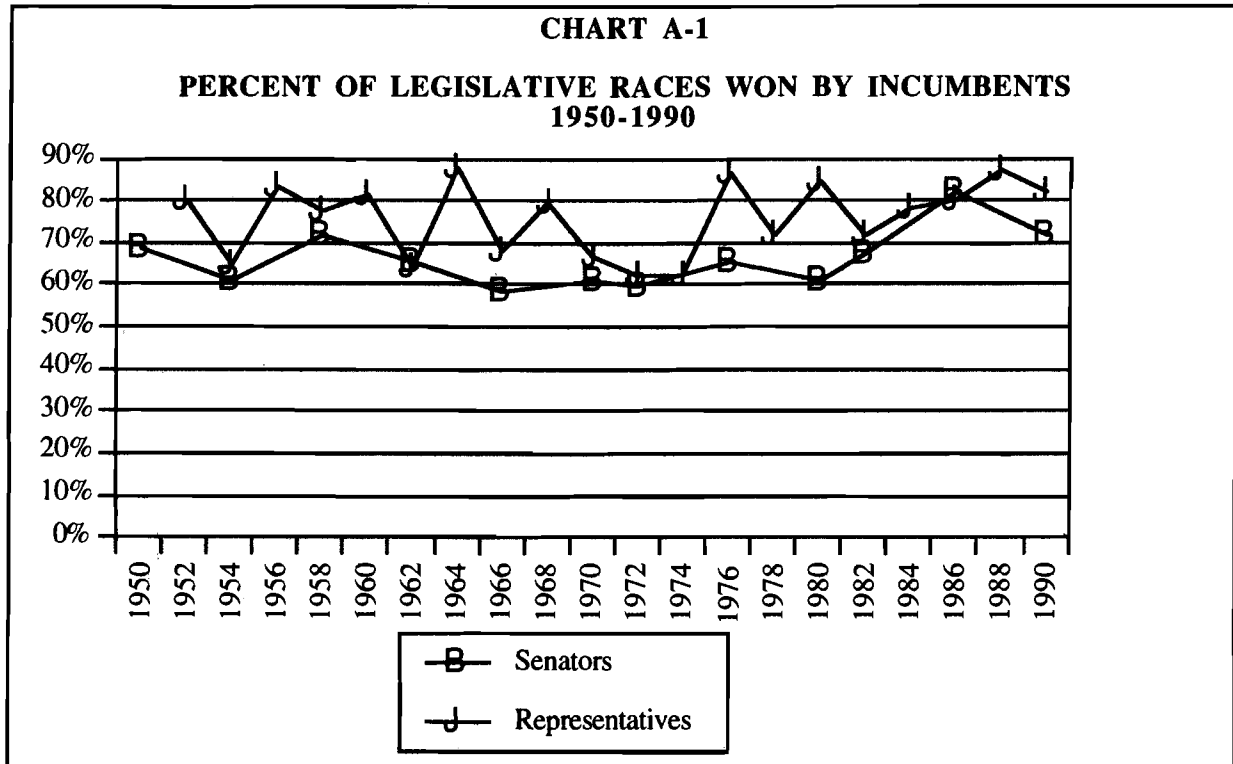
## APPENDIX 2: ANALYSIS OF INCUMBENT SUCCESSES AND TURNOVER IN MINNESOTA LEGISLATURE

### THE POWER OF THE INCUMBENT

To determine the extent to which incumbents have been reelected to the Minnesota Legislature, we looked at who represented each of the legislative districts since 1950 in the Senate and 1952 in the House. The percent of legislative races won by incumbents has been consistently high -- at least 58 percent of the races each election cycle for both the House and the Senate were won by incumbents. In one year, the percentage of races won by incumbents was as high as nearly 88 percent in the House.

### RACES WON BY INCUMBENTS FROM 1950 TO 1990

We looked at each legislative election cycle from 1952 through 1990, plus the Senate races in 1950. (Data source: Legislative Manuals for those years.) For each race we noted whether the incumbent won, a challenger won, or whether no incumbent ran.<sup>82</sup> The result shows that incumbents won a high percentage of the time. (See Chart A-1.)



<sup>82</sup> Legislative redistricting changes the boundaries of some legislative districts every decade. In those instances we counted as an "incumbent win" any race won by a legislator who had served in the immediate past year, regardless of whether the legislator represented the same district number.

For the 20 House election cycles from 1952 through 1990, the incumbent won in a median 78.4 percent of the races. The range of races won by House incumbents was 61.9 percent (in 1972 and 1974) to 87.5 percent (in 1964). (See Table A-1.) In those 20 election years, between 1.5 percent and 21 percent of the House races were won by challengers to the incumbent. In those 20 election years, between 6.6 and 30 percent of the House races did not have the incumbent running in the general election; these races were won by candidates who were either opposed by another newcomer or unopposed.<sup>83</sup>

TABLE A-1

## MINNESOTA HOUSE RACES 1952-1990

YEAR	% WON BY INCUMBENT	% WON BY CHALLENGER	% WITH NO INCUMBENT
1952	80.0	12.3	7.6
1954	64.6	5.4	30.0
1956	83.0	10.7	6.2
1958	77.7	6.2	16.1
1960	81.4	9.3	9.3
1962	63.9	11.0	25.0
1964	87.5	5.9	6.6
1966	68.1	5.2	26.7
1968	79.3	10.4	10.4
1970	66.7	2.2	13.4
1972	61.9	5.9	32.0
1974	61.9	15.7	22.4
1976	86.6	1.5	11.9
1978	71.6	21.6	6.7
1980	84.3	2.2	13.4
1982	71.6	2.9	25.4
1984	78.4	10.4	11.2
1986	79.8	11.2	8.9
1988	87.3	5.9	6.7
1990	82.0	6.7	11.1

For the 12 Senate election cycles from 1950 to 1990, the incumbent won a median 65.7 percent of the races. (See Table A-2.) The range of races in those election years won by incumbents was 58.2 percent (in 1966) to 82.1 percent (in 1986). In those 12 Senate election cycles, between 4.4 and 20.1 percent of the races were won by persons who challenged the incumbent. In those same years, between 13.4 and 32 percent of the races had no incumbent; those races were won by candidates who were either opposed by another newcomer or unopposed.

## HOUSE MEMBERS RUNNING FOR THE SENATE

What the analysis above does not take into account is the number of races in which a member of the House ran for the Senate. These persons were not counted as incumbents in this analysis, although one could argue that they enjoyed at least some of the benefits of incumbency. Had they been included, the rates for incumbency in the Senate would have been greater than indicated above.

At least 62 races during the 12 Senate election years studied in this analysis were won by persons who had been members of the House. In 13 of these 62 races (20.1 percent), the House member ran and won against a Senate incumbent.

<sup>83</sup> Incumbents who run and lose in a primary election would obviously not be in the general election. Whether this happened can not be discerned from the data used in this analysis.

TABLE A-2

## MINNESOTA SENATE RACES 1950 - 1990

YEAR	% WON BY INCUMBENT	% WON BY CHALLENGER	% WITH NO INCUMBENT
1950	68.7	17.9	13.4
1954	61.2	20.9	17.9
1958	71.6	14.9	13.4
1962	65.7	13.4	20.9
1966	58.2	17.9	23.9
1970	61.2	16.4	22.4
1972	59.7	7.5	32.8
1976	65.7	11.9	22.4
1980	61.2	8.9	29.9
1982	67.2	5.9	26.9
1986	82.0	4.5	13.4
1990	71.6	5.9	22.4

### TURNOVER IN THE MINNESOTA LEGISLATURE

The turnover of seats in the Minnesota Legislature gives an indication of how many sitting legislators lose their seats and how many new legislators come on board. Between 1970 and 1990, a median one-third of the Senate seats turned over in the seven election cycles.<sup>84</sup> For the 11 House elections during that same time period, a median 23 percent of the House seats turned over. These rates of turnover represent higher turnover than could be expected if the state had a mandatory limit of 10 consecutive years.

#### House of Representatives

Since 1970 the House of Representatives has gone through 11 election cycles. The percent of the 134 House seats that have turned over in that period has ranged from 13 percent in 1988 to 43 percent in 1974, with a median 23 percent of the seats turning over in 1986. (See Chart A-2.) The average turnover of House seats over this period was 27 percent. The highest percentages of House turnover during this time occurred in the early 1970s.

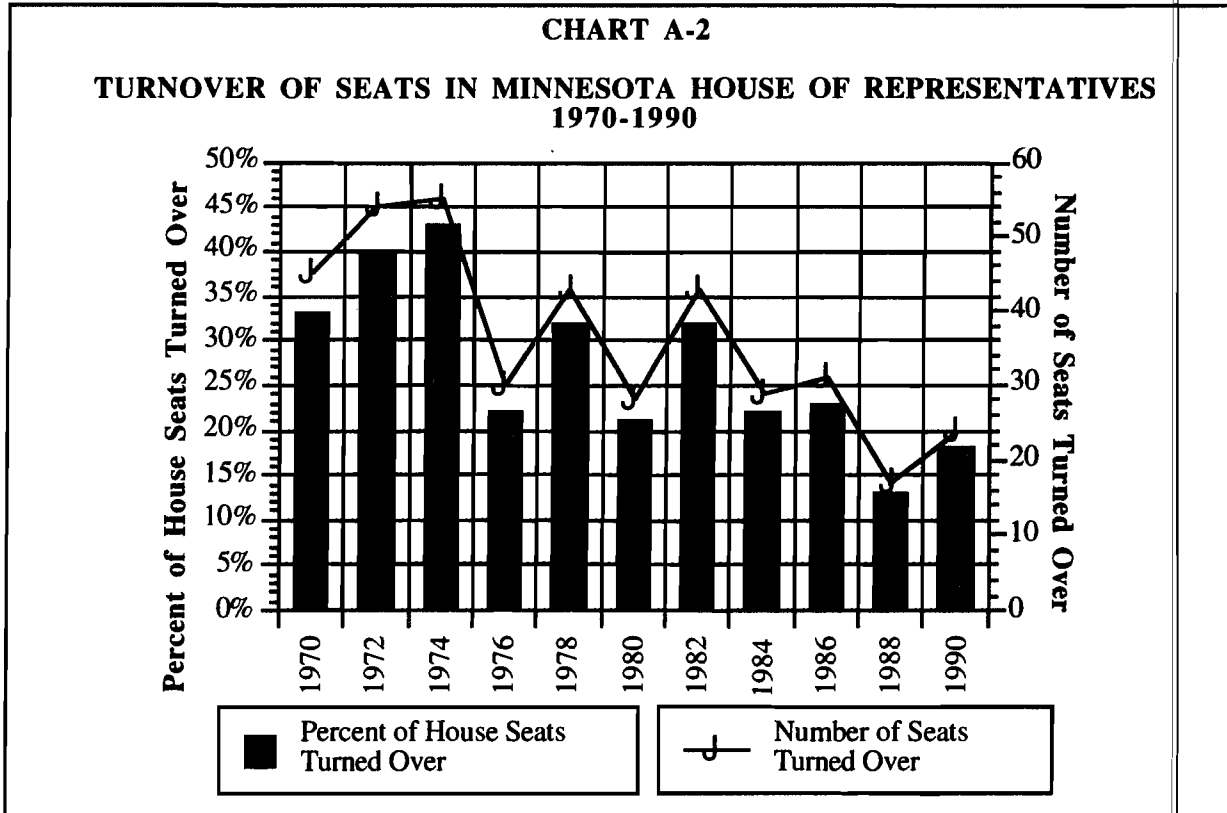
Slightly more than 27 percent of the existing House members have served for 11 or more consecutive years.<sup>85</sup> If Minnesota legislators were restricted to serving, for example, no more than 10 consecutive years, and an election were to be held today, the members making up this 27 percent would not be able to run. The turnover rate for the House in this election, then, would be a minimum of 27 percent. (It would be higher if other incumbents were voted out of office or chose not to run, as would be likely for at least some races.) This rate is equivalent to the "natural" turnover rate represented by the average 27 percent turnover of seats over the past 11 elections.

For successive elections, the "natural" turnover rate, on the average, would be *higher* than the rate of turnover required by term limits, because a smaller share of existing legislators would bump up against the 10 year limit. For instance, two years from now, an additional 16 House legislators (12 percent)

<sup>84</sup> Sources: The Council of State Governments, *Book of the States*, 1974-75 through 1990-91 editions; Minnesota Secretary of State, *Legislative Manual*, 1991-1992 and 1971-1972 editions.

<sup>85</sup> Source: *Law & Politics*, November 1991.





will have served 10 consecutive years. The "natural" average turnover rate of 27 percent would be more than twice as high as the turnover required by a 10 year limit.

### Senate

Since 1970 the Senate has gone through seven election cycles. The percent of the 67 Senate seats that turned over in that period has ranged from 16 percent in 1986 to 39 percent in 1970 and 1972, with a median 33 percent of the seats turning over in 1982. (See Chart A-3.) Except for 1986, the Senate turnover has been at least 28 percent each election. The average turnover during this time has been 32 percent of the seats.

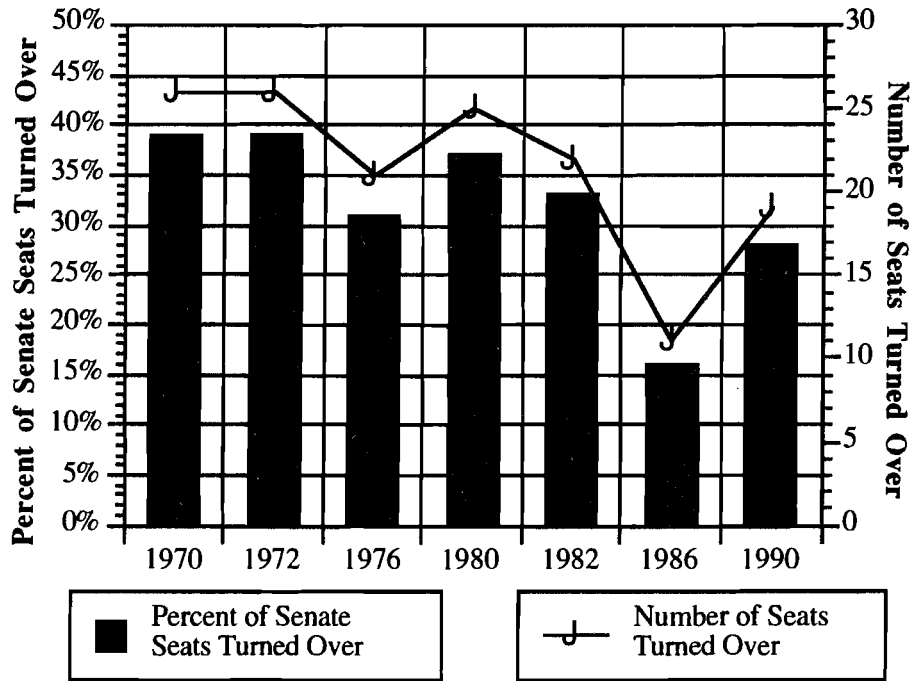
About 37 percent of current Minnesota Senators have served for more than 10 consecutive years.<sup>86</sup> If term limits restricted senators to no more than 10 consecutive years, and an election were held today, the members making up that 37 percent would not be able to run. This 37 percent is about five percentage points more than the "natural" turnover which averaged 32 percent of Senate seats since 1970.

In successive elections, the "natural" turnover rate would be *higher* than the rate of turnover by term limits because the share of senators having served 10 consecutive years will be smaller. For instance, in four years, 14 additional senators (21 percent of the Senate) will have served at least 10 consecutive years. The "natural" average turnover rate of 32 percent would be about one and a half times higher than 21 percent.

<sup>86</sup> *Ibid.*

CHART A-3

TURNOVER OF SEATS IN MINNESOTA SENATE  
1970-1990



## **APPENDIX 3: RULES ON DISCLOSURE AND ECONOMIC INTEREST STATEMENTS**

### **ECONOMIC INTEREST DISCLOSURE**

Those Minnesotans who file affidavits of candidacy or petition to appear on the ballot must file a statement of economic interest.<sup>87</sup> Those who file late are subject to late fees. The statements must include:

- The person's name, address, principal occupation and place of business.
- The name of each associated business and the nature of the association.
- A listing of all real property in the state owned by the candidate, excluding homestead property, with a value of \$2,500 or more, or property of \$50,000 or more in which the individual has an option to buy; real property owned by a partnership in which the candidate is a member, with the same value as listed above.
- A listing of investments, ownership or interest in property connected with pari-mutuel horse racing.

The statement must be filed within 14 days after filing an affidavit of candidacy or petition to appear on the ballot. (The time limits vary for other public officials.)

Each person required to file a statement must also file a supplementary statement on April 15 of each year the person remains in office. The statement must include the amount of honoraria in excess of \$50, and the source of the honorarium.

Local government officials must file the statement with the governing body of the official's political subdivision.

One who fails to file within seven days of a second notice is guilty of a misdemeanor. Any public official, except a legislator or constitutional officer, who fails to file by the prescribed deadline shall be suspended without pay.

### **ETHICAL PRACTICES BOARD RULES ON DISCLOSING ECONOMIC INTERESTS**

To implement this law, the Minnesota Ethical Practices Board has several rules, some of which define what must be included in the disclosure statement and others that detail the process of filing the statement.

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<sup>87</sup> *Minn. Stat.* (1990) §10A.09, subd. 1. Statements of economic interest must also be filed by those employed as public officials or local officials in a metropolitan government.

**Public Officials Who Must Disclose**

The person must disclose properties owned as of the date of appointment as a public official (or filing as a candidate). Those who are acting public officials or employed part time as a public official must also file a statement.

**Reporting Honorarium**

Honoraria do not have to be reported on the original statements (although are required on supplementary statements). These are compensation for speeches, articles or other services for which there is no obligation to make a payment.

**Definitions of Terms in the Statement**

The statement must include one's principal occupation, defined as the occupation at which an individual spends the most working hours or provides the individual's major source of compensation. The value of real property is the market value shown on the property tax statement. Securities are stocks, shares, bonds, warrants, options, pledges, notes, mortgages, debentures, leases, or commercial papers in any corporation, partnership, trust or other association. It does not include savings accounts, certificates of deposit, money market certificates, treasury bills, bonds or notes, dividends from securities or shares in a pension fund.

**Change of Public Office**

A public official who accepts a new official position must file a termination statement for the old office and an original statement for the new one.

**Holding Joint Interests**

Public officials who hold a joint interest in a security or partnership, whose proportionate value is \$2,500 or greater, must disclose this ownership.

## APPENDIX 4: MINNESOTA'S PUBLIC SUBSIDY

### ELIGIBILITY FOR THE PUBLIC SUBSIDY

Candidates for the Minnesota Legislature and the constitutional offices are eligible for a public subsidy to help finance their campaigns. Those who sign a public subsidy agreement must abide by campaign expenditure limits set by the Legislature. In the 1976 court case *Buckley v. Valeo*, the U.S. Supreme Court said candidates can only be held to expenditure limits as a condition of voluntarily receiving a public subsidy.

Major political party candidates who agree to Minnesota's spending limits are not bound by them if their opponent is from a major political party and the opponent does not agree to the limits, but is otherwise eligible to receive the public subsidy.<sup>88</sup> In this case, the candidates may still receive a public subsidy. The opponents, obviously, do not.

When the candidate's major political party opponent does not agree with the spending limits, another condition is waived: Normally, candidates must return the public subsidy if what they raise and spend exceeds the difference between their legal spending limit and the amount of the public subsidy, with the exception of 25 percent of the spending limit up to \$15,000. However, the candidates are not bound by this limit if their major party opponent does not agree to the spending limits. Candidates may have to return the subsidy for other reasons, as explained below.

### HOW MINNESOTA FINANCES THE PUBLIC SUBSIDY

Minnesota residents check a box on their income tax forms if they agree to transfer five dollars from the state's general fund to finance election campaigns. They are given the choice of designating the five dollars to either the DFL or IR party account (or a qualifying minor political party account) *or* to the general campaign account.<sup>89</sup> The money is distributed only to those candidates who have signed the public subsidy agreement and abide by the expenditure limits. The Ethical Practices Board certifies to the Minnesota Treasurer those candidates eligible to receive payments.

For the 1989 tax year, the most recent year for which complete data are available, taxpayers checked off a total of \$1.89 million for the state elections-campaign fund. The general account received \$572,375 through check-offs. The party account received \$1.3 million, with \$669,370 allocated to the DFL account and \$650,620 allocated to the IR account, according to the Ethical Practices Board.

<sup>88</sup> The statutes are silent about *minor* political party candidates whose major party opponents do not agree to the spending limits. However, because of the statutes' strict definition of minor parties and because of the qualifications such parties must meet to be designated on income tax forms as the recipient of the campaign fund checkoff, no minor parties have received public subsidies for campaigns since 1984.

<sup>89</sup> A minor political party is defined in Minnesota statutes as one for which either (1) a candidate filed for legislative office in the last election and received at least 10 percent of the votes, or filed for statewide office, or (2) the party filed a petition with the Secretary of State that includes the names of 2,000 voters declaring the party should receive money from the elections campaign fund. A minor political party qualifies for a subsidy if it meets this definition and also files the appropriate petition, ran a candidate for statewide office in the last general election, is not a principal campaign committee, held a state convention in the last two years, elected state officers and adopted a constitution.

Certain amounts of the party account and the general account are distributed to the candidates in differing percentages for the various offices.

### Party Account Money

Of the money going into the *party* account, 23.33 percent is allocated to candidates for Senate seats (during years when they serve four-year terms) and 46.66 percent is allocated to candidates for the House of Representatives. (See the sidebar below.)

The law specifies how those amounts are distributed among the candidates around the state. Each legislative candidate on the general election ballot is eligible for this subsidy (assuming the candidate signed the public subsidy agreement). A formula in the law determines how much a candidate receives. It is based on the number of tax filers in a candidate's legislative district who checked off an amount on their tax forms to the candidate's political party and the votes cast in the last general election. This formula has three parts:

- The sum of votes cast in the last election in the candidate's district for all legislative candidates (both House and Senate) and statewide candidates of that candidate's party, divided by
- the sum of votes cast in that county for all legislative and statewide candidates of the party, multiplied by
- the amount in the candidate's party account allocated in the county and set aside for the candidates for that office.

If a party did not have candidates for statewide offices in the last general election, a slightly different formula applies.

If a district did not have a candidate for Senate or House in the last election, or the candidate ran unopposed, the vote for that office shall be the average vote of all the remaining candidates of that party for the House, Senate and statewide offices.

Money from the party account that is not distributed to *legislative* candidates in a given year is returned to the state's general fund. Money not distributed to candidates for *other offices* goes back to the party account for the next election cycle.

### General Account Money

A certain percentage of the money from the *general* account of the state elections-campaign fund goes to the candidates for each statewide and legislative office. The sidebar below lists these percentages.

#### GUIDELINES FOR ALLOCATION OF POLITICAL PARTY ACCOUNTS

- |  |  |
|--|--|
| • Governor/lieutenant governor           | 14%  |
| • Attorney general                       | 2.4%   |
| • Secretary of state, treasurer, auditor | 1.2% (each)  |
| • State senate candidates                | 23.33%   |
| • House candidates                       | 46.66%   |
| • State senate candidates                | 35% (when senators serve two-year terms) <sup>90</sup> |
| • House candidates                       | 35% (when senators serve two-year terms)               |
| • Political party cmt.                   | 10%  |

<sup>90</sup> State senators serve a two-year term each decade before the district lines have been redrawn.

The voting record of the last general election is used as a guideline in the allocation. All candidates for each statewide office who received at least five percent of the votes cast in the general election for that office will receive equal amounts of this distribution. All candidates for legislative offices who received at least 10 percent of the votes cast for their specific office will receive equal amounts of the general account distribution.

Money from the general account that is refused by candidates is distributed to all other qualifying candidates.

## RETURNING THE PUBLIC SUBSIDY

Candidates must return all or part of the public subsidy under the following conditions:<sup>91</sup>

- when the subsidy exceeds the candidate's spending limit for that office,
- when the subsidy exceeds the aggregate of actual and approved expenditures (not including noncampaign disbursements) or
- when the aggregate contributions and approved expenditures exceed the difference between what can legally be spent and the amount of the public subsidy, except for 25 percent of the spending limit, up to \$15,000.

## RESTRICTIONS ON USE OF THE PARTY ACCOUNT

The amount of the party account distributed to the political parties must be spent only on certain items:

- expenditures on behalf of party candidates without reference to specific candidates in ads or broadcasts,
- expenditures for a party sample ballot (with three or more names),
- expenditures for phone calls regarding three or more candidates,
- expenditures for party fundraising on behalf of three or more candidates and
- expenditures for party staff services that benefit three or more candidates.

### GUIDELINES FOR ALLOCATION OF GENERAL CAMPAIGN ACCOUNT

- |  |  |
|--|--|
| • Governor and lieutenant governor       | 21%                                      |
| • Attorney general                       | 3.6%                                     |
| • Secretary of state, treasurer, auditor | 1.8% (each)                              |
| • State senate candidates                | 23.33%                                   |
| • House candidates                       | 46.66%                                   |
| • State senate candidates                | 35% (when senators serve two-year terms) |
| • House candidates                       | 35% (when senators serve two-year terms) |

<sup>91</sup> Whether or not a candidate must return the public subsidy is determined by the campaign reports each candidate must file with the Ethical Practices Board by January 31 of the year following the general election.

## **APPENDIX 5: REGULATING CAMPAIGN PRACTICES**

### **MINNESOTA REGULATIONS**

State laws regulating campaign practices apply to all candidates for federal, state and local offices, except for the presidency.<sup>92</sup> If a candidate is found guilty of violating these provisions, the candidate forfeits the nomination or office. Such a candidate may not be appointed to fill a vacancy in the office the candidate sought. These regulations, summarized below, are found in Minnesota Statutes Chapter 211B.

#### **Regulating Campaign Materials and Literature**

All campaign literature must include the name and address of the person who prepared and paid for the material. Paid advertisements in the news must include the words "PAID ADVERTISEMENT."

A person must not prepare or disseminate campaign material regarding the personal or political character or acts of a candidate, whether or not defamatory, which the person knows or suspects to be false and that is designed to elect, injure or defeat a candidate.

Noncommercial signs (campaign signs) may be posted from August 1 in the general election year until 10 days following the election.

A candidate may not claim the support of a major political party or of an organization without having permission to do so.

In the event of redistricting, a candidate may not use the term "reelect" in the campaign unless the candidate is the incumbent of that office and the office represents a part of the new district.

#### **Prohibiting Certain Activities on Election Day**

No one may try to persuade a voter within 100 feet of a polling place on election day to vote one way or another. No one may provide political buttons or other insignia at the polling place.

Candidates may not campaign on the day of a primary or general election.

Persons transporting voters to the polls may not try to persuade those voters to vote one way or another.

#### **Defining Legal Campaign Expenditures**

Campaign money must be spent on uses related to the conduct of election campaigns. Permitted uses include:

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<sup>92</sup> *Minn. Stat.* (1990) §211B.01, subd. 3.



- salaries, wages and fees
- communications, mailing, transportation and travel
- campaign advertising
- printing
- office space and equipment
- charitable contributions of \$100 or less
- providing information to constituents, whether or not related to the election and other related expenses.

### **Prohibiting Undue Influence on Voters**

A person may not use force, coercion, violence, or loss of employment or economic reprisal to compel an individual to vote for or against a candidate.

### **Prohibiting Bribery and Treats in Exchange for Voting**

No one may give money, food, liquor, clothing, entertainment, promise of employment or other items of value in order to induce a voter to refrain from voting or to vote in a particular way. (This does not prohibit refreshments of nominal value consumed at private gatherings or public meetings.)

### **Access to Multiple-Unit Dwellings**

Candidates may have access to apartments, dormitories, nursing homes and other multiple-unit residences for the purpose of campaigning.

The exceptions are: Admittance is not automatically permitted into a particular apartment or room; the candidate or campaign workers must have identification; the candidate could be denied access to a nursing home for valid health reasons; the visits must be limited to a reasonable number of persons and reasonable hours; the candidate could be required to obtain an appointment prior to entering; the candidate could be denied admittance for good cause.

## **OTHER PROVISIONS**

Chapter 211B of Minnesota Statutes contains other provisions that may affect campaigns but regulate behavior by people other than the candidates. These are summarized below.

### **Soliciting Contributions From Candidates**

Religious, charitable and educational organizations may not ask a candidate to contribute to the organization, support its events or pay for space in a publication. An exception is made for organizations of which the candidate is a member or to which the candidate made contributions for six months prior to the candidacy.

### **Influencing Candidacy**

No one may promise to reward someone in any manner to induce that person to become a candidate or cease being a candidate.

Elected officials must be permitted time off from regular employment to attend meetings required for the office. Whether the time off is with or without pay is to be negotiated between the employer and the officeholder.

### **Corporate Contributions**

Corporate contributions to promote or defeat a candidate are prohibited. This includes contributions to political parties, organizations, committees or individuals. However, they may make contributions to promote or defeat a ballot question.

## **ETHICAL PRACTICES BOARD RULES ON CAMPAIGN FINANCING**

In addition to the laws on campaign financing described earlier, candidates must follow rules of the Ethical Practices Board intended to implement those laws.

### **Anonymous Contributions**

Anonymous contributions over \$20 must be forwarded to the Ethical Practices Board.

### **Campaign Expenditures**

Expenditures over \$20 on behalf of a candidate can only be made with a written authorization from the candidate or treasurer of the principal campaign committee. The authorization must contain specific information on the purpose of the expenditure and its cost.

### **Campaign Headquarters**

If a candidate uses the headquarters of the political party, it must be reported as a campaign expenditure.

### **Campaign Literature**

If a candidate or officeholder is referred to in campaign literature, the literature will not be counted as an expenditure by the officeholder if it does not mention the officeholder's campaign or ask for money for that person.

### **Change of Office**

A candidate who decides to run for a different office after already having declared his intentions for one office will not have to count his contributions and expenses from the first campaign toward the second. The exception is for a person running for more than one *statewide* office; in this instance the candidate must aggregate his expenditures from both campaigns when reporting his finances.

A person seeking another office must designate a separate principal campaign committee. The original principal campaign committee of a candidate may contribute its money to the second principal campaign committee, up to the applicable contribution limits.

### Loan Repayments

When a loan to a principal campaign committee of a candidate who accepts public money is forgiven or repaid, and the amount exceeds the candidate's campaign contribution limit, the candidate must pay back the amount that exceeds the limit (but not more than the amount of public money received). The same is true for donations in-kind that exceed \$20.

### Fundraising Event

If a political party holds a fundraising event for one or more candidates, the candidate must report certain expenses as campaign expenditures. These expenses include everything except food and beverage consumed there, payment for entertainment and facility rental.

### Governor/Lieutenant Governor

The candidates for governor and lieutenant governor must jointly sign the public subsidy agreement. They may combine their separate principal campaign committees.

### Late Filing Fees

Candidates who fail to submit a required report to the Board are subject to a daily late fee.

### Noncampaign Disbursements

Certain services to constituents paid for by the principal campaign committee of a candidate may be reported as noncampaign disbursements. These expenses include newsletters, public opinion questionnaires, stationery not printed at government expense, postage and rent for district offices. These are expenses which are paid for in a nonelection year and until 60 days after the Legislature adjourned in an election year. Such services paid for out of the officeholder's personal funds do not have to be reported. After the 60 day limit, such expenses paid by principal campaign committees must be counted as campaign expenditures. After the 60 day limit, such expenses paid by personal funds must be treated as in-kind donations.

Other noncampaign disbursements:

- child care costs incurred while candidate campaigns
- fees, transportation and lodging to attend a campaign school
- costs of a post-election party
- interest on loans paid by principal campaign committee on outstanding loans
- filing fees, if permitted by other Minnesota laws
- thank-you notes or media ads following a general election.

### Registration of Political Committees

Any group that spends more than \$100 or receives contributions of more than \$100 on behalf of a candidate, must register as a political committee or political fund. If the group's major purpose is the influence of the election of the candidate it must register as a *political committee*. Otherwise it is a *political fund*.

**Public Subsidy**

Candidates who want to receive the public subsidy must sign and file with the Board a public subsidy agreement by September 1 of the election year. A candidate who signs the public subsidy agreement is bound by the expenditure limits regardless of whether he receives public money.

To be eligible for the public money the candidate must sign an affidavit verifying he received contributions equal to at least 20 percent of the amount of public money the candidate is estimated to receive.

**Unpaid Bills**

Bills for campaign expenses that are unpaid as of December 31 shall be considered campaign expenditures for that year. In the year they are paid, they are reported as noncampaign disbursements.

**Termination Reports**

A political committee or political fund that terminates its work must file a termination report. It must re-register if it subsequently resumes.

## **APPENDIX 6: RANKING THE BARRIERS TO CANDIDACY**

After identifying the barriers to running for office, we ranked each of the barriers to candidacy in terms of importance on a scale of one to five. This was done for three divisions of elected offices (legislators and constitutional offices, large cities and counties, and small cities and counties and school boards).

After tabulating the results of the voting we applied a value to each of the five priorities--five points to a vote for a barrier of "principal" importance, four points to one of "major" importance, three points to one of "minor" importance, two points to one of "trivial" importance, and one point to votes for "not a barrier." One point also went to the barriers identified as "Not Applicable." The maximum value a barrier could receive is 75, and the minimum is 15.

As a result, we could tell which of the barriers seemed the strongest.

### **LEGISLATURE AND CONSTITUTIONAL OFFICES**

For legislative and constitutional office races, the barriers receiving the five highest values were:

- Incumbents have a relatively easier time of raising campaign contributions from individual contributors and special-interest groups.
- Contributions from special interests make up a significant amount of campaign money and typically go to the incumbents.
- Incumbents have staff support and resources to provide services, send mailings to constituents and answer constituent requests for help.
- The time involved with running may dissuade potential candidates, particularly a single parent or someone who cannot take extensive time from job.
- Special-interest groups pushing single-issue agendas have proliferated and become more prominent in campaigns.

Chart A-4 contains the ranks of all the barriers as they apply to legislative and constitutional offices.

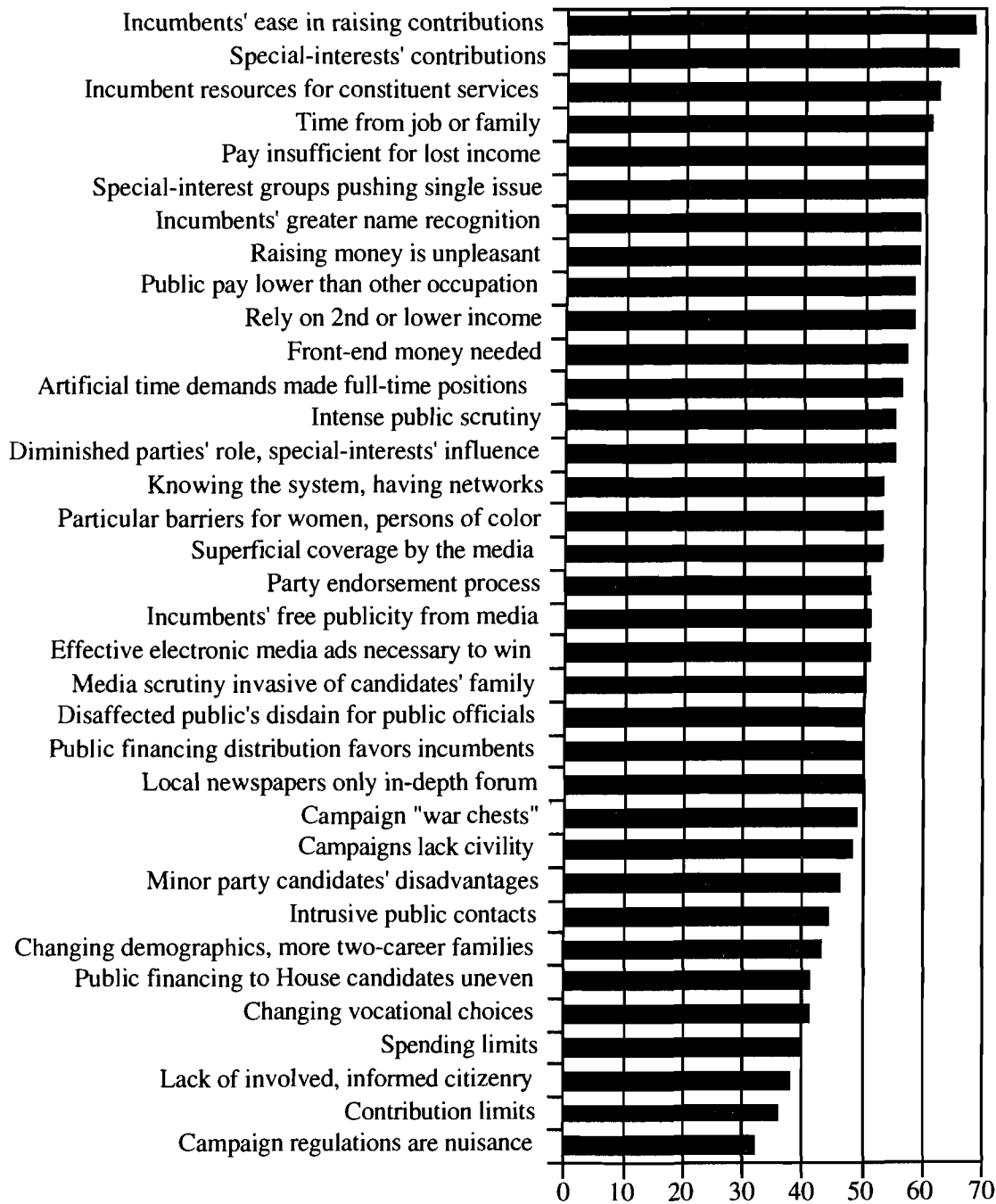
### **LARGE CITIES AND COUNTIES**

For races in the large cities and counties, the barriers receiving the five highest values were:

- Incumbents enjoy greater name recognition among voters.
- Time involved may dissuade from running a single parent or someone who cannot take extensive time from job.
- Incumbents have a relatively easier time of raising campaign contributions from individual contributors and special-interest groups.

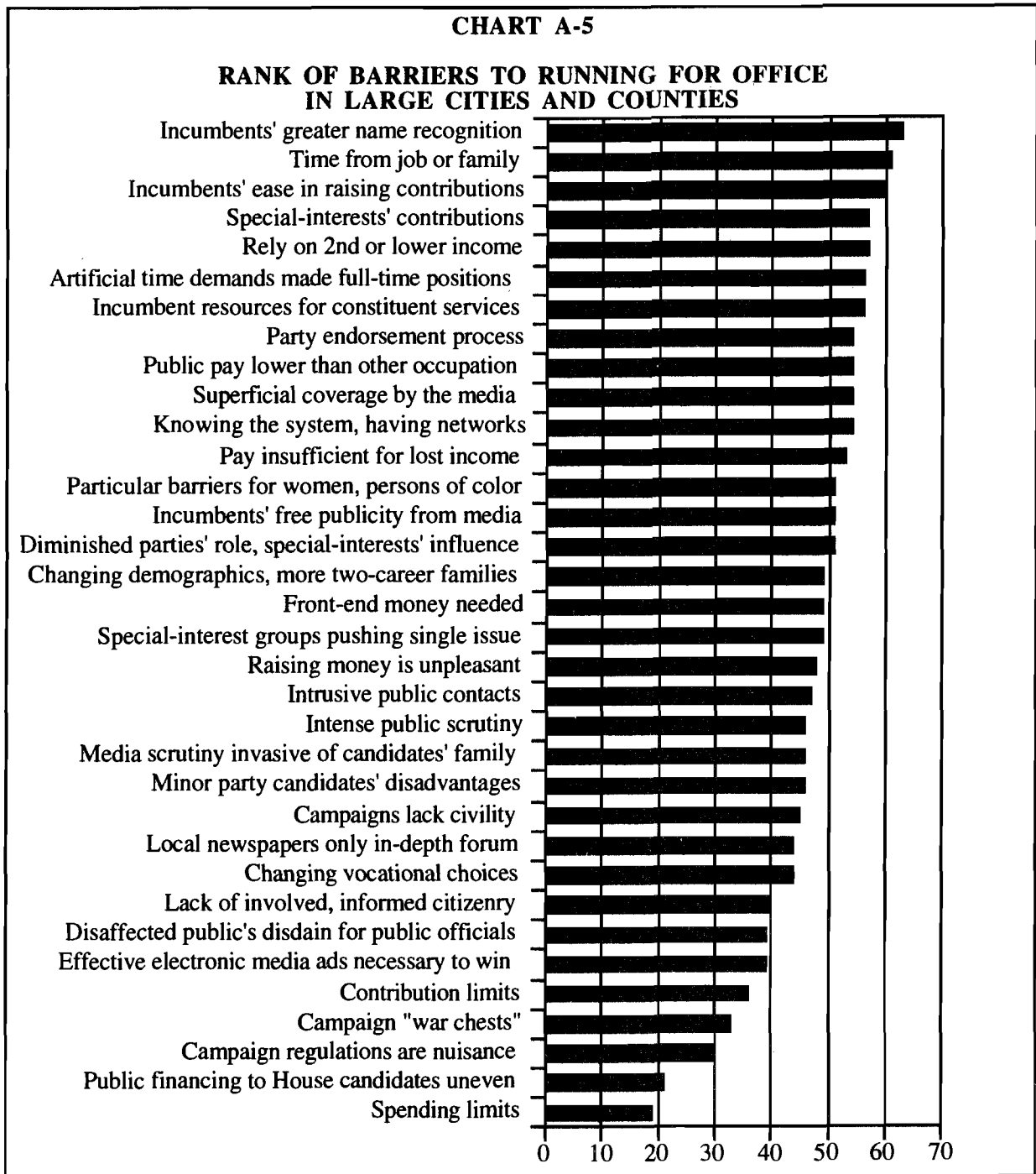
CHART A-4

**RANK OF BARRIERS TO RUNNING FOR  
LEGISLATURE & CONSTITUTIONAL OFFICES**



- Contributions from special interests make up a significant amount of campaign money and typically go to the incumbents.
- To campaign and serve in office once elected, candidates must either take time from work, rely on a second income in the family or possibly accept a lower income.

The ranks of all the barriers as they apply to races in large cities and counties are in Chart A-5.



**SCHOOL BOARDS, SMALL CITIES AND COUNTIES**

For races for school board, and in small cities and counties, the barriers receiving the five highest values were:

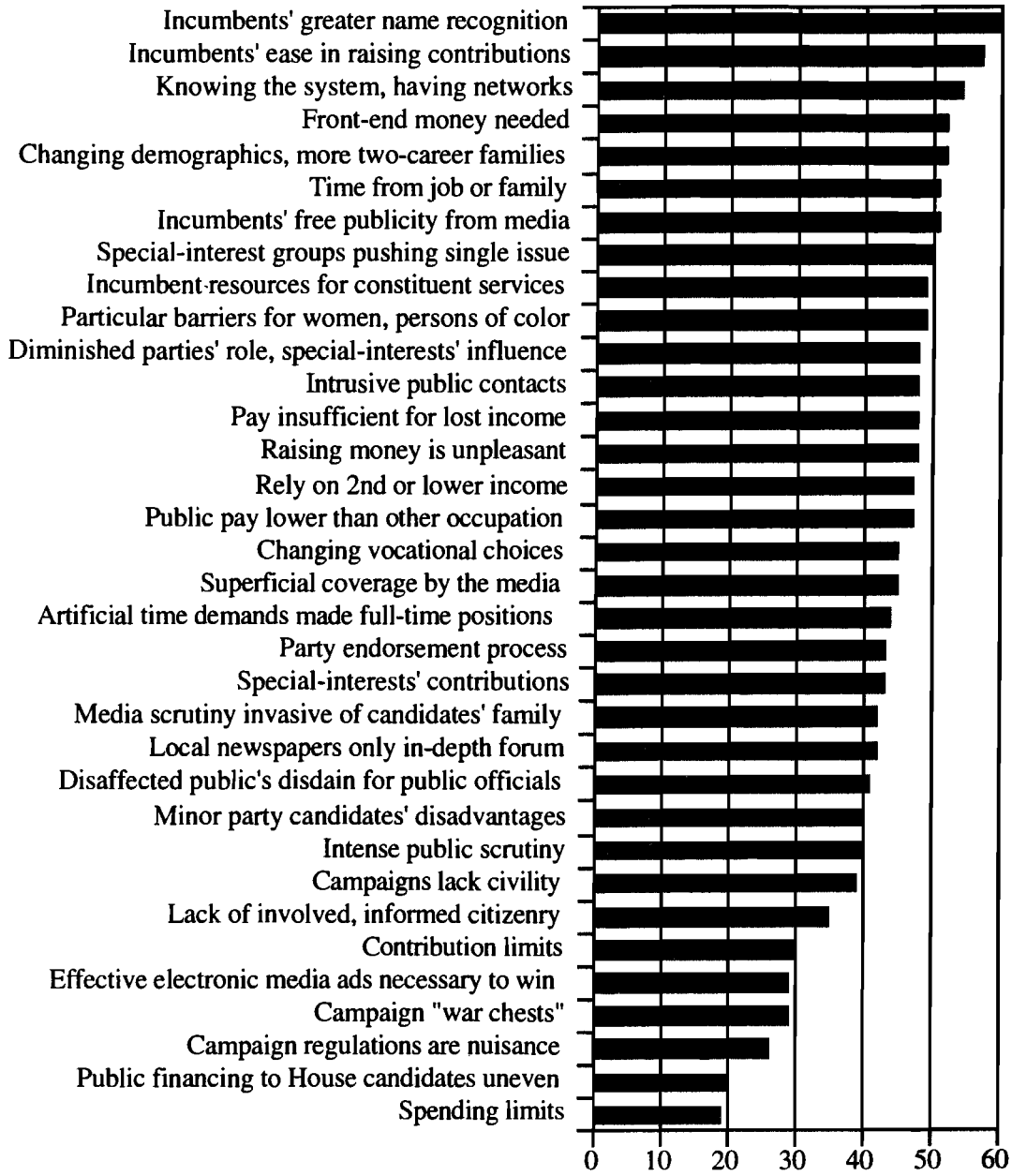
- Incumbents enjoy greater name recognition among voters.
- Incumbents have a relatively easier time of raising campaign contributions from individual contributors and special-interest groups.
- Incumbents know the elective system; have experience with winning campaigns, contacts with broad networks and inside knowledge of current public-policy issues.
- Campaigning requires money on the front end of the process, as well as campaign acumen and organizational skills.
- Changing demographics, e.g., increase in two-career families, may affect who runs.

The ranks of all the barriers as they apply to races for school board and in small cities and counties are in Chart A-6.



CHART A-6

**RANK OF BARRIERS TO RUNNING FOR OFFICE  
IN SCHOOL BOARDS, SMALL CITIES AND COUNTIES**



## **APPENDIX 7: SURVEY OF LEGISLATIVE CANDIDATES IN 1990**

One part of our study examining the obstacles to seeking public office consisted of a survey of candidates who lost in their bids for legislative seats in 1990. We surveyed these former candidates to better understand what makes people run for office and what about Minnesota's system of running, if anything, prevents people from running. We focused on unsuccessful candidates to determine what persuaded them to run, whether they'd run again, why or why not and what they'd change about the process of running if they could.

### **METHODOLOGY**

After receiving the names and addresses of the candidates for the 1990 general election from the Minnesota Secretary of State's Office, we mailed a cover letter, survey instrument and postage-paid return envelope to 183 candidates who ran and lost in that election. We were restricted to general-election candidates because the Secretary of State does not carry names of legislative candidates for the primary elections. That information is available from the county auditors' offices around the state, but lack of time and resources prevented us from pursuing those names. The same is true of candidates for public offices at local levels of government.

We asked candidates to return their surveys within a deadline of two-weeks from the date of the letter. Eighty-one candidates did so. Each survey instrument was coded to enable us to follow up on those candidates who did not return the survey by the deadline. Those who did not return a survey within two days of that deadline received a reminder letter that contained a second copy of the survey and a postage-paid return envelope.<sup>93</sup> We received another 31 replies following the second mailing, for a total of 112 responses.

### **CHARACTERISTICS OF THE CANDIDATES SURVEYED**

The candidates in the population under study were overwhelmingly male: Of the 183 candidates, 141 were male (77 percent), and 42 were female (23 percent). (See Chart A-7.) Slightly more candidates were from the seven-county metropolitan area (54 percent of the total) than the nonmetropolitan area (46 percent of all candidates). (See Chart A-8.) Many of the candidates were Independent-Republicans (106 persons or 57.9 percent). This isn't surprising as one realizes that DFLers constitute the majorities in both the House and Senate. Slightly more than a third of the candidates surveyed were DFLers (66 candidates or 36 percent) and 11 candidates (six percent) were from a minor political party. (See Chart A-9.)

It should also be noted that, to a certain extent, these candidates already overcame barriers to running for public office by virtue of having been candidates in 1990. Many other persons may have considered

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<sup>93</sup> The post office returned six of the original letters because the candidates had moved, leaving no forwarding address. After attaining current addresses for these candidates from the Ethical Practices Board, we remailed the letter and survey. Four of these six eventually responded. In addition, we received three more surveys from the post office at a point when it was too late to send a second mailing.

a bid for the Legislature but did not actually run, for a variety of reasons. As far as we know, no one has conducted research to systematically identify these persons to determine their rationale against running, although anecdotal information is available. For instance, our study committee spoke with a limited number of people who considered and decided against running.<sup>94</sup> Research on people who considered and decided against running could conceivably differ greatly from this study of people who ran in 1990. Nonetheless, the candidates we surveyed were very familiar with the election process and able to identify the obstacles they encountered within it.

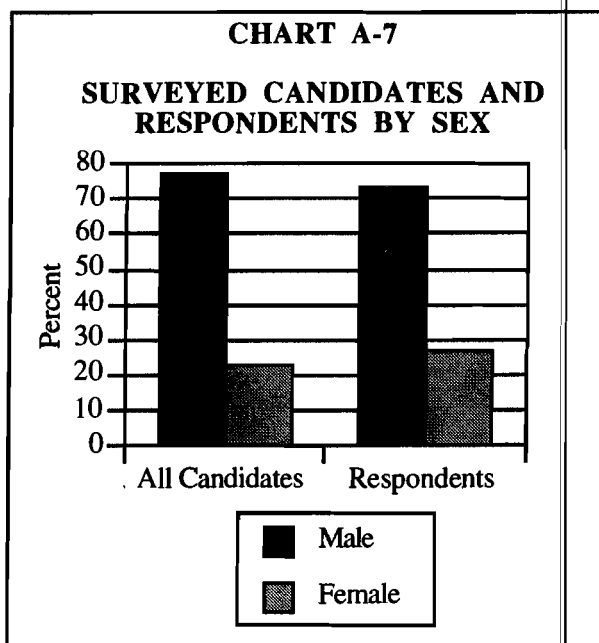
## RESPONSE

### Characteristics of the Respondents

Of the 183 candidates contacted, 112 candidates, or 61.2 percent of those surveyed, returned a survey. The respondents were generally representative of the total population surveyed. More than 73 percent of the respondents were males and nearly 27 percent were females. (See Chart A-7.)

Slightly more respondents were from the nonmetropolitan area (52 percent) than the seven-county metro area (48 percent). This is somewhat contrary to the population of candidates as a whole in which 46 percent were nonmetropolitan and 54 percent were metro. (See Chart A-8.) Just under 59 percent of the respondents identified themselves as IRs, 34 percent identified themselves as DFLers and seven percent as members of a variety of minor political parties. (See Chart A-9.)

The majority of the respondents had served in some elected office prior to running for the Legislature in 1990. Of the 112 respondents, 67 people, or about 60 percent, said they had served in some elected office and several had served in more than one. Forty-four respondents, or 39 percent, said they either had not considered running for office before they ran in 1990 or had considered and decided against it.<sup>95</sup>



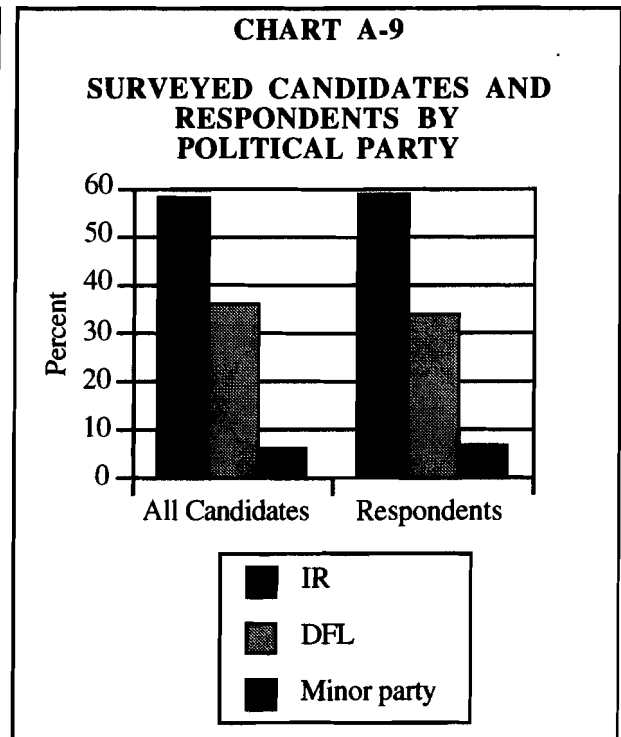
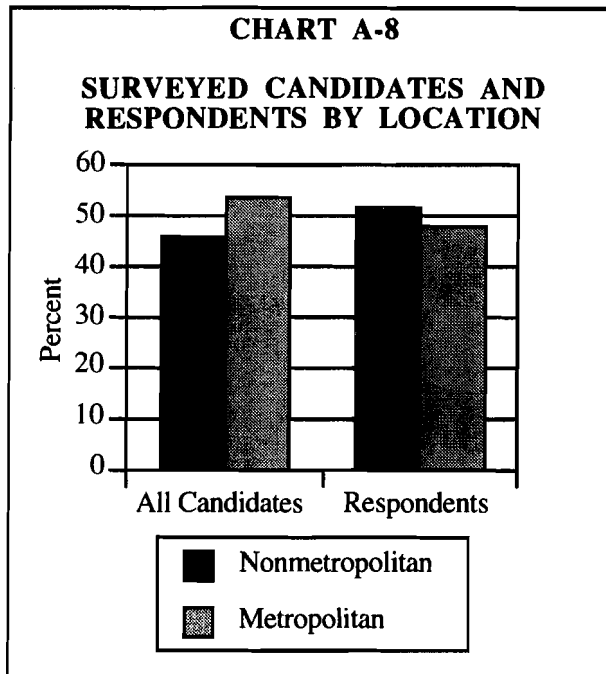
Most respondents decided to run for a 1990 legislative seat sometime prior to the precinct caucuses held in February 1990. More than 49 percent had made up their minds to run before the caucuses. Another 20 percent decided to run after the caucuses but before the parties' state conventions in June. About 27 percent decided to run sometime in the summer after the convention but before the statewide primary.

### Influences on Candidates' Decisions to Run in 1990

Interestingly, the majority of respondents (74 percent) ran against incumbents in 1990. When asked how much certain factors influenced their decisions to run for the Legislature in 1990, most respondents (62.5 percent) said their dissatisfaction with the performance of an incumbent legislator strongly influenced their decision.

<sup>94</sup> Political scientists Linda L. Fowler and Robert D. McClure studied men and women who could have run for Congress but chose not to. They describe their results in the book *Political Ambition: Who Decides to Run for Congress*, Yale University Press, 1989.

<sup>95</sup> One respondent did not indicate whether he had any earlier candidacies.



The factor that was mentioned as a strong influence by the second largest group of respondents was satisfaction they received with prior involvement in other community activities. (See Chart A-10.) About 31 percent said this strongly influenced their decision to run. About 29 percent of respondents said encouragement they received from their family strongly influenced their decisions to run.

**Factors That Did Not Influence Decisions to Run in 1990**

Factors that had no influence on many respondents' decision to run included the compensation available to legislators, the availability of personal funds to finance campaigns and the characteristics of the legislative districts. In each of these cases, more respondents said these factors had no influence on their decisions to run than the numbers of respondents who said the factors "strongly" or "moderately" influenced their decisions to run. (See Chart A-11.)

Sixty-six percent of respondents said legislators' compensation had no influence on their decision to run in 1990. Fifty-five percent said the availability of personal funds to campaign had no influence on their decision to run. Forty-three percent of respondents said the characteristics of their districts being favorable to their race had no influence on their decision to run.

Smaller numbers of respondents, 36.6 percent, said the availability of public financing and the availability of campaign assistance such as volunteers and lawn signs had no influence on their decisions to run. However, 25 percent said the availability of public financing strongly influenced their decision and 30 percent said it moderately influenced their decision to run. Only 11 percent said the availability of campaign assistance strongly influenced their decision to run, and another 36 percent said it moderately influenced their decision.

Most respondents (74 percent) said the factor of the incumbent in the district deciding against running was not applicable to their own decision to run. Sixteen percent said the incumbents' decision against running either strongly or moderately influenced their decision to run. Only five percent said the incumbents' decision did not influence their own decision.

CHART A-10

REASONS WHY CANDIDATES RAN IN 1990

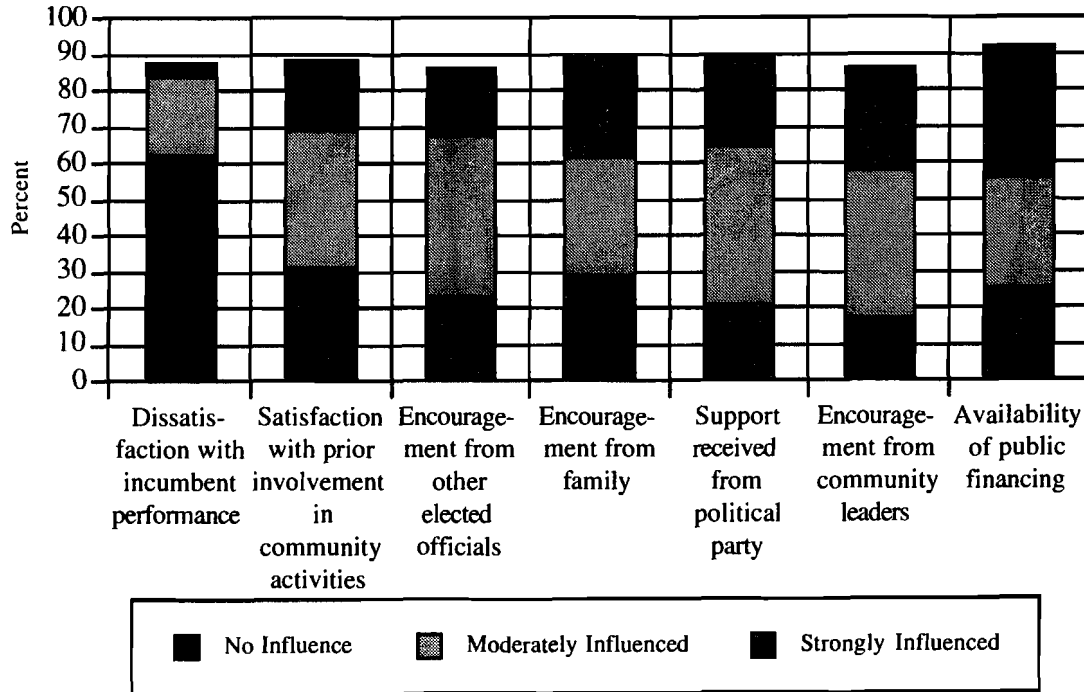
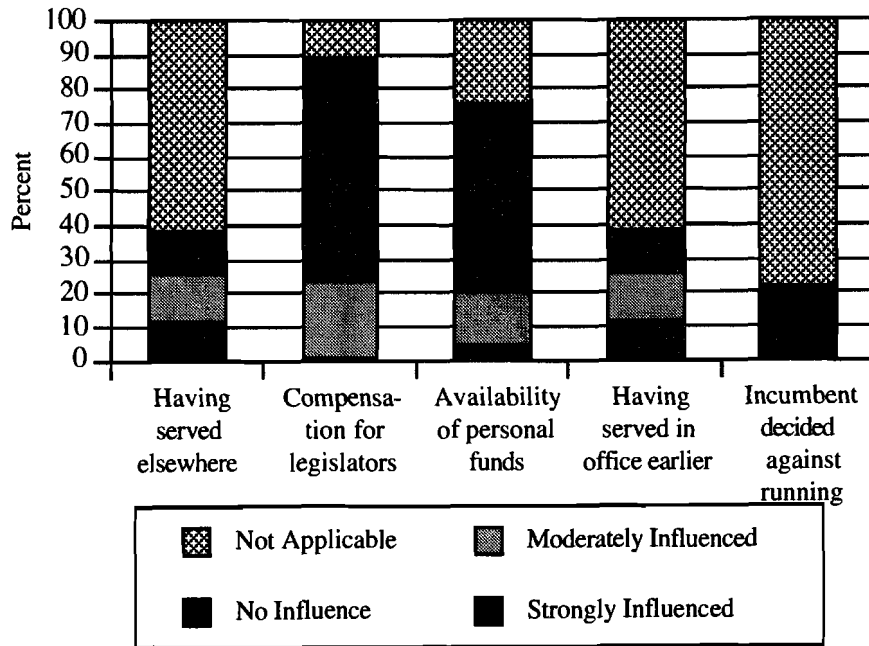


CHART A-11

FACTORS THAT DID NOT INFLUENCE DECISIONS TO RUN IN 1990



About 55 percent said satisfaction with having served in another elected office was not applicable to their decisions to run. Roughly equal numbers (from 12 to 14 percent of the respondents) indicated this factor strongly influenced, moderately influenced or had no influence on their decisions to run in 1990.

### Candidates Who Have Not Decided to Run Again

Of 108 respondents who indicated a decision about whether or not to run again, (four did not respond to this question), 64 persons, or 59 percent, said they had not decided to run again. (See Chart A-12.) Some of these respondents had not ruled out another campaign but at least had not affirmatively decided to run as of the date of the survey. Forty-four respondents, or 41 percent of those who answered the question, indicated they will run again.

### Why People Will Not Run Again

The excessive time involved in campaigning was the largest single factor in people's decisions against running again. Of those respondents who have not decided to run again, 48 percent said the time needed to campaign strongly applied to their decision. (See Chart A-13.) Another 36 percent said the time either applied or moderately applied to their decision. Only 11 percent said the time factor did not apply to their decision.

The role of special-interest groups also influenced people's decisions against running. Thirty percent of these respondents said special-interest group contributions to their opponents were a factor that strongly applied to their decision. Another 36 percent said these contributions either applied or moderately applied to their decision. About 28 percent said these contributions did not apply.

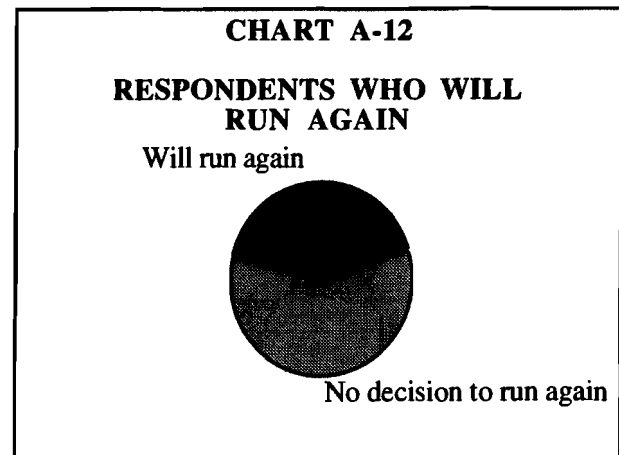
Twenty-eight percent of these respondents said the large role played by special-interest groups in the campaign was a factor that strongly applied to their decision against running. Another 42 percent said the interest group role either applied or moderately applied to their decision. Nearly 27 percent said the special-interest groups' role in campaigns did not apply.

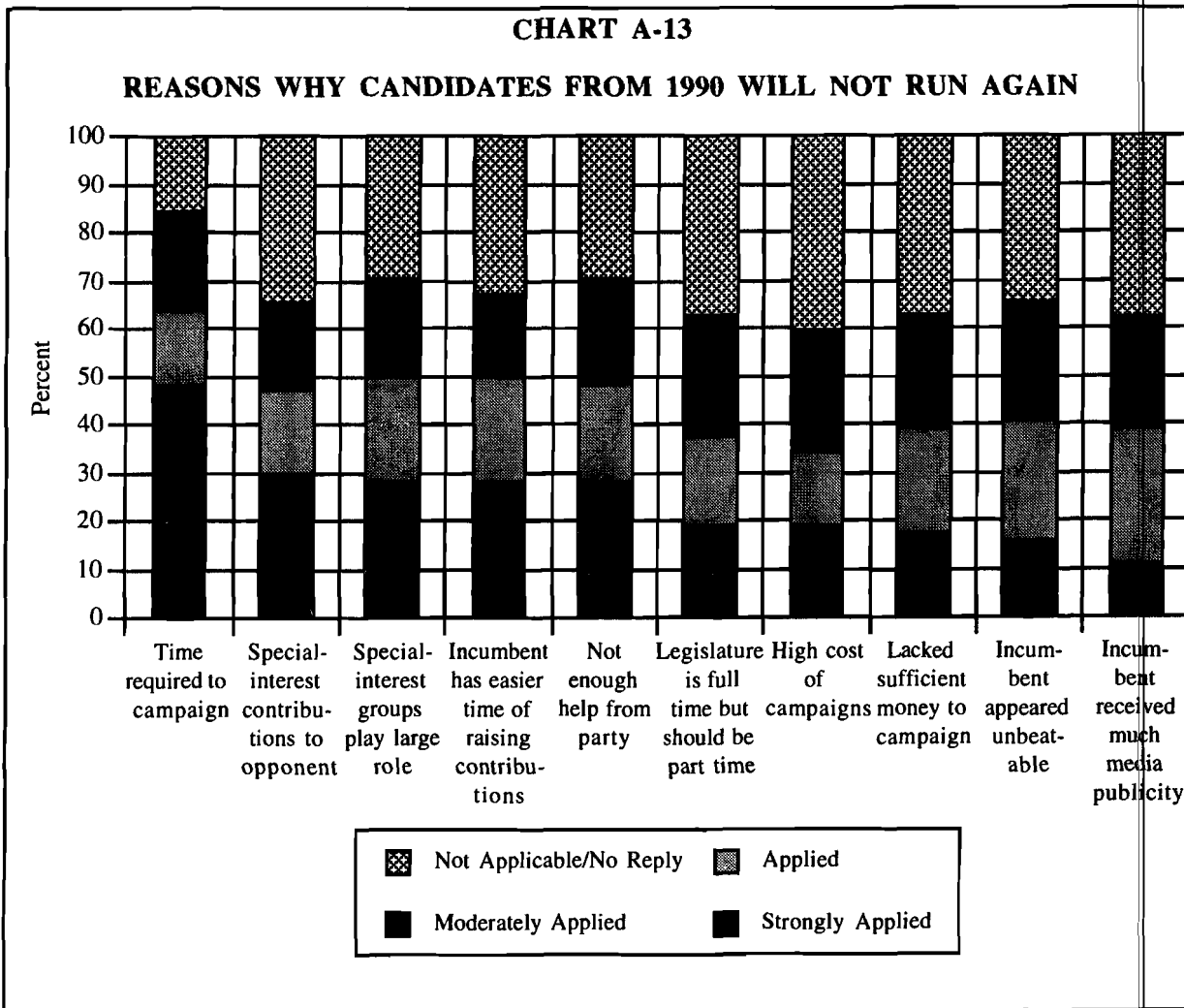
Other important factors were the lack of help from the political parties and incumbents' ability to raise money relatively easier. Twenty-eight percent of those who have not decided to run again said each of these factors strongly applied to their decision. Another 42 percent said lack of party help either applied or moderately applied to their decision. Thirty-nine percent indicated incumbents' ease in raising money either applied or moderately applied to their decision.

Other factors that applied to the respondents' decisions against running but applied to fewer respondents than those factors mentioned above, included thinking the incumbent was unbeatable. Only 15 percent said this was a strong factor. But overall, 66 percent of the respondents said the fact that the incumbent appeared unbeatable either strongly applied, applied or moderately applied to their decision.

Nineteen percent said the high cost of campaigns applied strongly to their decision against running; overall, 59 percent said the high cost applied in some degree to their decision. Nineteen percent said the fact that holding a legislative seat is becoming a full-time job but they believe it should be a part-time job strongly applied to their decision against running; overall, 63 percent said this factor applied in some degree to their decision.

Lacking sufficient money to campaign was a factor that strongly applied to 17 percent of these respondents, but overall, 63 percent said lack of money applied in some degree to their decision.





Seventeen percent said the lack of up-front money strongly applied to their decision against running; overall, 52 percent said it applied in some degree. About 16 percent said the media attention received by the incumbent strongly applied to their decision; overall, 66 percent said the media attention applied in some degree to their decision.

**Factors That Did Not Apply to Decisions Against Running Again**

The factors that played the smallest role in these respondents' decisions against running were facing sexism or racism, dissatisfaction with the party endorsement process and legislators' compensation levels. Seventy-five percent, 66 percent and 61 percent, respectively, of respondents indicated these factors were not applicable to their decisions.

The fact that the pay is for part-time work even though legislators' jobs are increasingly full-time did not apply to half of the respondents' decisions against running. Feeling unprepared for campaigning did not apply to 48 percent of these respondents. Forty-seven percent of these respondents said uneven amounts of public financing between them and their opponents and the extensive time needed to serve in office did not apply to their decisions.

## **APPENDIX 8: REDISTRICTING IN IOWA**

Of the handful of states that employ commissions to redistrict legislative boundaries, Iowa is the only one that uses a nonpartisan bureau. In 1991, Iowa's redistricting process, which attempts to separate redistricting from partisan politics, pitted 40 percent of the incumbent legislators against one another. The redrawn districts paired 20 of the 50 incumbent senators and 40 of the 100 incumbent representatives together, among them the Iowa Senate majority and minority leaders, the House majority leader and the speaker of the house. The pairings affected Democrats and Republicans equally (although Democrats control a majority of both houses).

### **IOWA'S REDISTRICTING PROCESS**

Following a rancorous redistricting in the early 1970s that ended with an Iowa Supreme Court plan imposed on legislators, the Legislature established a process using the nonpartisan Legislative Service Bureau to draw the election districts.

The Legislative Service Bureau is a nonpartisan support agency of the state's General Assembly. It develops a redistricting plan following strict statutory guidelines. If the Legislature fails to approve the plan, the Bureau develops a second plan (within 14 days) taking into consideration the reasons why the first plan was not approved. The Bureau can develop up to three plans in this manner.

Neither of the first two plans from the Bureau is subject to amendment; that is, the Legislature must vote them up or down without making piecemeal changes. The third plan is subject to amendment, but the amendment must be a complete redistricting plan, not piecemeal adjustments. If the Legislature fails to pass a plan by September 1 the Iowa Supreme Court takes over the job.

The statutes also set up a Temporary Redistricting Advisory Commission and charge it with: providing guidelines if the bureau confronts decisions for which no applicable guidelines exist, conducting public hearings on the plan and presenting the results of the hearings to the Legislature. This advisory commission has five members, four of whom are appointed by the majority leaders in the House and Senate. The fifth member is selected by the four legislative appointees. None can be an acting legislator, hold a partisan public office or be related to or employed by a member of the Legislature or Congress.

### **RESULTS OF THE REDISTRICTING**

In the 1980s the Iowa Legislature considered all three plans and additional plans were submitted by other legislators as amendments. However, none of the alternatives attracted enough votes so the Legislature settled on the third plan. The plan was not contested in court.

In 1991 the Legislature accepted the first plan presented by the Bureau with votes of 39 - 10 in the Senate and 92 - 7 in the House. Although 40 percent of incumbents were paired with one another, the number of pairings was roughly equal between the Republicans and the Democrats. No one filed lawsuits over the approved plan.



## GUIDELINES FOR DRAWING THE PLANS

In developing the redistricting plan, the Legislative Service Bureau abides by statutory guidelines that prohibit the agency from considering the addresses of incumbent legislators, the political affiliations of registered voters, or previous election results. A district may not be drawn for the purpose of favoring a political party or incumbent official, or augmenting or diluting the strength of a language or racial minority group. Every person is treated the same; the districts are drawn without regard to politics.

The primary standard to which the plans are drawn is population equality. The Legislature adopted a standard that allows the largest population district to exceed the smallest by no more than five percent, and requires the plan's districts to deviate from the ideal district population by no more than one percent.

Another standard minimizes the number of counties and cities that must be divided among more than one district.<sup>96</sup> Furthermore, as far as possible, each district must be composed of conveniently contiguous territory. Districts should be compact in form. Each legislative district is contained within only one congressional district.

Statutes prohibit the use of any demographic information other than population head counts and as a result, the redistricting plan is color blind. The Bureau did not take race into consideration in drawing the plans. Federal law applies to considerations for race only when it is possible to draw a district in which the minority population makes up a majority of the district's population. This is not possible in Iowa.

In a U.S. Supreme Court case in 1986 the court developed a three-part test to establish whether voting practices diluted the votes of minority groups. The minority group must prove: (1) it is sufficiently large and geographically compact to constitute a majority in a single-member district; (2) it is politically cohesive; and (3) in the absence of special circumstances, bloc voting by the white majority usually defeats the minority's preferred candidate.<sup>97</sup> Only one Iowa county has a large enough minority population to create a majority in that district. But the redrawing necessary to create a majority district would violate the standards of "convenient contiguous territory" and "compactness." Furthermore, it would be difficult to prove the bloc voting test because a senator and representative were each elected from communities of color in districts where the majority of voters were white.

Iowa's Constitution says that as nearly as possible one-half of the Senate members shall be elected every two years.<sup>98</sup> The senate districts are numbered in such a way that districts with odd numbers are up for reelection in 1994 and those with even numbers are up for reelection in 1992. However, the law allows senators to complete their four-year terms if they reside in an odd-numbered district under the new plan that is adjacent to their old district, and if that senator is the only incumbent residing in the district.

## THE SUCCESS OF IOWA'S REDISTRICTING PROCESS

The key to the success of the process, according to Gary Kaufman, the Legislative Service Bureau employee who coordinates the redistricting efforts, is strictly following the statutory guidelines. If the Bureau veered from the guidelines at all it would stand to be accused of favoring one person over another, and the whole redistricting process would disintegrate. Generally legislators, even those members who will face races against other incumbents, viewed the plan as fair.

<sup>96</sup> Under the 1991 plan, 49 of the 99 counties are contained within single house districts, and 68 counties are contained within single senate districts.

<sup>97</sup> Gary Kaufman, *Legislative and Congressional Redistricting Memo* to Temporary Redistricting Advisory Commission, March 1, 1991, p. 3.

<sup>98</sup> The senators typically serve four-year terms.

# WORK OF THE COMMITTEE

## CHARGE TO THE COMMITTEE

The committee conducted its work in response to the following charge approved by the Citizens League Board of Directors.

### OBSTACLES TO SEEKING ELECTIVE OFFICE

This study begins with an assumption and a perception. The assumption is that broad participation in public service by well-qualified citizens from diverse backgrounds is desirable and strengthens our representative democracy.

The perception is that there may be structural barriers in the system in which people run for and get elected to public office and that these barriers could prevent otherwise qualified candidates from seeking public office. For example, the cost of campaigns and the way they are financed may operate as barriers. Furthermore, the perceived advantages of incumbency itself, including how campaigns are financed, may present a significant barrier. Others suggest that the "job description" for many of these positions requires a major sacrifice of time away from family, work, or business as well as a loss of privacy.

### RESEARCH ISSUES

The study committee will determine:

- whether these structural barriers exist, and if they do, the extent to which they are harmful; and
- what changes are necessary to ensure that effective, qualified, representative candidates are encouraged to run in open, competitive campaigns.

After analyzing the perceived barriers and agreeing on their significance, the committee should consider proposals to remove barriers to people seeking elective office, including:

- *Limitations on terms.* What are the arguments for and against limiting the number of years elected officials can serve in any one position? What is a term limit likely to accomplish and what has been the experience of states with term limits?
- *Campaign financing reforms.* Focusing on state-level regulations, how could changes in the way campaigns are financed encourage people to run fair and competitive campaigns?
- *Changes to other barriers.* For example: what steps could reverse the trend by which legislative service as well as some other elected offices have become a full-time position for many? (This task should be viewed narrowly and limited to discussing changes affecting only those barriers that the committee has agreed are material.)

## SCOPE

Our study will focus on two types of elective service:

- First, those elective offices for which time demands may require taking leave from one's current job or business, or family. Those include the state legislature, constitutional offices and the boards or councils of the state's largest cities and counties.
- Second, those offices that are clearly part time, including councils and boards of smaller cities and counties, school boards and special purpose boards. These positions provide something of a training ground for future elective service.

The study will not examine the judicial branch of government or the U.S. Congress.

## COMMITTEE MEMBERSHIP

With the leadership of Chair **Ann Wynia** and Vice-Chair **Nancy Zingale**, the following 21 Citizens League members participated actively in the committee's deliberations:

Steven Bosacker	Mary Ann McCoy
Jack Costello	Pat Mulligan
Pat Cragoe	Timothy O'Brien
Andy Driscoll	Randy Schubring
Liz Fedor	Susan Simmonds
Virginia Gray	John Stone
Anne Hodgson	Tom Swain
Dave Hutcheson	Bill Tarbell
Larry Kelley	Jane Vanderpoel
Steve Kelley	David Ziegenhagen
Norma Lorshbough	

## COMMITTEE MEETINGS

The committee met for the first time on Tuesday, October 1, 1991 and completed its work on May 19, 1992. It held a total of 25 meetings, each approximately 2 hours in length.

On May 28, 1992, the Citizens League Board of Directors discussed and approved the report as amended with two substantive changes and several minor editing changes.

## RESOURCE SPEAKERS

The committee spent about half its meetings in consultation with resource persons who had either held elected office, ran for office, considered running for office, helped recruit other people to run or were in other ways knowledgeable about Minnesota's system of running for public office.

The Citizens League wishes to thank these resource persons and acknowledge the invaluable help they provided the committee. The resource persons were:

**Axdahl, Evie**, national committeewoman, Independent Republican (IR) party

**Beugen, Paula**, associate director, Minnesota's Office of Volunteer Services; member, Robbinsdale School Board

**Brandl, John**, professor of public affairs, Humphrey Institute; former Democratic-Farmer-Labor (DFL) state senator and representative

**Connolly, Carol**, writer and political activist

**Dahl, George**, chair, Minneapolis School Board

**Faricy, Carole**, partner, Faricy, Thompson and Associates

**Georgacas, Chris**, administrative assistant to House Minority Leader

**Grove, Joan Anderson**, Minnesota Secretary of State

**Harp, Sandra**, member, Minneapolis School Board

**Harris, Jean**, Eden Prairie City Council; former lieutenant-governor candidate

**Hicks, Bob**, board member, Common Cause

**Hunt, Ruby**, commissioner, Ramsey County Board

**Jefferson, Richard**, DFL-Minneapolis, Minnesota House of Representatives

**Jones, Nancy**, attorney, Hennepin County Attorney's Office; former candidate for Hennepin County Board

**Kahn, Phyllis**, DFL-Minneapolis, Minnesota House of Representatives

**Levi, Connie**, president, Greater Minneapolis Chamber of Commerce; former IR legislator

**Long, Dee**, DFL-Minneapolis; speaker-elect of the Minnesota House of Representatives

**Mariani, Carlos**, DFL-St. Paul, Minnesota House of Representatives

**Minne, Lona**, representative, Minnesota Aqua Farms, Inc.; former DFL legislator

**Moore, Christine**, director, public and legislative affairs, Minnesota Department of Health; former administrative assistant to House Minority Leader

**Nankivell, Deb**, executive director, Common Cause

**Nelson, Shirley**, director, Women Candidates Development Coalition

**Otis, Todd**, chair, Minnesota State DFL; former DFL legislator

**Overgaard, Paul**, president, Independent Service Co.; former legislator and gubernatorial candidate

**Pauly, Sid**, IR-Eden Prairie, Minnesota House of Representatives

**Schwartz, Judy**, communications consultant; former candidate for Minneapolis City Council

**Spartz, Jeff**, independent consultant; former Hennepin County commissioner

**Stromwall, Mark**, attorney in Prior Lake law practice; former Scott County commissioner and candidate for county attorney

**Willis, Bruce**, attorney, Popham Haik law firm; vice-chair, Minnesota Ethical Practices Board

**Wozniak Smith, Angie**, DFL activist and former lobbyist

## LEGISLATIVE CANDIDATE SURVEY

In addition to holding the usual committee meetings, the Citizens League conducted a survey of candidates who ran unsuccessfully for the Minnesota Legislature in 1990. Conducted in April 1992, this survey was intended to determine why these persons ran for the Legislature, whether they would run again and their reasons for that decision, and what they'd change about the process of running if they could.

The study committee used the results of the survey in its report. Complete results from the survey are contained in Appendix 7 of this report.

## ASSISTANCE TO THE COMMITTEE

This report was prepared by Research Associate Jody A. Hauer. Allan Baumgarten, Dawn Latulippe and Joann Latulippe provided staff support and production assistance to the committee.

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Over the years, League reports have been a reliable source of information for governmental officials, community leaders, and citizens concerned with public policy issues of our area.

The League depends upon the support of individual members and contributions from businesses, foundations, and other organizations throughout the metropolitan area. *For membership information, please call 612/338-0791.*

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