



# Summary of Meeting with Steve Sviggum and Roger Moe

Civic Caucus, 8301 Creekside Circle #920, Bloomington, MN 55437

*Friday, February 8, 2008*

**Guest speakers: Roger Moe** , former majority leader, Minnesota Senate, and **Steve Sviggum**, former speaker, Minnesota House of Representatives

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

**A. Context of the meeting—** In several meetings concerning polarization and paralysis of the Minnesota Legislature, the issue of redistricting has come up repeatedly. The Civic Caucus today invited two participants on an advisory board to the Center for the Study of Politics and Governance at the Humphrey Institute, University of Minnesota. The advisory board issued recommendations on redistricting in January 2008.

**B. Welcome and introductions—** Verne and Paul welcomed and introduced Steve Sviggum, former speaker, Minnesota House of Representatives, and Roger Moe, former majority leader, Minnesota Senate. Sviggum retired from the House in 2007 after 29 years of service. He currently is commissioner of the Minnesota Department of Labor and Industry and a member of the faculty at the Humphrey Institute. Until his departure from the Minnesota Senate in 2002, Moe was the longest serving majority leader in the Senate in the state's history. He currently is president of a consulting business, National Strategies, Inc.

**C. Comments and discussion—** During Sviggum's and Moe's comments and in their discussion with the Civic Caucus, the following points were raised:

**1. Broad based support for change in redistricting—** Sviggum said he never has seen such a strong line-up of support for an issue as he has with redistricting. The Humphrey Institute advisory board includes Walter Mondale, former vice president; and Arne Carlson, former Governor; as co-chairs, plus Al Quie, former Governor; Kathleen Blatz, former chief justice of the Minnesota Supreme Court; Joan Grove, former Minnesota Secretary of State, and others in addition to Moe and Sviggum. The group was assembled by Larry Jacobs, director of the Center for Politics and Governance at the Humphrey Institute.

**2. Sviggum's view on why change is needed—** Sviggum outlined reasons why the Legislature

should not be drawing boundaries of congressional and legislative districts:

**a. Inherent conflict—** There's an inherent conflict when legislators redistrict themselves, because their chief interest is how to create districts that will give them the best chance of being re-elected.

**b. Lack of success—** With one exception, since the 1970s, the Courts have ended up drawing the boundaries, because the Governor and Legislature couldn't agree. The exception, he noted, occurred in 1992 when the issue would have ended up in the courts, except for a technical glitch—failure to veto on time—that nullified the Governor's veto.

**c. Issue preoccupies the Legislature—** When redistricting is on the table legislators are preoccupied with the issue. Sviggum remembers that even some legislators of the opposing party have been so concerned with their own districts that they have sought out Sviggum's help. Sviggum recalls that in 2002 the court's plan was handed down when the House was in session. He could almost feel the vibrations throughout the House chamber. Immediately almost everyone left the chamber to see what happened to their own districts.

**d. Fair plan produces more balance—** A major benefit from a non-partisan (bi-partisan) redistricting commission is the potential for more balance in governing. More legislative seats that could be competitive in elections would result, and the consequence of more competitive seats would be more balance in the governing decision making in the House and Senate. Even if only five Senate seats and 10 House seats were to be put in the competitive column it would add greatly to the legislative balance in consideration of governing decisions.

**3. Moe's view on why change is needed—** Moe said he was on the Senate redistricting panel in 1971, and was majority leader in 1981, 1991, and 2001, so he has been involved in the last four redistricting experiences.

**a. Astounding concern by legislators—** You wouldn't believe, he said, how legislators become preoccupied with the smallest of details when redistricting is being considered. It was common, he said, for legislators to approach him about a certain precinct or township, claiming that small area was essential for their political life.

**b. Changes in technology—** With the emergence of sophisticated technology that is widely available within and outside the Legislature, it's now possible for almost anyone to draw districts on a palm pilot.

**c. Limitations on competitiveness—** Moe said a significant point of stress on redistricting occurs when the matter of competitiveness comes up against community of interest. This is a particular problem when an area such as Minneapolis is predominantly of one party. Nevertheless, there are perhaps six to 12 senate districts that could be made much more competitive.

**4. Specific provisions of redistricting change outlined—** Moe and Sviggum described the proposed changes as follows:

**a. Five member panel established—** A five member redistricting panel would be created, one retired judge appointed by each of the majority and minority leaders of the House and Senate. Those four appointees would appoint a fifth retired judge.

**b. Plan goes to the Legislature—** The panel's recommended redistricting plan would pass by the Supreme Court for review on its way to the Legislature. The Legislature would vote the plan up or down, as is. It then would be submitted to the Governor for signature. If either the Legislature or Governor rejects the plan, the panel submits a second, and, if necessary, a third plan. If the third plan is rejected, the Legislature then could prepare its own plan. Finally, if a legislative plan fails constitutionally, the courts would draw the boundaries, as has been the case in most recent redistricting efforts in Minnesota. No constitutional amendment is involved.

**5. Connection between changing judicial selection and redistricting-** Moe said that a change in selecting judges as recommended by a commission headed by former Gov. Al Quie, needs to be enacted, too. Judges need to be kept out of the partisan political process or redistricting won't be fixed, Moe said. The Quie commission recommends that judges reach the bench by merit-based appointment, subject to later retention elections. If these recommendations aren't enacted, and judges are elected in partisan, political elections, gerrymandering of legislative and congressional districts will simply be shifted from the Legislature to politically-oriented judges, Moe fears.

**Sviggum said he is extremely supportive of the Quie recommendations.**

**6. Good prospects for passage—** Chances of changing redistricting are good, Sviggum said. On their re-election brochures legislators like to cite a couple of good government issues that they have supported.

**7. Role of legislative caucuses in election campaigns—** Sviggum said it was important for him, when serving as House speaker, to spend time recruiting candidates for the House, just as the majority leader did in the Senate. Moe agreed, saying that the legislative leadership sometimes has a better idea of the kind of legislator that a given district needs. Sometimes leadership at the local level might be inclined to choose someone who is more to the left or right of center, when a more moderate voice is needed.

A disadvantage of involvement of legislative caucuses in financing campaigns, Moe said, is that some legislators, surviving a race in which the opposing legislative caucus gave financial support to the opposing candidate, feel resentment toward the entire opposing legislative caucus. Such legislators then might seek retaliation against the opposing caucus, which does great harm to the idea of developing a legislative consensus, he said.

**(At this point in the meeting, Sviggum had to leave for another engagement. Verne thanked him for visiting with the Civic Caucus today.)**

**8. Constitutional budgeting not a good idea-** Asked about a proposal to grant preferential treatment to outdoors, water and the arts via a constitutional amendment, Moe said he doesn't like the idea of constitutional budgeting.

**9. Support for a presidential primary in Minnesota—** In light of the heavily-attended precinct caucuses earlier this week, Moe said he would support having a presidential primary in the state, so people could be voting all day, not just during a couple hours after dinner. Perhaps such a primary could occur the same day as precinct caucuses, he said.

**10. Changes in the method of endorsing candidates-** Moe said he is open to exploring various ways to make the endorsement-primary system more reflective of a majority of voters. Thus he's open to considering an open primary, or multiple endorsements for the same race, or Instant Runoff Voting (IRV).

**11. Improving decision-making on transportation—** A member noted that the 2008 Legislature will place transportation funding high on its agenda. The member noted that how the Legislature has not fixed the system of setting priorities on transportation improvements among different jurisdictions and modes. Pretty much each gets its own separate revenue source, which make priority-setting more difficult.

Moe replied that he likes very much the concept of a Metropolitan Council, but that part of the problem has been that since Wendy Anderson governors haven't paid much attention to the Council.

Others noted that the Metropolitan Council is responsible only for a part of the state and—because of growth in outlying counties—only a part of the Minneapolis-St. Paul urban region.

The group discussed with Moe whether leaders in the Legislature today might be inclined to take on the issue of decision-making structure for transportation as well as the funding issue. They also discussed how the Governor and Legislature might reach consensus on transportation in this session.

**12. Thanks—** On behalf of the Civic Caucus, Verne thanked Moe for visiting with us today.

### **Participant Responses to This Interview**

***The Civic Caucus* is a non-partisan, tax-exempt educational organization. Core participants include persons of varying political persuasions, reflecting years of leadership in politics and business.**

**A working group meets face-to-face to provide leadership. They are Verne C. Johnson, chair; Lee Canning, Charles Clay, Bill Frenzel, Paul Gilje, Jim Hetland, John Mooty, Jim Olson, Wayne Popham and John Rollwagen.**

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