



# Summary of Meeting with Roger Moe

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

*Friday, December 9, 2005*

**Present:** Verne C. Johnson, chair (by phone); Chuck Clay, Paul Gilje, Jim Olson (by phone), John Sampson, Clarence Shallbetter, and Roger Moe, guest

**A. Comments by Roger Moe** —Clarence introduced Moe, a former school teacher in northwestern Minnesota, who was elected to the Minnesota State Senate in 1970 and ultimately served longer than anyone else as DFL majority leader. He currently is head of his private consulting firm, National Strategies, Inc. In his comments Moe made the following points:

**1. Thanks to the Civic Caucus** —He commended the caucus for its inquiry. Moe said that he has kept abreast of Civic Caucus meetings by reading the weekly summaries.

**2. Moe's work with the Center of the American Experiment** —Moe said he and Chris Georgacas, former GOP state chair, are co-chairing a task force for the Center of the American Experiment that will look at the state legislative process and may seek changes that require changes in rules, law or the state constitution. However, no change in rules, laws or constitution will address the problems of lack of trust and incivility, Moe said. One can't legislate to correct those problems, he said.

**3. Why the anxiety over the future of our democracy?** —Moe said he's not so good at coming up with ideas about change as he is about what brought about the concern. He cited this reason: Politics is a very high stakes game in America today, with the voting public almost evenly divided politically. The division is present nationally and in the states. If you look at all state legislators of the 50 states you'd see they are almost 50-50 Democrat-Republican.

**4. Existence of safe districts** —Moe agrees with the concerns expressed by others that the U.S. House has only about 20-30 competitive districts out of 435. He believes change in redistricting is needed.

**5. Public attitudes about government understandable** —The low regard with which the public holds government today ought to be readily understood in the context of the last 30 years. Politicians have been running for office by ranting against government. Jimmy Carter and Ronald Reagan both ran for office by describing how bad the system is. So its no wonder that voters feel that way.

**6. But amazing changes have occurred** —Despite the anti-government sentiment, as you look back you see major changes in civil rights, human rights, economic growth, transportation, and other areas. That's remarkable. Nevertheless, we get this endless barrage of how bad government is where the candidates want to serve.

**7. Change in the make-up and operation of the State Legislature** —Moe recalled the predominance of older, white males in the Legislature when he first took office in 1971. Moreover, he remembers that much of the wrangling and compromise took place behind closed doors. Today, the group has more younger people, more women, and more economic diversity. This is good, because the makeup of the people reflects the population. But the more complicated the process of decision-making becomes. There'll be continued stress as long as some segments of the population feel they don't have a seat. Issues are more complex today, too. We have the Internet, but it can both inform and misinform.

**8. Are we losing a non-partisan judiciary?** —Moe said he is surprised at the absence of discussion in previous summaries about the recent Supreme Court rulings that overturn canons of ethics that didn't permit political activity candidates for judges and for judges themselves. All we need to do is look to Texas and the difficulty in finding a judge for the DeLay case to see what could happen here.

**9. More campaign money every election** —Money is so terribly important, and every two years more is spent on campaigns. He sees no end to this trend. The stakes are so high. It also reinforces in the public's mind that money determines how people will vote.

Moe said Minnesota has done a better job than most with its campaign finance laws for legislative candidates. Our system of public financing has brought some equity to the process.

Regarding the outside groups, such as the 527 groups, Moe said he has no answer to the problems of financing through such groups, other than complete disclosure of their sources of funds.

**10. Problems with "surveys" tying the hands of legislators** —He knows it's not possible to change, because of constitutional guarantees of free speech, but Moe wishes that the questionnaires candidates receive from special interests could be thrown away. The special interests undoubtedly base the degree of campaign finance support on the responses the candidates make. These questionnaires have the effect of locking candidates into solid positions on issues before they have all the necessary facts. A perfect example is Pawlenty's no-tax-increase pledge.

**11. Establish venues that bring people together, informally** —Ethics laws no longer allow lobbyist groups to bring all legislators together for social time. So long as everyone is invited, there shouldn't be an ethics problem, he said. Such informal gatherings made it possible for legislators to get to know one another. He said, however, that other realities—such as other claims on legislators' time—make it difficult to have informal contacts. For example, more women are in the Legislature. With a majority of our legislators living within driving distance of the Capitol, more people go home to tend to household responsibilities in the evening.

**12. Precinct caucuses/conventions/primaries** —Moe sees some virtue in perhaps a multi-tiered endorsement process to give a candidate a second chance if squeezed out by endorsement at a lower level. But he doesn't want to put the endorsement process after the primary. Also he's skeptical about such changes as instant run-off voting, because he's not sure if recent elections, such as that of Jesse Ventura, are an anomaly or represent some real change. He acknowledged that third parties

will have an influence on the outcome. He noted that in the Pawlenty-Moe-Penny race for Governor that Pawlenty won with 44 percent of the vote. Under certain circumstances Moe said that he could have won that race with as little as 36 percent of the vote.

**B. Questions-answers** —During the discussion with Moe the following points were raised:

**1. Are endorsement conventions the answer?** — Questioned further about endorsements, Moe was asked whether the candidate doesn't get locked into solid positions prematurely, simply to gain the endorsement. Moe agreed this is a problem but in an open primary some candidates might win simply because their personal wealth enables them to outspend others.

**2. Responsibility of the media in campaign finance** —During discussion the point was made that more transparency isn't likely to produce better results unless the media can fully bright such information to the attention of the public.

**3. Changing the "culture"** —Moe elaborated on his earlier point that he sees important changes that could take place outside of rules, laws, and constitutional amendments. For example, in the Legislature the majority and minority in the House and the Senate are balkanized into four groups immediately and their offices are kept separate. Moe suggested that the chair and the ranking minority member of each committee could have their offices together. Another possibility is that the senior members of the Legislature, irrespective of party, would have their offices in the Capitol building.

**4. Too much emphasis on full-time legislators?** —Responding to a question about a tendency to have "professional" legislators as against "citizen" legislators, Moe said returning to a 90-day session every two years isn't the answer. You can restructure the calendar, he said, to make better use of time. For example, in the odd-numbered, budget year, nothing now really happens in the Legislature until the second revenue forecast in March. But the Legislature has been in session since January. He said it would make much better sense to delay the start of the session until March and then perhaps allow the session to continue until June 15.

As a legislator Moe felt the Legislature should have the right to call a special session, not just the Governor. Now that he is out of office, he said he doesn't talk that way any more.

**5. Coolness toward instant runoff voting** —Moe is skeptical about such a change because mischief-making voters of one party could try to have an impact on the outcome in the other party. Such voters could vote for their No. 1 choice, but then make their second choice someone that could distort the outcome for the other side.

**6. Increasing role of legislative leadership in campaign finance** —More agreed that the DFL and GOP caucuses in the Legislature are becoming dominant forces in candidate recruitment and campaign finance. That is a permanent fixture, he said, and is a natural outcome of a leadership's desire to keep control of their caucus. He acknowledged mention in our previous summaries of one case in Minnesota where a caucus-financed campaign was far higher than appropriate.

**7. An unused power that is already there** —Moe said that any elected official already has the ability to make use of a power that could have significant impact on the outcome of contentious issues. That is the power to convene meetings of groups at interest. If the elected official is willing to step back for

the moment, and not be so identified with one position or another, that official could sponsor meetings of all the parties at interest and call for those parties to come to agreement. Such meetings could occur at the grassroots level and would go a long way toward reducing polarization. Legislators could avoid taking positions prematurely.

Perhaps an institute in a college or university could be set up to provide guidelines for elected officials on how to call and conduct meetings with representatives of the affected parties on all sides, Moe suggested. In the continuing discussion on this point, Moe acknowledged his role in reorganizing higher education in Minnesota, but that's not a good example of the convening process. In that debate the groups, such as the advocates for the vocational schools and the community colleges, were too divided in their interests already.

**8. The analogy of putting a puzzle together** —Moe said he often has told people that the Legislature is analogous to a desktop puzzle. Each legislator is a part of the puzzle. The problem is that the legislators don't have the picture from the top of the puzzle box in front of them, so they can see the total picture.

**9. State-federal shift** —Moe disagreed that there's been a recent shift of power from the states to the federal government. The federal government did expand from the days of Teddy Roosevelt until the 1960s. Then in the 1970s, state legislatures came alive. That was followed, in the 80s, by Reagan's new federalism, which really ended up being block grants with strings attached. Counties and cities were become more effective as well. He suspects that much of the concern about Washington taking over power is rotted in controversy over anti-terrorism.

**10. Give redistricting to commissions** —Moe clarified that he favors removing the redistricting power from the Legislature—which, in Minnesota is really handled by the courts now. Moe said he has been a part of redistricting efforts in four different decades, 1971, 1981, 1991, and 2001, probably more than anyone else. None of those efforts was successful, he said.

**C. Thanks** —Clarence and others thanked Moe for a most engaging conversation.

***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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