



Tricia Grimes, retired staff member of the Minnesota Legislature and the Minnesota Office of Higher Education

Some legislators seem to feel it's more important to score points than to govern well

A Civic Caucus Review of Minnesota's Legislative Process Interview

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Present

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Summary

Tricia Grimes, retired staff member of the Minnesota Legislature and the Minnesota Office of Higher Education, says that legislators rarely get credit for how hard they work and should take the raise that is currently pending. She also believes legislators are trying to do the best for the people they represent. But she worries that too few legislators these days seem to feel it's important to govern well. Instead, they think it's more important to score points.

Grimes says that in the 1970s and 1980s, the higher education bill used to be bipartisan. Legislators used to work out a consensus on bills in the Appropriations Committee and the higher education policy committee. Now, she says, committees seem to be less important in the Legislature, since the policy and finance committees have been combined. And legislators have become less willing to take "no" for an answer, so they bring fights to the House and Senate floors.

She notes that because the Legislature has become so much less bipartisan, not very many bills pass. The great temptation is for legislators to put unrelated matters or policy measures into the must-

pass appropriations bill, she says. Grimes believes we need to be concerned both about the way legislators get elected and how they behave once they get to the Legislature. But she considers the more crucial issue how they behave once they get elected. She believes that legislators are educable.


Biography

Tricia Grimes is a retired staff member of the Minnesota Legislature and the Minnesota Office of Higher Education. She worked for the State of Minnesota for 38 years in the field of higher education. She was a nonpartisan fiscal analyst in the Minnesota House of Representatives from 1976 to 1984. She joined the staff of the Minnesota Higher Education Coordinating Board in 1985, with much of her work there focusing on postsecondary student financial aid and student loans, in particular.

When the Coordinating Board became a cabinet-level agency in 2004 and was renamed the Minnesota Office of Higher Education, Grimes became the agency's legislative liaison. She advocated for many things the agency needed at the Legislature, but much of it revolved around funding for the Minnesota State Grant Program, which helps low- and moderate-income Minnesotans pay for college. She held that position for 10 years, until retiring in 2014.

Grimes received a bachelor's degree in economics from Grinnell College and a master's degree in public affairs from the University of Minnesota's Humphrey School of Public Affairs.

Background

Since September 2015, the Civic Caucus has been undertaking a review of the quality of Minnesota's past, present and future public-policy process for anticipating, defining and resolving major community problems. On Nov. 27, 2016, the Caucus issued its report based on that review,  *Looking Back, Thinking Ahead: Strengthening Minnesota's Public-Policy Process*. Starting in May 2017, the Civic Caucus began a review of Minnesota's legislative process. The Caucus interviewed Tricia Grimes, retired staff member of the Minnesota House and of the Minnesota Office of Higher Education, for her perspectives on the workings of the Minnesota Legislature.

Discussion

Legislators rarely get credit for how hard they work. "It's harder and harder for legislators to keep jobs in the long run that allow them to work 80 hours a week for six months of the year," said retired legislative staff member Tricia Grimes. "People don't always realize that legislators are expected to appear "at every chicken dinner, town festival, parade and community meeting in their districts. They're supposed to be well informed on all the local affairs going on in their jurisdiction. They're expected to do a lot of things other than being in Saint Paul. When they're in Saint Paul, they meet with dozens of people every day."

Legislative staff members are not supposed to get in the press. "That is a clear norm for legislative staff," Grimes said. The legislators are the ones who are supposed to get in the press. When you're an agency staff person, she said, usually the agency head gets in the press. But, toward the end of her career, she often became the spokesperson for the Office of Higher Education on student-loan issues.

No matter how much you might disagree with a legislator's politics, each legislator is trying to do his or her best for the people. "We don't always remember that," Grimes said. "We think of them sometimes as power hungry. Certainly, power seduces. Having seen the Legislature both when working there and from dealing with it for many years, I never saw any corruption. Minnesota's Legislature is so squeaky clean, it's amazing. Legislators are clearly not motivated by money. Otherwise they wouldn't work for \$31,000 a year. I think they deserve every penny they're paid and they should take the raise that is currently pending."

In the 1970s and 1980s, the higher education bill used to be bipartisan. Grimes said legislators like to spend money on education, particularly on higher education. "They see it as investing in the future," she said. At that time, the higher education bill went from a division of the Appropriations Committee to the full committee. That meant that at least 25 legislators had a chance to ask questions about the bill and hear about it in-depth. "I think that was important in building consensus about a bill," she said.

"The legislators always fought much more over the health and human services and corrections appropriations than over the education bills," Grimes said. "They didn't want people to starve or be badly treated, but they didn't want to spend an extra penny on health, human services and corrections, either. They'd really rather spend the money on education."

Now voters often elect legislators who want to cut taxes. "That means cutting spending or failing to increase appropriations, because there's more emphasis on the larger goal of cutting taxes," Grimes said. "Even legislators who want to spend money on education don't do it, because they're trying to meet that larger goal of cutting taxes."

Some trends follow demographics more than we realize. When baby-boomer children were in elementary and secondary education, Grimes said, they were a larger percentage of the population than the E-12 students are now. Now, 14 percent of Minnesota's population is 65 or over. "So, maybe we shouldn't be surprised that we spend more money on health care and senior causes," she said. "There are more of us who are older and more of us who are demanding of our legislators that they spend money on the things we care about." Around 2020, the population in Minnesota over 65 will be larger than the population ages five to 17. That will affect the way we spend money in education versus health and human services.

Grimes's attitude toward state agencies changed when she moved from working for the Legislature to working for the Office of Higher Education. Grimes said when she worked for the Minnesota House, she thought state agency staff were not always doing what the Legislature wanted. "My attitude changed when I started working for a state agency," she said, "because the Legislature would require that we do certain things and not provide the staff we needed to do them."

During the tie in the Minnesota House in 1979, there were 67 Democrats and 67 Republicans. "The whole place kind of went tilt, because the whole place is built on majority rule and there was no majority," said Grimes, who was on the House staff at the time. For three weeks, the two sides negotiated with each other, she said, during which time the legislative staff was not paid, until a Speaker was elected three weeks later. Legislators finally agreed to have a Republican serve as speaker of the House—Rod Searle (IR-Waseca)—and members of both parties serve as House

majority leaders—Irv Anderson (DFL-International Falls) and Jerry Knickerbocker (IR-Minnetonka). Grimes said Democrats served as chairs of the education, appropriations and tax committees.

"It actually worked quite well," Grimes said. "They realized they couldn't take one step without the other." She said they pre-negotiated everything and things "went along."

But by June 1979, Rep. Robert Pavlak (IR-St. Paul) was removed from office because of unfair campaign practices and was replaced by DFLer Frank Rodriguez, who had won a special election to fill Pavlak's seat. So, the DFL gained a one-seat majority for the 1980 legislative session.

Nonpartisan staff at the Legislature serve as the institutional memory. "They're the ones who know a program has been tried three times before and hasn't worked," Grimes said. "They tend to not get enough credit."

When Grimes was a nonpartisan staff member of the House, she and five other nonpartisan fiscal analysts were fired when the Republicans took control of the House in 1984. But, she noted, since that time, neither the House nor the Senate has fired nonpartisan staff members. "They figured out it wasn't a good idea," she said.

Fiscal notes are requested by the Legislature to price out how much a bill would cost to implement. "If something's not been done before, you are making an educated guess about what it would cost," Grimes said. As part of the process, staff members have to write down what their assumptions are. "But really, you are just guessing," she said. "The Legislature gets mad if you guess what they think is high. But if you guess low, your agency will have to live with that for a long time. The incentive probably is to guess high, but I never saw anyone do that. The pressure is really high to minimize the cost and say you can absorb it."

She said the Minnesota Department of Management & Budget (MMB) now requires that the agencies show how much they would be absorbing under each bill. MMB and legislative fiscal analysts ask lots of questions about fiscal notes. Agencies are often under major time pressure to produce the fiscal notes, often in just three or four days.

A recent Pew national poll showed that 58 percent of Republicans think higher education institutions are having a negative effect on the way things are going in the country. Grimes said she believes two things may be causing that: (1) Conservative speakers who have been canceled or shouted down on campuses, which is not good for free speech; and (2) Many people think higher education didn't do anything for their relatives. They didn't complete a degree or certificate and just ended up with loans to pay back and no degree to help them get a better job. Also, college changes people and they become different.

What are some of the highest priority areas relating to the future of the Legislature where citizen involvement in suggesting improvements would be really critical? An interviewer asked that question and Grimes suggested several areas:

- Speaking up for the least of us. She said legislators get a lot of pushback when they try to do affordable housing or help people who've been in prison. Speaking up in favor of these efforts gives legislators some cover to do things that are unpopular in the short run, but necessary for society in the long run.
- Speaking up for legislators to be paid a decent wage. "We could be in the situation where only the rich will be able to serve in the Legislature," she said. "I think people underestimate how important that is. Really good legislators have left so they can support their families."

The Minnesota Higher Education Coordinating Board (HECB) used to think about what higher education should be doing for the state. An interviewer made that comment and asked, "Who's talking about what we are getting for our money?"

Grimes responded that until 2004, HECB was an independent agency, not a state agency. "It had lots of responsibility, but almost no authority," she said. "It was supposed to talk about the future of higher education in Minnesota and try to get the University of Minnesota, Minnesota State, the private colleges and the for-profit colleges to do what's good for the state. But it had almost no authority to make that happen. It was not a perfect system."

When the Coordinating Board became a cabinet agency, she said, higher education got a seat at the table for budget negotiations. That's been somewhat good for higher education. "But some of the advocacy for the overall long-run needs of the state and the economy is not getting the voice it should," she said.

The interviewer remarked that during these types of discussions at the Legislature, it seems it's always about money, not about outcomes. Grimes said that's partly because both the House and the Senate now have money and policy in the same committee, instead of having a separate policy committee and a separate appropriations committee, as was done in the past. The leadership of the House and Senate would have to decide to change that.

She said another thing that gets in the way of the state making higher education policy is the constitutional autonomy granted to the University of Minnesota (U of M) and the independence of the private colleges. She pointed out, though, that there is performance funding for the U of M and Minnesota State, which covers five percent of their appropriations.

For the second year of a biennium, this funding is contingent on the institutions meeting at least three of five performance characteristics. "They very carefully set the performance characteristics so the public postsecondary systems are likely to meet them," Grimes said. One example of a performance characteristic is that Minnesota State improve its retention rate by one percent. She said that has been a performance goal for at least six years and Minnesota State has not met it.

"It started out as a legitimate effort to get some accountability," she said. "But higher education leaders can always come up with a rationale about why they can or can't do something."

What is the impact on the legislative process of so many legislative proposals ending up in omnibus bills, rather than as single-subject bills? An interviewer asked that question and Grimes said legislative staffers used to call the big bills "garbage bills." She said in the second year of a

biennium, when the budget is already in place, there's a supplemental appropriations bill that becomes a magnet for anything people want to be sure passes. She said there has been a push-pull by the Legislature on whether policy should be included in these spending bills.

"Now that the Legislature has become so much less bipartisan," Grimes said, "not that many bills pass. The temptation to put things in an appropriations bill, which has to pass, gets really high. That contributes to the whole problem of adding stuff. And deciding what's relevant is a slippery slope. It's a judgment call."

An interviewer who once worked at the Legislature commented that because of the tough tradeoff decisions to be made, all policy is actually decided in the Ways and Means or Finance Committees.

Are legislative committees less important now? An interviewer noted that when former legislator and retired judge Jack Davies met with the Civic Caucus on May 19, 2017, (see "[Current legislative procedures harm citizens, Legislature](#)") he said things used to get resolved in committee work, but now committees have diminished importance. Grimes agreed with Davies. "People refuse to hear 'no' for an answer, so they keep fighting and take it to the floor to get resolved," she said.

Do questions ever come up about how much learning is going on at the state's public postsecondary institutions? An interviewer who is a retired professor from the University of Minnesota asked that question. He said college graduates need critical thinking skills and that he is obsessed with getting professors back to teaching undergraduates.

Grimes responded that those questions about learning do come up at the Legislature. "But every time legislators talk about trying to measure learning and what learning should be, academic freedom rears its head to an extremely great degree," she said. "The legislator who proposed it ends up sorry that he or she brought it up."

Are there areas where the Legislature can make things better and areas where it shouldn't get involved? An interviewer asked that question and Grimes gave the example of regulation. "We need regulation in a market economy to prevent excesses and to prevent fraud," she said. "But it's hard to find the balance between enough regulation to keep the really bad stuff from happening, but not so much as to get in the way of business."

Nationally, she said, often Democrats come in with heavy-handed regulations that don't take into account what it's like to operate businesses or higher education institutions. And they don't pay nearly enough attention to incentives. Often, Republicans don't want bad stuff to happen, but they really don't want to spend enough money for staff to do regulation adequately, either.

We should be concerned about (1) what happens before legislators get to the Legislature (i.e., the election process) and (2) how they behave once they get there. An interviewer made that comment and asked which of these things citizen groups should be more concerned about and what topics related to the more important concern the groups should explore. Grimes responded that evidence-based policymaking, i.e., what research shows will work, is an important topic. She said, "I think citizen groups have a role in saying, 'This is what the evidence says. You have to pay attention to what the evidence says and also to funding for getting the evidence through research.'"

On the question of whether citizens groups should concentrate on how legislators get elected versus how they govern when they get there, Grimes noted that the skills it takes to get elected and the skills to govern are two completely different things that too rarely overlap.

She said the National Conference of State Legislatures does a "pretty good job" of trying to educate legislators about what it takes to be a good legislator. "But my worry is that too few legislators these days seem to feel it's important to govern well," she said. "They just think it's important to score points."

Grimes said she believes how legislators get elected and how they behave once they get to the Legislature are both important. "But how they behave after they get elected is really crucial," she said. "They're educable."