

July 28, 2017



# ewald at the capitol

## Court Overrules Governor's Veto

At the conclusion of the 2017 special session, Gov. Mark Dayton decided to line item veto the portion of the omnibus state government bill that would fund the legislature for two years. This was in response to a section legislators included in the bill to withhold funding to the Department of Revenue if another bill, the Omnibus Tax Bill, was not signed into law. Gov. Dayton had concerns about a number of provisions in the Tax bill, but decided to sign it into law while using his line-item veto authority to cut funding to the legislature in an attempt to bring legislators back to the capitol to renegotiate the budget passed weeks earlier. Senate Majority Leader Paul Gazelka (R-Nisswa) and Speaker of the House Kurt Daudt (R-Crown) filed a lawsuit against the governor, saying that the line item veto violated the separation of powers clause in the State Constitution.

Recently a Ramsey County judge ruled in favor of the legislature, so funding has been restored to the legislative branch. Gov. Dayton has appealed the ruling to the Minnesota Supreme Court, which will make

a decision soon whether or not to hear the appeal. A hearing is scheduled for August 28.

## Legislative Pay Raises Take Effect

In the 2016 general election, Minnesotans voted on a constitutional amendment that would remove legislators' ability to determine their own pay, granting that power to a private citizen council that would review the pay rates and decide if changes were needed. Earlier this year the council decided to raise the salary of legislators from \$31,140 to \$45,000.

While senators' pay increases took effect on July 1, members of the House of Representatives did not see a pay increase due to reluctance on the part of Speaker Daudt, who said the council did not identify a funding source for the increase.

Last week, Reps. Marian O'Neill (R-Maple Lake) and Rena Moran (DFL-St. Paul) filed a lawsuit asking a judge to enforce the salary arranged by the council. Before the case even reached the courtroom, Speaker Daudt approved funding the pay increases from the House budget allocation, saying he didn't

### They said it:

*"As a result of violating the separation of powers clause of the Minnesota Constitution, the governor's line-item vetoes are unconstitutional, null and void."*

*– Ramsey County Judge John Guthmann,  
on the legislature's suit against Gov. Dayton*

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want to use taxpayer dollars on the lawsuit. House members' salary increases take effect August 1, 2017.

## New Laws Take Effect Aug. 1

Several laws passed during the 2017 legislative session will come into effect on Tuesday, Aug. 1. Among them is a revision to Joint Underwriting Association guidelines, which will clear up a number of insurance discrepancies and remove antiquated language. Another law taking effect is [HF 13](#), which will change rules governing non-profits to rules that already apply to for-profit businesses. Among those changes is allowing non-profit boards of directors to cast their votes electronically rather than through written action. Another change would make it easier for out-of-state non-profits to open chapters in Minnesota. One other law taking effect will allow county license bureaus to set their own local hours of operation.

[View a complete list of Aug. 1 new laws.](#)

## Governor Bios Draw Criticism

The State Capitol building has been undergoing a three-year renovation project, including a lot of work on the art kept at the capitol. The Minnesota Historical Society has been working to preserve and display this art, including

the portraits of all 38 former governors. New biographies have been displayed next to the governor portraits, and the relatively short 300-word biographies of Govs. Jesse Ventura and Tim Pawlenty have drawn criticism from both men. The description of Gov. Ventura quotes him as saying “win if you can, lose if you must, but always cheat” which he says is incorrectly attributed to himself, and would not like it displayed next to his portrait. Gov. Pawlenty expressed frustration over his biography, saying it was a summary of his political work and has little mention of what he accomplished while serving as governor. The Historical Society is working with both former governors to make adjustments.

## Road to 2018

Gov. Dayton has already stated he will not seek a third term as governor, so a steady stream of candidates has announced their campaigns for governor across the state. This week, former chair of the Minnesota Republican Party and State House member Keith Downey said he is running for the Republican nomination as governor. He joins Hennepin County Commissioner Jeff Johnson and State Rep. Matt Dean (R-Dellwood) as other Republicans seeking their party's nomination.