

# 2013 House Votes

## Creation and implementation of health insurance exchange

Due to the previous passage by Congress of the Affordable Care Act (ACA, aka Obamacare), all states were required to either create their own health insurance exchange or use an exchange created by the federal government. MCCL believes that Minnesotans are better served by creating their own exchange, and thus having some control over it, rather than having an exchange imposed on us by the federal government. The following votes detail the passage of two bills that together created Minnesota's health insurance exchange, now known as MNsure.

### H.F. 5 / S.F. 1: Health Insurance Exchange (MNsure) creation

House votes 1 & 2 relate to H.F. 5, the bill that created the structure for MNsure. The ACA contained language specifying that states could elect to exclude coverage of abortion from policies sold through the state exchanges.

#### House Vote 1

##### Abortion Insurance Coverage – MNsure

Floor: Amendment

Though the chief author of the legislation, Rep. Joe Atkins, DFL-South St. Paul, did not include such language, Rep. Patti Fritz, DFL-Faribault, offered an amendment that would have excluded abortion coverage from all policies sold through the exchange. The Fritz language included exceptions for abortion to prevent the death of the mother and when the pregnancy was the result of rape or incest. The Fritz amendment passed 71-58 (pro-life win).

#### House Vote 2

##### Abortion Insurance Coverage – MNsure

Floor: Procedural, refusal to adopt conference committee report

When H.F. 5 returned from conference committee without the Fritz pro-life language, conference committee member Rep. Jim Abeler, R-Anoka, moved that the House refuse to adopt the conference committee report. Unfortunately, no roll call was requested, and thus there was no official record of how individual legislators voted on a very close vote.

In order to establish that record, a division was requested, meaning that all legislators were asked to stand to have their vote counted. Though names are not officially recorded, MCCL's lobbyist was able to note how each of the legislators voted during the division. Then Rep. Pat Garofalo, R-Farmington, moved that the Abeler motion be reconsidered, and requested a roll call vote on the reconsideration. All legislators voted the same on the reconsideration as they had on the division vote, with the exception of Rep. Garofalo, who had voted with the majority in order to be able to request the reconsideration. The motion for reconsideration (and to refuse the conference committee report) failed 65-68 (pro-life loss).

### H.F. 779 / S.F. 662: Market Rules & ACA Conformity

After H.F. 5 was signed into law, the Legislature began working on a follow-up bill, H.F. 779, which dealt with more specific requirements for MNsure and other needed changes to state law in order to conform to the ACA. When the bill was on the House floor, two pro-life amendments were successfully added to the bill. Both were intended to do the same thing, to ensure that insurance providers were not forced to offer abortion coverage in policies sold through the exchange.

#### House Vote 3

##### Abortion Insurance Coverage – MNsure

Floor: Amendment

Rep. Mary Liz Holberg, R-Lakeville, offered an amendment that specified that the MNsure "essential health benefits package shall not include abortion coverage," with an exception for an abortion to prevent the death of the mother or when the pregnancy was the result of rape or incest. By a vote of 70-64, the amendment passed (pro-life win).

#### House Vote 4

##### Abortion Insurance Coverage – MNsure

Floor: Amendment

Rep. Patti Fritz continued her efforts to limit abortion coverage in policies sold through the exchange by

offering another amendment. This amendment added Chapter 62V, which creates the health insurance exchange, to an existing law that specified “that no health plan company ... shall be required to provide or provide coverage for an abortion.” The effect of this was to specify that whether or not abortion coverage was included in a policy would be a decision of the insurer, not the state or the board of the exchange. The Fritz amendment passed 71-63 (pro-life win).

Following of passage of H.F. 779 in the House, MCCL was able to secure a commitment from the Senate author, Sen. Tony Lourey, DFL-Kerrick, that he would not oppose the language of the Fritz amendment under certain conditions. Sen. LeRoy Stumpf, DFL-Thief River Falls, offered the same language as an amendment on the Senate floor. It passed on a voice vote. Eventually, the House concurred with the Senate language, and it was signed into law.

## **House Vote 5**

### **Blackmun Bust Authorization and Funding**

Committee: Rules and Legislative Administration

After the House version of the Legacy Bill, H.F. 1183, was created and passed in committee, it was discovered that the bill included authorization and funding for a bust of former U.S. Supreme Court Justice Harry Blackmun to be placed in the Minnesota Capitol. Blackmun is best known as the author of the Roe v. Wade Supreme Court decision. When the bill reached the Rules committee, Rep. Kurt Daudt, R-Crown, offered an amendment to remove the bust. The Daudt amendment passed 14-13 (pro-life win).

## **House Vote 6**

### **Licensing and inspection of abortion facilities**

Floor: Amendment to amendment

Rep. John Ward, DFL-Baxter, chief authored H.F. 900, a bill to require licensure of facilities that perform 10 or more abortions per month. Unfortunately, the bill was never heard in committee. Still wanting to pursue this important legislation, Rep. Ward prepared an amendment to add the language from the bill to the Health and Human Services omnibus bill. A drafting change needed to be made to correctly address how the provision would be funded, which meant that an amendment to his amendment had to be voted on. Rep. Ward offered the technical amendment, which passed 71-62 (pro-life win).

## **House Vote 7**

### **Licensing and inspection of abortion facilities**

Floor: Amendment

Following successful passage of the amendment to the amendment, the original amendment to require licensure of abortion facilities was voted on. The amendment passed 71-62 (pro-life win).

NOTE: This language was later removed from the bill in conference committee.

## **House Vote 8**

### **Free Speech / Electioneering Communications**

Committee: State Government Finance and Veteran Affairs

H.F. 863, authored by Rep. Ryan Winkler, DFL-Golden Valley, was a campaign finance omnibus bill that contained many provisions. Included in this complicated bill were three provisions of concern to MCCL:

1) “Express advocacy” definition change: The bill sought to expand the definition of express advocacy. Currently, express advocacy has a clear legal definition in Minnesota. The change would have created a subjective definition, allowing the Campaign Finance and Campaign Disclosure Board to decide which expenditures fit within the definition.

2) Underlying source disclosure: This provision would have changed the way that reporting entities would allocate donations subject to public disclosure. Because the new allocation method would be based on a ratio of expenditures to donations (numbers which change on a daily basis), it would make reporting extremely complex and difficult to do accurately.

3) Electioneering communications: This provision declares many non-election communications as “electioneering communications” merely because they are disseminated within a specified timeframe prior to an election. It additionally places cumbersome and chilling reporting requirements on these communications. This is the provision that MCCL most strongly objected to.

While the bill was moving through the committee process, MCCL was meeting with representatives of

the campaign finance board and the bill's House author to attempt to reach an agreement. Unfortunately, our efforts were not able to attain the sought-after compromise. Therefore, MCCL encouraged committee members in the State Government Finance and Veterans Affairs committee to support an amendment that stripped the three provisions from the bill. The amendment passed 9-8 (pro-life win).

Representative	Dist #	% #1	% #2	1	2	3	4	5	6	7	8
Abeler, Jim	35A	100%	100%	x	x	x	x	-	x	x	-
Albright, Tony	55B	100%	100%	x	x	x	x	x	x	x	-
Allen, Susan	62B	0%	0%	o	o	o	o	-	o	o	-
Anderson, Mark	09A	100%	100%	x	x	x	x	-	x	x	-
Anderson, Paul	12B	100%	100%	x	x	x	x	-	x	x	-
Anderson, Sarah	44A	100%	100%	x	x	x	x	x	x	x	-
Anzelc, Tom	05B	0%	0%	o	o	o	o	-	o	o	-
Atkins, Joe	52B	0%	0%	o	o	o	o	-	o	o	-
Barrett, Bob	32B	100%	100%	x	x	x	x	-	x	x	-
Beard, Mike	55A	100%	100%	x	x	x	x	-	x	x	-
Benson, John	44B	0%	0%	o	o	o	o	o	o	o	-
Benson, Mike	26B	100%	100%	x	x	x	x	-	x	x	x
Bernardy, Connie	41A	0%	0%	o	o	o	o	-	o	o	o
Bly, David	20B	0%	0%	o	o	o	o	-	o	o	-
Brynaert, Kathy	19B	0%	0%	o	o	o	o	-	o	o	-
Carlson, Lyndon	45A	0%	0%	o	o	o	o	o	o	o	-
Clark, Karen	62A	0%	0%	o	o	o	o	-	o	o	-
Cornish, Tony	23B	100%	100%	x	x	x	x	-	x	x	-
Daudt, Kurt	31A	100%	100%	x	x	x	x	x	x	x	-
Davids, Gregory	28B	83%	100%	e	x	x	x	-	x	x	-
Davnie, Jim	63A	0%	0%	o	o	o	o	-	o	o	-
Dean, Matt	38B	100%	100%	x	x	x	x	x	x	x	-
Dehn, Raymond	59B	0%	0%	o	o	o	o	-	o	o	o
Dettmer, Bob	39A	100%	100%	x	x	x	x	-	x	x	x
Dill, David	03A	100%	100%	x	x	x	x	-	x	x	-
Dorholt, Zach	14B	0%	0%	o	o	o	o	-	o	o	-
Drazkowski, Steve	21B	100%	100%	x	x	x	x	-	x	x	-
Erhardt, Ron	49A	0%	0%	e	o	o	o	o	o	o	-
Erickson, Roger	02A	17%	17%	x	o	o	o	-	o	o	-
Erickson, Sondra	15A	100%	100%	x	x	x	x	-	x	x	-
Fabian, Dan	01A	100%	100%	x	x	x	x	-	x	x	-
Falk, Andrew	17A	0%	0%	o	o	o	o	-	o	o	-
Faust, Tim	11B	83%	83%	x	o	x	x	-	x	x	-
Fischer, Peter	43A	0%	0%	o	o	o	o	-	o	o	-
FitzSimmons, David	30B	100%	100%	x	x	x	x	-	x	x	-
Franson, Mary	08B	100%	100%	x	x	x	x	-	x	x	-
Freiberg, Mike	45B	0%	0%	o	o	o	o	-	o	o	o
Fritz, Patti	24B	100%	100%	x	x	x	x	-	x	x	-
Garofalo, Pat	58B	100%	100%	x	x	x	x	-	x	x	-
Green, Steve	02B	100%	100%	x	x	x	x	-	x	x	-
Gruenhagen, Glenn	18B	100%	100%	x	x	x	x	-	x	x	-
Gunther, Bob	23A	100%	100%	x	x	x	x	-	x	x	-
Hackbarth, Tom	31B	100%	100%	x	x	x	x	-	x	x	-
Halverson, Laurie	51B	0%	0%	o	o	o	o	-	o	o	-
Hamilton, Rod	22B	100%	100%	x	x	x	x	-	x	x	-
Hansen, Rick	52A	0%	0%	o	o	o	o	o	o	o	-
Hausman, Alice	66A	0%	0%	o	o	o	o	-	o	o	-
Hertaus, Jerry	33A	100%	100%	x	x	x	x	-	x	x	-
Hilstrom, Debra	40B	0%	0%	o	o	o	o	o	o	o	-
Holberg, Mary Liz	58A	100%	100%	x	x	x	x	-	x	x	-
Hoppe, Joe	47B	100%	100%	x	x	x	x	x	x	x	-

Representative	Dist #	% #1	% #2	1	2	3	4	5	6	7	8
Hornstein, Frank	61A	0%	0%	0	0	0	0	-	0	0	-
Hortman, Melissa	36B	0%	0%	0	0	0	0	0	0	0	-
Howe, Jeff	13A	100%	100%	x	x	x	x	-	x	x	x
Huntley, Thomas	07A	17%	17%	0	0	0	0	-	x	0	-
Isaacson, Jason "Ike"	42B	0%	0%	0	0	0	0	-	0	0	-
Johnson, Brian	32A	100%	100%	x	x	x	x	-	x	x	-
Johnson, Clark	19A	0%	0%	0	0	0	0	-	0	0	-
Johnson, Sheldon	67B	0%	0%	0	0	0	0	0	0	0	-
Kahn, Phyllis	60B	0%	0%	0	0	0	0	-	0	0	0
Kelly, Timothy	21A	100%	100%	x	x	x	x	x	x	x	-
Kieffer, Andrea	53B	67%	67%	x	x	0	x	-	0	x	-
Kiel, Debra (Deb)	01B	67%	100%	x	x	x	x	-	e	e	-
Kresha, Ron	09B	100%	100%	x	x	x	x	-	x	x	x
Laine, Carolyn	41B	0%	0%	0	0	0	0	-	0	0	-
Leidiger, Ernie	47A	100%	100%	x	x	x	x	-	x	x	x
Lenczewski, Ann	50B	86%	86%	x	0	x	x	x	x	x	-
Lesch, John	66B	0%	0%	0	0	0	0	0	0	0	-
Liebling, Tina	26A	0%	0%	0	0	0	0	-	0	0	-
Lien, Ben	04A	0%	0%	0	0	0	0	-	0	0	-
Lillie, Leon	43B	0%	0%	0	0	0	0	0	0	0	-
Loeffler, Diane	60A	0%	0%	0	0	0	0	-	0	0	-
Lohmer, Kathy	39B	100%	100%	x	x	x	x	-	x	x	-
Loon, Jenifer	48B	100%	100%	x	x	x	x	x	x	x	-
Mack, Tara	57A	100%	100%	x	x	x	x	-	x	x	-
Mahoney, Tim	67A	0%	0%	0	0	0	0	-	0	0	-
Mariani, Carlos	65B	0%	0%	e	0	0	0	-	0	0	-
Marquart, Paul	04B	83%	83%	x	0	x	x	-	x	x	-
Masin, Sandra	51A	0%	0%	0	0	0	0	-	0	0	-
McDonald, Joe	29A	100%	100%	x	x	x	x	-	x	x	-
McNamar, Jay	12A	83%	83%	x	0	x	x	-	x	x	-
McNamara, Denny	54B	83%	100%	e	x	x	x	-	x	x	-
Melin, Carly	06A	0%	0%	0	0	0	0	0	0	0	-
Metsa, Jason	06B	0%	0%	0	0	0	0	-	0	0	-
Moran, Rena	65A	0%	0%	0	0	0	0	-	0	0	-
Morgan, Will	56B	0%	0%	0	0	0	0	-	0	0	-
Mullery, Joe	59A	0%	0%	0	0	0	0	-	0	0	-
Murphy, Erin	64A	0%	0%	0	0	0	0	0	0	0	-
Murphy, Mary	03B	100%	100%	x	x	x	x	-	x	x	x
Myhra, Pam	56A	100%	100%	x	x	x	x	-	x	x	-
Nelson, Michael	40A	0%	0%	0	0	0	0	-	0	0	0
Newberger, Jim	15B	100%	100%	x	x	x	x	-	x	x	-
Newton, Jerry	37A	0%	0%	0	0	0	0	-	0	0	0
Nornes, Bud	08A	100%	100%	x	x	x	x	-	x	x	-
Norton, Kim	25B	0%	0%	0	0	0	0	0	0	0	-
O'Driscoll, Tim	13B	100%	100%	x	x	x	x	-	x	x	x
O'Neill, Marion	29B	100%	100%	x	x	x	x	-	x	x	-
Paymar, Michael	64B	0%	0%	0	0	0	0	-	0	0	-
Pelowski, Gene	28A	71%	83%	x	0	x	x	e	x	x	-
Peppin, Joyce	34A	100%	100%	x	x	x	x	x	x	x	-
Persell, John	05A	0%	0%	0	0	0	0	0	0	0	0
Petersburg, John	24A	100%	100%	x	x	x	x	-	x	x	-
Poppe, Jeanne	27B	0%	0%	0	0	0	0	-	0	0	-
Pugh, Cindy	33B	100%	100%	x	x	x	x	-	x	x	-
Quam, Duane	25A	100%	100%	x	x	x	x	-	x	x	-
Radinovich, Joe	10B	50%	50%	x	0	0	0	-	x	x	-
Rosenthal, Paul	49B	0%	0%	0	e	0	0	-	0	0	-
Runbeck, Linda	38A	100%	100%	x	x	x	x	-	x	x	-
Sanders, Tim	37B	100%	100%	x	x	x	x	x	x	x	-

Representative	Dist #	% #1	% #2	1	2	3	4	5	6	7	8
Savick, Shannon	27A	0%	0%	0	0	0	0	-	0	0	-
Sawatzky, Mary	17B	86%	86%	x	0	x	x	-	x	x	x
Schoen, Dan	54A	0%	0%	0	0	0	0	-	0	0	-
Schomacker, Joe	22A	100%	100%	x	x	x	x	-	x	x	-
Scott, Peggy	35B	100%	100%	x	x	x	x	-	x	x	-
Selcer, Yvonne	48A	0%	0%	0	0	0	0	-	0	0	-
Simon, Steve	46B	0%	0%	0	0	0	0	-	0	0	0
Simonson, Erik	07B	0%	0%	0	0	0	0	-	0	0	-
Slocum, Linda	50A	0%	0%	e	0	0	0	-	0	0	-
Sundin, Mike	11A	0%	0%	0	0	0	0	-	0	0	-
Swedzinski, Chris	16A	100%	100%	x	x	x	x	-	x	x	-
Theis, Tama	14A	100%	100%	x	x	x	x	-	x	x	-
Thissen, Paul	61B	0%	0%	0	0	0	0	-	0	0	-
Torkelson, Paul	16B	100%	100%	x	x	x	x	x	x	x	-
Uglem, Mark	36A	100%	100%	x	x	x	x	-	x	x	-
Urdahl, Dean	18A	100%	100%	x	x	x	x	-	x	x	-
Wagenius, Jean	63B	0%	0%	0	0	0	0	-	0	0	-
Ward, Joann	53A	0%	0%	0	0	0	0	-	0	0	-
Ward, John	10A	100%	100%	x	x	x	x	x	x	x	-
Wills, Anna	57B	100%	100%	x	x	x	x	-	x	x	x
Winkler, Ryan	46A	0%	0%	0	0	0	0	-	0	0	-
Woodard, Kelby	20A	100%	100%	x	x	x	x	x	x	x	-
Yarusso, Barb	42A	0%	0%	0	0	0	0	-	0	0	-
Zellers, Kurt	34B	100%	100%	x	x	x	x	x	x	x	-
Zerwas, Nick	30A	100%	100%	x	x	x	x	-	x	x	-

