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However, during this negotiation and even during most of the first session, one problem hung over the entire agreement and the Independent Republican Caucus in particular: The Damocles' sword of a contested election. Mr. Bob Pavlak, upset winner in District 67A, had sent out some information at the end of the 1978 campaign which copied an editorial that appeared in the St. Paul paper containing false information. Because of this and because of the closeness of Pavlak's defeat of Representative Arne Kempe, the election was challenged in court. The court, in late December, came down with a decision that vindicated Pavlak, but this was appealed. The appeal went up to the Supreme Court and was held throughout virtually all of the first session. Towards the end of the first session, in late May, the decision came down which was adverse to Representative Pavlak, but said that the decision had to be made in the House on whether Pavlak should retain his seat. The DFL, on a straight party-line vote, threw Mr. Pavlak out of the House, which resulted in a special election in June. In June, unfortunately, the DFL candidate beat Bob Pavlak, which upset the 67-67 balance and gave the DFL a majority.

Because of their majority, the DFL should have taken control of the House in June. However, there was doubt that this could be done because of the nature of some language contained in the Organizational Agreement between the caucuses. In addition, due to severe internal DFL Caucus dissension created by a strong dislike for Representative Anderson's modus operandi, the DFL Caucus could not unite and no change in House organization occurred. This dissension solidified during the summer and fall of 1979, much to the chagrin of the DFL Caucus. They simply were unable to mend their own wounds. Late in 1979 and early in 1980, Representative Anderson made attempts to do this, but many dissident DFLers had gone too far in opposition and simply could not support him. The result was a substantial fracture within the DFL Caucus: a minority group of liberals opposing Representative Anderson and the remainder supporting him. The liberals had been substantially affected by Representative Anderson over the past few months and, in many cases, over the past few years. They coalesced their opposition and continued to approach the Independent Republicans for a coalition speaker. The possibility of a coalition had been discussed since the June special election but became more likely as the session drew near. These dissidents wanted a DFL speaker, but definitely not Representative Anderson.

With this continued caucus upheaval, the Independent Republicans were uncertain as to how to proceed. They did not wish to engage in a coalition government and then lose because Representative Anderson, should he then become speaker, would extract a fearsome revenge. Thus the Independent Republicans wanted some ironclad guarantees from the dissidents. These

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guarantees basically involved putting Representative Norton's name into nomination when the House reconvened on January 22, 1980 and at least 19 votes in his favor at the end of the first roll call. In addition, Independent Republicans wanted an even split on the Rules Committee, a new Rules Committee chairman and minimal organizational changes. With this, the Independent Republicans felt that the dissidents would show their good-faith seriousness and the effort would be worth pursuing.

The dissidents accepted these conditions and pushed their efforts to keep Representative Anderson from the speaker's chair. This caused much animosity within the DFL Caucus, but it did not boil over because many people felt that the dissidents would finally support Representative Anderson when the real voting took place. Representative Anderson's faction tried to assuage the feelings of the dissidents to minimize any potential negative impact on Representative Anderson's speakership chances. Anderson himself held a press conference shortly before the reconvening of the session to announce his chairmen of various committees. In this list, he was generous to many of his opponents. He obviously hoped that this would help bring wayward members of his caucus back to his banner. Meanwhile, the Independent Republicans simply kept their channels of communication open with the dissidents and planned accordingly. Thus the stage was set for January 22, 1980.

On January 22, tension mounted as 12 o'clock drew near. Representative Anderson still confidently expected to be nominated, though he did expect some opposition to his nomination on the floor. Independent Republicans were expecting to have Representative Norton's name put into nomination, which it was, but we were not really clear as to what Representative Anderson was thinking or what he felt his options would be. It was our thinking that Representative Anderson expected opposition on the first ballot, but then that opposition to be diffused after the second and third ballots by the strong peer pressure of Democratic Caucus loyalty and the operations of his lieutenants. Further, if worse came to worse, we also even felt that he could substitute somebody else for speaker, though clearly we felt that he would push as long as he possibly could to secure the objective that he has sought for some years.

When the voting took place, Representative Harry Sieben, Democratic Caucus floor leader, put Representative Anderson's name into nomination. Representative Glen Anderson then put Representative Norton's name into nomination. Representative Dave Jennings then put Representative Searle's name into nomination. The nominations were closed and the balloting was taken viva voce. When the last name was called, Representative Anderson had 45 votes, Representative Norton had 23 votes and Representative Searle had 66 votes. Representative Searle then moved, before the balloting was closed, to switch his vote to Norton, after which followed 48 other Republicans. This gave Representative Norton 75 votes, Representative Anderson 42 votes and Representative Searle 16 votes, which was more than enough to elect Mr. Norton speaker. One dissident Independent Republican,

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Representative Doug Carlson, voted for Representative John Rose. To detail this, I have attached a copy of the vote count that I took on the floor while this was going on. The X's indicate the first vote of each member of the House, but the arrows then show how the voting changed when Representative Searle got up and changed his vote. As you will see, 49 Republicans switched to Representative Norton, as also did three Democrats.

After assuming the chair of speaker and being duly sworn in, Representative Norton gave his speech and announced that on Thursday he would nominate a 26-member Rules Committee which shall be comprised of 13 Democrats and 13 Independent Republicans. This was one of the major trading points that the Independent Republicans had requested as a condition for shifting their votes. This insures that the Independent Republicans have some measure of say in the running of the House and will not have to suffer under the perceived abuses of the potential Anderson speakership. In addition to this, Independent Republicans secured the promise that there would be virtually no committee member changes so that the existing committee structures would remain basically as they are with the exception that Democrats would be committee chairmen and vice chairmen. This, again, was one of the guarantees that the Independent Republicans demanded.

Henceforth, the deliberations of the House will depend in great measure upon the ability of the DFL to heal some of their own internal wounds, though those wounds run deep and it is doubtful that they will ever be healed for years to come. Thus, on all procedural challenges, the 49 Independent Republicans and 26 Democrats who voted for Representative Fred Norton will have to vote together in order to keep the governing coalition in power. What remains to be seen is if this bloodless coup could lead to a purge of the present DFL leadership, which seems to be almost a requisite corollary of the speakership action.