Caucus at Your Own Risk:  
Senator Shelia Kiscaden and the Minnesota Republican Caucus

At the end of the 2004 legislative session, the Minnesota Legislature failed to pass a bonding bill. It had failed to do what every even-year session has done since even-year sessions started—to authorize state bonds for building projects. On May 2\textsuperscript{nd}, 2004, Senator Shelia Kiscaden (I- Rochester), along with three Republicans, voted for a Democratic Farmer-Labor (DFL) version of the bonding bill. While an Independence Party (IP) legislator voting for a DFL bonding bill might not seem noteworthy, Kiscaden had a somewhat unusual relationship with the Republican Party. She was first elected to the Minnesota Senate in 1996 as a Republican candidate representing Rochester, Minnesota. Contention between Kiscaden and the Republican Party began soon after that, escalating in 2002 when the Republican Party did not endorse her for reelection.

Kiscaden figured that Republican leadership had tired of her moderate views, particularly her support of abortion rights, in distinct opposition to their pro-life standards. Despite losing the endorsement, her quirky bipartisan style won the affection and support of her Rochester district. Still identifying as a Republican, Kiscaden maintained close ties with the Republican Party and continued to caucus with them. She also worked closely with her DFL colleagues across the aisle, another habit of hers that angered the Republican Caucus’s leadership in this increasingly polarized environment. Up until the vote on the DFL bonding bill, Kiscaden had been counted as the 32nd Republican vote in the Senate. That vote, however, changed all that.

The Republican bonding bill, which easily passed the Republican-controlled House, had failed to pass the Senate the week before. That GOP Senate bill had slashed all projects promised to Kiscaden by the Senate Republican Caucus. True to her “district first, politics later” legislative style, Kiscaden preferred the bonding bill authored by the DFL. This bill included proposals for projects in her district. Dismayed at the partisan bickering over the bonding bill and the general lack of progress, Kiscaden gave an impassioned floor speech calling for bipartisan accord. She then e-mailed constituents about her decision to support the DFL bonding bill and predicted a Republican roadblock of the bill. “Be prepared for a bumpy ride,” she wrote.

Amy Strauss wrote this case for the Center on Women and Public Policy in 2004-2005 as part of a graduate course on case studies on women and public policy. The Center on Women and Public Policy provided supporting funds. © Center on Women and Public Policy 2005.
A few days after the Senate failed to pass a bonding bill, Kiscaden had an early-morning meeting with the Senate Minority and Republican Caucus Leader, Dick Day (R-Owatonna). “Hey, Sheila, it’s time for you to be a true independent,” Day told her. He notified other Republican Senators a half an hour later of the decision, and around 8:30 a.m., Shelia had no choice but to begin moving out of her office. Senate Majority leader Dean Johnson, (DFL-Willmar) who had long tried to woo Kiscaden to caucus with the DFL, immediately gave her office space and staff support. By 9 a.m. Thursday, May 6th 2004, Kiscaden’s new office was ready for her. Later that evening her phone was working and her things were arranged on a new desk. After being unceremoniously removed from her Republican office space and caucus, Kiscaden wondered what eventually forced the hand of the Republican leadership. Was it her pro-choice views? Her tendency to vote across party lines? Her support of the DFL bonding and tax bills? While the reasons for her excommunication mounted, a more pressing concern needed to be answered. Where would she caucus? With the DFL? With the Independence Party? With no one?

Hubert Humphrey’s Minnesota?

Minnesota’s reputation as a traditionally progressive state began declining as early as 1948, as decidedly conservative trends swept the nation. The Democratic Farmer Labor Party (DFL), while generally regarded as one of the most liberal state Democratic Parties, adapted to this conservative trend in Minnesota. The Republican Party also saw its fair share of adaptation. The party changed its name to the “Independent Republican Party” (IR) after the Watergate scandal. The “IR” came to symbolize an underlying, uneasy coalition of social moderates and a strongly conservative wing dominated by the Christian Right.\(^1\) The Republican Party dropped the “Independent” part from its name in 1995.

Minnesota’s new status as a swing state\(^2\) is an artifact of several trends including the replacement of Hubert Humphrey’s generation with the generation who lived through the Vietnam War, Watergate and other political scandals.\(^3\) Those in Humphrey’s generation saw government as having a legitimate and positive role on society, and generally voted Democratic.\(^4\) Their replacements are generally more receptive to the Republican message of lower taxes and small government. Another trend that affected Minnesota’s voting base is suburban growth.\(^5\) Additionally, the decline in trade unionism also affected its political culture. Minnesota, like many states, has realigned. The number of farmers and organized-labor members in the state is declining, and the state Republican Party has provided stronger leadership by

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\(^1\) The Christian Right is defined as a social movement that attempts to mobilize evangelical Protestants and other orthodox Christians into conservative political action (Wilcox 2000).

\(^2\) A swing state is a state where the outcome of the election is uncertain.

\(^3\) Humphrey was the central figure in Minnesota politics for three decades before his death in 1978.

\(^4\) In recent elections, Democratic Farmer Labor candidates fared best with voters older than 65.

\(^5\) The areas around Minneapolis and St. Paul accounted for about 70 percent of the state’s population growth in the last decade, and suburbanites now make up about one-third of Minnesota’s voters. “The suburbs are populated heavily by married couples with higher incomes, many of whom attend church regularly. Those people skew Republican,” reports Carleton College political science professor Steven Schier.
heading its ticket with dynamic candidates. Governor Tim Pawlenty and U.S. Senator Norm Coleman (formerly of the DFL) make up the top ranks of the Republican Party. The current trend in the Minnesota legislature, and within Governor Pawlenty's administration, is a distinctly conservative one. Lieutenant Governor Carol Molnau, along with Secretary of State Mary Kiffmeyer and State Auditor Patricia Anderson, have led efforts to ban gay marriage, make public school standards tougher and more traditional, and relax concealed carry gun laws.

Caucus System

The caucus system enjoys enormous popularity within Minnesota party politics. A caucus is a group of representatives or senators who affiliate with the same political party or faction. Caucus meetings are closed door strategy sessions. Examples of Minnesota caucuses are the DFL Caucus and the Republican Caucus. The party that holds the most seats in either the House or the Senate is considered the majority caucus. In 2004, the DFL made up the majority of seats making it the majority caucus.

Caucuses also elect party leaders. In the Senate, Dean Johnson (DFL-Willmar) is leader of the majority caucus and therefore is the majority leader. He directs the business of the Senate. Johnson, along with Assistant Majority Leader Ann Rest (DFL-New Hope), is elected by the majority caucus. The minority caucus also elects its own leaders, much like the House does. The president of the Senate, James P. Metzen (DFL-Eagan), presides over the activities of the Senate and assigns bills to committees. Senators elect the president of the senate on the opening day of each biennial session.

Caucuses set the agenda and policy issues for members. The goal of each Caucus is to promote their own party’s policies. In their closed door sessions, party leaders set the agenda for legislation and develop strategies for passing bills. Caucusing is an essential part of legislating in the Minnesota Senate; without it, a legislator lacks vital benefits. For example, the Senate Minority Research staff is located within the Senate Minority Republican Caucus. Staff provides three important services for Republican Senators: research, media, and constituent services. These staff members are assigned specific issue areas and are considered the internal experts on that issue for Republican Senators. These resources exist exclusively within the caucus system; a similar structure is set up within the majority caucus.

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6In the House, members of each party caucus meet on an informal basis within a week or two after the general election to organize and elect leaders. Each caucus can nominate a speaker designate (the speaker is officially elected by members of the entire House on the opening day of the session). The majority caucus also elects a majority leader and assistant leaders. Likewise, the minority caucus elects a minority leader to enunciate the caucus opinion on the House floor, as well as other assistant minority leaders.

7According to their current (2005) descriptions, the Senate Republican Caucus is dedicated to bringing structural balance to state government, holding the line on taxes, building an effective transportation system, providing quality care for seniors, and creating an education system that leaves no child behind. The DFL Caucus focuses on legislative efforts in public and private job creation. Components of their plan include a balanced and comprehensive investment in infrastructure through a bonding bill, attention on early childhood education, increased funding for higher education, an affordable health care package and several public safety initiatives.
Caucusing is important because it provides a framework to discuss ideas and controversies in the Senate. If a Senator is a member of the majority caucus, he or she has access to more staff, with the additional advantages of having their peers in charge of chairing the committees. Caucuses give like-minded Senators a chance to talk with each other in a casual way, an informal alternative to the Senate floor. During each session an agenda is set by Minority Caucus Leader Dick Day and Majority Caucus Leader Dean Johnson. A variety of issues can be discussed at these meetings: a bill that is on the Senate floor, their strategy for blocking that bill, etc. Another benefit caucuses provide is their potential for enhancing party discipline. Caucuses allow the party to move as a bloc. “You carry a lot of clout that way,” remarked a DFL caucus administrator.

Participating in legislative strategy and having access to research and support staff are compelling reasons to caucus. It is no surprise, then, that Senator Kiscaden’s thoughts after that meeting with Dick Day were on caucusing. Without the comradery and tangible staff support these strategy sessions provide, Kiscaden’s ability to effectively serve her district would be diminished. The desire to serve constituents while remaining true to her values has always remained a part of Kiscaden’s identity as a legislator; these values were developed early in her childhood.

**Shelia Kiscaden**

Shelia Kiscaden grew up the oldest of four children in a two-bedroom house in Maplewood, Minnesota. She escaped the tensions of her parent’s marital and economic hardships by spending time with her grandmother, and reading incessantly at the St. Paul public library. In her home life, she was surrounded by strong, independent women. “They were both strong women [her mother and grandmother] and they thought I was great. Even in the turbulent years, I knew that what I did was appreciated and needed,” Shelia recalled. Her mother encouraged economic independence; pressing her children to go to college, earn a professional degree, and be able to support themselves. Shelia was a good student, and became interested in issues like family planning and corrections.

One of Shelia’s very first jobs was as a regional coordinator for Planned Parenthood of Minnesota. “It was something I knew was important and needed to be done. It was my chance to have a direct role. Here was something I really cared about and, by golly, I should be doing that for a living. Yes!” After Shelia learned of a legal suit against Planned Parenthood for providing services to minors, she began working with a group of advisors in order to formulate a policy regarding those services. Some

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8Interview, December 16, 2004, Minnesota State Capital Building.
9Senator Shelia Kiscaden declined to be interviewed for this case study. All quotes from Kiscaden come from newspaper reports and biographies.
10Kiscaden received her Bachelors of Science at the University of Minnesota, and then later received her Masters of Science at the University of Southern California.
11Kiscaden became interested in family planning after reading about infanticide in Chile. A few of Kiscaden’s family members have spent time behind bars, driving her interest in corrections.
of the legal advisors were opposed to this particular reproductive health service. Shelia knew there might be some tense moments, “I tried to be respectful of opponents. I wouldn’t allow them to bully me or intimidate me. But I would listen. I wouldn’t ignore them.”

This style of negotiation and compromise, grounded in values and beliefs, later became Kiscaden’s signature legislative style. Now with a pair of glasses and reddish/brown hair, Kiscaden was often described as having a “school teacher” like presence. After marrying and moving to Rochester, Minnesota, she took a job with Olmsted County as a Human Services Planner. It was here where she worked extensively in corrections, “One of the most hopeful places I have ever worked.” Shelia soon moved on to become the county’s liaison with the state legislature after the State of Minnesota closed the Rochester State Hospital in the early 1980s. In 1985, she began her own consulting business to assist women running for office. It was during this time Shelia began receiving hints that she should run for office. Nancy Brattaas, a State Senator for 17 years, had decided not to run for reelection in 1992. Brattass made a phone call asking Shelia to be her successor. “She persuaded me that I should run. If it hadn’t been for all those other people who had been asking me for years to run, I would not have been ready when she called.” Friends and family supported Kiscaden’s run for office. Her husband told her that she had helped him establish his career, now it was her turn.

**Senator Shelia Kiscaden**

Shelia Kiscaden was first elected to the Senate in 1994, representing Rochester, Minnesota, a traditionally Republican district. She was first elected as a Republican Party member when the state Republican Party still called itself the “Independent Republican Party.” Shelia took the “Independent” part quite seriously,

> When I was elected 12 years ago, there were I think 24 Republicans and about nine of us were moderates…. As of [2004] there were 31 Republicans—and me—in that caucus. And none of the [Republicans] would call themselves ‘moderate.’

Kiscaden went head-to-head with generational differences in the legislature. While younger men were comfortable having her as their peer, the older generation of legislators found it difficult to relate to her as an equal partner.

Her mentor in the Senate, Senator Duane Benson (R), was a positive influence on her early career. The two sat together on the floor of the Senate and at committee meetings. Because of this sponsorship, she was actively involved in issues in her first year. Kiscaden had a flair for working across

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12 As of January 20th, 2005, Kiscaden served on the State Government Budget Division, chair; Capitol Investment, vice chair; Commerce; Finance; Health and Family Security; Rules and Administration Committees.


14 Duane Benson served in the Minnesota Senate from 1980 to 1994, as Senate Minority Leader from 1987 to 1994. He left in 1994 to become Executive Director of the Minnesota Business Partnership.
party lines. She worked closely with Linda Berglin from the DFL, sharing perspectives on issues and discussing how to approach problems. Kiscaden herself acknowledges her bipartisan tendencies, “I am more focused on public policy than I am on partisan policies…. It has to be that way because most of the issues we deal with do not have anything to do with party philosophy.” Shelia worked across the aisle on specific issues that were important to her and her district and in particular, worked with the DFL on issues related to health care.\textsuperscript{15}

Everything about Kiscaden’s style reflected an analytical and rational legislative mind. Her commitment to issues was not partisan. Instead, she focused on how to best serve her district. Other legislators took note. “She’s not a flash in the pan Senator; more of a workhorse than a show horse. Shelia values public policy over partisan politics,”\textsuperscript{16} remarked a DFL insider. Kiscaden seemed to have the best of both worlds: the support of a legislative district that reelected her in 1996 and 2000, liberal views on abortion and gay rights\textsuperscript{17} in defiance of the Republican Party, and the ability to caucus with Republicans. By 2002, Kiscaden was ready to run again for her Senate seat.

**Losing the Endorsement**

In 2002, local Republicans leaders refused to endorse the incumbent Kiscaden, opting instead for a candidate who was more socially conservative.\textsuperscript{18} That candidate was Lynn Zaffke, a home builder and former Lutheran pastor. Kiscaden was not the only casualty of the endorsement process; fellow Senator Martha Robertson of Minnetonka also did not receive endorsement from the party.\textsuperscript{19} Both Senators were experienced, both were moderate, and both supported abortion rights in distinct opposition to the Republican Party’s platform. In Robertson’s place, the Republicans ran David Gaither of Plymouth, a youth football coach. The Republican leadership was sending a clear message to both senators by endorsing two obviously less experienced candidates. The press framed the campaign against Kiscaden and Robertson to be about their pro-choice views on abortion. Bill Walsh, deputy executive director of the state Republican Party, insisted that the endorsement challenges for the two incumbents were over, “more than abortion.”\textsuperscript{20} Dick Day thought it was more about maintaining Republican seats in the Senate. Rochester is a traditionally Republican district, in his mind the party was taking a chance running someone as moderate as Kiscaden. A party not endorsing its own incumbent is newsworthy; newspapers

\textsuperscript{15} IBM Corporation, as well as the Mayo Clinic is located in Shelia’s Rochester district. IBM has been conducting research and developing technology on issues related to health care.

\textsuperscript{16} Interview, December 16, 2004, Minnesota State Capital Building.

\textsuperscript{17} Although much is known about Kiscaden’s support of abortion rights, she does not clearly state her position on gay rights. Media reports simply state that she is in “support” of gay rights.

\textsuperscript{18} For a breakdown of the Republican Party leadership in Minnesota, along with Minnesota Senate Republican Caucus leadership, see Appendix A.

\textsuperscript{19} On July 9, 2002, Senator Robertson announced that she would switch to the Independence Party and run for Lieutenant Governor as Tim Penny’s running mate; they lost.

\textsuperscript{20} Whereatt, Robert and Conrad deFiebre, “The legislature; Status quo at Capitol?; GOP appears to keep House, DFL to hold Senate,” Star Tribune, 6 November 2002.
ran with the story. Despite the media scrutiny, the 12-member executive committee of the Republican Party decided to stick with the endorsed candidates and ignore the incumbents.21

The committee went a step further and passed a resolution threatening to withhold $200,000 of support if the Republican Caucus supported Robertson and Kiscaden. Since neither could run as a Republican, the chance of either candidate winning reelection was seriously diminished. Kiscaden still intended to run, though she was uncertain about of which party label to run under. Many of her Republican colleagues suggested she run as an Independent candidate, but Shelia knew the disadvantages of that strategy.

I’m amazed how many Republicans have suggested I run as an independent. There are disadvantages. First of all, it’s confusing to the voter. There’s also the reality that you have to file by petition. That means getting signatures.22

Kiscaden was also worried about the small core of party activists who helped block her endorsement. “In a party primary voter turnout is low and activists and special interests can target [me]. Those special interests… are opponents of abortion.”23 Despite Kiscaden’s support of the Republican Party platform, her support of abortion rights made her a target for pro-life groups. The growing Christian Right presence in Minnesota’s district caucuses, grassroots organizations, and in the Republican Party leadership silenced and excluded pro-choice Republicans. Further complicating matters was redistricting, which brought more rural voters into Kiscaden’s district.

In a move that angered Republican leadership, Senate Minority Leader Dick Day, a caucus leader since 1997, spoke out in support of Kiscaden. He publicly endorsed her as an Independent candidate. The two had shared a close working relationship, and Day himself was known for his eccentric legislative style. Day, a five-term senator with an off-the-cuff speaking style, wields great influence in the Republican Caucus. “Sometimes I march to a little different drummer than a lot of other people; I kind of take pride in that.”24 Day and Kiscaden shared respect for each other’s legislative styles. While Day has supported many conservative initiatives (like the concealed carry gun laws), some believed that his positions on certain issues tended to be moderate. Senate Majority Leader Dean Johnson, “I think Dick Day is more of a moderate or a centrist than he is a true blue conservative.”25 Johnson himself knew how moderates were treated in the Republican Caucus. He was the Republican Minority Leader prior to Day, and was kicked out as a result of being “too liberal.” Johnson switched over to the DFL and eventually

21For a list of Executive Committee members, see Appendix A.
23Ibid
25Ibid
became Majority leader in the Senate—the only member of a state Legislature in the nation’s modern history to serve as the leader of a Republican and a Democratic caucus.

Day’s endorsement contributed to the success of Kiscaden’s campaign. She won with just over 41 percent of the vote, 772 more votes than her Republican opponent. Day incurred the wrath of Republican Party leadership for supporting Kiscaden, “I stood up for her to the point where half the people in the Republican Party hated me.” Other consequences were soon to follow. The Republican Party withheld $200,000 from the Senate Republican Caucus because Day backed Kiscaden over the Republican endorsed candidate. After the election, Day remarked that Republican leaders tried to court a stubborn Kiscaden back into the Republican Party. Kiscaden offers a different account of events, saying that only Day asked her to rejoin the Party, which she declined. The DFL was next in line to invite Kiscaden into their ranks. Johnson offered her office space and the vice chairmanship of a committee. Kiscaden promptly refused. She would remain Independent as far as party labels went, despite the fact that she continued to caucus with the Republicans.

Independence

Kiscaden’s new role as an Independent candidate did improve the position of the Independence Party (IP). She was not the only Republican forced to make the switch. Joe Duffy was another Republican Party defector that made his way to the IP. In fact, in 2002, a record number of IP candidates were up for election: 17 for the Senate and 26 for the House. Before Kiscaden, no IP candidate had ever been elected to the State Legislature. Despite the fact that Governor Jesse Ventura was an IP candidate, his election and administration was one of personality, not party. The DFL caucus took note of the increase in Independence Party candidates. Some DFL party insiders saw their Republican counterparts moving “further to the right.” The move resulted in more conservative views on both fiscal and social issues, especially abortion and gay marriage. Due to this shift, moderate candidates had a difficult time. “Moderate candidates don’t meet the litmus tests on the issues these parties care about. There is no infrastructure to support them, no money for elections, no staff support,” remarked one DFL insider. While the DFL scrambled to accommodate moderates in their caucus, the Republican Caucus was busy removing them.

In November of 2002, Republicans retained control of the State House, giving them a majority for the third consecutive election. In the Minnesota Senate, Republicans apparently gained, but not enough to dislodge DFLers, who have dominated for more than a quarter-century. Former Senator Nancy Brataas (R), Kiscaden’s political mentor and a former Republican Party state chairwoman, tentatively accepted Kiscaden’s new party label. “I’ve discovered that it is much more difficult to start a new party

26 Currently there is only one IP member in the Senate, Shelia Kiscaden.
27 Interview, December 16, 2004, Minnesota State Capital Building.
than to reform an old one,” Brataas noted, lamenting the party’s unfamiliar procedures and inadequate organization. Uneasy over Kiscaden’s new party label, and because of their association, Brataas began publicly aligning herself with the Republican Party. Despite her personal misgivings, she continued to help Kiscaden maneuver in an increasingly hostile legislature.

**2004 Legislative Session**

In February of 2004, a few issues were on the legislative agenda. One was a bonding bill, a mechanism that state legislators and the Governor use to fund and keep up state infrastructure. These are public good projects that generally arouse constituents’ attention.28 There were a few other contested topics on the agenda, all with decidedly conservative undertones “reflecting the conservative direction the legislature has taken in recent years,”29 Kiscaden noted. Some of these hot topics were tougher penalties for sex offenders, and various proposals to expand gambling and race tracks. Many legislators proposed constitutional amendments for certain issues like banning gay marriage. Others focused on permanently limiting growth in government spending, authorizing state casinos, establishing a death penalty, pressing Native American tribes to contribute revenue to the state treasury, and establishing tough, strong limits on state taxes and expenditures. The major issues of the legislative session, however, quickly became the tax and bonding bills.

In the 2004 legislative session, the House of Representatives had already reached an agreement on the agenda, a slate of bills ready for introduction, and “unity of purpose” within the 81 member Republican majority. The Senate, in contrast, had a leadership change just before the session began, forcing the Senate to reorganize committees and reset all session-setting schedules and timelines. Because of this, the House passed every major bill a few weeks before the Senate. While the House stood ready to act on its tax and bonding bills, neither bill had cleared its respective committee in the Senate. The situation succeeded in stalling the Legislature for two weeks with no additional activity. The inactivity was disturbing, especially since the legislature was set to adjourn by May 17th 2004 as a matter of constitutional law. Kiscaden spoke out against the lack of progress in an email to constituents, calling for individual conference committees to solve the current deadlock.30

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28 An example of a project that would be included on a bonding bill is updating the sewage system in Duluth, Minnesota. This system is so old that whenever it rains, sewage spills out into surrounding lakes and rivers.

29 *Ibid*

30 With individual conference committees 35-40 legislators from each body (70 to 80 legislators in total) work to find agreement. Each of these budget areas has many nuances, and the decisions have direct impact on public services and people’s lives. With one or two big conference committees, there would be 5-10 legislators from each house involved. This concentrates power in the leadership, reduces the role and impact of legislators, and increases the likelihood that important nuances and elements of the budget will be ignored or not understood.
The Bonding Bills

A few weeks ahead of the Senate, the Republican-led House passed their Republican bonding bill with ease. The bill was priced at $678 million. In the Senate, both the Republican Party and the DFL proposed their own bonding bills. The Republican Party’s bill was a revised proposal that Governor Pawlenty supported. This bonding plan included Pawlenty’s $757 million proposal, with $25 million more thrown in for Republican Senate districts. The bill failed to pass the Senate on a partisan vote of 36 to 29. Minority members were not terribly surprised that it failed; they soon focused their energy on blocking the competing bill. The DFL Senate bonding bill, a $949 million capital investments proposal, included projects in Rochester, Kiscaden’s district. Governor Pawlenty opposed the DFL bonding bill. In his view, it was too large, and would compound the deficit. He instructed the Republican Caucus to vote against it. Moving as a bloc, Republicans spoke out against the DFL bill by lobbying intensely against it. “There’s no way I can vote for this bill — we can’t pay for it,” Senator Sean Nienow (R-Cambridge). The crucial Senate vote on the DFL version of the bonding bill was set to take place that next week, on May 2nd, 2004.

Though Senator Shelia Kiscaden caucused with the Republicans and knew their position on the DFL bonding bill, she thought the DFL version better served her district. She also felt considerable political pressure from her Republican colleagues to vote against the bill, and in an email sent to her constituents informed them of her decision, “I plan to support the Senate bonding bill. It is good for our area.” Several projects in Kiscaden’s district were already in the House bill, and were also included in the DFL Senate bill. Kiscaden knew that this increased the likelihood that these projects would be in the final bill, ensuring that her district would benefit. Kiscaden knew it was her independent status that allowed her to even think of supporting this bill, one of the most contentious in the legislature. “My unique status as an Independent gave me the ability to truly represent my district and advocate for my

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31 They did this by largely slashing Governor Pawlenty’s proposals for the Northstar commuter rail line, expansion of the Faribault prison, and housing for the homeless.
34 Including, $20 million for the Mayo-U of M Genomics Project, $11.7 M for the Health Sciences remodeling at University Center Rochester, and $627 million for the regional Public Safety Training Center.
35 In addition, the Senate bill included local trail enhancements for the Chesterwoods and Douglas Trails, the $3.3 million for National Volleyball Center, and $4 million for the Olmsted-Dodge Waste to Energy Facility.
36 Kiscaden had been trying to get certain projects such as the Rochester Volleyball Center and Regional Public Safety Training Center built, and got the bills passed in the Legislature in 2002 only to have them vetoed by Governor Ventura.
district by supporting this bonding bill. I have been working on some of these initiatives for several years.”

Last year I was assured by the Republican Caucus that these vetoed projects would be in the final bonding bill. They were not. Nor were they on Governor Pawlenty’s list for this year. I have had to work—and have been successful—in restoring these projects via the Senate’s bonding bill.

Resolved to act on the DFL bonding bill, Kiscaden predicted that the debate and political maneuverings were far from over. She wrote another email to constituents, “I fully expect the Republican Caucus to seek to defeat the bill when it comes to the Senate floor on Thursday. In my opinion, such action may jeopardize the entire bill.” In defiance of Republican Caucus strategy, and to the ire of Caucus leader Dick Day, Kiscaden planned to vote for the bill.

A Bonding Bill Defeated

On May 2nd, 2004 the Senate Republican minority blocked passage of the DFL bonding bill. Twenty-eight Republican nays were enough to overcome thirty-nine ayes because of the supermajority required to authorize state borrowing. Three Senate Republicans and one Independent Party member voted for the Senate DFL bonding bill: Senators David Senjem of Rochester, Bob Kierlin of Winona, Steve Dille of Dassel, and Independent Shelia Kiscaden of Rochester. A few days after the defeat of the DFL sponsored bonding bill, Day asked Kiscaden to vacate Republican office space. Kiscaden was the only one of the four booted from the caucus; there were no ramifications for the other Republican Senators that had voted for the bill. Kiscaden’s removal left Republicans with 31 members in the Senate, compared to Democrats’ 35. Dick Day was not concerned. “Now we’re at 31. Like a heavyweight fighter, you trim down. Maybe you get better.”

Media coverage of the incident was extensive; each account gave a different reason as to why Kiscaden was ejected. Downplaying her support of the DFL bonding bill, they deemed that it was her liberal views that got her kicked out. Her support of abortion rights was portrayed as the reason for her removal, though Dick Day denied it. Instead, he described it as a “trust issue.” Day cited Kiscaden’s frequent emails to constituents over the bonding bill. “It got to the point of being a relationship without any commitment from her.... She would play both ends against the middle, talk to the Democrats and send out e-mails to her constituents criticizing Republicans for bringing down the bonding bill.”

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38 Ibid
39 Ibid
40 A supermajority is 60% of the Senate.
information discussed within a caucus is leaked outside their closed doors, either to the other party, press corps, or constituents, caucus leadership takes it very seriously. Despite this, caucus leadership also recognized how frequently this happens, “People do it all the time. Whenever we say ‘Do not talk about this, they always do, they can’t help talking about it.” Even with Kiscaden’s removal framed in this way, some DFL Caucus members were skeptical. “This happens all the time, we wouldn’t have done that [to one of our own members]” remarked one caucus insider.

Republican reaction to Shelia’s ousting was muted. “She’s an independent,” Day said of Kiscaden, “We have to get down to having Republicans in our caucus. I know I will be happier and the caucus will be happier.” Day is reported as saying that he “kicked her out” on his own, without any consultation from fellow Republican Senators. Whatever working relationship they had in the past, now seemed obliterated. Some of those Republican Senators felt the loss of Kiscaden, people who had worked with her in the past and had good working relationships. Some of the younger Senators were more pleased with the decision, perceiving Kiscaden as an ideological outlier. DFL reaction to Kiscaden’s excommunication was more sympathetic. “They excommunicated Senator Sheila Kiscaden, one of the finest people I ever worked with in the Senate,” remarked Dean Johnson. The DFL Caucus expressed “elation” at the decision. “Too bad for them, it’s their loss, hooray for us! The DFL is a big umbrella; we can accommodate Shelia in our party.”

At the center of all this speculation, Kiscaden still had nowhere to go. Kiscaden felt her removal was a direct result of her moderate views, in a legislature increasingly hostile to independent thinking.

There are very few moderate Republicans left in the Legislature. I never tried to undermine the caucus and I supported caucus positions 95 percent of the time. That wasn’t good enough for Dick Day. For me, it’s just one more time that the Republican leadership—be it the party activists or the caucus leadership or the party spokesmen—have said, ‘As a moderate, you’re not really welcome here. As a moderate, you’re not wanted. As a moderate, you’re not one of us.’

After Kiscaden’s removal, Republican Senators tended to avoid her, “They don’t want to be seen with me.” As a legislator who enjoyed working across the aisle, the spirit of bipartisanship faded. While

43Interview, December 16, 2004, Minnesota State Capital Building.
44Interview, December 16, 2004, Minnesota State Capital Building.
she always had problems with Republican leadership, the alienation from her colleagues was something entirely different for Kiscaden.48

Where would Senator Shelia Kiscaden, an Independent Party member in DFL office space, caucus? The resources within a caucus can improve the way a legislator serves his or her district, something Kiscaden feels strongly about. Being the majority caucus, the DFL could give Kiscaden even greater resources, along with powerful friends. If Kiscaden did caucus with the DFL, would her more conservative fiscal views alienate her from another caucus? Would caucusing with the DFL put her reelection in jeopardy, especially in a district that had yet to be represented by a Democrat? Would she have to change party labels again? Kiscaden would have some time to think about what her next move would be, as the legislative session drew to a close.

48The irony, Kiscaden says, is that she was leaning toward returning to the Republican Party at some point, she just was not quite ready.
Caucus at Your Own Risk:
Senator Shelia Kiscaden and the Minnesota Republican Caucus
Epilogue

The 2004 legislative session failed to pass a bonding bill; many important projects throughout the state were delayed or put on indefinite hold. The current state of the bill is tentative. While all 35 Democrats voted for the bonding bill, six votes were needed from the Republican Caucus to pass the bill. The Republican Caucus strategy to withhold the votes and defeat the bill succeeded. However, only two more Republican votes are needed for the bill to pass. Kiscaden spoke out against the finger pointing and the name calling that resulted from the failure to pass a bonding bill:

Until our leaders start to show some old-fashioned leadership—negotiating differences by giving some to gain some—instead of taking inflexible positions and then blaming and shaming the opposition, we are surely doomed to more of the same. With current attitudes and behavior, our legislature has become dysfunctional.  

On May 12th, 2004, in a joint appearance with Majority Leader Dean Johnson and Assistant Majority Leader Ann Rest, Kiscaden was welcomed into the ranks of the DFL Caucus. She declared that her switch could result in “significant advantages” for her constituents in Rochester. “I will remain an independent and a moderate but will caucus with the Senate majority caucus.” Presently, the DFL is working to create a leadership role for Kiscaden in the DFL Caucus; they are also planning to support her for reelection in 2006.

On September 17th, 2004, Senate Republican Caucus Leader Dick Day announced he would not seek re-election to the caucus leadership position. Kiscaden shared a few thoughts on why the Minority Leader considered stepping down,

Day would have had serious challengers for his position. To avoid a divisive fight, he wisely chose to step aside. Dick Day, who has very keen partisan instincts, made his primary goals increasing the number of Republican senators elected and undermining Democrats. His instincts and interests are not focused on rational assessment, deliberation, forging or negotiating good

Amy Strauss wrote this case for the Center on Women and Public Policy in 2004-2005 as part of a graduate course on case studies on women and public policy. The Center on Women and Public Policy provided supporting funds. © Center on Women and Public Policy 2005.

50“Don’t quit yet; At least pass a bonding bill,” Star Tribune, 12 June 2004.
The announcement was premature; Dick Day was recently elected Senate Minority Leader once again. He changed his mind after so many of his Republican colleagues asked him to stay on in the leadership post.

More choices lie ahead for Kiscaden; she does not know what party label will be on the ballot when she runs for reelection in 2006. Whatever she decides, she will have to remain focused on her competition: the Republican Party continues to run ultraconservative candidates in her district. Despite the fact that Rochester is traditionally Republican, her constituency reelected Kiscaden as an Independent. In the recent November 2004 elections, two DFL candidates were voted into Rochester House seats, ousting two incumbent Republican House members. A DFL insider speculates that Rochester is an area that is well educated and civic minded, “They are more results-oriented and are not entirely swayed by partisanship.” Still, reelection remains one of Kiscaden’s greatest challenges.

Despite these upcoming challenges, Kiscaden remains an effective legislator who stays true to her moderate roots. Her legislative style decries the partisanship that has dominated the Minnesota House and Senate; time can only tell if she will be around long enough to make a difference.

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52 Interview, December 16, 2004, Minnesota State Capital Building.