Senate Index

MINNESOTA SENATE

HANDBOOK

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Secretary of the Senate
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INTRODUCTION

This handbook is designed to introduce some procedural and practical matters of interest to the new Senator. Each session of the Senate chooses its own rules, leadership and employees. Statutory and constitutional requirements aside, a Senate proceeds as it will--carrying over patterns of the past which have proved useful--but also adopting new patterns. Therefore, tradition should be examined but in a provisional way.

Frequently this handbook will direct attention to other sources of information, more detailed or more current than this can be. The looseleaf format is meant to encourage incorporation of other materials.

The scope of this handbook is limited to information. Partisan issues are studiously avoided.

This handbook marks the first known effort of its kind in the Minnesota Senate. Input reflects interviews with: the Honorable G. Howard Spaeth, First Assistant Secretary of the Senate during sessions 1919-1927 and Secretary of the Senate during sessions 1929-1939; the Honorable H. Y. Torrey, Assistant Secretary of the Senate 1931-1939, and Secretary of the Senate 1941-1969. The author of this handbook served as 2nd Assistant Secretary of the Senate during all regular and special sessions 1963-1969; Acting Secretary of the Senate 1969-1971 (first "full-time" Secretary) and was elected Secretary in 1971.

PRE-SESSION

Orientation for new Senators cannot supersede experience but it can ease the transition into the role of a Senator. Pre-election meetings are underway (at this writing) between Majority and Minority leadership and the Secretary of the Senate in preparation for orientation. The formal program will serve to introduce some of the individuals and agencies who provide services to the Senate. Some legislative procedures will be outlined and certain state agencies introduced.

The newly elected Senator will have little time for study but some prior attention to the rules of the previous session, the Blue Book[1] and the Senate journals can help develop a "sense" for Senate procedures. These documents are available before session.

Some details of pre-session procedure depend upon post-election organization and cannot be treated here. The outcome of the flexible session and Lieutenant Governor amendments will have consequences in many areas of procedure.[2] The scope of this handbook excludes such matters, but organizational and policy issues will demand attention.

Shortly after election new legislators receive a manual from the Revisor of Statutes which covers forms and styles for the drafting of bills. Pre-session bill drafting has been used in Minnesota for fifteen years. Pre-session bill drafting done in Minnesota equals the amount in any state without pre-session filing. The practice is strongly encouraged since it permits a more prompt response to

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1 Pages 1-37 of the Blue Book or, more properly, the Legislative Manual, are strongly recommended to new members.

2 The Report of the Joint Committee on Flexible Sessions is appended here. It also deals with the related matters of deadlines and committee structure. The appendix also contains the proposed constitutional amendments.

requests made during the session.

Several practical issues arise before January. The Senate office will send out a list of housing available during the session. Parking stickers will be sent out. Last session a numbered stall was allocated to each Senator.

There is a statutory provision for leave-of-absence from employment for service in the Legislature. (Minnesota Statutes, Chapter 3.085-3.086.)

Custom and usage have determined that senior members are given first opportunity for the choice of seats. In order for voting machines and intercommunication devices to be properly connected, and other administrative items arranged, it is vital that each member be assigned a seat well in advance of the session. This is even more important than before because of Capitol remodeling yet to be completed (October, 1972).

SETTING AND STRUCTURE

LEGAL AND CUSTOMARY BASIS

Article IV of the Minnesota Constitution, together with Chapter 3 of the Statutes, provides the structure for the Legislature and imposes certain responsibilities upon the body and its members individually. The Joint Rules and Senate Rules overlay this structure. Furthermore the courts have held consistently that "custom and usage" will prevail in the absence of other legal mandates.

In the process of organizing the first day, custom and usage dictate the order in which subjects are treated. Typically members are sworn in; officers are elected and the oath of office administered; temporary rules are adopted; committees are appointed and the committee schedule set; and employees are hired. An invitation to hear the Governor's message is delivered. A mileage committee is appointed. Postage and parking resolutions are adopted.

Constitutional and statutory provisions, rules, and customs direct the selection and the function of officers and leadership in the Senate.

In the past the Lieutenant Governor presided over the Senate. The outcome of the constitutional amendment concerning the Lieutenant Governor is not known at the time of writing. There may be significant changes for the office of President of the Senate.

Currently the President Pro Tem of the Senate presides in the absence of the President and is in the line of succession as Governor.

The Secretary of the Senate is the chief executive officer of the Senate. He is the disbursement officer for Senate funds. He has jurisdiction over all Senate employees and facilities. He superintends the production of journals, calendars, Senate records of all kinds, as well as the engrossing, transcribing and copying of bills and resolutions.

He is "staff man" for the Senate Committee on Rules and Administration. During sessions of the Senate, the Secretary has a procedural role.

In addition the Senate elects assistant secretaries, an enrolling clerk, an engrossing clerk, a sergeant-at-arms, assistant sergeant-at-arms and two chaplains.

The rights, immunities, and duties of the individual member have the same sort of legal and customary basis as the institution of the Senate. The appendix includes some--but not all--of the statutes which affect the member.

The member is privileged from arrest in some circumstances (Constitution, Article IV, Section 8). He cannot be called to jury duty during session (Minnesota Statutes, Chapter 3.081). He may not be questioned elsewhere for his language in debate (Constitution, Article IV, Section 8). He must, in most cases, be granted restoration of employment after the legislative session (Minnesota Statutes, Chapter 3.085-3.086).

The Senator is expected to follow a code of ethics as set down in the statutes (Minnesota Statutes, Chapter 3.88) and in the Report of the Committee on Ethics adopted in 1971. (See appendix.)

Many of the rules of the Senate cover the rights and duties of members. Among them are rules requiring attendance unless excused (Permanent Rules of the Senate, 1971, Rule 5) and voting unless excused (Rules, 1971, Rule 22).

As an individual member he has some significant rights in the rules of the Senate. Any member may appeal the decision of the chair (Rules, 1971, Rule 3). He may object to consideration of a bill on the Calendar of Ordinary Matters, and, if upheld by two other members, have it removed (Rules, 1971, Rule 9). In many situations an individual member may call for "ayes and nays," votes entered in the journal (Rules, 1971, Rule 26, et al.). He may impose a call of the Senate requiring attendance of all members (Rules, 1971, Rule 23). He may rise to doubt a vote and require a division (Rules, 1971, Rule 24).

He may introduce legislation (Rules, 1971, Rule 32).

Some of his duties are implicit in the structure of the office. In preparing his legislative program, he will study the issues, initiate research, be aware of the suggestions of others. He will support or oppose legislation on the floor and in committee. He will be aware of the legislative schedule, the agenda, calendars, committee hearings and the progress of legislation. He will examine prospective gubernatorial appointees submitted for Senate advice and consent.

He will attend and participate in floor and committee work. He will exercise legislative oversight with reference to state agencies, and serve as liason between his district and state and federal agencies. He will inform and serve his constituents and be informed by them. He will take responsibility for supervising such staff as are required by his own situation.

Every group develops some unwritten rules. Studies in some state legislatures show that some "rules of the game" are:

"1) Performance of obligations, 2) respect for other members' legislative rights, 3) impersonality, 4) self-restraint in debate, 5) courtesy, 6) openness of aims, 7) modesty, 8) integrity, 9) independence of judgment, 10) personal virtue, etc."[3]

Since there is such variation from state to state and individual to individual, these "rules" might not be mentioned. But almost everyone agrees that some unwritten rules exist, and that the effective legislator takes them into account.

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3 Malcolm E. Jewell and Samuel C. Patterson. The Legislative Process in the United States. New York, Random House, 1966, p. 375.

FLOOR PROCEDURE

Thomas Jefferson hoped a code of rules would provide "accuracy in business, economy of time, order, uniformity, and impartiality."[4] Parliamentary practice still has the same goals. In fact, Jefferson's Manual is still the document which governs the Senate for items not covered in Mason's Manual.

The rules adopted by the Senate or jointly with the House of Representatives take precedence over any manual. Although adopted anew and modified by each session of the Senate, there is considerable continuity in these rules and together they form a system. This system is most vulnerable to unconsidered changes at the point of adoption. Change of individual items without recognition of the impact for the system can undermine any gains. The rules always provide a means for their own suspension or amendment so that the Senate remains master of its own rules.

Floor procedure from the point of bill introduction and referral to final passage can best be learned on the floor. Although there will be discussion of procedures during the orientation program and elsewhere, assimilation occurs most effectively in actual practice and informal discussion. The Secretary of the Senate is always prepared to assist any Senator on any phase of floor procedure. The appendix contains the order of business used in 1971 and a list of forms of common motions.

The Minnesota Senate is one of the leading legislative bodies in the nation in attention to decorum, adherence to rules of parliamentary procedure, and consideration for members. This lends to the quality of the legislative product and to timely passage. The statement that the Minnesota Senate is "the greatest deliberative legislative body in the nation" has been made by a Senator who has served eighteen regular sessions. Legislative memories going back to the turn of the century indicate that the motion to appeal the decision of the chair was used for the first time in 1967.

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4 U.S. House of Representatives. Constitution, Jefferson's Manual and Rules of the House of Representatives of the United States. 92nd Congress. Lewis Deschler, ed., Washington, D.C., U.S. Government Printing Office, 1971, pp. 122-123.

The Minnesota Senate takes pride in the tradition of allowing any member to speak his mind at length on any subject. Serving to emphasize this freedom to debate at length, the motion for the previous question was used for the first time in 1967.

The Minnesota Legislature is one of the first in the nation to adopt the use of electronic voting machines. The House of Representatives began using voting machines in the 1937 session. The Senate followed in 1945. The use of the machine is simple and will be explained on site.

Margin requirements vary with the type of issue involved. Recording of votes may be required except for action within the Committee of the Whole (Rules, 1971, Rule 43). Senators are required to vote except when excused (Rules, 1971, Rule 22). When a call of the Senate is declared, all members not previously excused are required to be present. Bells in all Senate areas serve to signal a call of the Senate. The sergeants-at-arms are instructed to bring in absent members. Members are not permitted to leave the Chamber until the call is lifted (Rules, 1971, Rule 23).

Decorum in debate is prescribed by rule and custom. Impersonal address (e.g., "Mr. President" or "the Senator from. . .") helps to confine discussion to issues and depersonalize debate. The member must await recognition by the chair. (See especially Rules 18-21.)

The Committee of the Whole is a far more ancient parliamentary institution than are American deliberative bodies. It is the creation of the English Parliament devised to protect the individual who dared to propose an unpopular idea to the King. Proposals were made as a unit, that is, as a Committee of the Whole.

The American experience with the Committee of the Whole has been varied. In the U. S. House of Representatives the Committee of the Whole performs the bulk of legislative work and debate. Some states which abolished use of the Committee of the Whole now seek to return to the system.

The classic Committee of the Whole has provided free and open debate and discussion of pending legislation. This debate is held on the Chamber floor and time is allowed for the proposal and debate of amendments. At the conclusion of debate, the Committee, before resolving itself back to the legislative body, makes recommendations affecting the bills considered.

These procedures are used in Committee of the Whole in the Minnesota Senate:

Bills being heard in the Committee of the Whole have been reported out of committee and are then heard by the entire Senate the first time in Committee of the Whole. Many of the formal procedures and rules used during formal daily sessions are set aside permitting free and open debate, unrestricted as to time and number of amendments. A quorum is constituted by thirty-four or more members being present, and a majority thereof (eighteen) can act. It should be noted that only members of the Senate can be heard.

The principal virtues of the Committee of the Whole can be described as being the first opportunity for the full membership to be exposed to the pros and cons of the measure being considered; free, unlimited, and open debate; and the possibility of recommending the future of the measure on an informal basis.

Other floor procedures will be discussed later.

COMMITTEE SYSTEM

The committee is the basic structure through which the Senate functions. It is at this point of the legislative process that proposals receive the most rigorous scrutiny. There were 2817 Senate bills introduced during 1971 (regular session) of which 1113 were reported out of committee.

The Minnesota Senate has a strong committee system granting broad powers and authority to its committees (Rules, 1971, Rule 54). Nevertheless, through its rules, the rights of the Senate are protected from capricious action by its committees. Bills can be recalled from committee by a majority. New deadlines may require committee action by a specified day. (See Rules 35, 40, and 55.)

"The Minnesota Legislature ranks tenth in its overall characteristics. Its outstanding feature is the general openness and accessibility of its processes and activities as shown by its rank (Seventh) in accountability."[5]

Every effort is made to assure that the media, interested citizens, and organizations are aware well in advance of proposed committee meetings. In many cases, persons interested in legislation find it possible to attend committee hearings on the identical measure in each house on the same day. The member himself is notified by card of each meeting, since the scheduled meetings are held only when legislation is before the committee.

A report of the vote on a bill in committee may be requested by a committee member or the author of the bill being considered (Rules, 1971, Rule 56). All session committee meetings are recorded on tape and most of these are transcribed verbatim. (Duplicate copies of these tapes are available.)

The number of committees, the title and jurisdiction of committees, the schedule, and the number of assignments per member are decided during the organizational phase of the session. The number of committees has been following a downward trend over the years. A strong possibility for a lower number of committees is indicated for the future. The Report of the Joint Committee on Flexible Sessions and the memorandum from the Secretary of the

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5 Citizens Conference on State Legislatures. The Sometime Governments. New York, Bantam Books, 1971, p. 239.

Senate, found in the appendix, contain recommendations for the future and the data on which these recommendations are based.

Subcommittees function in several ways. Sometimes they have a mandate to study one complex bill, more often to study bills on a specific topic.

A distinction between substantive and procedural committees should be made. The former attend to issues--which to a committee are seen almost exclusively as embodied in proposed legislation. Procedural committees (e.g. Rules and Administration) have other administrative and housekeeping functions.

The committee chairman has considerable autonomy; however, one experienced chairman of the Senate standing committee has stated that his committee controls him and not vice versa. Other chairmen report that, time permitting, any member can have his bill heard before the committee.

Committee staff, both clerical and research, are directed chiefly by the chairman. The member may also request committee staff services. Provisions for hearings and testimony are often staff functions.

A committee report recommends action to the full Senate. The options for a committee report are varied. It may recommend to pass, to pass as amended, to pass as amended and be re-referred to another committee, to be reported out without recommendation, to be indefinitely postponed, or to be returned to the author. The Senate normally accepts a committee report, with rare exceptions.

The report of an interim committee or commission which has been charged with studying a specific issue is another matter. It may also recommend action in bill form and may draft or outline the legislation required, but it is more directly oriented to the issue than to a specific bill. And, of course, the action it recommends cannot be taken until session begins.

LEGISLATIVE PROCESS

Several types of measures may be enacted--bills, resolutions, joint resolutions and memorials. (Definitions are found in the glossary.) The term "bill" will be used here for brevity and because the overwhelming majority of measures in Minnesota are bills.

A bill may amend or repeal existing law or create new law. In the regular session of 1971, 2817 Senate bills and 3195 House bills were introduced. Of these, 966 were enacted into law. Approximately 90 percent of the above combined total were "companion bills."

A bill may be introduced by a member, by report of a committee or, rarely, by order of the Senate. No outside agency may introduce legislation. Revenue raising bills must originate with the House of Representatives (Constitution, Article IV, Sec. 10).

A Senator will find his own proposals for legislation augmented by suggestions from the Governor, state agencies, interim committees and commissions, caucuses, interest groups, constituents and others.

The Legislative Reference Library and the Senate staff, including Senate Counsel and Finance Committee staff, are sources for research information prior to bill drafting as well as later.

The Revisor of Statutes will draft bills upon request and review the form of bills drafted elsewhere. The Revisor is the source of information for matters of form of legislation, just as the Secretary of the Senate is the source for information on the process.

Generally, an author of a bill receives from the Revisor four copies for the Senate, four copies for the House of Representatives,

one copy for the Senate author and one copy for the House author. The requester has the obligation of locating an author in the other body if he wishes to have a companion bill. Usually the main author in each body has the responsibility for seeking co-authors.

(A companion bill is defined briefly as one having the same drafting number from the Revisor, hence identical in every respect. Minnesota uses the companion bill system extensively. Its principal virtue is time saving. Each bill can proceed through each house separately. The bill first receiving final passage is substituted for its identical companion bill in the other body at the stage of that bill. The alternative would be to have a bill pass one body and start at the bottom of the ladder in the other, thereby requiring more calendar days than the companion system.)

Not more than three Senate authors may present a bill. They will sign their names on the "bill cover" prior to introduction. An author may be added later by motion if less than three authors exist upon introduction.

A bill receives a "Senate file number" upon introduction--these are consecutive beginning with "one" each session. A House bill retains its House file number when transmitted to the Senate and vice versa.

Bill form is specified in part by the Constitution, Article IV, Section 27; Rules, 1971, Rule 32 and 33; and Joint Rules, 1971, Rules 17 and 19.

The title will begin "A bill for an act" and will go on to state the subject and purpose of the bill. It will cite references to statutes or session laws amended or repealed.

The title is followed by an enacting clause "be it enacted by the Legislature of the State of Minnesota." Often terms used are defined within the bill. (Certain standard terms are defined in Chapter 645 of Minnesota Statutes, which deals at length with the construction of statutes.)

A bill is required to have only one subject. It is to contain proper reference to the law being amended, including the text for that portion with amending matter indicated by underscoring and material stricken by a line through.

A chart in the appendix shows the course of a bill from introduction to passage in fairly simple circumstances. It is important to visualize the framework of bill progress--bearing in mind that complex alternatives exist within that framework.

In the 1971 Session when a bill was introduced, the original and three copies were given to the Secretary of the Senate. He would complete administrative requirements and then deliver it to the President of the Senate. Usually this is done one day prior to introduction on the floor. Of course, in special circumstances, last minute introductions can still occur. The Constitution provides for no new introductions without permission from the Governor in the last thirty days of each session. This may be changed with the passage of the Flexible Session Amendment. Deadlines for introduction and other actions may become extensive in the coming session. (The Report of the Joint Committee on Flexible Sessions contains detailed discussion on deadlines.)

The Constitution (Article IV, Section 20) provides for three "readings" of a bill in each house, with certain exceptions. First and third readings consist of reading the title of the bill from the desk. Second reading is by number only.

The Minnesota Senate utilizes outstanding procedures, in that the Senate has control at all times of any measure introduced. The individual member's rights are fully protected through the rules from the moment of introduction. The system provides for fair and proper order.

Upon introduction the bill is given first reading. The President of the Senate then refers the bill to committee. Should any member question this referral, the bill is sent without debate to the Committee on Rules and Administration for final determination of reference (Rules, 1971, Rule 35). Copies of the bill are available to other Senators from the Secretary of the Senate at this time.

Committee procedures and options have been discussed in a previous section. If a committee reports a bill out as submitted or amended with a recommendation to pass, and the report is accepted, it is given second reading. After second reading the bill is printed. If a bill has been amended, it is "engrossed," that is, the amendment is incorporated into the body of the bill. Bills being reported out of committee are automatically placed on a calendar in the order in which they are received. Minnesota Senate avoids the process of referring to a Calendar Committee, which often can have life or death power over a bill.

Noncontroversial bills may, on recommendation of committee, be placed on the Calendar of Ordinary Matters where they are given third reading. These bills are given brief explanation. (If bills provoke debate, they are often moved to consideration by the Committee of the Whole.) The question of final passage is taken immediately (Rules, 1971, Rule 9).

Other bills are placed on General Orders and considered by the full Senate sitting as a Committee of the Whole. This is a less formal proceeding. It permits all members to become familiar with provisions of a bill, to debate it, and to offer amendments. Votes are not recorded in Committee of the Whole--only final approval or disapproval is shown in the report. However, through proper parliamentary procedures, recorded votes can be obtained The Committee of the Whole may amend, return to committee, advise that a bill advance to the Calendar, or--in the absence of decision--report "progress" on the bill. The report from the Committee of the Whole can be adopted by a majority (Rules, 1971, Rule 11).

Bills being passed off the General Orders Calendar are placed on the Calendar for final action in the order acted upon. Certain exceptions are provided in the rules and are implemented late in the session to assure timely and detailed consideration of major measures.

After placement on the Calendar, the bill is given third reading and recommended for final action. At this point the bill is not amendable except with unanimous consent, but amendment to title and filling in blanks are permitted. Since debate has taken place in the Committee of the Whole, the vote is often taken without discussion (Rules, 1971, Rule 8).

A provision is available declaring a bill a Special Order and suspending certain procedural requirements. This permits the Senate to act quickly. With two days notice and a two-thirds majority, a specific time may be set aside for debating a bill and immediately proceeding to third reading and final passage (Rules, 1971, Rule 10).

A favorable vote of a majority of the Senators elected (thirty-four) is required for final passage. Particularly for major bills, the vote may be preceded by a call of the Senate which compels the attendance of all members before business can proceed.

The bill is transmitted to the House of Representatives immediately after passage.

A House bill transmitted to the Senate follows essentially the same procedures as a Senate bill. However, provisions are made for comparison and substitution of companion bills. If a Senate companion is still in committee, the House bill is sent to that committee. If it has been reported out of committee, the companions are compared. If identical, substitution of the House bill is accomplished automatically and the Senate bill indefinitely postponed. If not identical, an amendment to the House bill to make them identical would be recommended, and, if adopted, substitution could be made. (Amendments to House bills are never engrossed in the Senate.) After substitution, processing of the bill would be identical with that of any other bill.

If the House bill passes the Senate, it is returned to the House. Should the bill be amended, the House has the option of concurring in this amendment. If it does not, a conference committee will be appointed to work a compromise between the bodies.

A conference committee is appointed to resolve differences between the Senate and the House of Representatives on a particular bill. Only those who support the position of each house are eligible for appointment to the committee. Either three or five members are appointed from each body, depending upon the complexity of the subject.

After differences have been resolved by conference committee, a report is drawn which in effect becomes the bill being considered by the

respective bodies. A conference committee report can be brought to the floor of the Senate and has precedence over almost all other business. The Senate cannot amend a conference committee report. Its basic options are to accept or reject.

When a bill is returned to the house of origin, after passage in both houses, it is sent to the Revisor for enrollment--a final clerical activity in preparation for presentation to the Governor. It is signed by the President and Secretary of the Senate and the Speaker and the Chief Clerk of the House of Representatives and is sent to the Governor.

The Governor may sign the bill. He may retain it three days and allow the bill to become law without his signature. At the end of the session, if adjournment intervenes, this provides a "pocket veto" and the bill does not become law. He may also return it to the house of origin with a message explaining his veto. A two-thirds vote in each house is required to override a veto. After adjournment the Governor has fourteen days to approve, sign, and file with the Secretary of State any bill passed in the last three days of the session.

Unless other provisions are made, non-appropriation bills become effective on the first day of the following August. Appropriation bills, unless otherwise provided, become effective the first day of the following July (Minnesota Statutes, Chapter 645.02).

All measures written into law are filed with the Secretary of State for permanent preservation. His acknowledgment will appear in the Journal.

SOURCES FOR INFORMATION AND SERVICES

STAFF AND AGENCIES

In a sense this entire handbook is meant to point to sources of information. It is particularly important to see staff from this point of view since providing information is often the primary staff service. Many staff members can extend services only when requested to do so and cannot solicit "business."

A non-partisan approach to staffing has been developed in Minnesota contributing to effective services. A classification and pay plan for employees has been adopted and is in effect.

The Secretary of the Senate provides services in many areas. The Report of the Secretary of the Senate indicates the scope of services and gives an overview of administrative improvements. Some of the duties--particularly procedural and advisory--cannot be delegated, but an extensive staff supports the Secretary's operations. It is the practice of all staff of the Secretary of the Senate to disseminate public information quickly and accurately.

The front desk in the chamber is staffed by the Secretary of the Senate and assistant secretaries. The Secretary, seated in the center, does any "reading" from the desk, supervises front-desk procedures, and advises on parliamentary procedure.

The "Minute Book," in which bill progress is recorded, is kept at the desk. This is available for consultation. Minutes are recorded and verified for preparation of the Journal. Work on preparation of calendars and agendas takes place here as well. Original bills and official messages from the House are handled here.

Sergeants-at-arms have particular responsibilities for keeping good order in the chamber. Pages and messengers do errands and deliver messages for Senators and staff. A Chief Messenger and Captain of the Pages provide direction for these young people.

The index staff is assigned to provide bill status information showing the precise position of each bill in the legislative process. A microfilm reader system is used, unique in the ability to provide accurate and timely information at a fraction of the cost of some systems. Status information can be retrieved for any bill introduced in the Senate by Senate or House file number, author, committee, or topic. Each Senator will also be given a card showing basic information for each bill he introduces. This can be posted with new status information as it progresses.

Access to stenographic and clerical services will be provided for each Senator. Receptionists stationed at the doorways of Senate corridors are expected to prove helpful.

The Senate office supervised by the Secretary of the Senate provides administrative services and general information in many areas, both procedural and practical. Preparation and printing of Senate documents, distribution of bills and Journals, purchasing and supplying Senate needs, personnel and payroll administration, and many other matters are handled in the Senate office. It is an excellent first source for information or service.

The office of Senate Counsel is a non-partisan research arm of the Minnesota State Senate. The ten lawyer members of the staff are each assigned during the legislative session to work with one or more standing committees. Senate Counsel work at the direction of the committee chairman on bills referred to the committee. Individual requests from committee members are also handled as time permits. Services range from technical review; to the drafting of amendments; to advice on significant policy questions, detailing the alternatives. Senate Counsel, during the interim, assist the committees and their subcommittees in discharging the research tasks assigned to them by the Senate Committee on Rules and Administration. The interim work of the committee culminates in a report prepared by committee counsel.

During this legislative session four non-legal specialists will be added to the staff to assist the committees in the following four areas: taxation; public administration; statistics; and school finance. These four specialists will be available to the committees

on a full-time, year-round basis.

The Minnesota State Senate is also considering the augmentation of the professional, non-legal staff in other areas of professional expertise as the need is felt to arise.

Senate Counsel supervises the intern program--meant to provide an educational experience for the intern and services for the Senate.

Committees are staffed with committee clerks and secretaries as required. Research services to committees are provided chiefly through the Senate Counsel pool. However, the Finance Committee does maintain permanent, professional staff.

The 1971 Senate Finance Committee was divided into seven subcommittees for processing financial legislation. Direct appropriations of $1.946 billion were made from the general fund, $176.4 million from highway funds, and $73 million from other state funds for the operation of state government. In addition, open and standing appropriations from state funds totaled an estimated $1.659 billion ($985 million from the general fund and $679 million from other funds), and $844 million estimated federal income gives us a spending plan of some $4.698 billion for the present biennium.

The staff of the Senate Finance Committee, consisting of four analysts, four clerical employees, a lawyer for the claims subcommittee, and a Senate page, was responsible for analyzing the Governor's and departmental budgets and reports, scheduling of the various full and subcommittee meetings, and all of the varied duties as directed by the committee chairman.

Each subcommittee chairman receives assistance from the analyst in the performance of his responsibilities. During the interim, the staff continues activity in analyzing the budgets and fiscal portion of the state operation attempting to familiarize themselves with as many programs as possible. Several examples of the types of information services you can expect from the staff are as follows:

1. Reports on appropriations as documented in the Actions of the 1971 Legislature.

2. Review and analysis of tax revenues comparing them with estimates as originally submitted by the Governor and the Legislature.

3. Review of departmental requests for funds and additional staff made to the Legislative Advisory Committee.

4. Furnish financial information for members of the Senate Finance Committee and other Senators on appropriation bills and financing; answer questions of departments and public about the same thing.

5. Research and organize information pertinent to several joint meetings including the following subjects: (1) criminal justice financing, (2) program budget development and format, and (3) environmental protection and the Pollution Control Agency.

6. Initiate and carry out several outstate investigations of departmental activities and progress in carrying out legislative directives. Observe departmental practices and make suggestions to the agencies and legislators for improving practices.

All of the Finance full and subcommittee hearings are recorded and indexed during the session. The tapes are available to the members of the Senate for review.

The 1971 Rules Committee authorized a total caucus staff of eight, an exception to non-partisan staffing. Current plans of Majority and Minority caucus leadership call for four staff members for each caucus, with one of the four as a permanent Senate employee.

Some agencies outside the Senate provide essential services.

The Revisor of Statutes operates the legislature's computerized system of statutory information retrieval and official bill and other document preparation. The statutory information retrieval process permits the searching of the statutes for information. The bill and other document preparation permits the drafting of bills without the necessity for retyping or re-proofreading any material previously typed and proofed.

The Revisor of Statutes serves the Senate in the following ways, by law or request:

1. Drafting bills for Senators and committees.

2. When requested, counseling Senators and committees concerning the effect of bills, amendments thereof, and existing law.

3. Engrossing bills for the Senate, that is, incorporating amendments into the body of the bill.

4. Enrolling bills for the Senate, that is, preparing a bill for the Governor's signature.

5. Reviewing Senate documents for compliance with Senate rules when requested by the Secretary of the Senate.

6. Publishing session laws and providing Senate and members with copies thereof.

7. Publishing Minnesota Statutes and providing the Senate and members with copies thereof.

8. Conducting orientation courses.

The Legislative Reference Library is a legislative service agency dedicated to the gathering and organization of information in printed form for the Minnesota State Legislature and its staff. Most importantly, the materials are only the foundation on which the Library's service is built. The service itself is supplying information in printed form. Usually this is done from materials that are in the Library. When necessary, information will be secured from other libraries or whatever sources are necessary.

Created by statute in 1969, the Library operates under the direction of the Legislative Services Commission. This Commission has three members from the Senate and three from the House (Minnesota Statutes, Chapter 3.301-3.302).

The Library collection is tailored to the subjects of concern to legislative activity. Because current material is a special need,

newspapers and magazines are of more use than books. Extensive files of news clippings are available from the 1969 and 1971 Sessions and up to date. Minnesota State documents and legislative reports, research reports from legislative agencies in other states, U. S. Government documents, and more than 500 magazines and newsletters are sources of information used. The Library also has a collection of appropriate reference books, with directories and statistical information, as well as books on government and politics and a few on each of many subjects of continuing legislative interest.

Materials are loaned for one week or two, and may be renewed if necessary. A reading room is provided for use of the materials in the Library.

The Library is in Room 111, on the first floor of the North wing, by the University Avenue door. Telephone 3398 (prefixed by 296 if call is from outside). Staff members available to search for information are Stephen Plumb (Assistant Director); Dr. LeRoy Schramm (Special Assistant); Mrs. Zona DeWitt; and Raymond C. Lindquist (Director).

Every Senator is urged to avail himself of the service of the Library staff and resources when occasion arises and it is believed information may be available in printed form.

The State Law Library, located above the Supreme Court, is a further source for library service, though it cannot do legislative research.

Interim committees and commissions file reports which will be available to the new Senator. Some permanent commissions do not cease activities during the session and are available as expert information sources.

State agencies have been contacted and will submit summaries of activities and goals as part of the orientation program.

Several national organizations provide important services and information to legislatures, individual members, and staff.

The National Legislative Conference was organized and founded by state legislatures. Policy and guidelines are established by legislators and by staff elected as officers and executive committee. The NLC is a branch of the Council of State Governments, which is directed toward many issues of state government. CSG publishes the Book of the States, an annual source for statistical and summary information in many areas. Research and publication efforts are extensive.

The Citizens Conference on State Legislatures published The Sometime Governments; A Critical Study of Fifty American Legislatures, which compared and criticized state legislatures and made recommendations for reform. The Eagleton Institute of Politics at Rutgers University, The National Conference of State Legislative Leaders, The Advisory Commission on Intergovernmental Relations and The National Municipal League also serve as sources of information. The scope of services and publication range widely but all are directed toward some of the problems of government which confront the legislature. The Legislative Reference Library will have many of these publications. In certain circumstances special research will be performed on legislative problems, and personal or telephone consultations can be arranged. The Secretary of the Senate can be consulted for suggestions on using such sources.

DOCUMENTS

Several kinds of documents are the working tools of the Senator. These provide him with essential information. The desk documents are of prime importance for daily use. However, many other information sources will be consulted throughout the session.

A bibliography is beyond the scope of this handbook. However, the Legislative Reference Library, and others, can provide guidance for the serious student of state government.

After the Senate organizes, certain documents are placed on the desks of each Senator, both in the Chamber and in the office. The daily Journals of the Senate and House, agenda, general orders, calendar, calendar of ordinary matters and printed bills for the binder are on each chamber desk prior to the daily session.

The "agenda" is an innovative and time saving device intended primarily for better information for members of the Senate. It was adopted, and used successfully for the first time in the nation, in Minnesota in regular and special session of 1971. The agenda and calendars are placed on the Senator's desk at least an hour before the start of the daily session. The combination completely informs the reader, in the normal order of business, of all matters coming before the body that day except motions. A study of the use of the agenda indicates a saving of 27 percent of floor time through reduction of time for reading from the desk. Furthermore, the member has the material printed and at hand in advance.

In Minnesota there are four calendars which are: 1) the Calendar--a list of bills being considered for third reading and final passage after recommendation to pass by Committee of the Whole; 2) the Calendar of Ordinary Matters--as above after recommendation by a standing committee; 3) the General Orders Calendar--a list of bills recommended to pass by a standing committee for consideration by Committee of the Whole; and 4) the Special Orders Calendar--a list of bills or other business placed thereon by motion.

Bills are printed after being reported from committee. Prior to that time copies are available from the Senate office. When a bill is amended it is sent to the Revisor to be engrossed, that is, to have the amendments incorporated into the body of the bill, and printed.

The daily Journal, after correction and approval, is an official chronological record of the proceedings of the Senate. It is not a verbatim record. (Constitution, Article IV, Sec. 5.)

Bulletin boards hold meeting notices for committee and subcommittee meetings. This is an easy way to be aware of meetings of committees which one does not serve. Typically the notice cards differ in color for committees and subcommittees. The cards may include the numbers of the bills to be considered. The committee books contain records of action in committee.

Seating charts and maps of the Capitol buildings will be available shortly after session begins. Maps showing district boundaries are available from the Secretary of State or the Secretary of the Senate. The state telephone directory includes a classified list of state agencies and a section on state agencies outside the metropolitan area.

The legislative directory--a pocket sized book--typically contains lists of Senators, members of the House of Representatives, staff from both houses and service agencies, press and an outline of state officials. The rules of each house, the joint rules and constitutional provisions are included. Committee assignments and schedules are usually included. (There is a possibility of printing a preliminary directory with information available early.)

The Legislative Manual, called the Blue Book, is available from the Secretary of State on request. It contains a variety of information on all areas of Minnesota state government in summary form. Photographs and brief biographies of legislators and state officials are particularly useful.

The permanent Journal printed after the close of the session incorporates corrected daily Journals. The index shows Senate bills and House bills introduced in the Senate with references to the Journal for actions on each bill. Chapter numbers are given for bills which passed into law. Senate and House bills are listed by topic and companion. Senate bills are also listed by author. Each Senator receives a set of permanent Journals of the Senate and of the House of Representatives when published. Journals of previous sessions are on file in the office of the Secretary of the Senate and available in the libraries.

Mason's Manual and Jefferson's Manual, Senate authority for parliamentary procedures, are available at the front desk for consultation, and at the Legislative Reference Library for more extensive use.

Session Laws show the laws passed by a particular legislative session arranged in the order of passage. They are distributed to legislators upon publication. Session Laws from previous years are also available in the Senate office and libraries.

Minnesota Statutes incorporate those session laws of a permanent and general nature into the body of state law. This publication arranges laws by topic. It also includes the Constitution of the United States, of Minnesota, and other documents which are the foundation for Minnesota law.

Although otherwise excluded from the compilation, a table of local and special acts in effect, arranged geographically, is appended to Minnesota Statutes. The appendix also includes an analysis of state governmental structure, citing the statutory basis for departments, boards, agencies, etc.; and gives detailed information on Minnesota courts. This, too, is issued to each Senator upon publication and is easily accessible in all Senate areas.

PRACTICAL MATTERS

CONSTITUENTS

The Senator will experience several kinds of relations with his constituents. On policy issues he will influence his constituents and be influenced by them. He may be asked to resolve problems with state agencies, or to recommend courses of action for specific difficulties. Such matters are outside the scope of the handbook.

He may be asked to provide information on legislative progress, copies of bills, journals, etc. He may be asked about touring the Capitol or visiting the Senate gallery. Senate staff will be helpful in fulfilling such requests as the situation permits.

LOBBYISTS

The lobbyist can be seen in neutral terms as one who petitions the government. He often is an excellent source of information, particularly in an adversary situation when lobbyists on both sides of a question document their arguments.

Because of the potential for conflict of interest, the Senate code of ethics and the Senate rules specify appropriate behavior for both members and lobbyists. Senate Rule 80 provided for registration of lobbyists and periodic disclosure of expenses. Senate index keeps such records.

There is no single kind of individual petitioning the government. He may be a constituent, a member or employee of an interest group, the representative of a state agency, or a professional representative for a group or business.

THE MEDIA

There are new facilities for the press in the Senate gallery as well as a press room (Room 65) in the Capitol. A section on public access to Senate procedures in the Report of the Secretary of the Senate concerns also the relationship of the Senate and the media. The directory of the legislature contains a listing of news reporters, indicating the service represented and listing phone numbers.

FACILITIES

Capitol remodeling, now in final stages, began years ago. Bids were taken on Phase I in March of 1968. A joint remodeling subcommittee composed of expert legislators and staff was created to develop plans for remodeling. Detailed discussion of the new facilities appears in the Report of the Secretary of the Senate, found in the appendix.

The Chamber has a functional and symbolic role. Remodeling is meant to restore original appearance--so far as possible--while becoming more functional for the business of government.

Rules reserving the Chamber strictly for the use of the Senate have always been rigidly enforced, and experienced Senators have agreed on the value of such enforcement. Rule 73 covers the classes of persons privileged to the floor, restricts public hearings, and reserves use of the coat rooms and retiring room to members exclusively.

Galleries provide facilities for the public and press. Groups should be admitted through the sergeant-at-arms. Visitors to the gallery may not be introduced from the floor (Rules, 1971, Rule 76).

Each Senator will have phone service through the legislative switchboard and also a private Centrex line with access to the state WATS line. An intercommunication system will connect his Chamber desk with his office (or staff).

Supplies are available from the Senate Office. Stationery will be printed for each Senator when committee assignments are known. A postage allowance is authorized by Senate resolution. The Secretary of the Senate then purchases and furnishes this amount. Duplicating services are available through the Senate office.

A legislative post office is maintained and each member is given a key for his mail box. Mail is delivered to his office. When the Senator is not at the Capitol, his mail is forwarded.

Dining facilities are available in several areas of the Capitol complex. During session an additional small cafeteria and coffee shop are on the second floor of the Capitol.

All of these arrangements are subject to change, preceding or during the session.

COMPENSATION

The statutory provision for compensation of members provides $33,600 for the Senate term; that is, $16,800 due the first day of each legislative session, payable at $700 on the fifteenth day of January, and on the first day of February to December during the term for which the member was elected. Mileage and per diem are to be provided as authorized by the Senate.[6]

Statutory authorization for one round trip at 15 cents per mile has been in effect.

Previous sessions have adopted a concurrent resolution granting per diem and setting the amount.

Minnesota Statutes, Chapter 3A, provides for a retirement program for legislators. Chapter 43.43, Subdivision 13, provides for an insurance program.

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6 Extra Session Laws, 1971, Chapter 32, Section 22. This entire provision is effective only upon passage of the Flexible Session Amendment.

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Handbooks from many other states have been examined. Those from Florida, Iowa, New Hampshire, Ohio and Wisconsin have been particularly helpful. However, because each legislature has unique procedures and traditions, nearly all information must be local.

The Senate Counsel, Senate Finance Committee staff, Legislative Reference Library and the Revisor of Statutes prepared essentially all the information on their own services. The staff of the Secretary of the Senate has been invaluable, and special thanks are due Mrs. Dorothe Jensen, Executive Secretary; Mrs. Ruth Peterson, Assistant Executive Secretary; and Mrs. Ardis Schulz, M.A., Chief Indexer.

REPORTS

REPORT OF THE JOINT COMMITTEE

ON

FLEXIBLE SESSIONS

APPENDIX: A

REPORT

OF THE

SECRETARY OF THE SENATE

APPENDIX: B

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INTRODUCTION

In August the Committee on Rules and Administration requested the Secretary to prepare a review of all significant Senate developments including management practices, procedure, staffing and facilities. This report is the result of that request.

The last five years have been a period of dynamic modernization for the Minnesota Senate. It is the opinion of the Secretary of the Senate that this process has in terms of facilities, management practices and operating procedures made the Minnesota Senate one of the most open and functional legislative bodies in the nation.[1]

Ultimately a legislative body must be judged on the quality of the laws it produces. By adopting the improved practices discussed in this report the Senate has eliminated, within existing Constitutional limitations, many unnecessary obstacles which have and will continue to hinder other legislative bodies in the production of quality legislation.

[1] This opinion is based in part on a review of the following literature:

Organization for State Policy Making; Twenty-nine Proposals For Strengthening the Minnesota Legislature. Citizens League (1968)

Report on an Evaluation of the 50 State Legislatures. Citizens Conference on State Legislatures (1971)

Legislatures Move To Improve Their Effectiveness. Citizens Conference on State Legislatures (1972)

Report of The Committee on Organization of Legislative Services of The National Legislative Conference. The Council of State Governments. (1963)

Key Points In Legislative Procedure; Twenty Ways to Expedite the Legislative Process. The Council of State Governments. (1970)

PHYSICAL FACILITIES

The Minnesota Senate will have excellent physical facilities available for the 1973 and subsequent legislative sessions.

STATE OFFICE BUILDING

For the first time in State history, approximately half of the Senators will be officed in the State Office Building. Supporting services will be provided as required.

PRIVATE OFFICES

Each senator will have a private office. A "committee suite" concept was adopted for Senate committees providing flexible, functional work areas for committee chairmen, staff and supportive staff. Senate Counsel facilities have been expanded and will provide private work areas for much of the research staff.

SENATE CHAMBER AND RETIRING ROOM

The Chamber and Retiring Room are of particular historical and architectural interest. The remodeling of these areas has attempted to restore them to their original color, design, structure and beauty while integrating the necessary improvements to make them modern functional work areas. New lighting has been installed. Each senator will have an intercom from his chamber desk to his office. New press facilities have been installed in the west gallery.

COMMITTEE HEARING AND CONFERENCE ROOMS

Four full-sized and fully equipped committee hearing rooms will be available for exclusive Senate use. One additional committee room will be shared with the House. Eight conference rooms have been added and are of sufficient size for subcommittee, conference committee, caucus and constituent meetings. Wire conduits required to provide closed circuit television capability from the Capitol to other buildings in the Capitol area are being installed.

SECRETARY OF THE SENATE

The Secretary's office has been remodeled and combined with Senate index in such a manner that it will provide a modern, functional and efficient work area for the Secretary's staff. An area in the Capitol basement has been designated for Senate storage and will allow a consolidation of Senate property and records in a convenient single area for the first time.

PRESS FACILITIES

New press facilities which are double the size of the old are being provided in the remodeled area of the Capitol basement.

COUNTY DELEGATION WORK AREAS

Senate work areas are to be provided for the staff of the county delegations of Hennepin, Ramsey and St. Louis Counties.

PERMANENT LEGISLATIVE COMMISSIONS

Office space is being provided for the four permanent legislative commissions in the Senate area of the State Office Building. The commissions include the Legislative Building Commission, Claims Commission, Minnesota Resources Commission and the Legislative Retirement Study Commission.

REVISOR OF STATUTES

The Revisor of Statutes' work area has been expanded and remodeled. Many private work areas will be available.

CLIMATE CONTROL

The entire Capitol Building will be air-conditioned and have climate control. Offices in the State Office Building will be air-conditioned, including Senate offices.

PARKING

New parking arrangements have been made for senators and staff. A significant improvement can be anticipated for the 1973 session from the situation which existed in 1971. Implementation of present parking plans will provide 48 metered parking stalls on Aurora Avenue in front of the Capitol for the use of the general public.

WORK FLOW PROCEDURES

From 1961 to 1971 the volume of Senate work based on the number of introductions of Senate bills increased 45.7%. In the same period the number of bills introduced in the House of Representatives increased by 68.3%. The number of bills passed by the Senate increased 43%. To meet the demands of this increased work load many Senate procedures have been modified and where necessary, new procedures developed.

PRESESSION ORIENTATION

In 1970 a presession orientation program was initiated for newly elected senators. A significant expansion of this program is anticipated prior to the 1973 session.

Current discussion centers on a three day orientation session which will include staff members where applicable. An introductory manual on Senate procedures and practices is being prepared for new senators and staff.

Consideration has also been given to an after-election effort to coordinate caucus organization with the presession orientation program.

PRESESSION ORGANIZATION

In recent years, presession organization by the majority and minority caucuses has been an accomplished fact. Caucus leadership is elected and committee appointments made subject to ratification on the opening day of the session. Staff organization has been handled in the same manner.

It should be noted that a proposed amendment to the Minnesota Constitution would remove the Lieutenant Governor as presiding officer of the Senate. (Laws 1971, Chapter 958). Laws 1971, Chapter 949 permits a significant expansion of the Lieutenant Governor's powers and duties within the executive branch of state government.

PRESESSION BILL DRAFTING

In recent years presession bill drafting by the Revisor of Statutes has greatly increased.

As of October 12, 1972, the number of requests for bill drafts received by the Revisor has increased 12 % over the pre 1971 session level. Presession drafting permits timely introduction. Every effort should be made to insure maximum utilization of the Revisor's drafting services in the presession period.

In addition to requests made earlier in the year, the Revisor will again invite requests for bill drafts on or about November 10, 1972.

INTRODUCTION OF BILLS

Senate Rule 32 provides that a member of the Senate or a committee desiring to introduce a bill deliver it to the Secretary of the Senate. The informal procedure of delivering bills to the Secretary one day prior to introduction in the Senate did not prevent last minute introduction of bills in exigent circumstances.

Uniformity of bills as directed by Senate Rule 33 was beneficial.

Serious consideration has been given to establishing effective deadlines on introduction of bills. These deadlines would be designed so as not to restrict the right of any senator to introduce a bill at any time.

(See deadlines discussion on Page 9 - 11)

COMMITTEE REPORTS

The informal procedure of having committee secretaries submit committee reports to the Secretary one day prior to reporting on the floor proved most beneficial. This procedure did not prevent last minute reporting of bills in exigent circumstances.

During the 1971 session newly designed committee report forms proved most effective. Improved methods for comparison bill indexing all but eliminated bill crossovers.

Effective deadlines for committee reports were established by Joint Rule 20 in the 1971 session. The success of Joint Rule 20 can be demonstrated in part by pointing out that despite an 8% increase in the number of Senate bills introduced, there was a reduction of 19% in the number of bills passed (Senate and House) during the last two weeks of the 1971 regular session. Serious consideration has been given to establishing even more effective deadlines for the 1973 session.

(See deadlines discussion Page 9 - 11)

THE AGENDA SYSTEM

The agenda system, created by the 1970 Rules and Administration Subcommittee on Procedures and used in the 1971 session, representated a major new innovation in legislative procedure.

The principle benefit of the agenda system was to increase by 27% the amount of floor time available for necessary legislative work by reducing time spent reading from the front desk.

The agenda permitted senators, staff and other participants in the legislative process to determine two to three hours prior to the session if business of interest to them was scheduled for action by the Senate. Use of the agenda also expedited the preparation of the daily journal.

SUBSTITUTION PROCEDURE

Senate Rule 49 adopted in the 1971 session resulted in an improved comparison and substitution procedure. The improved procedure resulted in a savings of one to two days in the time required to effect a comparison and substitution of bills.

REFERRAL PROCEDURE

Senate Rule 35 adopted in the 1971 session resulted in an improved procedure for referral of bills on introduction.

DEADLINES

The Joint Committee on Flexible Sessions devoted considerable attention to the establishment of deadlines for the introduction and

reporting of bills from standing and conference committees. The deadlines suggested by the joint committee would be among the most comprehensive in the nation. Failure of the flexible session amendment to pass in November would necessitate adoption and enforcement of deadlines even more effective than those used in the 1971 session. Deadlines recommended by the flexible session committee include:

For 120 day sessions subject to present constitutional requirements.[1]

INTRODUCTION OF BILLS: Bills requested of the Revisor of Statutes after the 48th legislative day shall be referred for disposition to the Committee on Rules and Administration in the Senate and to the Committee on Rules and Legislative Administration in the House upon introduction.

COMMITTEE REPORTS: Except for reports from the Committee on Finance and the Committee on Taxes and Tax Laws in the Senate, and the Committee on Appropriations and the Committee on Taxes in the House, all committee reports on bills in the house of origin received after the 65th legislative day, and committee reports on bills originating in the other house received after the 85th legislative day, shall be referred for disposition to the Committee on Rules and Administration in the Senate, and to the Committee on Rules and Legislative Administration in the House.

CONFERENCE COMMITTEE REPORTS: Conference Committees shall report on bills in each house within 10 legislative days after conferees have been appointed in the other house, and every 10 legislative days thereafter until the conference committee is discharged.

1. From final report, Joint Committee on Flexible Sessions, Page 20.

COMMITTEE ORGANIZATION

As is evidenced by the chart on the following page, standing committees of the Legislature have undergone significant changes over the past years. Equally significant changes are anticipated for the 1973 session.

NUMBER OF STANDING COMMITTEES
MINNESOTA LEGISLATURE

1945 - 1971

	House	Senate
1945	35	42
1947	30	28
1949	38	36
1951	38	36
1953	39	38
1955	41	32
1957	39	32
1959	39	20
1961	33	20
1963	36	23
1965	33	22
1967	32	18
1969	28	18
1971	24	21

NUMBER OF COMMITTEES AND ASSIGNMENTS

Considerable attention was directed by the Joint Committee on Flexible Sessions to the possibility of reducing the number of standing committees in the Senate and House of Representatives. A corresponding reduction in the number of assignments per senator to committees was also recommended.

Experience in other states indicates that a reduction in the number of committees gives rise to an increase in the number of sub-committees. Some states over-reduced the number of standing committees to the point that difficult committee hearing and staffing problems resulted. Unfortunately, a reduction in the number of committees does not reduce the total work load of the committee structure. Somewhere an optimum point exists in terms of division of jurisdiction, work load and complexity of legislation dealt with. Current efforts are being made to determine just what that point would be for the Minnesota Senate.

If the number of standing committees is reduced, a corresponding decrease in the number of assignments per senator to various committees may also be reasonably anticipated.

PARALLEL JURISDICTION

The Joint Committee on Flexible Sessions strongly recommended that where possible, parallel jurisdiction of Senate and House committees be established. Efforts in this direction may reasonably be anticipated for the 1973 session.

APPOINTMENT OF MINORITY CAUCUS MEMBERS TO COMMITTEES

With the exception of the Committee on Rules and Administration, the minority caucus has, since 1967, named its members on a proportional basis to each standing committee of the Senate. In the recent past, members of the minority caucus have also served on a proportional basis on the Committee on Rules and Administration subcommittees, including Staffing, Procedures, Remodeling, Press, Federal-State Relations, Election Contest Costs and Procedures, and the Ad Hoc Committee on Flexible Sessions.

The Joint Committee on Flexible Sessions has recommended that the Committee on Rules and Administration of the Senate and the Committee on Rules and Legislative Administration of the House be composed of bipartisan membership in the 1973 and subsequent legislative sessions.

INTERIM COMMISSIONS AND COMMITTEES

M. S. 3.921 (1) provides statutory authority for the continuation of standing committees of the Senate and House of Representatives during

the interim. Since the close of the 1971 session, all Senate committees have been active with the exception of two whose jurisdictional areas were covered by the activities of interim commissions. The increase in interim staff man-day activity was 1411% in the period from 1963 to mid 1970. The 1971-1973 interim has been a period of unprecedented activity.

Minutes of nearly all interim commission and committee meetings are transcribed verbatim and are available for distribution.

STAFFING

As is evidenced by the chart on the following page, Senate staffing has undergone significant changes in the past ten years. Equally significant changes are anticipated for the 1973 session.

SUMMARY OF STAFFING THE SENATE FOR INDICATED REGULAR SESSIONS

	1963	1965	1967	1969	1971	Five Session Change
Administrative (Sec. of Senate - front desk - Senate office - index - comparison - bill room - duplicating)	24	21	25	25	23	- 1
Committee Staff (Secretaries - stenos - interns - clerks)	32	31	33	32	42	+ 10
Research - (legislative analysts - researchers)	2	4	6	14	20	+ 18
Member assistance (Administrative assistants - stenographic)	19	19	18	23	38	+ 19
Security and Communications (Sergeants - messengers - janitors)	47	44	41	50	43	- 4
	124	119	123	144	166	+ 42

RESEARCH STAFFING

The philosophy of Senate research staffing has been directed toward the creation of a pool of highly capable individuals assigned to various projects as the need arises. Senate Counsel has been charged with and is currently selecting additional research personnel for the 1973 session. Selection is being made totally on the basis of demonstrated intellectual ability and individual merit. These individuals will include the following:

Senate Counsel's office will be staffed by ten attorneys who will be permanent Senate employees. All ten have been employed and are currently engaged in interim research activities.

Four specialized research personnel are being employed in the areas of taxation, school finance, public administration and statistics. These individuals will be permanent Senate employees.

Six additional research personnel will be employed for the 1973 session on a session only basis. All ten of the aforementioned individuals will, at a minimum, have a master's degree or equivalent qualifications.

Six legislative interns are being employed for the session. It is anticipated that they will begin work in December, 1972. The goal of the intern program is to provide the interns, who will be college undergraduate or graduate degree candidates, with a significant learning experience while providing dedicated service to the Legislature and individual legislators.

Senate Counsel will have general administrative responsibility and control over the assignment of research staff. Project supervision will, of course, be vested in the committee chairman or individual senator to whom the individuals are assigned.

It should be noted that the Revisor's office and the Legislative Reference Library, in the performance of their respective functions, provide significant research assistance to committees and individual senators.

CAUCUS STAFFING

Current plans of majority and minority caucus leadership call for the hiring of four staff members for each caucus. One staff member of each caucus will be a permanent Senate employee. The other three will be employed on a session only basis.

ADMINISTRATIVE STAFFING

The 1971 legislative session saw a significant reduction in patronage. What patronage existed was generally limited to portions of the pages and sergeant-at-arms force. Committee clerks, administrative personnel and the Secretary's staff personnel were selected on the basis of qualifications and individual potential. The benefits derived met and in most cases exceeded expectations. Current plans call for a continuation of this type of upgrading in the quality of administrative staff.

STENOGRAPHIC STAFFING

The 1971 session required an increase of 28% over the previous session in the amount of stenographic assistance available to the Senate. It is anticipated that a further increase may be necessary in the 1973 session.

Current plans of caucus leadership call for the selection of majority and minority stenographic pools by the individual caucuses. There will continue to be committee stenographers assigned as required and a general stenographic pool from which assistance may be obtained.

Card printers and dictation equipment will be available as required. Communication equipment will also be improved.

COMMITTEE STAFFING

Research personnel will be assigned to committees by Senate Counsel on the basis of need, project complexity and priority of legislative work.

Committee clerks and stenographers will be assigned as required.

The Finance Committee will continue to be staffed by permanent personnel including three legislative fiscal analysts.

OTHER STAFFING MATTERS

For the first time in the history of the Senate a position classification and salary plan for employees has been adopted and is now in effect. The plan establishes classes of employees and levels within the classes. Minimum qualifications for each class and level are established as are salary ranges. The plan is intended to serve as a guide to the Committee on Rules and Administration and the Secretary of the Senate in employment matters. The plan will also provide uniformity and fairness in salaries and employment practices. A copy of the plan is to be given to each employee when hired.

A code of ethics for Senate employees is also being prepared. Current plans anticipate its implementation by January, 1973.

ETHICS

The public has been and continues to be concerned with legislative ethics. Significant developments have occurred in this area.

SENATE CODE OF ETHICS

During the 1971 session a Senate Special Ethics Committee drafted a comprehensive code of ethics which clearly and effectively establishes guidelines for conduct by senators. (See Senate Rule 81). The Senate adopted the code and published it in the Journal.

(See Extra Session Journal Page 438)

EMPLOYEE CODE OF ETHICS

A code of ethics is currently being prepared for Senate employees. It is anticipated that the code will be implemented for the 1973 session.

LOBBYIST REGISTRATION AND REPORTING

Lobbyist registration and financial reporting are required by Senate Rule 80. Financial reporting was required for the first time in the 1971 session. These records are open to the public and are maintained by the Secretary of the Senate.

SECRETARY OF THE SENATE'S OFFICE

Many changes and improvements have been made within the Secretary's office.

STAFFING

The employment of an Assistant Secretary of the Senate who will be a permanent Senate employee has been authorized effective August 1, 1972.

SENATE INDEX

Senate index will continue to be supervised by a librarian with master's degree qualifications. The position has been a permanent one since 1970.

During the interim a comprehensive comparison of the Senate microfilm bill status system and the House computer system was made. The comparison resulted in the retention of the microfilm system. Minnesota and a number of states have been cautious in their approach to use of computer systems in the legislative process. Caution in the indexing area was wisdom.

DEVELOPMENT OF PROCEDURE AND EMPLOYEE INSTRUCTIONAL MANUALS

Procedures manuals designed to serve as basic guides for the preparation of agendas, calendars, orders, and the daily journal have been developed. A continuing effort is underway to prepare instructional manuals to assist new Senate employees.

PURCHASE ORDER SYSTEM

A comprehensive purchase order/inventory control system has been developed and is currently being utilized by the Secretary's office.

PRINTING

For the 1973 session the Senate will print its own Agendas, Bills, Calendars, and General Orders. It is anticipated that a savings of approximately $100,000.00 will result in total printing expenses in the 1973 session.

Printing is to be done in quarters scheduled for remodeling in the Capitol basement.

Printing contracts for the Journal are in the early stages of negotiation.

SECURITY

Significantly increased attention has and will continue to be placed on Capitol and Senate security.

General jurisdiction for Capitol security was vested in the Department of Public Safety by Laws 1969, Chapter 1129. Close working relations with the Capitol Security Division have been established.

In the 1971 session the number of sergeants-at-arms was reduced from 30 to 17. This reduction was partially offset by five men contracted from a private security firm. It is anticipated that the Senate will again utilize contract security forces in the 1973 session.

It is currently planned to place receptionists in the doorways of Senate corridors. This should reduce the number of individuals who "wander about" Senate corridors and create a more orderly flow of constituents and others wishing to see senators. A reduction in the number of sergeant-at-arms force will also result.

In the 1971 session identification cards and name tags were issued to all Senate employees. This practice will be continued.

INTERLEGISLATIVE RELATIONS

The increase in the Legislature's volume of work has resulted in increased cooperation and co-ordination among concerned agencies.

SENATE AND HOUSE CO-ORDINATION

The 1971 - 1973 interim has been a period of increased Senate - House co-ordination and cooperation. The Secretary of the Senate and the Chief Clerk of the House of Representatives continue to enjoy and benefit from the close working relationship which has been established between them over the past years.

An unofficial ad hoc committee on improving the legislative process was created in late 1971. Committee members include the Secretary of the Senate, Chief Clerk of the House of Representatives, Revisor of Statutes, Senate Counsel and the Director of House Research. Many legislative leaders in both houses have commented that the Legislature has benefited from the ideas originated by this group.

FLEXIBLE SESSION COMMITTEE

For the first time in the history of the Minnesota Legislature a bipartisan bicameral group of experienced legislators and staff comprehensively examined all aspects of the Minnesota Legislature including work flow, committee structure, procedure, organization and staffing. The problems identified and answers developed by the committee will, if adopted, make a significant contribution to the legislative process in Minnesota.

(See Flexible Session Report)

JOINT COMMITTEE ON LEGISLATIVE CO-ORDINATION

In addition to numerous other recommendations, the Joint Committee on Flexible Sessions recommended the creation of a bipartisan joint committee on legislative co-ordination. The Secretary of the Senate and the Chief Clerk of the House of Representatives would serve as ex officio members of this committee. It is anticipated that the committee, if created, would continue the work initiated by the Joint Committee on Flexible Sessions in attempting to identify joint management problems and develop practical workable solutions to them.

LEGISLATIVE SERVICES COMMISSION

Since 1969 the Legislative Services Commission composed of Senate and House members has had jurisdiction over the Legislative Reference Library. The library has proved to be a most useful source of information for legislators and staff from both houses.

REVISOR OF STATUTES

A survey of other states revealed that executive, legislative, and judicial appointment of revisors is made. The Minnesota experience indicates that judicial appointment has proven to be highly satisfactory. The services rendered to the Legislature by the Revisor are of incalculable benefit to the Senate and individual senators.

Practically speaking, all bills are drafted by the Revisor's office. All bills are reviewed by the Revisor for the format required by Senate Rule 33 prior to introduction. All engrossing and enrolling functions are accomplished by the Revisor at the direction of the Secretary of the Senate, reducing staffing and supervisory requirements. (See Senate Rule 52).

The computerized bill drafting, statutory search and retrieval system established by the Revisor has justifiably been termed the "most sophisticated in the world". Of even greater importance is the fact that it works and provides the Senate with capabilities which might not otherwise exist. The feasibility of expanding the system to include the capability to search and retrieve session laws as they become law is being studied.

NATIONAL LEGISLATIVE CONFERENCE

In August, 1971, the Minnesota Legislature hosted the annual National Legislative Conference. The affair was a complete success. Many long term attendants of the National Legislative Conference stated that the Minnesota meeting was the best planned and organized in the history of the group as well as being the most informative and enjoyable.

PUBLIC ACCESS TO AND KNOWLEDGE OF THE LEGISLATIVE PROCESS

The past ten years have been a time of increasing public awareness of and interest in the legislative process. The Minnesota Senate in recognition of the public's right to know of and participate in the legislative process has developed procedures and rules that guarantee that right.

PUBLIC ACCESS TO SESSIONS OF THE SENATE

The public policy of the State of Minnesota as expressed in Article IV, Section 19 of the Minnesota Constitution is that all sessions of the Senate be open to the public. The Constitution and Senate Rule 78 provide that the Senate may meet in executive session, excluding the public from the chamber. Executive sessions, as far as is known, have never been used by the Senate.

Public seating is provided in the Senate galleries.

Limited press facilities have in the past been provided on the Senate floor. (See Senate Rule 74). Improved press facilities are being installed in the galleries as part of the remodeling project.

All proceedings of the Senate and Committee of the Whole are recorded on magnetic tape and are available to the general public in the Secretary's office. (See Senate Rule 65).

Senate Rule 26 provides that "When a question is being taken" any senator may call for a recorded vote and that the vote shall be recorded in the journal.

PUBLIC ACCESS TO COMMITTEE HEARINGS

Committee hearings have become increasingly open to the general public. During the 1971 regular session over 1200 committee and subcommittee meetings were held by the Senate. Of these, only seven meetings (out of a total of 104) of the Committee on Rules and Administration and its subcommittees were not open to the general public.

Committee meeting schedules are established and published early in the session. Notices of committee and subcommittee meetings are posted on conveniently located bulletin boards. Committee clerks traditionally keep "interested party lists" and will contact parties when action is to be taken on a particular measure.

Senate Rule 56 provides that any author or committee member may request a recorded vote in committee and that the vote shall be recorded. A party interested in determining how a senator voted on a measure in committee may check the committee record book. These books are available in the Senate office.

Wire conduits required to provide closed circuit television capability from the Capitol to other buildings in the Capitol area are being installed.

A new committee hearing room in the State Office Building will permit improved scheduling of Senate committee hearings.

PUBLIC ACCESS TO LOBBYIST RECORDS

The public is generally distrustful of lobbyists. Senate Rule 80 provides that "any person who is employed for a compensation or whose employment calls for or includes activity in or about the Senate in regard to legislation must register with the Secretary of the Senate".

In 1971 financial reporting was required of lobbyists for the first time. Lobbyist records are open to the general public and the press. The records are retained by the Secretary of the Senate.

PUBLIC ACCESS TO SENATE BILLS

Senate Rule 41 provides that Senate bills shall be printed after having been reported from committee. The large number of local bills, multiple introduction of essentially identical bills, and the fact that of 2817 Senate bills introduced in the 1971 regular session, only 664 were passed by the Senate indicates that the current printing policy merits continuance.

Prior to printing, Senate bills are available to the general public for reading in the Senate office. When reported from committee all Senate bills are printed and are available for distribution to the general public in the Secretary's office.

Requests for copies of bills submitted to the Secretary's office by Senators are promptly complied with.

In-house printing of Senate bills during the 1973 session will permit selective printing on introduction if a large public demand is anticipated for a particular bill.

Copies of bills on introduction have been and will continue to be available from private sources.

PUBLIC ACCESS TO SENATE JOURNALS

Copies of daily Senate journals are available on request in the Secretary's office. Copies of permanent Senate journals are provided to libraries upon request.

The Secretary's office has and will continue to answer requests for information contained in the journal.

USE OF BILL SUMMARIES AND FISCAL NOTES

Consideration has been given to the idea of attaching bill summaries and fiscal notes to bills on introduction.

The large number of local bills, multiple introduction of essentially identical bills, the opinion nature of the summaries and the staffing increases which would be required to draft them indicate avoidance of such a procedure.

Selective use of bill summaries and fiscal notes on complex legislation of intense public interest should not be ignored if a strong public demand arises for such a service.

Bill summaries and fiscal notes prepared by Senate Counsel and the Finance Committee staff have been and will continue to be available to individual senators and committees of the Senate.

FLEXIBLE SESSION

FLEXIBLE SESSION

In the 1971 session the Minnesota Legislature passed a proposed amendment to the State Constitution to permit flexible scheduling of legislative sessions. (See Extra Session Senate File 30, Extra Session Laws 1971, Chapter 26). Two things are worthy of note.

(1) The flexible session amendment received bipartisan and near unanimous support of all senators. Results of two votes taken on the flexible session bill were as follows:

1971 Extra Session Journal Page	Vote	
60	54 yeas	8 nays
299	49 yeas	4 nays

(2) Many responsible legislative leaders believe that the Minnesota Legislature has now done all that can be done, within existing constitutional limitations, to create a sufficient amount of time during session for study and adoption of legislation. Support for this view is suggested by the following figures:

WORK LOAD IN REGULAR SESSION

	1961	1963	1965	1967	1969	1971	TOTAL GAIN OF 1971 OVER COVERED PERIOD
Senate Bills Introduced	1801	1893	2083	2360	2682	2817	56%
House Bills Introduced	1948	2010	2249	2655	3094	3197	64%
All Bills Reported Out of Senate Committees	N/A	1187	1216	1480	1692	1673	40%
All Bills Reported Out of C of W	N/A	464	526	565	718	805	73%
Senate Bills Passed in Senate	452	476	534	425	587	664	47%
House Bills Passed in Senate	642	625	668	874	918	554	-13%
Total Bills Passed in Senate	1094	1101	1202	1299	1505	1218	11%
Enactments	757	888	903	908	1159	966	27%

These figures do not, of course, reflect the increasing complexity of legislation over the same period.

In 1971 more days were spent in legislative session than any other year in the State's history. Failure of the flexible session amendment to pass in November may well result in a repeat performance.

Respectfully submitted,

George G. Goodwin

GEORGE G. GOODWIN
Secretary of the Senate

REPORT

OF THE

SPECIAL ETHICS COMMITTEE

MINNESOTA STATE SENATE

1971

APPENDIX: C

REPORTS OF COMMITTEES—CONTINUED

Mr. Holmquist from the Committee on Rules and Administration makes the following report:

REPORT OF THE SPECIAL ETHICS COMMITTEE
TO THE MINNESOTA STATE SENATE

INTRODUCTION

Pursuant to Senate Rule 81, a Special Ethics Committee was appointed by the Committee on Committees. The following members were assigned to serve on the Special Ethics Committee:

Senator John T. Anderson, Chairman
Senator Norbert Arnold
Senator George R. Conzemius
Senator Kelton Gage

Senator Rollin B. Glewwe
Senator Harold Kalina
Senator W. G. Kirchner
Senator Roger Laufenburger
Senator Edward G. Novak
Senator Joseph T. O'Neill
Senator Paul P. Overgaard
Senator Clifford Ukkelberg

The Special Ethics Committee was charged to " . . . take testimony and propose a comprehensive code of ethics by which members of the Senate shall be governed and shall publish such code of ethics to the members of the Senate . . ." (Senate Rule 81)

The Special Ethics Committee recommended a code of ethics to the Senate in accordance with its charge, which appears in the Senate Journal, p. 3400, of the 1971 regular session. Thereafter, the Special Ethics Committee began a series of hearings designed to foster improvements in the code of ethics. As a consequence of its further deliberations, the Special Ethics Committee now duly recommends the code of ethics hereinafter set forth in lieu of the code contained in the original report of the Special Ethics Committee submitted to the Senate on May 22, 1971.

CODE OF ETHICS

Public confidence in the integrity of the legislature and the impartiality of its individual members is a precondition of a representative democracy. If the unblemished reputation of the legislature is to be maintained, the legislature must foster a moral climate in which lawmakers may reach impartial and independent judgments based solely on considerations of the public good.

The institution of the citizen legislator, who must earn the bulk of his livelihood in non-legislative pursuits, when coupled with the ever expanding role of state government, provides a situation in which private interest groups may attempt to obtain special advantage. It may be inevitable in a part-time legislature that individual members will have a measure of private economic interest in the subject matter of legislation. Objectionable conflicts must be eliminated. The institution of the citizen legislature, however, irrespective of its potential for abuse, has inherent public advantages. Men of diverse backgrounds bring to the legislative process a richness of practical experience and a record of proven ability.

The recommendations are meant to insure a realization of the public expectation that all elected representatives will be persons of high moral standards able to discharge impartially the public trust imposed upon them.

To the Senate in its present makeup of part-time citizen legislators we suggest that certain conflicts of interest must be endured for legitimate reasons. We can divide conflicts of interest into the following categories:

1. Inherent conflicts—situations that occur because a member of the Senate is a parent, homeowner, taxpayer, consumer, or in

a similar category of high visibility having a very low potential for conflicts.

2. Personally necessary conflicts—normal employment and other known income-producing investments.

3. Avoidable conflicts of interest—the category of personal interest, economic or otherwise, which substantially risks impairment of independence and is unnecessarily held or pursued by a member of the Senate.

The following definitions are used in this code:

1. "Close economic associate" includes the following:*

a. The Senator's or Senate employee's employer, or partners, associates or fellow shareholders insofar as they act in furtherance of the same business or professional enterprise, or corporations in which the Senator or Senate employee owns five percent or more of the outstanding capital stock.

b. Enterprises which are the Senator's or Senate employee's significant creditor, excluding commercially reasonable loans made in the ordinary course of business.

c. Enterprises of which the Senator or Senate employee is a significant creditor.

d. Trusts of which the Senator or Senate employee is a beneficiary or a trustee with a power of appointment or disposal.

It does not include bank accounts or saving and loan accounts, insurance companies of which he is a policyholder, or an officership, directorship or employment in a political, religious, charitable or educational entity which returns compensation of less than $1,000 per year.

2. "Close relative" and "close relationship" means the spouse and minor children of a member of the Senate.

3. "Committee" means the Senate statutory Ethics Committee.

4. "Economic interest" means a substantial pecuniary interest distinct from that of the general public and in any event, means an ownership interest in excess of $5,000 or five percent and an income from such ownership in excess of $1,000 per year. It includes any such interest resulting from a close economic association. It does not include a bank or savings and loan association in which the interest of the member of the Senate or Senate employee is in the form of an account, or an insurance company in which he is a policyholder.

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*It is not the intent of this code to include as a "close economic associate" every kind of an associate but rather one who would benefit by the legislative activity of the Senator different than other members of the same business classification, profession, or occupation and the Senator knows, or in the exercise of ordinary prudence should know, his associate will so benefit by such specific legislative activity.

5. "Legislative matter" is any bill, resolution, nomination, or other issue or proposal pending before the Senate or any committee, subcommittee, or commission thereof.

6. "Legislative interest" is a substantial economic interest, distinct from that of the general public, in one or more legislative matters pending before or reasonably certain to be proposed to the Senate or one of its committees, subcommittees or commissions.

7. "Compensation" is any money, thing of value, or economic benefits conferred on, or received by, any person in return for services rendered, or to be rendered, by himself or another.

8. "Private business enterprise" is one in which an individual or individuals, an association, copartnership or private corporation have invested capital, time, attention, labor and intelligence for the sole purpose that those who make such contributions may gain or acquire a financial profit for their benefit.

To provide more explicit guidelines, we present the following standards:

A. It is presumed that personal economic interest or close economic association tends to impair the independence of judgment of a member of the Senate in the following circumstances:

1. Having or acquiring an economic interest in an enterprise, financial or otherwise, which enterprise or interest would be affected by proposed legislation different than like enterprises or interest of the same business classification, profession, or occupation.

2. Close relationship to or close economic association with a person who would be affected by proposed legislation different than others or interests of the same business classification, profession or occupation.

3. Close relationship to or close economic association with a person who is lobbying or who has employed a lobbyist to propose legislation or to influence proposed legislation.

4. Accepting gifts, favors, loans, services, or economic opportunity of significant value which could reasonably be expected to influence improperly, or create doubts about, legislative actions.

B. Any member of the Senate who possesses a personal economic interest or close economic association as set forth in paragraph A should consider the following in assessing whether to disqualify himself from acting on a legislative matter.

1. Whether a substantial threat to independence of judgment has been created by a conflict situation;

2. What effect his participation will have on public confidence;

3. The need for his particular contribution, such as special knowledge of the subject matter, to the effective functioning of the Legislature.

C. No member of the Senate or Senate employee shall give reasonable basis for the impression that any person can improperly

influence him or unduly enjoy his favor in the performance of his official duties.

D. No member of the Senate or Senate employee shall disclose or use privileged information gained by reason of his official position to further his own economic interest or that of any other person.

E. No member of the Senate or Senate employee shall use his official position to secure or attempt to secure special benefits, privileges, considerations or exemptions for himself and, except in his capacity as a representative, to secure or attempt to secure benefits, privileges, considerations or exemptions for other individuals, corporations, or associations.

F. No member of the Senate may charge to or accept from a person known to have a legislative interest a price, fee, compensation, or excessive discount or other consideration for the sale or lease of any property or the furnishing of services which is substantially different from that which the Senator would charge or be charged in the ordinary course of business.

G. No member of the Senate or Senate employee shall engage in any transaction as a representative or agent of the state with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.

H. A member of the Senate, as chief author of any measure or bill presented, shall disclose any economic interest held by himself, a close economic associate, or his close relative to the legislative committee and to the full Senate, and such disclosure shall be recorded in a Journal or minutes affecting the meetings.

I. No member of the Senate or Senate employee shall act as an agent or attorney for the prosecution of any claim against the state of Minnesota before the Legislature, a legislative committee or legislative commission thereof, or aid or assist in the prosecution or support of such claim other than in the proper discharge of his official duties, or to receive any gratuity in connection with, or any share or interest in, any such claim. However, this provision shall in no way prevent a legislator from presenting any such claims which are personal to himself.

J. No member of the Senate or Senate employee shall accept any employment or retainer for appearances before any state board or agency unless he is properly licensed to do so and in no case shall such appearance be based on an excessive contingent fee.

K. No member of the Senate or Senate employee or his close economic associate shall sell any goods having a value in excess of $100 to any state board or agency unless pursuant to a written solicitation of price quotations or an award or contract let after public notice and competitive bidding. This subdivision shall not apply to the publication of resolutions, advertisements or other legal propositions or notices in newspapers designated pursuant to law for such purpose and for which the rates are fixed pursuant to law.

L. No member of the Senate shall solicit or receive anything of value, including a favor or a service, in return for his vote of action before the Senate.

M. No member of the Senate shall accept compensation or continual salary given for the express purpose of lobbying for any legislation or group.

N. No member of the Senate shall accept supplementary compensation, other than his regular private income, for the purpose of aiding his staff or office supplies.

O. If any person with whom a member of the Senate maintains a close economic association is known by the Senator to be engaged in compensated lobbying, that Senator shall immediately disclose that fact to the Secretary of the Senate in a written statement identifying the person so engaged, specifying the particular legislative matter or matters which are the object of the lobbying activity, and describing the general type of economic activity of the client or principal on whose behalf that person is lobbying. The identity of that client or principal need not be disclosed. Such statements shall be open to public inspection.

P. Each member of the Senate shall file with the Secretary of the Senate on or before the fifteenth day of each regular legislative session a written report on forms prepared by the Secretary of the Senate listing:

1. Any entity subject to regulation by a state agency with which he or a close relative has a close economic association;

2. Any entity having a legislative interest with which he or a close relative has a close economic association;

3. Any entity having a legislative interest different from other members of the same business classification, profession or occupation, to which entity he furnished compensated services valued at more than $1,000 or from which he received compensation of more than $1,000 during the period covered by the report.

4. Any entity having a legislative interest of which he is an officer, employee, or committee chairman whether compensated or not.

The value of the economic interest need not be reported. The entity need not be identified by name, but may be identified by its principal activity. The reports shall be open to public inspection. Within fifteen days after the known occurrence of any material change in circumstances that would have been required to be included in the original report provided herein, an amended report enumerating the material change in circumstances must be filed with the Secretary of the Senate.

Mr. Holmquist moved that the foregoing report be now adopted. Which motion prevailed.

Report adopted.

MEMORANDUM

ON

STANDING COMMITTEE ORGANIZATION

BY

THE SECRETARY OF THE SENATE

APPENDIX: D

PROCEDURES

FORM OF MOTIONS

AND

ORDER OF BUSINESS

APPENDIX: E AND F

FORMS OF MOTIONS

ALL MOTIONS ARE PRECEDED BY "MR. PRESIDENT" EXCEPT WHEN IN COMMITTEE OF THE WHOLE WHEN THE CHAIR IS THEN PROPERLY ADDRESSED AS "MR. CHAIRMAN."

CALL OF THE SENATE

A. I Move a call of the Senate

B. I Move that further proceedings under the call of the Senate be dispensed with and that the Sergeant-at-Arms be instructed to bring in the absent members.

COMMITTEE OF THE WHOLE

A. When the author wishes to move his bill on General Orders the motion is "Mr. Chairman, I Move that when this committee do arise S. F. No. 30 be recommended to pass."

B. I Move to amend S. F. No. 30 the printed or typewritten bill as follows: (The motion should specify one or the other, i.e., printed or typewritten).

C. I Move that the report of the Committee of the Whole as kept by the Secretary be now adopted.

THE FOLLOWING ARE MOTIONS LISTED IN THE ORDER OF THE INCIDENCE OF THEIR USE

Under Rule 35 I object to the reference on S. F. No. 30.

I Move that the name of Mr. _____ be added as co-author to S. F. No. 30.

I Move that the name of Mr. _____ be stricken as a co-author to S. F. No. 30.

I Move that S. F. No. 30 be laid on the table.

I Move that S. F. No. 30 be taken from the table.

I Move that S. F. No. 30 be withdrawn from the Committee on _____ and re-referred to the Committee on _____.
(An explanation should follow.)

I Move that the Senate do now concur in the amendments by the House to S. F. No. 30 and that the bill be placed on its repassage as amended by the House.

I Move that the Senate do not concur in the amendments by the House to S. F. No. 30 and that a conference committee of 3 (or 5) members be appointed by the Committee on Committees on the part of the Senate to act with a like conference committee to be appointed on the part of the House.

I Move that the Senate accede to the request of the House for a conference committee on H. F. No. 30 and that a conference committee of 3 (or 5) members be appointed by the Committee on Committees on the part of the Senate to act with a like conference committee on the part of the House.

I Move that the foregoing recommendations and conference committee report on S. F. No. 30 be now adopted and that the bill be repassed as amended by the conference committee.

I Move that the Senate having failed to adopt the conference committee report that S. F. No. 30 and the report be re-referred to the conference committee as formerly constituted for further consideration. The House is hereby respectfully requested to take similar action.

I Move that S. F. No. 30, No. 10 on the Calendar, be stricken and placed at the head of General Orders.

I Move that S. F. No. 30, No. 10 on General Orders, be stricken and be re-referred to the Committee on _____.

I Move that an urgency be declared within the meaning of Article IV, Section 20 of the Constitution of Minnesota with respect to S. F. No. 30 and that the rules of the Senate be so far suspended as to give S. F. No. 30, No. 10 on General Orders, its third reading and be placed on final passage.

I Move that the rules be so far suspended that H. F. No. 30 be read the second time and be substituted for S. F. No. 30, No. 10 on

General Orders, and S. F. No. 30 be indefinitely postponed.

Having voted on the prevailing side, I Move that the vote whereby S. F. No. 30 failed to pass the Senate on the 2nd day of February be now reconsidered.

I Move that S. F. No. 30 be recalled from the Governor for further consideration.

ORDER OF BUSINESS (1971)

FIRST	Petitions, letters, remonstrances
SECOND	Executive and official communications
THIRD	Introduction and first reading of Senate bills
FOURTH	Messages from the House of Representatives
FIFTH	First reading of House bills
SIXTH	Reports of committees (a) From standing committees (b) From select committees
SEVENTH	Second reading of Senate bills
EIGHTH	Second reading of House bills
NINTH	Motions and Resolutions
TENTH	Third reading of Senate bills
ELEVENTH	Third reading of House bills
TWELFTH	Calendar of Ordinary Matters
THIRTEENTH	General Orders of the day
FOURTEENTH	Announcements of Senate interest

LEGISLATIVE PROCESS

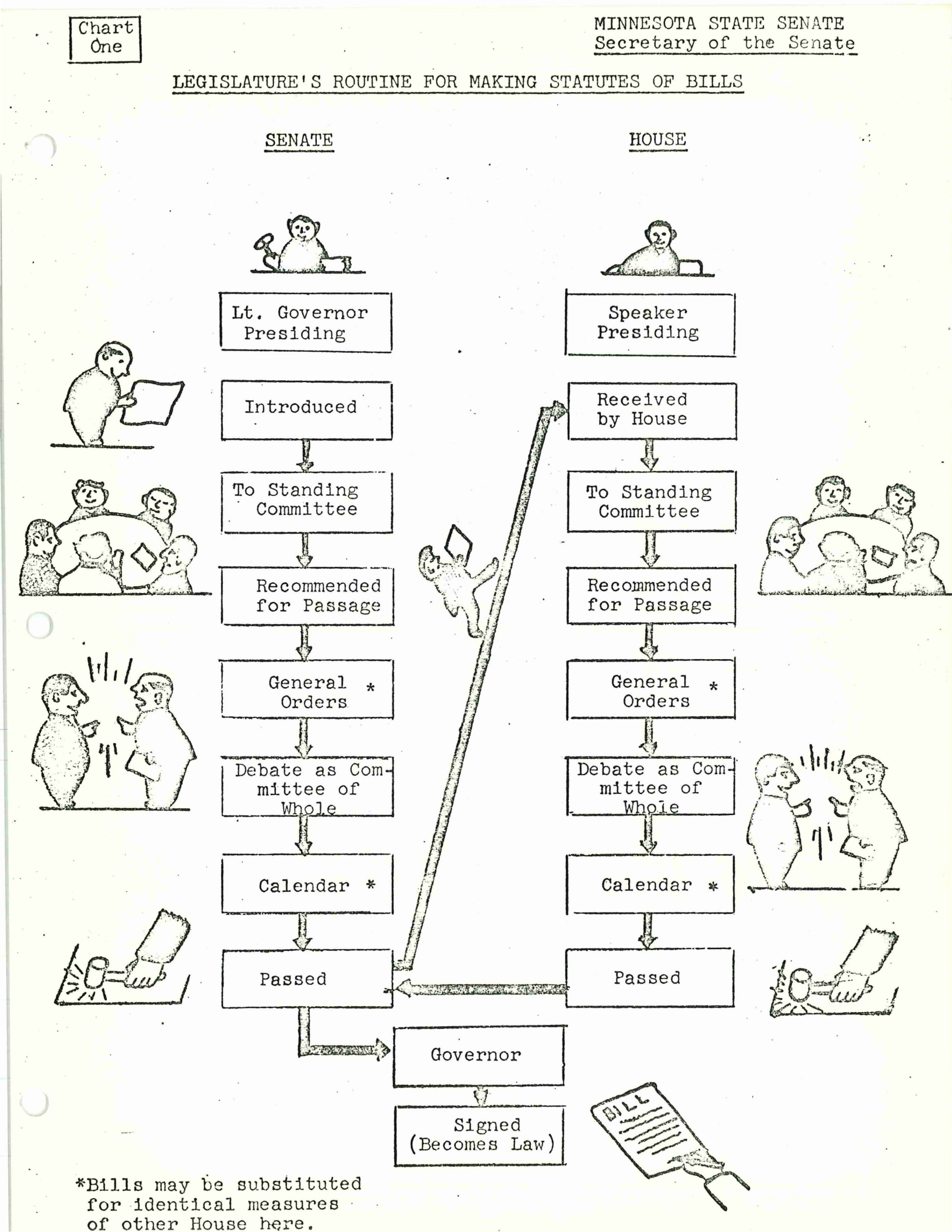
BILLS ENACTED INTO LAW

APPENDIX: G

Chart One

MINNESOTA STATE SENATE
Secretary of the Senate

LEGISLATURE'S ROUTINE FOR MAKING STATUTES OF BILLS

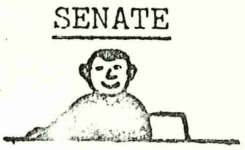


*Bills may be substituted for identical measures of other House here.

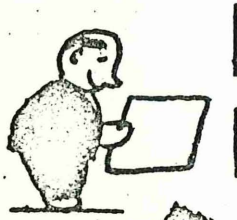
Chart Two



HOUSE



SENATE



Speaker Presiding

Introduced

Passed



Transmitted to Senate

Lt Governor Presiding

Received by Senate

To Standing Committee

Hearing

Committee Amends Bill

Recommended for Passage as amend

General Orders

Debate as Committee of Whole

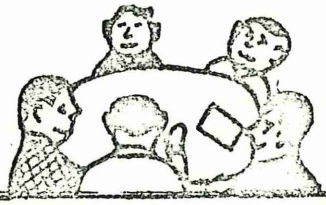
Further Amended

Calendar

Passed



House asked to Concur in Sena Amendment



Concurrence in Amendments Refused

Conference Committee from both Houses

Conference Committee Report

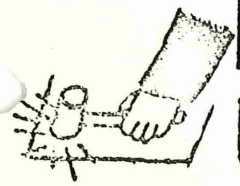


Conference Amendments Accepted

Concurrence Requested

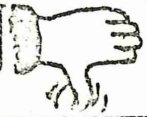
Passed in Concurrence

Governor



Veto Message

Vetoed



Signed (Becomes Law

Passed Over Veto

Passed Over Ve (Becomes Law



SHOWING LEGISLATURE'S ROUTINE FOR MAKING STATUTES OF BILLS:

Hundreds of bills are under consideration at the session of the Minnesota Legislature now in progress at the State Capitol, and more, of course, will be dropped into the hoppers from day to day. Just what happens to turn these measures into laws?

The Charts on these pages will help you follow the course of a bill through both the House and Senate and will also show what happens if the bill runs into opposition somewhere along the way.

Chart One shows the path of a bill introduced in the Senate, although it could as well have started in the House because the procedures are almost identical.

Chart Two shows what happens if one house does not like a measure and amends it, and also what the governor does if he disapproves of a bill which has passed both houses.

There are exceptions to the rules, of course, and when they are suspended by unanimous consent the entire process can be speeded up to a few days or hours.

****

Now, follow this explanation of the charts:

INTRODUCED -- The bill is introduced by any senator or group of two or three as author or authors.

TO STANDING COMMITTEE -- The lieutenant governor refers it to one of the Senate committees. The standing committee conducts a public hearing on the bill and then either recommends it for passage or for indefinite postponement, or takes no action at all. The latter course generally kills a bill unless special steps are taken.

RECOMMENDED FOR PASSAGE -- A bill favorably reported by a committee as submitted, or as amended, is sent back to the Senate floor for second reading, with recommendation to pass. The bill then goes to

GENERAL ORDERS -- A list of all bills reported back for passage, to lie over one day. While on this list the bill is subject to

DEBATE -- with the Senate sitting as a committee of the whole. Most floor debate takes place here. After approval at this point,

the bill is placed on a

CALENDAR -- where it remains one day, and then comes up for third reading and final passage, or the bill may be placed on the

CALENDAR OF ORDINARY MATTERS -- if a committee determines that it is of routine nature, or of a nature that it will not likely be opposed, where it remains one day, and then comes up for third reading and final passage.

PASSED by the Senate, the bill is sent to the House where it goes through the same process as in the Senate. If an identical House bill is met, the bill farthest along is substituted for the other at any of the points marked in the charts by stars.

When the measure has been passed by both houses, it is typed on a special form and must be signed by the governor to become a law.

****

CHART TWO -- Takes up a bill passed by one house and shows how trouble develops. When the second house differs on details it amends the bill, follows the usual passage procedure and then sends it back to the other house for concurrence in the amendments.

If the amendments are accepted, the bill is ready for the governor, but if they are not accepted, a conference committee that includes members from each house works out a compromise. This happens only on about 20 bills of some 800 or more passed at a session.

When a conference has worked out an agreement, the bill is reported back to the originating house where the committee's recommendations are accepted or the bill is sent back for further conference.

When accepted, the bill goes to the other house for concurrence. When the measure finally is passed in concurrence, it goes to the governor who can sign it into law or veto it.

The governor sends a vetoed bill back to the proper house with a note usually explaining his reasons for vetoing. Then the two houses can fix it up to be acceptable to the governor or they can override the veto by mustering two thirds of the membership (90 in the House, 45 in the Senate) behind the bill without change. It can become a law if so passed over the veto.

LEGAL BASIS

CONSTITUTION

ARTICLE IV

APPENDIX: H

ARTICLE IV

LEGISLATIVE DEPARTMENT

Legislature meets biennially; length of session. Section 1. The legislature shall consist of the Senate and House of Representatives. The senate shall be composed of members elected for a term of four years and the house of representatives shall be composed of members elected for a term of two years by the qualified voters at the general election.

The legislature shall meet at the seat of government in regular session in each odd numbered year at the time prescribed by law for a term not exceeding 120 legislative days; and no new bill shall be introduced in either branch, except on the written request of the Governor, during the last 30 days of such sessions.

A special session of the legislature may be called as otherwise provided by this constitution.[1]

Apportionment of members. Sec. 2. The number of members who compose the Senate and House of Representatives shall be prescribed by law, but the representation in the Senate shall never exceed one member for every 5,000 inhabitants, and in the House of Representatives one member for every 2,000 inhabitants. The representation in both houses shall be apportioned equally throughout the different sections of the state, in proportion to the population thereof.[2]

Eligibility of members; quorum. Sec. 3. Each house shall be the judge of the election returns and eligibility of its own members; a majority of each shall constitute a quorum to transact business, but a smaller number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as it may provide.

Rules of government. Sec. 4. Each house may determine the rules of its proceedings, sit upon its own adjournment, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member; but no member shall be expelled the second time for the same offense.

Officers; journal of proceedings. Sec. 5. The House of Representatives shall elect its presiding officer and the Senate and House of Representatives shall elect such other officers as may be provided by law; they shall keep journals of their proceedings, and from time to time publish the same, and the yeas and nays, when taken on any question, shall be entered on such journals.

Length of adjournments. Sec. 6. Neither house shall, during a session of the legislature, adjourn for more than three days (Sundays excepted), nor to any other place than that in which the two houses shall be assembled, without the consent of the other house.

Compensation. Sec. 7. The compensation of senators and representatives shall be prescribed by law. But no increase of compensation shall be prescribed which shall take effect during the period for which the members of the existing House of Representatives may have been elected.[3]

Privilege from arrest. Sec. 8. The members of each house shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during the session of their respective houses, and in going to or returning from the same. For any speech or debate in either house they shall not be questioned in any other place.

Restriction as to holding office. Sec. 9. No senator or representative shall hold any other office under the authority of the United States or the State of Minnesota, except that of postmaster or of notary public. If elected or appointed to another office, a legislator may resign from the legislature by tendering his resignation to the governor.[4]

Bills of revenue to originate in House. Sec. 10. All bills for raising a revenue shall originate in the House of Representatives, but the Senate may propose and concur with the amendments as on other bills.

Approval of bills by Governor; action on non-approval. Sec. 11. Every bill which shall have passed the Senate and the House of Representatives, in conformity to the rules of each house and the joint rules of the two houses, shall, before it becomes a law, be presented to the governor of the state. If he approves, he shall sign and deposit it in the office of secretary of state for preservation, and notify the house where it originated of the fact. But if not, he shall return it, with his objections, to the house in which it shall have originated; when such objections shall be entered at large on the journal of the same, and the house shall proceed to reconsider the bill. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if it be approved by two-thirds of that house it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for or against the bill shall be entered on the journal of each house, respectively. If any bill shall not be returned by the governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the legislature, by adjournment within that time, prevents its return. Bills may be presented to the governor during the three days following the day of the final adjournment of the legislature and the legislature may prescribe the method of performing the acts necessary to present bills to the governor after adjournment. The governor may approve, sign and file in the office of the secretary of state, within 14 days after the adjournment of the legislature, any act passed during the last three days of the session, and the same shall become a law. If any bill passed during the last three days of the session is not signed and filed within 14 days after the adjournment, it shall not become a law.

If any bill presented to the governor contain several items of appropriation of money, he may object to one or more of such items, while approving of the other portion of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the items to which he objects, and the appropriation so objected to shall not take effect. If the legislature be in session, he shall transmit to the house in which the bill originated a copy of such statement, and the items objected to shall be separately reconsidered. If, on reconsideration, one or more of such items be approved by two-thirds of the members elected to each house, the same shall be a part of the law, notwithstanding the objections of the governor. All the provisions of this section, in relation to bills not approved by the governor, shall apply in cases in which he shall withhold his approval from any item or items contained in a bill appropriating money.[5]

Money appropriations, how made. Sec. 12. No money shall be appropriated except by bill. Every order, resolution or vote requiring the concurrence of the two houses (except such as relate to the business or adjournment of the same) shall be presented to the governor for his signature, and, before the same shall take effect, shall be approved by him, or, being returned by him with his objections, shall be repassed by two-thirds of the members of the two houses, according to the rules and limitations prescribed in case of a bill.

Majority vote of all members-elect to pass a law. Sec. 13. The style of all laws of this State shall be: "Be it enacted by the Legislature of the State of Minnesota." No law shall be passed unless voted for by a majority of all the members elected to each branch of the legislature, and the vote entered upon the journal of each house.

Impeachment powers. Sec. 14. The House of Representatives shall have the sole power of impeachment, through a concurrence of a majority of all the members elected to seats therein. All impeachments shall be tried by the Senate; and when sitting for that purpose the senators shall be upon oath or affirmation to do justice according to law and evidence. No person shall be convicted without the concurrence of two-thirds of the members present.

Exclusion from civil rights. Sec. 15. The legislature shall have full power to exclude from the privilege of electing or being elected any person convicted of bribery, perjury, or any other infamous crime.

Protest and dissent of members. Sec. 16. Two or more members of either

house shall have liberty to dissent and protest against any act or resolution which they may think injurious to the public or to any individual, and have the reason of their dissent entered on the journal.

Vacancies in legislature. Sec. 17. The governor shall issue writs of election to fill such vacancies as may occur, by resignation or any other cause, in either house of the legislature. The legislature shall prescribe by law the manner in which evidence in cases of contested seats in either house shall be taken.[6]

Punishment for disorderly conduct. Sec. 18. Each house may punish by imprisonment, during its session, any person, not a member, who shall be guilty of any disorderly or contemptuous behavior in their presence, but no such imprisonment shall at any time exceed twenty-four hours.

Open sessions. Sec. 19. Each house shall be open to the public during the sessions thereof, except in such cases as in their opinion may require secrecy.

Reading of bills. Sec. 20. Every bill shall be read on three different days in each separate house, unless, in case of urgency, two-thirds of the house where such bill is pending shall deem it expedient to dispense with this rule; and no bill shall be passed by either house until it shall have been previously read twice at length.

Enrollment of bills. Sec. 21. Every bill having passed both houses shall be carefully enrolled, and shall be signed by the presiding officer of each house. Any presiding officer refusing to sign a bill which shall have previously passed both houses shall thereafter be incapable of holding a seat in either branch of the legislature, or hold any other office of honor or profit in the State, and in case of such refusal, each house shall, by rule, provide the manner in which such bill shall be properly certified for presentation to the governor.

Passage of bills on last day of session prohibited. Sec. 22. No bill shall be passed by either house of the legislature upon the day prescribed for the adjournment of the two houses. But this section shall not be so construed as to preclude the enrollment of a bill, or the signature and passage from one house to the other, or the reports thereon from committees, or its transmission to the executive for his signature.

Census enumeration apportionment. Sec. 23. The legislature shall have the power to provide by law for an enumeration of the inhabitants of this State, and also have the power at their first session after each enumeration of the inhabitants of this state made by the authority of the United States, to prescribe the bounds of congressional, senatorial and representative districts, and to apportion anew the senators and representatives among the several districts according to the provisions of section second of this article.[7]

Senatorial districts; term of office of senators and representatives. Sec. 24. The senators shall also be chosen by single districts of convenient contiguous territory, at the same time that members of the house of representatives are required to be chosen, and in the same manner; and no representative district shall be divided in the formation of a senate district. The senate districts shall be numbered in a regular series. The terms of office of senators and representatives shall be the same as now prescribed by law until the general election of the year one thousand eight hundred and seventy-eight (1878), at which time there shall be an entire new election of all senators and representatives. Representatives chosen at such election, or at any election thereafter, shall hold their office for the term of two years, except it be to fill a vacancy; and the senators chosen at such election by districts designated as odd numbers shall go out of office at the expiration of the second year, and senators chosen by districts designated by even numbers shall go out of office at the expiration of the fourth year; and thereafter senators shall be chosen for four years, except there shall be an entire new election of all the senators at the election of representatives next succeeding each new apportionment provided for in this article.

Qualification of legislators. Sec. 25. Senators and representatives shall be qualified voters of the State, and shall have resided one year in the State and six months immediately preceding the election in the district from which they are elected.

Laws to embrace only one subject. Sec. 27. No law shall embrace more than one subject, which shall be expressed in its title.

Divorces. Sec. 28. Divorces shall not be granted by the legislature.

Oath of office. Sec. 29. All members and officers of both branches of the legislature shall, before entering upon the duties of their respective trusts, take and subscribe an oath or affirmation to support the Constitution of the United States, the Constitution of the State of Minnesota, and faithfully and impartially to discharge the duties devolving upon him as such member or officer.

Elections viva voce. Sec. 30. In all elections to be made by the legislature, the members thereof shall vote *viva voce,* and their votes shall be entered on the journal.

Prohibition of lotteries. Sec. 31. The legislature shall never authorize any lottery or the sale of lottery tickets.

Change of form of taxation of railroads to be voted upon. Sec. 32. [*a*] Any law providing for the repeal or amendment of any law or laws heretofore or hereafter enacted, which provides that any railroad company now existing in this State or operating its road therein, or which may be hereafter organized, shall, in lieu of all other taxes and assessments upon their real estate, roads, rolling stock, and other personal property, at and during the time and periods therein specified, pay into the treasury of this State a certain percentage therein mentioned of the gross earnings of such railroad companies now existing or hereafter organized, shall, before the same shall take effect or be in force, be submitted to a vote of the people of the State, and be adopted and ratified by a majority of the electors of the State voting at the election at which the same shall be submitted to them.

Internal improvement lands; investment of proceeds in bonds. Sec. 32. [b] All lands donated to the State of Minnesota for the purpose of internal improvement, under the eighth section of the act of Congress, approved September fourth, eighteen hundred and forty-one, being "An act to appropriate the proceeds of the sale of the public lands, and to grant pre-emption rights," shall be appraised and sold, in the same manner and by the same officers, and the minimum price shall be the same as is provided by law for the appraisement and sale of the school lands, under the provisions of title one (1), chapter thirty-eight, of the General Statutes, except the modifications hereinafter mentioned. All moneys derived from the sales of said lands shall be invested in the bonds of the United States, or of the State of Minnesota issued since 1860; and the moneys so invested shall constitute the Internal Improvement Land Fund of the State. All moneys received by the county treasurer under the provisions of title one (1), chapter thirty-eight (38), aforesaid, derived from the sale of internal improvement lands, shall be held at all times subject to the order and direction of the state treasurer, for the benefit of the fund to which it belongs; and on the fifteenth day of June in each year, and at such other times as he may be requested so to do by the state treasurer, he shall pay over to the said state treasurer all moneys received on account of such fund.

The bonds purchased in accordance with this amendment shall be transferable only upon the order of the governor, and on each bond shall be written "Minnesota Internal Improvement Land Fund of the State, transferable only on the order of the governor."

Principal not to be reduced. The principal sum from all sales of internal improvement lands shall not be reduced by any charges or costs of officers, by fees, or by any other means whatever; and section fifty (50), of title one (1), chapter thirty-eight (38), of the General Statutes, shall not be applicable to the provisions of this amendment, and wherever the words "school lands" are used in said title, it shall read as applicable to this amendment, "Internal Improvement Lands."

Appropriations therefrom to be voted upon before valid. The force of this amendment shall be to authorize the sale of the internal improvement lands, without further legislative enactment.[8]

Against special legislation. Sec. 33. In all cases when a general law can be made applicable, no special law shall be enacted, except as provided in Article XI; and whether a general law could have been made applicable in any case is hereby declared a judicial question, and as such shall be judicially determined without regard to any legislative assertion on that subject. The legislature shall pass no local or special law authorizing the laying out, opening, altering, vacating or maintaining roads, highways, streets or alleys; remitting fines, penalties or forfeitures; changing the names of persons, places, lakes or rivers; authorizing the adoption or legitima-

tion of children; changing the law of descent or succession; conferring rights upon minors; declaring any named person of age; giving effect to informal or invalid wills or deeds, or affecting the estates of minors or persons under disability; exempting property from taxation or regulating the rate of interest on money; creating private corporations, or amending, renewing, extending or explaining the charters thereof; granting to any private corporation, association, or individual any special or exclusive privilege, immunity or franchise whatever or authorizing public taxation for a private purpose. The inhibitions of local or special laws in this section shall not be construed to prevent the passage of general laws on any of the subjects enumerated.

Repeal of existing special laws. The legislature may repeal any existing special or local law, but shall not amend, extend or modify any of the same except as provided in Article XI.[9]

General laws under 1881 amendment. Sec. 34. The legislature shall provide general laws for the transaction of any business that may be prohibited by section one (1) of this amendment, and all such laws shall be uniform in their operation throughout the State.

Against combinations or pools to affect markets. Sec. 35. Any combinations of persons, either as individuals or as members or officers of any corporation, to monopolize the markets for food products in this State, or to interfere with, or restrict the freedom of, such markets, is hereby declared to be a criminal conspiracy, and shall be punished in such manner as the legislature may provide.

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[1]Changed by amendment adopted Nov. 6, 1962.
[2]Changed by amendment adopted Nov. 3, 1964.
[3]Changed by amendment adopted Nov. 3, 1964.
[4]Changed by amendment adopted Nov. 5, 1968.
[5]Changed by amendment adopted Nov. 5, 1968.
[6]Changed by amendment adopted Nov. 5, 1968.
[7]Changed by amendment adopted Nov. 3, 1964.
[8]Changed by amendment adopted Nov. 3, 1964.
[9]Changed by amendment adopted Nov. 4, 1958.

PROPOSED

CONSTITUTIONAL

AMENDMENTS

APPENDIX: I

CHAPTER 957—S.F.No.164

[Not Coded]

An act proposing an amendment to the Minnesota Constitution, Article VI; providing for the organization and conduct of the judicial power of the state.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. The following amendment to the Minnesota Constitution, Article VI, is proposed to the people. If the amendment is adopted, the Article shall read as follows:

ARTICLE VI

Section 1. **CONSTITUTIONAL AMENDMENT; JUDICIARY.** The judicial power of the state is hereby vested in a supreme court, a district court, ~~a probate court,~~ and such other courts, ~~minor~~ judicial officers and commissioners with jurisdiction inferior to the district court as the legislature may establish.

Sec. 2. The supreme court shall consist of one chief judge and not less than six nor more than eight associate judges as the legislature may establish. It shall have original jurisdiction in such remedial cases as may be prescribed by law, and appellate jurisdiction in all cases, but there shall be no trial by jury in said court.

~~A judge~~ Judges of the district court may be assigned as provided by law temporarily to act as ~~a judge~~ judges of the supreme court upon its request.

The supreme court shall appoint, to serve at its pleasure, a clerk, a reporter, a state law librarian, and such other employees as it may deem necessary.

Sec. 3. The number and boundaries of judicial districts shall be established or changed in the manner provided by law but the office of a district judge may not be abolished during his term. There shall be two or more district judges in each district. Each judge of the district court in any district shall be a resident of such district at the time of his selection and during his continuance in office.

Sec. 4. There shall be ~~elected~~ in each county one clerk of the district court, whose qualifications and duties shall be prescribed by law, and ~~whose term of office shall be four years~~ who shall serve at the pleasure of a majority of the judges of district court in each district. His compensation shall be ~~prescribed~~ provided by law ~~and shall not be diminished during his term of office~~.

Sec. 5. The district court shall have original jurisdiction in all civil and criminal cases, and shall have such appellate jurisdiction as may be prescribed by law.

Sec. 6. ~~The probate court shall have unlimited~~ Original jurisdiction in law and equity for the administration of the estates of deceased persons and all guardianship and incompetency proceedings, ~~and such further jurisdiction as the legislature may establish,~~ including jurisdiction over the administration of trust estates and for the determination of taxes contingent upon death shall be provided by law. ~~Until otherwise provided by law, each county shall constitute a probate court district and there shall be one or more probate judges in each district. Each judge of the probate court in any district shall be a resident of such district at the time of his selection and during his continuance in office.~~

Sec. 7. Judges of the supreme court, and the district court ~~, and the probate court~~ shall be learned in the law. The qualifications of all other judges and judicial officers shall be prescribed by law. The compensation of all judges shall be prescribed by the legislature and shall not be diminished during their term of office.

Sec. 8. The term of office of all judges shall be six years and until their successors are qualified, and they shall be elected in the manner provided by law by the electors of the state, district, county, municipality, or other territory wherein they are to serve.

Sec. 9. Judges of the supreme court and the district court shall not hold any office under the United States except a commission in a

reserve component of the military forces of the United States and shall not hold any other office under this state. The term of office of any such officer shall terminate at the time he files as a candidate for an elective office of the United States or for a nonjudicial office of this state.

Sec. 10. The legislature may provide by law for retirement of all judges, for the extension of the term of any judge who shall become eligible for retirement within three years after expiration of the term for which he is selected and for the retirement, removal or other discipline of any judge who is ~~incapacitated while in office~~ disabled, incompetent or guilty of conduct prejudicial to the administration of justice.

Sec. 11. Whenever there is a vacancy in the office of judge the governor shall appoint in the manner provided by law a qualified person to fill the vacancy, to hold office until his successor is elected and qualified. The successor shall be elected for a six year term at the next general election occurring more than one year after such appointment.

Sec. 12. As provided by law, a retired judge may be assigned to hear and decide any cause over which the court to which he is assigned shall have jurisdiction.

Sec. 13. If the probate court is abolished by law, judges of that court who are learned in the law shall become judges of the court that assumes jurisdiction of matters described in section 6.

~~SCHEDULE~~

~~(a) All justices of the peace shall continue in office each for the remainder of his term which remains unexpired at the time this Article takes effect.~~

~~(b) All probate judges in office at the time this Article takes effect shall be deemed learned in the law for the purpose of continuance in, and reelection to, any judicial office inferior to the district court.~~

~~(c) All municipal courts in existence at the time this Article takes effect shall continue in existence until otherwise provided by law.~~

~~(d) Salary schedules, in effect when this Article takes effect for the compensation of judges, court commissioners, clerks of court, and other court employees, shall remain in effect until otherwise prescribed by the legislature or provided by law.~~

~~(e) Statutory provisions fixing the retirement compensation of judges, in effect when this Article takes effect shall remain in effect until otherwise provided by law.~~

~~(f) The office of court commissioner in any county at the time this Article takes effect shall continue in existence until otherwise provided by law.~~

Sec. 2. **SCHEDULE AND QUESTION.** No judge or other officer shall lose his office as a consequence of this amendment before the last regular term to which he is elected expires. The proposed amendment shall be submitted to the people at the 1972 general election. The question proposed shall be:

"Shall Article VI of the Constitution of the State of Minnesota be amended to provide for the organization and conduct of the judicial power of the state, authorizing the discipline and removal of judges, permitting the legislature to provide for the assumption of the jurisdiction of the probate court, and providing for the appointment of the clerk of district court?

Yes _____
No _____ "

Approved June 7, 1971.

CHAPTER 958—S.F.No.1924

[Not Coded]

An act proposing an amendment to the Minnesota Constitution, Article IV, Section 5 and Article V, Sections 1 and 6; providing for the election, duties, and compensation of the lieutenant governor.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. The following amendment to the Minnesota Constitution, Article IV Section 5, is proposed to the people. If the amendment is adopted the section shall read as follows:

Sec. 5. **CONSTITUTIONAL AMENDMENT; LIEUTENANT GOVERNOR.** ~~The House of Representatives~~ Each house shall elect its presiding officer and ~~the Senate and House of Representatives shall elect~~ such other officers as may be provided by law; they shall keep journals of their proceedings, and from time to time publish the same, and the yeas and nays, when taken on any question, shall be entered on such journals.

Sec. 2. The following amendment to the Minnesota Constitution, Article V, Sections 1 and 6, is proposed to the people. If the amendment is adopted the sections shall read as follows:

Section 1. The executive department shall consist of a governor, lieutenant governor, secretary of state, auditor, treasurer and attorney general, who shall be chosen by the electors of the State. The governor and lieutenant governor shall be chosen jointly by a single vote applying to both offices, in a manner prescribed by law.

Sec. 6. ~~The Lieutenant Governor shall be ex officio president of the Senate; and~~ In case a vacancy should occur, from any cause whatever, in the office of Governor, ~~he~~ the Lieutenant Governor shall be Governor during such vacancy. The compensation ~~of Lieutenant Governor shall be double the compensation of a State Senator.~~ of the Lieutenant Governor shall be prescribed by law. ~~Before the close of each session of the Senate they shall elect a president pro tempore, who shall be~~ The last elected presiding officer of the Senate shall become Lieutenant Governor in case a vacancy should occur in that office. In case the Governor shall be unable to discharge the powers and duties of his office, the same shall devolve on the Lieutenant Governor. The legislature may by law provide for the case of the removal, death, resignation, or inability both of the Governor and Lieutenant Governor to discharge the duties of Governor and may provide by law for continuity of government in periods of emergency resulting from disasters caused by enemy attack in this state, including but not limited to, succession to the powers and duties of public office and change of the seat of government.

Sec. 3. The proposed amendment shall be submitted to the people at the 1972 general election. The question proposed to the people shall be:

"Shall the Minnesota Constitution be amended in relation to the office of lieutenant governor, providing for his joint election with the governor, removing his duty to preside over the senate, and allowing his compensation to be set by law?

Yes _____
No _____ "

Approved June 7, 1971.

CHAPTER 959—S.F.No.108

[Not Coded]

An act proposing an amendment to the Minnesota Constitution, Article XX, Section 1; providing for veterans' bonuses.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. The following amendment to the Minnesota Constitution, Article XX, Section 1, is proposed to the people of the state. The section, if the amendment is adopted, shall read as follows:

Section 1. CONSTITUTIONAL AMENDMENT; VETERANS' BONUSES. The state may at any time pay an adjusted compensation to persons who have served in the Armed Forces of the United States during the period from and including September 16, 1940, through December 30, 1946 or during the period of the Vietnam conflict ; may levy taxes and appropriate monies for such purpose; and if and whenever authorized, and in such amounts and on such terms as may be fixed by ~~the Legislature~~ law , may expend monies, may contract debts, may issue and negotiate bonds or certificates of indebtedness, or both, and may pledge the public credit, to provide money therefor. ~~The~~ Any inconsistent provisions ~~of section 5 of Article 9~~ of the Constitution shall not apply to the provisions of this section, and the purposes for which the credit of the state may be given or loaned as herein provided are declared to be public purposes. The duration of the Vietnam conflict may be defined by law, for the purposes of this section.

Sec. 2. The proposed amendment shall be submitted to the people at the 1972 general election. The question to be submitted to the people is:

"Shall the Minnesota Constitution be amended to permit the payment of bonuses to veterans serving during the period of the Vietnam conflict and the levying of taxes for that purpose?

Yes _____
No _____ "

Approved June 4, 1971.

EXTRA SESSION
CHAPTER 26—S.F.No.30

[Not Coded]

An act proposing an amendment to the Minnesota Constitution, Article IV, Section 1; regulating legislative sessions.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **CONSTITUTIONAL AMENDMENT; LEGISLATIVE SESSIONS.** The following amendment to the Minnesota Constitution, Article IV, Section 1, is proposed to the people of the state. The section, if the amendment is adopted, shall read as follows:

Section 1. The legislature shall consist of the Senate and House of Representatives. The senate shall be composed of members elected for a term of four years and the house of representatives shall be composed of members elected for a term of two years by the qualified voters at the general election.

The legislature shall meet at the seat of government in regular session in each ~~odd-numbered year~~ biennium at the time times prescribed by law for ~~a term~~ not exceeding a total of 120 legislative days ~~; and no new bill shall be introduced in either branch, except on the written request of the Governor, during the last 30 days of such sessions~~ . The legislature shall not meet in regular session, nor in any adjournment thereof, after the first Monday following the third Saturday in May of any year. After meeting at a time prescribed by law, the legislature may adjourn to another time. "Legislative day" shall be defined by law .

A special session of the legislature may be called as otherwise provided by this constitution.

Sec. 2. The proposed amendment shall be submitted to the voters at the general election for the year 1972. The ballots used at the election shall have the following question printed thereon:

"Shall Article IV of the Minnesota Constitution be amended to alter the manner of determining the length of legislative sessions, permitting variations in the times for meetings of the legislature?

Yes.....

No....."

Approved August 3, 1971.

SOME

MINNESOTA STATUTES

CONCERNING

THE LEGISLATURE

APPENDIX: J

CHAPTER 3

LEGISLATURE

Sec.

LEGISLATURE

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3.02 Evidence of membership
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LEGISLATURE

3.01 SESSIONS. Subdivision 1. The legislature shall assemble at the seat of government on the first Tuesday after the first Monday in January of each odd-numbered year, and at such other times as it may be called by the governor to meet in extra session.

Subd. 2. [Repealed, 1971 c 71 s 1]

[R L s 9; 1969 c 1158 s 1] (24)

3.02 EVIDENCE OF MEMBERSHIP. For all purposes of organization of either house of the legislature, a certificate of election thereto, duly executed by the auditor of the proper county, or by the secretary of state when the member is elected from

more than one county, shall be prima facie evidence of the right to membership of the person therein named.

[R L s 10; 1969 c 9 s 1] (25)

3.03 [Repealed, 1961 c 561 s 17]

3.04 [Repealed, 1961 c 561 s 17]

3.05 ORGANIZATION. At noon of the day appointed for the convening of the legislature, the members thereof shall meet in their respective chambers. The lieutenant governor shall call the senate to order; and the secretary of state, the house of representatives. In the absence of either of these officers, the oldest member present shall act in his place. The person so acting shall appoint, from the members present, a clerk pro tem, who shall call the legislative districts in the order of their numbers; and, as each is called, the persons claiming to be members therefrom shall present their certificates to be filed. All whose certificates are so presented shall then stand and be sworn.

[R L s 13] (28)

3.06 OFFICERS AND EMPLOYEES. Thereupon, a quorum being present, the respective houses shall elect the following officers, any of whom may be removed by resolution of the appointing body:

The senate, a secretary, a first and a second assistant secretary, an enrolling clerk, an engrossing clerk, a sergeant-at-arms, an assistant sergeant-at-arms, and a chaplain; and

The house, a speaker, who shall be a member thereof, a chief clerk, a first and a second assistant clerk, an index clerk, a chief sergeant-at-arms, a first and a second assistant sergeant-at-arms, a postmaster, an assistant postmaster, and a chaplain.

[G S 1894 s 220; R L s 14; 1905 c 52 s 1; Ex1936 c 4 s 1; 1947 c 233 s 1] (29, 30)

3.07 ADDITIONAL EMPLOYEES. Each house, after its organization, may appoint and at pleasure remove such employees as are provided for by its permanent rules or recommended by its committee on legislative expense. All officers and employees shall be paid by the day and shall receive such compensation as is provided by the permanent rules of the electing or appointing body or recommended by its committee on legislative expense; and, unless otherwise expressly provided by law, no such officer or employee shall receive any other compensation for his services.

[R L s 15; 1947 c 233 s 2] (31)

3.08 ELECTION; DUTIES. In addition to the duties prescribed by law, such officers and employees shall perform such services as may be required of them by rule or vote of the appointing body or by direction of any committee thereof.

[R L s 16; 1947 c 233 s 3] (32)

3.081 JURY EXEMPTION. Any member, officer, or employee of the legislature is exempt from duty as a juror during all sessions thereof.

[1947 c 233 s 4]

3.085 MEMBERS LEAVING PRIVATE EMPLOYMENT, RIGHT TO RESTORATION. Every member of the legislature of the State of Minnesota who has left or leaves a position, other than a temporary position in the employ of any private employer for the purpose of serving in the legislature during any legislative session, who makes application for reemployment within 30 days after the end of such session, shall be restored to such position, or to a position of a like seniority, status and pay, unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so.

[1955 c 690 s 1]

3.086 LEAVE OF ABSENCE. Any member of the legislature who is restored to a position in accordance with the provisions of section 3.085 shall be considered as having been on leave of absence during his service in the legislature, shall be so restored without loss of seniority, shall be entitled to participate in insurance or other benefits offered by the employer pursuant to established rules and practices relating to employees on leave of absence in effect with the employer at the time such legislator commenced to serve in the legislature, and shall not be discharged from such position without cause after such restoration.

[1955 c 690 s 2]

3.087 RIGHT OF ACTION IN DISTRICT COURT. In case any private em-

ployer fails or refuses to comply with the provisions of sections 3.085 and 3.086, the district court of the State of Minnesota for the district in which such private employer maintains a place of business, shall have the power, upon the filing of a memorandum, petition or other appropriate pleading by the member of the legislature entitled to the benefits of such provisions, to specifically require such employer to comply with such provisions, and, as an incident thereto, to compensate such member of the legislature for any loss of wages or benefits suffered by reason of such employer's unlawful action. The court shall order a speedy hearing in any such case and shall advance it on the calendar.

[*1955 c 690 s 3*]

3.09 COMPENSATION OF EMPLOYEES. The compensation of officers and employees shall be at the rates per day fixed by the permanent rules of the electing or appointing body or recommended by its committee on legislative expense.

[*R L s 17; 1907 c 229 s 1; 1909 c 132 s 1; Ex1936 c 115 s 1; Ex1937 c 82 s 1; 1947 c 233 s 5*] *(33)*

3.095 LEGISLATIVE EMPLOYEES, LEAVES. Rules of the department of civil service pertaining to sick leave and annual leave shall apply to all permanent employees of the legislature and of legislative committees and commissions.

[*1965 c 901 s 76*]

3.096 TRANSFER OF LEAVE. An employee in the classified service who accepts a position as a permanent employee of the legislature shall have any accrued vacation or sick leave transferred and placed to his credit on the legislative records. A permanent employee of the legislature who accepts a position in the classified service shall have any accrued vacation or sick leave transferred and placed to his credit on the records of the new appointing authority.

[*Ex1967 c 48 s 65*]

3.10 MEMBERS; COMPENSATION, MILEAGE. The compensation of each member of the House of Representatives of the legislature shall be $9,600 for the entire term to which he is elected, which shall be due on the first day of the regular legislative session of the term and payable as follows:

$400 on the fifteenth day of January and on the first day of each month, February to December, inclusive, during the term for which he was elected.

The compensation of each senator of the Legislature shall be $19,200 for the term to which he is elected, of which $9,600 shall be due on the first day of each regular legislative session of the term and payable as follows:

$400 on the fifteenth day of January and on the first day of each month February to December, inclusive, during the term for which he was elected.

Each member shall receive mileage for one trip at the rate of 15 cents for each mile necessarily traveled in going to and returning from the place of meeting to his place of residence.

Each member shall receive in addition to his regular salary and mileage provided above per diem living expenses during a regular or special session of the legislature, the amount to be determined by the legislature each session.

On the fifteenth day of January and on the first day of each month, February to December, inclusive, the secretary of the Senate and the chief clerk of the House of Representatives, shall certify to the state auditor, in duplicate, the amount of compensation then payable to each member of their respective houses, and the aggregate thereof.

[*R L s 17; 1907 c 229 s 1; 1909 c 132 s 1; Ex1936 c 67 s 1; Ex1936 c 115 s 1; Ex1937 c 82 s 1; 1943 c 326 s 1; 1943 c 629 s 1, 2; 1949 c 525 s 1; 1951 c 701 s 1; 1953 c 467 s 1; 1955 c 793 s 1; 1957 c 811 s 1; 1965 c 881 s 1; 1969 c 9 s 109*] *(33,35)*

NOTE: Extra Session Laws 1971, Chapter 32, Section 22, reads as follows:

"Sec. 22. Subdivision 1. [MEMBERS; COMPENSATION AND EXPENSES, FLEXIBLE SESSIONS.] The compensation of each member of the house of representatives of the legislature shall be $16,800 for the entire term to which he is elected, which shall be due on the first day of the regular legislative session of the term and payable as follows:

$700 on the fifteenth day of January and on the first day of each month, February to December, inclusive, during the term for which he was elected.

The compensation of each senator of the legislature shall be $33,600 for the term to which he is elected, of which $16,800 shall be due on the first day of each regular legislative session of the term and payable as follows:

$700 on the fifteenth day of January and on the first day of each month February to December, inclusive, during the term for which he was elected.

Each member shall receive mileage for necessary travel in going to and returning from the place of meeting to his place of residence in such amount and for such trips as may be authorized by the senate as to senate members, and by the house of representatives as to house members.

Each member shall receive in addition to the foregoing, such per diem living expenses during a regular

or special session of the legislature in such amounts and for such purposes as may be determined by the senate as to senate members and by the house of representatives as to house members.

On the fifteenth day of January and on the first day of each month, February to December, inclusive, the secretary of the senate and the chief clerk of the house of representatives, shall certify to the state auditor, in duplicate, the amount of compensation then payable to each member of their respective houses, and the aggregate thereof.

Subd. 2. Minnesota Statutes 1969, Section 3.10, is repealed.

Subd. 3. [EFFECTIVE DATE.] The provisions of subdivisions 1 and 2 are in effect on January 2, 1973, provided that prior to such date the people of the state of Minnesota authorize the legislature to meet at a variation of times or in annual sessions. Unless such authority is conferred on the legislature, subdivisions 1 and 2 are of no force and effect."

3.101 LIVING EXPENSES DURING SESSION. A member of the legislature in addition to the compensation and mileage otherwise provided for by law shall be reimbursed for his living and other expenses incurred in the performance of his duties during a regular session, a special session, and when the legislature is not in session in the manner and in such amount as may be prescribed by the senate as to senate members and by the house of representatives as to house members.

[*1969 c 1139 s 70*]

3.102 INTERIM LIVING EXPENSES. Each member of the legislature shall be reimbursed for his expenses when he is required to attend meetings of standing committees, commissions, or is engaged in other legislative activity when the legislature is not in session. The amount of such reimbursement shall not exceed $25 per day as a per diem expense allowance for all expenses incurred except travel. He shall also be reimbursed for his travel expenses in the same amount as state employees are reimbursed for such travel.

Reimbursements to members of the legislature for out-of-state meetings or other legislative activity shall be in the same amounts as state employees are reimbursed for such out-of-state expenses.

Expenses for members of the legislature are payable in the manner and in the amount designated by the senate committee on rules and administration as to members of the senate and by the committee on rules and legislative administration as to members of the house of representatives.

The expense allowances provided for herein to the persons designated are in lieu of any other expenses authorized by law or resolution for the same purposes.

[*Ex1971 c 3 s 83; Ex1971 c 48 s 15*]

3.103 SPECIAL SESSION LIVING EXPENSES. Each member of the legislature, during a special session thereof, shall be reimbursed for expenses incurred in the performance of his duties in the same amounts, for the same purposes, and in the same manner as were authorized for the members of the senate and the members of the house of representatives at the last regular session occurring immediately prior to such special session. Reimbursement for travel, however, shall not exceed more than one round trip per member per each seven calendar days in which the legislature meets in such special session. This section applies to each special session of the legislature commencing after May 24, 1971.

[*Ex1971 c 3 s 70*]

3.11 [Repealed, 1957 c 811 s 2]

3.12 [Repealed, 1961 c 561 s 17]

3.13 PRESIDENT AND SPEAKER; COMPENSATION. The president of the senate and the speaker of the house shall receive, in addition to the amounts specified in section 3.09, the sum of $5 each per day during any session of the legislature.

[*1907 c 229 s 3*] *(37)*

3.14 CONTEMPTS. Each house may punish, as a contempt, any breach of its privileges, or of the privileges of its members, but only for one or more of the following offenses:

(1) Arresting or causing to be arrested, any member or officer thereof, in violation of his privilege from arrest;

(2) Disorderly conduct in its view and presence, or in the view and presence of any of its committees, tending to interrupt their proceedings;

(3) Giving or offering a bribe to any member, or attempting by menace or by any corrupt or improper means, directly or indirectly, to control or influence a member in giving or withholding his vote. No person shall be excused from attending and testifying before either house of the legislature, or a committee thereof, for an alleged offense upon an investigation in reference to such giving or offering of a bribe, or attempting by menace or by any corrupt or improper means, directly or indirectly, to control or influence a member in giving or with-

holding his vote upon the ground, or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to convict him of a crime or subject him to a penalty or forfeiture; but no person shall be prosecuted, or subjected to any penalty or forfeiture for, or on account of, any transaction, matter, or thing concerning which he may so testify, or produce evidence, documentary or otherwise, and no testimony, so given or produced, shall be received against him upon any criminal investigation or proceeding.

[R L s 19; 1907 c 319 s 1; 1971 c 227 s 2] (38)

3.15 PUNISHMENT FOR CONTEMPT. Punishment for contempt shall be by imprisonment, but the term thereof shall not extend beyond the session at which it is inflicted. When either house shall direct the imprisonment of any person for a contempt the keeper of the common jail of the county in which the seat of government is situated shall receive such person and detain him in close confinement during the term fixed by the order of commitment, or until he is discharged by vote of the committing body or by due process of law.

[R L s 20] (39)

3.151 DISTURBING LEGISLATURE OR INTIMIDATING MEMBER. Every person who shall wilfully disturb the legislature, or either house thereof, while in session, or who shall commit any disorderly conduct in the presence and view of either house thereof, tending to interrupt its proceedings or impair the respect due to its authority, or who, wilfully, by intimidation or otherwise, shall prevent any member of the legislature from attending any session of the house of which he shall be a member, or of any committee thereof, or from giving his vote upon any question which may come before such house, or from performing any other official act, shall be guilty of a gross misdemeanor.

[R L s 4815] (10000)

3.152 [Repealed, 1971 c 227 s 3]

3.153 LEGISLATIVE SUBPOENAS. Subdivision 1. Any standing or interim legislative committee by a two-thirds vote of its members, may request the issuance of subpoenas, including subpoenas duces tecum, requiring the appearance of persons, production of relevant records, and the giving of relevant testimony. Subpoenas shall be issued by the chief clerk of the house or the secretary of the senate upon receipt of such request. A person subpoenaed to attend a meeting of the legislature or a hearing of a legislative committee shall receive the same fees and expenses provided by law for witnesses in district court.

Subd. 2. Service of a subpoena authorized by this section shall be made in the manner provided by law for the service of subpoenas in civil actions at least seven days prior to the date fixed in the subpoena for appearance or production of records unless a shorter period of time is authorized by a majority vote of all the members of the legislative committee.

Subd. 3. Any person served with a subpoena shall also be served with a notice that he may be accompanied by counsel of his own choosing in the event a personal appearance is required. In addition, any person served with a subpoena issued by a legislative committee shall also be served with a copy of the resolution or statute establishing the committee, and a general statement informing him of the subject matter of the committee's investigation or inquiry.

Subd. 4. In order to carry out the authority granted by Laws 1971, Chapter 227, any committee authorized by subdivision 1 to request the issuance of subpoenas may, by a two-thirds vote of its members, request the issuance of attachments to compel the attendance of witnesses who, having been duly subpoenaed to attend, fail to do so. The chief clerk of the house or the secretary of the senate upon receipt of the request shall apply to the district court of Ramsey county for issuance of the attachment.

Subd. 5. Any person who without lawful excuse fails to respond to subpoenas issued pursuant to Laws 1971, Chapter 227 or who, having been subpoenaed, willfully refuses to be sworn or affirm or to answer any material or proper question before a committee of the legislature is guilty of a misdemeanor and upon conviction thereof may be punished accordingly.

[1971 c 227 s 1]

3.16 MEMBERS, OFFICERS OF, OR ATTORNEYS EMPLOYED BY, EXCUSED FROM COURT DUTY. No member or officer of, or any attorney employed by, the legislature shall be compelled to attend as a witness in any court of this

state during the session of the legislature, or while attending meetings of any legislative committee or commission when the legislature is not in session unless the court in which the action is pending, upon sufficient showing, shall otherwise order with the consent of the presiding officer of the body of which such witness is an employee or the consent of the body of which such witness is a member. No cause or proceeding, civil or criminal, in court or before any commission or officer or referee thereof or motion or hearing therein, in which a member or officer of, or any attorney employed by, the legislature is a party, attorney, or witness shall be tried or heard during the session of the legislature or while any member, officer of, or attorney employed by the legislature is attending meetings of any legislative committee or commission when the legislature is not in session but shall be continued until the legislature or the committee or commission meeting shall have adjourned. The member or officer of, or any attorney employed by, the legislature may, with the consent of the body of the legislature of which he is a member or officer, or employed by, waive this privilege and in this case the cause or proceeding, motion, or hearing may be tried or heard at such time as will not conflict with legislative duties.

[1909 c 51 s 1; 1925 c 18 s 1; 1927 c 47 s 1; 1929 c 19 s 1; 1941 c 45 s 1; 1957 c 183 s 1] (40)

3.17 JOURNALS. A journal of the daily proceedings in each house shall be printed and laid before each member at the beginning of the next day's session. After it has been publicly read and corrected, a copy of the journal, kept by the secretary and chief clerk, respectively, and a transcript thereof as approved shall be certified by the secretary or clerk to the printer, who shall print the corrected sheets for the permanent journal. Executive messages, addresses, reports, communications, and all voluminous documents other than amendments to the constitution or to bills and resolutions and the protests of members submitted under the Constitution of the State of Minnesota, Article 4, Section 16, shall be omitted from the journals, unless otherwise ordered by vote.

[R L s 21] (41)

3.18 OTHER RECORDS. Each house may determine, by rule or resolution, what number of copies of its journal shall be printed, and the form and contents of the other records it may see fit to keep. In like manner it may cause to be printed, in an appendix to its journal, the documents it shall desire to so preserve; but, if both houses shall order the same document to be so printed, it shall be inserted only in the appendix to the senate journal.

[R L s 22] (42)

3.185 ALTERING DRAFT OF BILL. Every person who shall fraudulently alter the draft of any bill or resolution which has been presented to either house of the legislature to be passed or adopted, with intent to procure it to be passed or adopted by either house, or certified by its presiding officer, in language different from that intended by such house, shall be guilty of a gross misdemeanor.

[R L s 4816] (10001)

3.19 ENGROSSING AND ENROLLING. All bills, joint resolutions, and legislative acts shall be engrossed or enrolled in the manner provided by the rules of the senate and the house of representatives or the joint rules thereof. In the engrossing or enrolling of bills copying machines and other labor saving devices and equipment shall be used to the greatest possible extent.

[1905 c 153 s 1; 1959 c 366 s 1] (43)

3.191 ALTERING ENGROSSED BILL. Every person who shall fraudulently alter the engrossed copy or enrollment of any bill which has been passed by the legislature, with intent to procure it to be approved by the governor, or certified by the secretary of state, or printed or published by the printer of the statutes, in language different from that in which it was passed by the legislature, shall be guilty of a felony.

[R L s 4817] (10002)

COMMITTEES ON ETHICS

3.87 PURPOSE. The legislature finds and determines that high moral and ethical standards among public officers and employees in all branches of government are essential to the conduct of free government; that the rule which forbids an agent or trustee to place himself in a position wherein his private interest may conflict with his duty to his principal applies to public service, which is a public trust; and that a need exists to define and regulate the conduct of public officials and employees to eliminate conflicts of interest in public office so as to improve standards of public service and strengthen the faith and confidence of the people of Minnesota in their government; and sections 3.87 to 3.92 shall be liberally construed to effectuate these ends.

[*1961 c 558 s 1*]

3.88 LEGISLATIVE CODE OF ETHICS, CONTENT. Subdivision 1. The code of legislative ethics shall be:

(a) A legislator or legislative employee should not accept other employment which will impair his independence of judgment in the exercise of his official duties.

(b) A legislator or legislative employee should not directly or indirectly receive or agree to receive any compensation for any services rendered or to be rendered either by himself or another for activity before any state board, commission, or public agency when such activity is in substantial conflict between his personal interest and his duties in the public interest so as to thereby create a possibility of undue influence or wrongful advantage.

(c) A legislator or legislative employee should refrain from acting and a legislator should refrain from voting in any matter where the interest of the public and the interest of the legislator or legislative employee are or may be in conflict.

Subd. 2. Legislative ethics committees in interpreting section 3.88, subdivision 1, shall take into consideration that most legislators and legislative employees must in most instances engage in employment outside of legislative work and in a number of instances maintain investments all of which in themselves are in no way in conflict with the code of ethics herein enunciated.

[1961 c 558 s 2]

3.89 LEGISLATIVE COMMITTEES. Subdivision 1. There is hereby created a permanent committee of the senate to be known as the senate committee on ethics. This committee shall consist of four members to be selected as follows: Two members shall be appointed by the committee on committees of the senate which committee shall also name the chairman of the senate ethics committee, and two members shall be appointed by the minority leader of the senate. The first such appointees shall be named within ten days following adjournment of the 62nd session of the legislature and shall hold office until their successors are duly appointed and qualified.

Subd. 2. There is hereby created a permanent committee of the house of representatives to be known as the house committee on ethics. The committee shall consist of four members to be selected as follows: Two members shall be appointed by the speaker of the house who shall also name the chairman of the house committee on ethics and two members shall be appointed by the minority leader of the house.

Subd. 3. Thereafter members of the senate and house ethics committees shall be named as provided in subdivisions 1 and 2 hereof on or before the 10th day after the convening of each regular session of the legislature and such persons, so named, shall serve until their successors are duly named and qualified at the succeeding regular session of the legislature.

[1961 c 558 s 3]

3.90 DUTIES OF COMMITTEE; COMPLAINTS; HEARING; DETERMINATION. Subdivision 1. The following shall be the duties of the committees on ethics:

(a) To render advisory opinions upon the request of any legislator or legislative employee as to whether the facts and circumstances of a particular case constitute or will constitute a violation or probable violation of section 3.87 to 3.92. The identity of persons involved shall be kept in confidence.

(b) To receive and consider complaints concerning alleged violations of sections 3.87 to 3.92; to investigate and hold hearings.

(c) To subpoena witnesses, administer oaths and take testimony relating to matters before the committee and require the production for examination of any books or papers relative to any matter under investigation or in question before the committee. Before the committee shall exercise any of the powers authorized herein with respect to any investigation or hearings it shall by formal resolution, supported by a vote of three or more members of the committee, define the nature and scope of its inquiry.

Subd. 2. Complaints must be in writing, signed by the person making the complaint under oath. The committee shall initially investigate complaints on a confidential basis, having available all the powers herein provided, and proceedings at this stage shall not be public. If, after inquiry, three or more members of the committee determine that there is probable cause for belief that a violation of sections 3.87 to 3.92 might have occurred, a copy of the complaint and a further statement of the alleged violation shall be personally served upon the alleged violator. He shall have 20 days after service thereof to respond in writing to the complaint and statement.

Any committee member or individual, including the individual making the complaint, who divulges information concerning the complaint prior to the issuance of the complaint by the committee; or if the investigation discloses that the complaint should not be issued by the committee, at any time divulges any information concerning the original complaint, shall be guilty of a gross misdemeanor.

Subd. 3. If three or more members of the committee shall conclude that there is reason to believe that a violation of sections 3.87 to 3.92 has been committed then the committee shall set a time and place for a hearing, giving notice to the complainant and the alleged violator. All parties shall have an opportunity (1) to be heard, (2) to subpoena witnesses and require the production of any books or papers relative to the proceedings, (3) to be represented by counsel, and (4) to have the right of cross-examination. All witnesses shall testify under oath and the hearings shall, upon consent of the party complained against, be open to the public. The committee shall not be bound by the strict rules of evidence but the committee's findings must be based upon competent and substantial evidence. All testimony and other evidence taken at the hearing shall be recorded. Copies of transcripts of such record shall be available to all interested parties at their own expense, and the fees therefor shall be deposited in the state's general fund.

Subd. 4. A decision of the committee pertaining to the conduct of any legislator or legislative employee shall be in writing and signed by three or more of the members of such ethics committee.

Subd. 5. The committee shall thereafter dismiss the complaint or, if it determines that a violation has occurred, make its findings and recommend to the senate or house of representatives, as the case may be, appropriate disciplinary action against the party or parties violating the provisions of sections 3.87 to 3.92 or deliver such findings to the attorney general for civil or criminal action as he may determine is warranted.

[1961 c 558 s 3]

3.91 STATE AGENCIES, CODES; SUBMISSION TO LEGISLATIVE COMMITTEE. The head of each state agency shall prepare and publish for the guidance of its officers and employees a code of public service ethics appropriate to the specific needs of such agency.

Copies of such codes shall be delivered to the ethics committees of the house and senate and, in the event such committees find any code to be inadequate, the committee shall designate in writing such inadequacies to the head of the state agency.

[1961 c 558 s 4]

3.92 EFFECT. Nothing contained in sections 3.87 to 3.92 shall amend or repeal any of the provisions in Minnesota Statutes, Chapter 43, nor any other existing laws defining criminal acts.

[1961 c 558 s 5]

GLOSSARY

GLOSSARY OF LEGISLATIVE TERMS

ACT	Legislation enacted into law.
AD HOC COMMITTEE	Committee appointed by a speaker or chairman for some special purpose. The committee automatically dissolves upon the completion of this specified task.
ADJOURN	To conclude a day's session.
ADJOURN SINE DIE	To conclude a session or special session. To adjourn without setting a date for reconvening.
ADOPTION	Approval or acceptance; usually applied to amendments or resolutions.
ADVISE AND CONSENT	Concurrence in Governor's appointment.
AMEND	To alter formally by modification deletion or addition.
AMENDMENT	The process of amending by parliamentary or constitutional procedure. To alter existing language. (Engrossment.)
APPEAL THE DECISION OF THE CHAIR	A parliamentary procedure for changing the decision of the presiding officer.
APPORTIONMENT	The establishment of legislative districts according to population.
APPROPRIATE	To allocate funds.
APPROPRIATION	Fund allocated for various departments of government for specified purposes.
AUTHOR	One who presents a bill or resolution for consideration
BILL	A legislative proposal to amend or repeal existing law or to create new law.

BILL INDEX	List of bills by number, subject, author, committee reference, statutes involved, and companion in other body.
BILLS PRINTED	Process by which copies of bills are made available.
BLUE BOOK	The "Legislative Manual" containing facts about state and national government.
CALENDAR OF GENERAL ORDERS	A list of legislative bills scheduled for consideration by Committee of the Whole (Senate).
CALENDAR OF ORDINARY MATTERS	Noncontroversial bills scheduled for final passage, bypassing Committee of the Whole.
CALENDAR, SENATE	A list of legislative bills scheduled for final passage.
CALENDAR, SPECIAL ORDER	A list of legislative bills scheduled for special order for consideration on final passage.
CALL OF THE SENATE	A procedure used to compel attendance of members.
CALL TO ORDER	Notice given indicating the Senate is officially in session. Also used to restore order during a session.
CAUCUS	A meeting of members who have a common belief or interest. (politically oriented, geographic, etc.)
CHAIR	Presiding Officer.
CHAMBER	Official hall for the meeting of a legislative body.
CO-AUTHOR	One of two or more persons proposing a bill in addition to the main author.

COMMITTEE	A body of elected members delegated by a legislative body to consider and make recommendations concerning disposition of bills, resolutions and other related matters in a generally specified area of interest.
COMMITTEE CLERK	An employee who assists committee secretary and committee members in committee work.
COMMITTEE, CONFERENCE	Legislative members appointed to mediate the differences between the two houses on a bill.
COMMITTEE OF THE WHOLE	Literally - a committee composed of the whole body, meeting as a committee which permits informality and unlimited debate. In ancient times, the method by which individual words and action were kept from the King who knew only the results of the whole committee.
COMMUNICATIONS, EXECUTIVE AND OFFICIAL	Official letters and documents sent to the legislative body from state officers.
COMPANION BILL	A bill drawn for introduction in each house, identical in wording, and having identical revisor numbers.
CONCURRENCE	Approval by one body of the action of the other body.
CONFERENCE COMMITTEE	Legislative members appointed to mediate the differences between the two houses on a bill.
CONFIRMATION	Approval by legislative body of an executive appointment.
CONFLICT OF INTEREST	Untenable position which threatens the ability of a legislator to act impartially.
CONVENE	Assemble for an official meeting.
CONVENTION (CONSTITUTIONAL)	Assembling of citizens for the purpose of writing or revising a constitution.

CONVENTION (JOINT)	Assembling of both houses of the legislature together for a meeting.
CONSTITUTION	A written instrument embodying the fundamental principles of the state which guarantees powers and duties of the government and certain rights to the people.
DAY CERTAIN	Specific day.
DEBATABLE	Open to parliamentary discussion or argument.
DEBATE	Discussion of a matter according to parliamentary rules.
DECISION (PRESIDING OFFICER)	Official judgment. Response to a point of order.
DISSENT	Difference of opinion.
DISTRICT	Area encompassing citizens represented by a legislator.
DIVISION	A method of voting by a show of hands or standing in place.
DIVISION OF QUESTION	Consideration of each question of a divisible question.
ELECTION	The act of selecting by ballot a person to fill an office in government.
ENGROSSMENT	The original proposal incorporating in the proper place all amendments which have been adopted and all approved technical corrections at the time the proposal was ordered engrossed.
ENROLLMENT AND PRESENTATION TO THE GOVERNOR	To prepare in written or printed form a final perfect copy for signature by the Governor.
EXCUSED	Approved absence.
EXECUTIVE APPOINTMENT	Designation by Governor to fill an office or position.

EXECUTIVE OFFICE	Complex of offices housing Governor's staff.
EXECUTIVE ORDER	An authoritative directive from the Governor.
FIRST READING	The reading of a bill or resolution on introduction.
FISCAL	Relating to financial matters.
FLOOR (SENATE)	That portion of the chamber reserved for members, officers, and other persons granted the privilege of the floor.
GENERAL ORDERS	An order of business in which the Committee of the Whole considers bills having their second reading.
GERMANENESS	The relevance or appropriateness of amendments or debate to the subject.
GOVERNOR	The chief executive officer of a state.
HEARING	Public discussion and appearance on a proposal.
IMMEDIATE EFFECT	Legislative action to render a law effective at a date earlier than the established August 1.
INSERT	Add language to a bill or resolution.
INTERIM	Period between sessions.
INTRODUCTION OF BILLS	An order of business during which new bills are read the first time.
INVOCATION	Prayer given prior to a session or meeting.
JOINT RESOLUTION	In Minnesota a method of accomplishing legislative purposes for both bodies, not requiring the signature of the governor nor the prescribed procedure for a bill.
JOURNAL	Official record of action at legislative session.
LAY ON THE TABLE	Temporary postponement of the matter before the house, which may later be brought up for consideration by a motion to "take from the table."

LEGISLATIVE	Created by the Legislature as distinguished from an executive or judicial body.
LEGISLATIVE APPORTIONMENT	Apportioning of citizens to be represented by legislators.
LEGISLATIVE MANUAL	A publication containing histories and information relative to the state in general.
LEGISLATIVE PRIVILEGE	The members of each house shall be privileged from arrest during the session and in going to or returning from the same.
LEGISLATOR	Elected member of a legislative body.
LEGISLATURE	Lawmaking branch of government.
MAJORITY CAUCUS	The group numbering over one-half of the members of the body for purposes of organizing and controlling legislation.
MAJORITY LEADER	A member of the majority caucus designated to be the leader of the group.
MANUAL, LEGISLATIVE	A publication containing histories and information relative to the state in general.
MEMORIAL	The method by which the legislature speaks to congress and other governments or governmental agencies.
MEMBERS ELECT	Members elected who have not taken the oath of office.
MESSAGES FROM THE GOVERNOR	Official communication from the Governor.
MESSAGE (FROM SENATE OR HOUSE)	Official communication from opposite house read into official record and session.
MINORITY CAUCUS	The party having the fewest members in a legislative body.
MINORITY LEADER	A member of the minority caucus designated to be the leader.

MOTION	Proposal that Senate or House take a certain action.
MOTION TO RECONSIDER	A motion which would place the question in the same status as prior to the vote on the question.
OATH OF OFFICE	Oath taken by members- and officers-elect of the legislature prior to being seated.
OPINION (ATTORNEY GENERAL)	A formal expression of legal reasons and principles on which an opinion is based.
PARLIAMENTARY INQUIRY	Question posed to chair for clarification of a point in the proceedings.
PASSAGE OF BILL	The act of passing a bill by either or both houses of the legislature.
PER DIEM	Literally, per day, daily expense money rendered legislators.
POINT OF ORDER	Motion calling attention to a breach of order or rules
POSTPONE (INDEFINITELY)	To postpone without setting a definite time for consideration. A motion so made would be equivalent to killing the bill. Such a motion may, however, be reconsidered.
POSTPONE TO A DAY CERTAIN	To deter consideration until a specified day.
PRESIDENT	Presiding officer of the Senate.
PRESIDENT (PRO TEMPORE)	A member of the Senate who is the assistant presiding officer.
PREVIOUS QUESTION	A motion to close debate and bring the pending question or questions to an immediate vote.
PRIVILEGE (PERSONAL)	Questions affecting the rights, reputation and conduct of members of the body in their representative capacity.
QUORUM	Required number of members present to transact business.

READING	Presentation of a bill before either house by reading of the title or number; a stage in the enactment of a measure.
RECESS	Intermission of a daily session.
RECONSIDERATION	A motion which, when granted, gives rise to another vote annulling or reaffirming an action previously taken.
REFER TO COMMITTEE	To assign a matter to a committee.
REFERENDUM	Submission of a question to the voters.
REPEAL	To revoke or annul by legislative action.
REPRESENTATIVE	Member of the House of Representatives.
RE-REFER	To reassign to a committee.
RESOLUTION	A formal expression of opinion or decision (not to be confused with a proposed law) which may be offered to the house for approval by a member or group of members falling in one of three categories: Joint, addressed by the legislature to the federal government or an agency; Concurrent, authored by one house and agreed to by the other not requiring approval by the Governor, frequently pertaining to business of the legislature; House or Senate, a measure originated and acted upon by one house or the other and pertaining to only the body of origin.
REVENUE	Yield of taxes and other sources of income the state collects.
ROLL CALL	Record of members present and/or voting on a particular issue or question.
RULES	Regulating principles, methods of procedure: Joint, rules governing relationship between and affecting matters between the two houses; Standing, permanent rules adopted by each house for the duration of the session;

	Temporary, practices usually adopted at the beginning of each session until standing rules are adopted consisting generally of the standing rules of the preceding session.
SELECT COMMITTEE	Special committee of the legislature of one body.
SENATOR	Member of the Senate.
SESSION	Official meeting of the legislature.
SESSION (EXECUTIVE)	An official meeting of either body during which only certain persons are allowed in attendance and records of meeting are restricted.
SESSION (SPECIAL)	An official meeting of the legislature (other than a regular session) convened by the Governor.
SINE DIE	To adjourn without setting a date for reconvening.
SPECIAL ORDER	Matter of business set for a special time and day designated, irrespective of its place on the file.
SPONSOR	Member offering or managing a bill, resolution, etc.
STANDING COMMITTEES	Regular committees of the legislature set up to perform certain legislative functions.
STRIKE OUT	To delete language from a bill or resolution.
SUBSTITUTE	An amendment which replaces an entire bill or resolution. Substitution of a bill in one body for an identical bill from the other body.
SUPPLEMENTAL APPROPRIATION	Additional funds allocated over original appropriation.
SUSPENSION OF RULES	Temporarily setting aside a rule.
TABLE	See "Lay on the Table."

TITLE OF BILL	Description of bill or act which encompasses the intent of the bill.
VETO	The action of a governor in disapproval of a measure. Pocket Veto - failure to sign within a certain length of time after adjournment.
VETO (OVERRIDE)	To pass a bill over the Governor's veto.
WITHDRAW A MOTION	To recall or remove a motion according to parliamentary procedure.
YIELD	To relinquish the floor to allow another member to speak.

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