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The Minnesota Legislature: Proposals to Change its Size and Structure

Inside – a table summarizes and compares bills introduced during the 1999 session that propose changes in the size or fundamental structure of the legislature.

Included in this summary are bills proposing to:

- ▶ ***Establish a unicameral legislature:*** This requires a constitutional amendment.
- ▶ ***Change the size of the legislature:*** This can be accomplished by law, without a constitutional amendment.
- ▶ ***Change or stagger legislative terms of office:*** This requires a constitutional amendment.
- ▶ ***Change the frequency or duration of legislative sessions:*** Sessions are determined by law and legislative choice, within four constitutionally prescribed limits.

On the back (page 4) – is a summary of the current Minnesota constitutional and statutory law on these topics.

For more information about the nation's only unicameral legislature, see the House Research information brief, "Nebraska's Unicameral Legislature." Also, the policy brief, "Unicameral or Bicameral Legislatures: The Policy Debate," further describes the differences between the two forms of legislatures.

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1999 Proposals to Change the Size and Structure of the Minnesota Legislature

File Number Chief Author (House/Senate)	Unicameral? Name of Body (starting date)	Senate (Blank indicates no change in current law)			House/Legislature (Blank indicates no change in current law)			Session Limits and Other Provisions (Blank indicates no change in current law)
		# of Members (starting date)	Terms	Terms staggered?	# of Members (starting date)	Terms	Terms staggered?	
CURRENT LAW (see page 4 for details)	no	67, in law	4 years, except all end after each redistricting, in the constitution	no	134, in law	2 years, in the constitution	no	Session may be spread over the biennium as legislature pleases, except that session must end by a late May deadline and may not exceed 120 "legislative days"
34/140 Greiling/Scheevel	yes - Senate (2003)	135, in the constitution (2003)			N.A.	N.A.	N.A.	
159/43 Sviggum/Spear	yes - Senate (2003)	135 (2003)	4 years, but terms do not end after each redistricting	yes - law must provide an initial two-year term for one-half of the members elected in 2002	N.A.	N.A.	N.A.	
287/30 Sviggum/Marty	yes - Senate (2003)	99 (2003)		yes - after each redistricting, members from odd-numbered districts have an initial two-year term	N.A.	N.A.	N.A.	Constitutional amendments may be proposed by 60% of the Senate and ratified by 60% of those voting on the question (current law: majority of each house; majority of those voting at the election)
813/44 Hausman/Kleis	yes - Legislature (2003)	N.A.	N.A.	N.A.	135 (2003)			
1484/ Anderson, I./	yes - House (2005)	N.A.	N.A.	N.A.	102-135 - range set in the constitution; number set in law (2005)	4 years; same period of years as U.S. president (2005)		
1304/ Pugh/	partly (2003)	48 (2003)	between each redistricting, 4 years, then 6 years (2001)		96 (2003)	4 years, except all end after each redistricting (2001)		Senate acts only on fiscal bills in first year of biennium; House can call itself into special session
301/190 Knoblach/Day	no	45 (2003)			90 (2003)			
323/ McElroy/	no	57 (2003) → 47 (2013) → 37 (2023)			114 (2003) → 94 (2013) → 74 (2023), in law			
548/ Paulsen/	no	53 (2003)			106 (2003)			
/158 /Cohen	no	45 (2003)			90 (2003)			
/311 /Johnson, J.B.	no	50 (2003)			100 (2003)			
693/ Smith/	no		4 years, but terms do not end after each redistricting (2003)	yes - law must provide that one-half of the members run at each election		4 years, but terms do not end after each redistricting (2003)	yes - law must provide that one-half of the members run at each election	
226/1781 Anderson, I./Hottinger	no							Presiding officers can jointly call short veto-override sessions (2001)
397/ Knoblach/	no							Nonpartisan legislature (2001)
470/ Larson, D./	no							Term limits for legislators (three terms for Senate, five for House) and executive officials (2001)
1999/1597 Paulsen/Kleis	no							Limits legislative activity in second year of session, in the constitution (2001)

The bicameral structure of the legislature is dictated by the state constitution. “The legislature consists of the senate and house of representatives.” [Minn. Const. art. IV, sec. 1](#)

The size of the two houses of the legislature and the arrangement of legislative districts are established by law, not by the constitution. The constitution says that the size of the two houses “shall be prescribed by law” and that after each census the legislature “shall have the power to prescribe the bounds of ... legislative districts.” Current law says, “For each legislature, until a new apportionment shall have been made, the senate is composed of 67 members and the house of representatives is composed of 134 members.” Certain provisions of the constitution, taken together, require that the number of representatives be equal to or a multiple of the number of senators. These constitutional provisions specify: (1) that representation in both houses be apportioned by population; (2) that senators be chosen by single districts of convenient continuous territory numbered in regular series; and (3) that no representative district be divided in the formation of a Senate district. Current law divides the state into 67 senate districts, each of which elects one senator. Each of the 67 senate districts is divided into two house districts, making a total of 134 districts, each of which elects one representative. The result of this arrangement of legislative districts is that the House is precisely twice the size of the Senate: one-third of the 201 members of the legislature are senators, and two-thirds are representatives. Each senator currently represents about 70,000 persons, and each representative about half that number. [Minn. Const. art. IV, sec. 2, 3](#); [Minn. Stat. sec. 2.021, 2.031](#)

The term of office of legislators is prescribed by the state constitution. The constitution says, “Representatives shall be chosen for a term of two years, except to fill a vacancy. Senators shall be chosen for a term of four years, except to fill a vacancy and except there shall be an entire new election of all the senators at the first election of representatives after each new legislative apportionment....” Current law specifies that the term of office of senators and representatives begins early in January (the first Monday) in the odd-numbered year following their election in November of the even-numbered year. The term of office of representatives ends two years later in January, when new terms begin. The term of office of senators ends four years later in January, when new terms begin, except that after each decennial redistricting of legislative seats, all senators must run for election from the newly drawn districts. This cuts every third Senate term short, by two years. Senate terms do not overlap: all senators are elected together in the same year and serve for coterminous periods. The result is a repeating pattern of terms for all senators of four, four, and two years (e.g., 1993-96, 1997-2000, 2001-02). [Minn. Const. art. IV, sec. 4](#); [Minn. Stat. sec. 204D.02](#)

The frequency and duration of regular legislative sessions are established by law and by legislative choice, within four constitutionally prescribed limits. The constitution: (1) requires the legislature to meet in regular session in each biennium; (2) requires the legislature to adjourn the regular session in any year by late May (the first Monday after the third Saturday); (3) forbids either house to adjourn for more than three calendar days (excepting Sunday) without the consent of the other; and (4) limits each biennial regular session of the legislature to 120 “legislative days,” as that term is defined by law. Apart from these four prescriptions, the constitution allows the legislature to meet in regular session “at the times prescribed by law” and, once having met, to “adjourn to another time.” Current law: (1) requires the legislature to convene in each odd-numbered year early in January (the first Tuesday after the first Monday); and (2) defines a legislative day as a day “when either house of the legislature is called to order.” Apart from these four constitutional and two statutory constraints, the legislature is free to schedule its regular sessions as it pleases. In the years since 1973, when the constitution and laws took their current form, the “regular session” of the legislature been a biennial session — a single legislative session extending over parts of a two-year period beginning in January of each odd-numbered year. Every legislature has chosen to meet in both years of the legislative biennium, and no legislature has used all of its 120 legislative days. Regular sessions since 1973 have been configured as follows: the session begins on the required day early in January of the odd-numbered year, temporarily adjourns about four and one-half months later on the constitutional deadline in late May, resumes the following year in January or February, and adjourns finally about three months later, in late March or April. [Minn. Const. art. IV, sec. 12](#); [Minn. Stat. sec. 3.011, 3.012](#)