

Capitol Steps

# From Idea to Law

A young person's guide to the legislative process



# Welcome to your Legislature

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**E**veryone in Minnesota, no matter their age, is affected by the laws passed by our Legislature. This booklet is about the legislative process; in other words, how laws are made.

Like the rest of the United States, Minnesota is governed according to the legislative process resulting in rules or laws that guide the actions of the people.

The Legislature, made up of the House of Representatives and the Senate, is one of the three branches of government. It is the branch charged with making new laws and changing old ones. Members of the Legislature are elected by the people in each legislative district. The lawmaking process takes place at the State Capitol, where the representatives and senators work with the governor to turn ideas into law.

Much of the work takes place during a legislative session. In Minnesota, the session spans two years, which is called a biennium. For example, the years 2017 and 2018 are considered one biennium and referred to as the Minnesota 90th Legislative Session.

## Quick Facts:

- Two houses make up the Legislature
- House has 134 members
- Senate has 67 members
- House term - two years
- Senate term - four years\*
- Number of Senate districts in the state - 67
- Each district has one senator and two representatives.
- Representatives and senators must be qualified voters of the state, be at least 21 years of age, and must have resided for at least one year in the state.

The state constitution limits the legislative session to 120 legislative days. A legislative day is defined as any day when either the House or Senate meets for a floor session.

Typically, the Legislature meets from January to May.

During the biennium, legislators combine to introduce between 6,000 and 8,000 bills.

\* Following redistricting, senators serve a two-year term, then four-year terms.

# How an idea becomes legislation

Ideas for new laws can come from anyone: police officers, farmers, a legislator, sales clerks, parents and even kids.

For an idea to become a law, it must first become legislation — this is language that states an idea as if it were already a law. For that to happen, the idea needs to have a House and Senate member willing to be its sponsor and move it through the process.

When a legislator introduces a bill, the idea is taking its first step toward becoming a new law.

## Quick Fact:

A bill of similar language needs to be sponsored in the Senate and in the House. These are called companion bills. While they are often very much the same when they start through the legislative process, they usually don't stay the same because of amendments.

## It's the Law

### True or false

1. It is legal in Minnesota to text message while driving a vehicle.
2. Want a piercing other than on your earlobe, and you are under the age of 18? Not only do you need written parental consent, but the piercing service provider must witness the signature.
3. All American flags sold in Minnesota must be made in the USA.
4. The state has become a national example in its efforts to reduce the use of fossil fuels. The goal is that 25 percent of the total energy used in the state should come from renewable power sources by 2025.
5. If a seatbelt is available on your ATV and you are 18 years or younger, you must wear it.

For answers, see page 15

## Question

***What's the difference between the Legislature and Congress?***

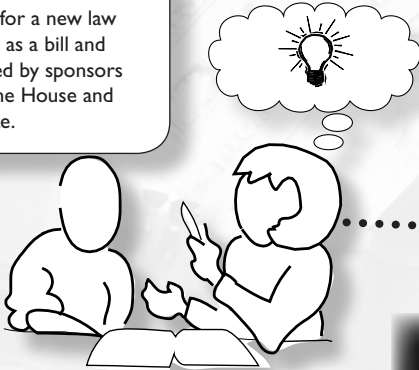
*The Minnesota Legislature makes laws that only apply to the state.*

*The United States Congress (also made up of a House and Senate) creates laws for all 50 states.*

# How a Bill Becomes Law

## 1. Bill

The idea for a new law is drafted as a bill and introduced by sponsors in both the House and the Senate.



## 2. House Committees

The House holds committee hearings on the bill to discuss it and make changes, if necessary.



## 3. House Floor

After the committees finish their work, the full House of Representatives votes on the bill.



## 4. Senate Committees

The Senate also holds committee hearings on its version of the bill. These can go on before, during or after the House hearings.





# How a Bill Becomes Law

## 5. Senate Floor

Just as the House does, the full Senate must vote on the bill.



## 6. Passage

If the House and Senate pass the same version of a bill, it is sent to the governor for action. If the language of the bills differ, then the differences have to be worked out by a conference committee.



## 7. Conference Committee

If the House and Senate can't reach an agreement on the language, they can work out the differences using a conference committee.



## 8. Governor

If the House and Senate pass the conference committee report, then it goes to the governor where it can be signed into law or vetoed.



## McKenna's Story

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# One teen's story - Idea to law

Sitting in the House Gallery with her siblings on April 27, 2017, McKenna Ahrenholz could finally smile.

McKenna had just seen the House pass a bill for which she spent many months advocating, while proving that just because you're not old enough to vote doesn't mean you can't change state law.

The girl from Swift County was 12.

"We hear a lot about courage down here," Rep. Ron Kresha (R-Little Falls) said before the 130-0 vote. "And I will tell you, this young lady has now redefined courage for me."

"McKenna is one of the most remarkable young women that I think I've ever met," added Rep. Jack Considine Jr. (DFL-Mankato).

McKenna was also present when the Senate later passed her bill 63-0. Gov. Mark Dayton signed it into law on May 17, 2017.

State statute guarantees children age 10 or older, who are removed from their homes, have the right to legal representation, but prior to "McKenna's Law," it did not specify who is required to share that information or in what manner.

The law, which took effect Aug. 1, 2017, requires that when a child at least age 10 is removed from a home and placed in foster care, a social worker must tell the child he or she has the right to be represented by a lawyer without charge. Communications with counsel are confidential, and the child has the right to participate in all proceedings, including attendance at all meetings. A process also exists by which the child can decline legal representation.

Kresha, who knew he had to act quickly once he heard McKenna's story, and Sen. Jerry Relph (R-St. Cloud) are the sponsors.

### The process

The bill was introduced in the Senate as Senate File 1386 on Feb. 23, 2017. A companion, House File 1702, was introduced in the House four days later.

With poise beyond her years, McKenna calmly shared her gut-wrenching story with the House Civil Law and Data Practices Policy Committee March 9, and the House Public Safety and Security Policy and Finance Committee less than a week later. She also testified before the Senate Judiciary and Public Safety Finance and Policy Committee

# McKenna's Story

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Photo by Paul Battaglia

**McKenna Ahrenholz shares her story with the House Public Safety and Security Policy and Finance Committee during the 2017 legislative session. Looking on are Lilia Panteleeva, executive director of the Children's Law Center of Minnesota, and Rep. Ron Kresha.**

March 17. Each committee approved the bill with no dissension.

After passage by the full House April 27, the bill was sent to the Senate, where a technical amendment was added before it was passed 63-0 May 11. The House passed the amended bill the next day and sent it to the governor.

## **McKenna's story**

McKenna's childhood was not filled with Barbie dolls, slumber parties and family vacations. She said her parents were "mentally sick and drug addicts," and her mother left six years earlier and was ordered by the court not to see her children until they turned 18.

## McKenna's Story

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“My dad tried to take care of us, but failed horribly. When he took care of us we were starved and he physically and mental abused us,” she said. “He gave us nasty clothing. I even had to scrape dog doo-doo off our clothing so that we would have something to wear for school.”

Food was scarce. A nearby restaurant knew of their situation and would help the children at least once a week. The children would sneak canned goods into

their room and open them with butcher knives.

“The social workers would come and tell him to feed us because he wouldn’t unless they told him to,” she said.

McKenna and her siblings bounced in and out of foster care, but often ended up back at home because, she says, social workers and their guardian ad litem — an advocate for a child whose welfare is a matter of concern



Photo by Paul Battaglia

**McKenna Ahrenholz, center, sits in the House Gallery April 27 as members debate a bill the 12-year-old inspired when she wrote to legislators about her experience with the state’s child protection system. The bill, HF1702, will, in part, require that children at least age 10 be notified of their rights to free counsel in certain cases.**



# McKenna's Story

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for the court — would not listen to her.

“If kids are allowed an attorney, someone should tell them that,” she said.

McKenna met her grandparents for the first time in April 2014.

“I was never informed before I met my grandparents that I was allowed an attorney or that someone could have been there to listen to me,” she said. “I’ve been punched, starved and neglected, and I don’t want anyone else to go through what we did. I think the laws need a change. The people that make the laws, like yourselves, need to hear us kids who are the ones who are going through this stuff.”

Her grandparents became foster parents to McKenna and her siblings.

“I wish I could have had parents that could have been normal, but they weren’t. So for us, the best thing in the whole world was to have a new home to go to, which our attorney helped us get,” she said.

Lilia Panteleeva, executive director of the Children’s Law Center of Minnesota, said abused, neglected and abandoned children enter the foster care system feeling “scared, traumatized, and the last thing on their mind is what rights I have. Do I have rights even?”

Later in 2017, McKenna became the youngest recipient of the Hero for Children Award given by the center.

“My grandma and grandpa saved our lives, but what about all those other kids that have no one to help them and listen to them? Who should tell them they are allowed an attorney?” McKenna said. “Kids don’t know this. They might be too scared to ask. ... Please pass this law to help all kids have a voice. We are young, but we are also smarter than you think.”

“I will tell you McKenna, that you impressed a lot of legislators here, far more so than the average testifier on an important bill,” said Rep. John Lesch (DFL-St. Paul). “There are a lot of testifiers on bills that come through here. It might be once every few sessions that someone comes through who did as a good a job as you did.”

## True or False

1. You must be at least age 18 to propose an idea for a bill.
2. McKenna’s Law breezed through the committee process with zero negative votes.
3. Mark Dayton is the governor who signed the bill into law.
4. The goal of McKenna’s Law is to punish parents.

*For answers, see page 15*

# Legislative Terms

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**The following are some terms used as part of the legislative process.**

**adjourn:** to conclude a day's session or committee meeting.

**amend:** the action of adding, omitting or altering language of a bill.

**bicameral:** a legislature containing two houses.

**biennium:** 1) the two-year period by which the state budget is set. Money is appropriated for a two-year budget cycle during the odd-numbered years. The fiscal biennium runs from July 1 in an odd-numbered year to June 30 in the next odd-numbered year; or 2) the two-year legislative term, which begins in January of an odd-numbered year and ends in December of an even-numbered year.

**bill:** a proposal calling for a new law, a change in current law, the repeal of current law or a constitutional amendment.

**caucus:** 1) a group of House members of the same political party or faction such as the "DFL Caucus," the "Republican Caucus," the "Majority Caucus" or the "Minority Caucus"; or 2) a meeting of such a group.

**chief sponsor:** the main sponsor of a bill.

**committee or division:** a group of senators or House members that hear bills, make preliminary decisions about them and report to the legislative body as a whole.

**companion bills:** identical bills introduced in the House and Senate.

**conference committee:** a group of either three or five members from each body that work out a compromise when the House and Senate pass different versions of a bill.

**floor:** after a bill passes through the committee process, it is sent to the "floor" in either the House or Senate, meaning it is placed on any of the various bill lists while awaiting debate by all members.

**hearing:** meeting of a committee or division at which the public has an opportunity to voice its opinions about proposed legislation.

**House file or Senate file:** the number assigned to a bill before it is introduced. It is listed at the top of the bill. HF2379 or SF5143, for example.

# Legislative Terms

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**introduced (n., introduction):** the formal presentation of a bill to a body of the Legislature. The bill gets its first reading at this time and is then referred to a committee or division.

**legislature:** name for the entire group of senators and representatives.

**lobbyist:** a person acting individually or for an interest group who tries to influence legislation.

**majority:** the party that has the most members elected in either the House or Senate.

**minority:** the party that has the fewest members elected in either the House or Senate.

**omnibus:** a term used to describe tax, education, appropriations and other bills that may contain many different proposals.

**page:** a person employed by the House or Senate to run errands, assist committees, and perform a variety of other legislative tasks.

**President of the Senate:** the person who presides over Senate floor action and debate.

**sine die:** when the Legislature adjourns “without a day,” in the even-numbered years, the second year of the biennium.

**Speaker of the House:** the person elected by members of the House of Representatives to preside over House floor action and debate.

**veto:** the constitutional power of the governor to refuse to sign a bill, thus preventing it from becoming law unless it is passed again (with a two-thirds majority) by both houses of the Legislature.

## Quick Facts:

Minnesota is divided into 67 Senate districts, and each of those districts is divided into two House districts. Voters elect one House member from each district and one senator from the district.

Each district holds about 79,163 people, and each section holds about half the number. So, the more populated the area, the smaller in geographical size is the district. In 2018, districts ranged in size from 3 square miles (62A) to 12,590 square miles (3A). New district boundary lines are drawn every 10 years after an official count of the people (a census). The district lines may shift to reflect the change in population.

# Word Matching

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*Match the definition to the correct term.*

**Minnesota's supreme document**

**legislature**

**Legislative information source**

**majority**

**Minnesota's highest elected official**

**bill**

**Two-year meeting of the legislature**

**gallery**

**Governor's rejection of a bill**

**session**

**House and Senate**

**lobbyist**

**Lead political party**

**constitution**

**Idea in legal form**

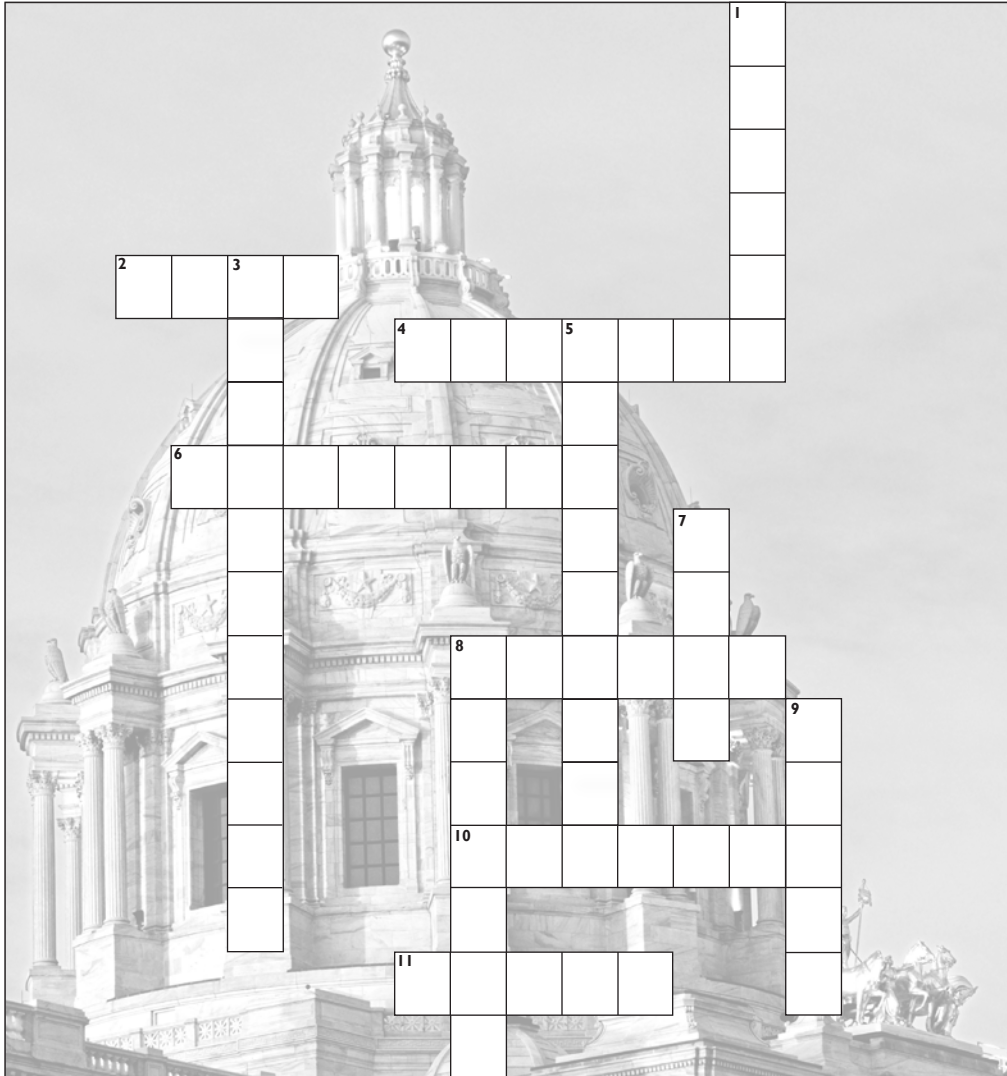
**governor**

**Public balcony in House and Senate chambers**

**veto**



# Legislative Crossword Puzzle



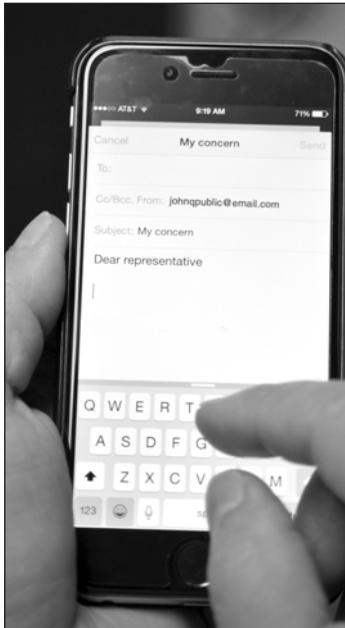
## Across

- 2. idea in legal form
- 4. a bill's journey
- 6. two-year period of the legislative session
- 8. body with 67 members
- 10. "without a day"
- 11. body with 134 members

## Down

- 1. members of the same political party group
- 3. all senators and representatives
- 5. bill of similar language
- 7. governor's rejection
- 8. yearly or daily meeting
- 9. alter bill language

# Contact Your Legislator - Get Involved



You can learn who your representatives are by going to the Legislature’s website, [www.leg.mn](http://www.leg.mn). On that page, click on “Who Represents Me.” This will bring you to a page where you are prompted to enter your address.

On the page that opens, you will see a map with a red star pinpointing your address. Next to the map you will see the names of your representatives and senators — both state and federal. If you would like to learn more about the person, just click on their name and you will be directed to their “member page.”

## Write a letter

You can also email your representative once you know their name. The addresses follow this format:

Rep.(first name).(last name)@house.mn

In this time of electronic communication, a handwritten letter would definitely catch attention.

*Tips:*

- Be respectful
- Be brief
- Make your letter neat and easy to read (type or print)

## Fill in the blanks:

**My state representative is**

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**My state senator is**

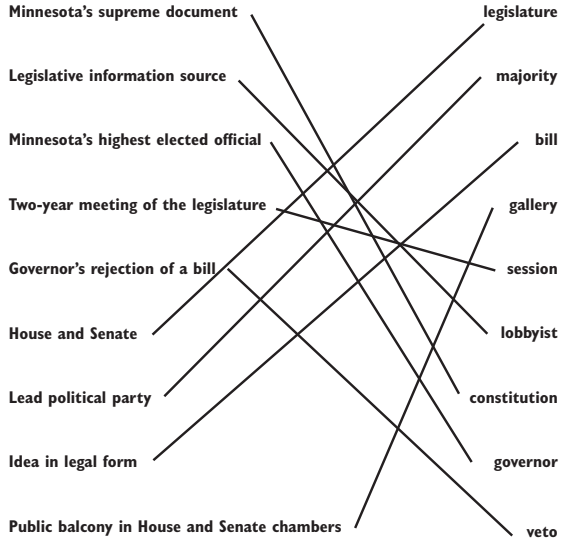
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## Make a call

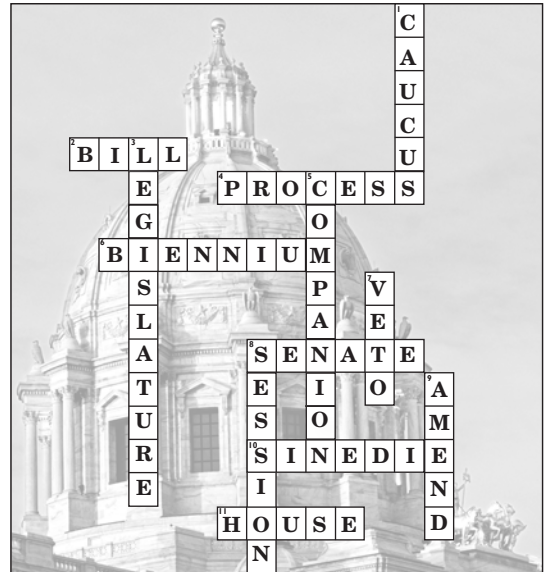
You can always call your representative. You may not speak immediately to the person, but you can leave a message, or speak with their legislative assistant.

# Puzzle Answers

## Word Matching



## Legislative Crossword Puzzle



## True or False Answers

### It's the Law

1. false
2. true
3. true
4. true
5. true

### McKenna's Story

1. false
2. true
3. true
4. false



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