

**T**here's a human story behind many of the laws that are passed each year by the Minnesota Legislature. Often, an idea for a new law comes from an ordinary citizen.

When 6-year-old Katie Fritz of Farmington was killed by a garage door opener, her parents and others successfully lobbied the Legislature for a law — the first in the nation — to regulate the openers.

When reports of a brutal dog beating were first aired, Nancy Minion of Woodbury and other animal rights activists sprang to action. They mounted a drive in a few short months to get a law passed which would prevent dogs that are the victims of abuse from being returned to their abusive owners.

And when Sandra Shanley of Anoka, who suffers from multiple sclerosis, tired of the bureaucratic process of applying for absentee ballots before each election, she spoke with her representative. The result was a law that allows people with permanent disabilities to automatically receive absentee ballots before each election, which will help ensure their right to vote.

These were just a few of the 200 bills that were signed into law during one legislative session.

Former Minneapolis senator, Jack Davies, who served in the state Senate from 1959 to 1982, summed it up nicely when he said, "After all is said and done, ideas dominate legislative life."

**S**o how does a bill become law? In many different ways. But the basic process works like this: Legislative staff translates the idea for a new law into proper legal form. A legislator, who either initiated the idea or acted upon a suggestion, becomes the chief sponsor of the bill.

The bill is then introduced in either the House or Senate and referred to a

committee where members will discuss it, invite public testimony and take amendments. The identical bill (called a companion bill) is usually introduced in the other body.

Committees in both bodies can either recommend the bill be approved, amend it and then recommend it be approved, table it or defeat the measure.

If the bill is approved, it can then be re-referred to another committee for consideration or to the full House for a vote.

Generally, a bill referred to the full House will be listed on the General Register, which is a pool of bills awaiting action on the House floor. The measure will receive a vote in the full House only after the bill is selected to be on the Calendar for the Day or the Fiscal Calendar, which are lists of bills scheduled to be taken up by the body on a specific date.

For most bills, 68 votes are all that's needed to pass in the House; 34 in the Senate.

If the bill is passed by both the House and Senate, it's then sent to the governor for action. Although this often happens with minor, non-controversial bills, it rarely occurs with major spending or tax bills.

The Senate and House typically approve differing bills in addressing the same topic. When that occurs, a conference committee — either three or five members from each body — is named to work out the differences.

Once a compromise is reached, the bill is returned to both the House and the Senate for final approval, and then sent to the governor for action.

Although the legislative process is simple in theory, it can often be confusing in practice. For example, a bill that



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## State Law Process

is defeated or amended in committee early in a session could be resurrected in a different form a few weeks later.

That's just what happened with a bill to appropriate money to help pay for the investigation of the Jacob Wetterling kidnapping. The appropriation request wasn't approved in a committee, so on the House floor, the chief sponsor added the proposal as an amendment to a separate bill on taxes. It passed, and later the governor signed it into law.

**T**he legislative process in practice is akin to those long balloons that can be twisted into various shapes. Squeeze the air out of one section and it'll pop up in another.

For that reason, legislators, during legislative sessions, often recite the immortal words of baseball great Yogi Berra: "It ain't over 'til it's over." ▼

# How a Bill Becomes

## Idea

**1** A bill is an idea for a new law or an idea to change an old law. Anyone can suggest an idea for a bill — an individual, consumer group, professional association, government agency or the governor. Most often, however, ideas come from legislators, the only ones who can begin to move an idea through the process. There are 134 House members and 67 senators.

## Legal form

**2** The Office of the Revisor of Statutes and staff from other legislative offices work with legislators in putting the idea for a new law into proper legal form. The revisor's office is responsible for assuring that the proposal's form complies with the rules of both bodies before the bill is introduced into the Minnesota House of Representatives and the Minnesota Senate.

## Sponsors

**3** Each bill must have a legislator to sponsor and introduce it in the Legislature. That legislator's name appears on the bill along with the bill's file number to identify it as it moves through the legislative process. There may be up to 34 co-sponsors from the House and four from the Senate. Their names also appear on the bill.

## General Register

**7** In the House, the General Register serves as a parking lot where bills await action by the full body. Bills chosen to appear on the Calendar for the Day or the Fiscal Calendar are drawn from the General Register.

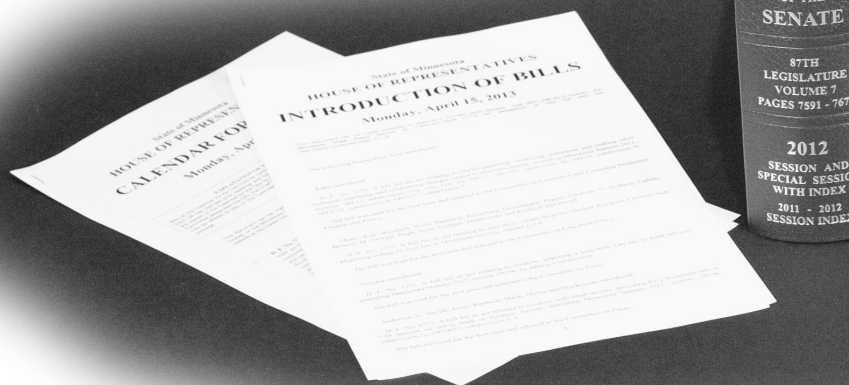
In the Senate, a different procedure is used. Bills are listed on the General Orders agenda. Senate members, acting as the "committee of the whole," have a chance to debate the issue and offer amendments on the bill. Afterwards, they vote to recommend: passage of the bill, progress (delay action) or further committee action. And sometimes they recommend that a bill not pass. From here, the bill is placed on the Calendar.

## Calendar for the Day

**8** In the House, the Calendar for the Day is a list of bills the House Rules and Legislative Administration Committee has designated for the full House to vote on. Members can vote to amend the bill, and after amendments are dispensed with, the bill is given its *third reading* before the vote of the full body is taken. The House also has a Fiscal Calendar, on which the chair of the House Ways and Means Committee or House Taxes Committee can call up for consideration any tax or finance bill that has had a second reading. The bills are debated, amended and passed in one day.

In the Senate, bills approved by the "committee of the whole" are placed on the Calendar. At this point, the bill has its *third reading*, after which time the bill cannot be amended unless the entire body agrees to it. Toward the end of the session, the Senate Rules and Administration Committee designates bills from the General Orders calendar to receive priority consideration. These Special Orders bills are debated, amended and passed in one day.

A bill needs 68 votes to pass the House and 34 votes to pass the Senate. If the House and Senate each pass the same version of the bill, it goes to the governor for a signature.



# a Law in Minnesota

## Introduction

**4** The chief House sponsor of the bill introduces it in the House; the chief Senate sponsor introduces it in the Senate. Identical bills introduced in each body are called *companion* bills. The bill introduction is called the *first reading*. The presiding officer of the House then refers it to an appropriate House committee for discussion; the same thing happens in the Senate.

## Committee

**5** The bill is discussed in one or more committees depending upon the subject matter. After discussion, committee members recommend action — approval or disapproval — to the full House and full Senate. The House committee then sends a report to the House about its action on the bill; the Senate committee does likewise in the Senate.

## Floor

**6** After the full House or Senate accepts the committee report, the bill has its *second reading* and is placed on the House agenda called the General Register or the Senate agenda called General Orders. After this point, House and Senate procedures differ slightly.

## Conference

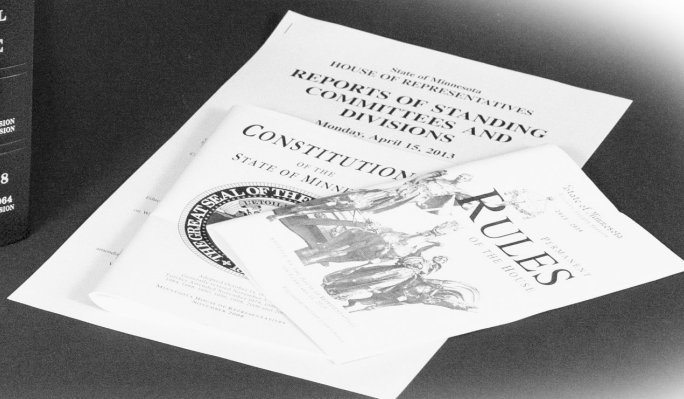
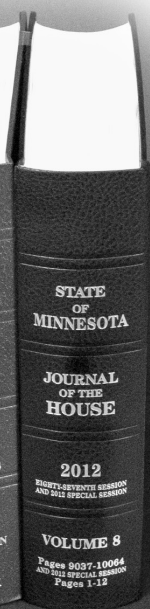
**9** If the House and Senate versions of the bill are different, they go to a conference committee. In the House, the speaker appoints three or five representatives, and in the Senate, the Subcommittee on Committees of the Rules and Administration Committee selects the same number of senators to form the committee. The committee meets to work out differences in the two bills and to reach a compromise.

## Floor

**10** The conference committee's compromise bill then goes back to the House and the Senate for another vote. If both bodies pass the bill in this form, it is sent to the governor for approval or disapproval. (If one or both bodies reject the report, it goes back to the conference committee for further consideration.) A conference committee report cannot be amended on the House or Senate floor.

## Governor

**11** Once the governor has the bill, he or she may: sign it, and the bill becomes law; veto it within three days; or allow it to become law by not signing it. During session, the House and Senate can override a governor's veto. This requires a two-thirds vote in the House (90 votes) and Senate (45 votes). The governor also may line-item veto parts of a money bill, or pocket veto a bill passed during the last three days of the session by not signing it within 14 days after final adjournment. ▼





# Questions and Answers

## How are bills amended?

**B**ills going through the Legislature are often amended, which can greatly change the thrust of a bill.

Most often legislators make amendments to bills when they are being considered in committee. Committee members are usually well-versed in the subjects of the bills, and they have the time at this point to consider making changes. Legislators can also amend bills when they reach the House or Senate floor. In both cases, amendments are adopted by a majority vote.

Generally, the legislator offering the amendment will have the proposal drafted by legislative staff before offering it for discussion. ▼

## What are first, second and third readings?

**A** “reading” is the presentation of a bill before either house when the bill title is read. Bills must have three readings, one on each of three separate days, before they can receive final approval. Each of these readings is a stage in the enactment of a measure. Exceptions can occur, however, if the rules are suspended.

The Minnesota Constitution outlines this procedure to ensure that legislators know exactly what bills are before them, and to allow time for legislators to study the proposals.

The first reading occurs when a sponsor introduces a bill on the House or Senate floor, after which it is sent to a committee for consideration.

The second reading occurs when either body accepts the committee report regarding the action the committee took

on the bill. This happens in advance of the floor debate on the bill.

The third reading occurs immediately preceding the final vote on the bill.

Even though the Minnesota Constitution requires this process, it permits legislators to dispense with the rule when necessary. ▼

## What happens to bills remaining on calendars at the end of the first session of a biennium?

**B**ills of this nature are returned to the last committee from which they were reported to the floor. But before they can be reported to the floor in the succeeding year, the committee must again recommend action. ▼

## Are there any legislative deadlines?

**B**ills can be introduced at any time during a session, but there are committee deadlines after which a bill will no longer be considered that session.

Committee deadlines are announced during the first half of a session in order to pare down the list of topics to be dealt with that year. Generally the first deadline requires that a bill pass out of necessary policy committees in its house of origin. The second deadline requires all bills, except major omnibus finance and revenue bills, to pass out of all policy committees in both bodies. A third deadline dictates when bills that appropriate money must be passed out of a finance or tax committee. ▼

## How do legislators vote on various issues?

**A**lthough people frequently call and ask for a legislator’s “voting record,” no such complete document exists. In reality, each legislator casts hundreds of votes on assorted bills that are subsequently recorded in the *Journal of the House*. The Senate has a comparable journal.

If you want to know how a legislator voted on a specific bill, the House Index Office and the Senate Information Office can help you.

Probably the best way to get a feel for a legislator’s voting record is to contact any number of special interest groups that rate legislators based on issues that are important to them. Several business associations and environmental groups, for example, issue regular ratings. ▼

## When do new laws go into effect?

**M**ost new laws go into effect on Aug. 1 following a legislative session unless a bill specifies another date. Exceptions are bills that contain an appropriation, which become effective July 1, the same date the fiscal year begins, unless otherwise noted. ▼

## What is an omnibus bill?

**A**n omnibus bill is a large bill that includes several different issues under one general topic such as education. It’s usually a finance or revenue bill, contains many pages, and is often comprised of several individual bills. Legislators often say the smaller bills are “rolled into” the larger one. ▼