

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION

S.F. No. 1920

(SENATE AUTHORS: WIGER and Reinert)

DATE	D-PG	OFFICIAL STATUS
02/25/2014	5849	Introduction and first reading Referred to State and Local Government
03/10/2014	6082	Author added Reinert

A bill for an act

1.1
1.2 proposing an amendment to the Minnesota Constitution; providing for a
1.3 unicameral legislature; changing article IV; article V, sections 3 and 5; article
1.4 VIII, sections 1 and 6; article IX, sections 1 and 2; and article XI, section 5;
1.5 amending Minnesota Statutes 2012, sections 2.021; 2.031, subdivision 1.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. **CONSTITUTIONAL AMENDMENTS PROPOSED.**

1.8 An amendment to the Minnesota Constitution is proposed to the people. If the
1.9 amendment is adopted,

1.10 article IV will read:

1.11 Section 1. The legislature consists of the ~~senate and house of representatives~~ number of
1.12 senators prescribed by law.

1.13 Sec. 2. ~~The number of members who compose the senate and house of representatives~~
1.14 ~~shall be prescribed by law.~~ The representation in ~~both~~ houses shall be apportioned equally
1.15 throughout the different sections of the state in proportion to the population thereof.

1.16 Sec. 3. At its first session after each enumeration of the inhabitants of this state made
1.17 by the authority of the United States, the legislature shall have the power to prescribe
1.18 the bounds of congressional and legislative districts. Senators shall be chosen by single
1.19 districts of convenient contiguous territory. ~~No representative district shall be divided in~~
1.20 ~~the formation of a senate district.~~ The senate districts shall be numbered in a regular series.

1.21 Sec. 4. ~~Representatives shall be chosen for a term of two years, except to fill a vacancy.~~
1.22 Senators shall be chosen for a term of four years, except to fill a vacancy and except there
1.23 shall be an entire new election of all the senators at the first election of ~~representatives~~ after
1.24 each new legislative ~~apportionment~~ redistricting provided for in this article and the senators

2.1 chosen at that election from districts with odd numbers shall serve for an initial term of two
2.2 years. The governor shall call elections to fill vacancies in ~~either house of~~ the legislature.

2.3 Sec. 5. No senator ~~or representative~~ shall hold any other office under the authority
2.4 of the United States or the state of Minnesota, except that of postmaster or of notary
2.5 public. If elected or appointed to another office, a ~~legislator~~ senator may resign from the
2.6 legislature by tendering his resignation to the governor.

2.7 Sec. 6. Senators ~~and representatives~~ shall be qualified voters of the state, and shall have
2.8 resided one year in the state and six months immediately preceding the election in the
2.9 district from which elected. ~~Each house~~ The legislature shall be the judge of the election
2.10 returns and eligibility of its own members. The legislature shall prescribe by law the
2.11 manner for taking evidence in cases of contested seats ~~in either house~~.

2.12 Sec. 7. ~~Each house~~ The legislature may determine the rules of its proceedings, sit
2.13 upon its own adjournment, punish its members for disorderly behavior, and with the
2.14 concurrence of two-thirds expel a member; but no member shall be expelled a second
2.15 time for the same offense.

2.16 Sec. 8. Each member and officer of the legislature before entering upon his duties
2.17 shall take an oath or affirmation to support the Constitution of the United States, the
2.18 constitution of this state, and to discharge faithfully the duties of his office to the best of
2.19 his judgment and ability.

2.20 Sec. 9. The compensation of senators ~~and representatives~~ shall be prescribed by law.
2.21 No increase of compensation shall take effect during the period for which the members of
2.22 the existing ~~house of representatives~~ legislature may have been elected.

2.23 Sec. 10. The members of ~~each house~~ the legislature in all cases except treason, felony
2.24 and breach of the peace, shall be privileged from arrest during the session ~~of their~~
2.25 ~~respective houses~~ and in going to or returning from the same. For any speech or debate ~~in~~
2.26 ~~either house~~ they shall not be questioned in any other place.

2.27 Sec. 11. Two or more members ~~of either house~~ may dissent and protest against any act
2.28 or resolution which they think injurious to the public or to any individual and have the
2.29 reason of their dissent entered in the journal.

2.30 Sec. 12. The legislature shall meet at the seat of government in regular session in each
2.31 biennium at the times prescribed by law for not exceeding a total of 120 legislative days.
2.32 The legislature shall not meet in regular session, nor in any adjournment thereof, after the
2.33 first Monday following the third Saturday in May of any year. After meeting at a time
2.34 prescribed by law, the legislature may adjourn to another time. "Legislative day" shall

3.1 be defined by law. A special session of the legislature may be called by the governor on
3.2 extraordinary occasions.

3.3 ~~Neither house during a session of the legislature shall adjourn for more than three~~
3.4 ~~days (Sundays excepted) nor to any other place than that in which the two houses shall be~~
3.5 ~~assembled without the consent of the other house.~~

3.6 Sec. 13. A majority of ~~each house~~ the legislature constitutes a quorum to transact
3.7 business, but a smaller number may adjourn from day to day and compel the attendance of
3.8 absent members in the manner and under the penalties it may provide.

3.9 Sec. 14. ~~Each house~~ The legislature shall be open to the public during its sessions
3.10 except in cases which in its opinion require secrecy.

3.11 Sec. 15. ~~Each house~~ The legislature shall elect its presiding officer and other officers
3.12 as may be provided by law. ~~Both houses~~ It shall keep ~~journals~~ a journal of ~~their~~ its
3.13 proceedings, and from time to time publish the same, and the yeas and nays, when taken
3.14 on any question, shall be entered in the ~~journals~~ journal.

3.15 Sec. 16. In all elections by the legislature members shall vote viva voce and their
3.16 votes shall be entered in the journal.

3.17 Sec. 17. No law shall embrace more than one subject, which shall be expressed in its
3.18 title.

3.19 Sec. 18. ~~All bills for raising revenue shall originate in the house of representatives, but~~
3.20 ~~the senate may propose and concur with the amendments as on other bills.~~

3.21 ~~Sec. 19:~~ Every bill shall be reported on three different days in ~~each house~~ the
3.22 legislature, unless, in case of urgency, two-thirds of the ~~house where the bill is pending~~
3.23 legislature deem it expedient to dispense with this rule.

3.24 Sec. ~~20~~ 19. Every bill passed by ~~both houses~~ the legislature shall be enrolled and
3.25 signed by the presiding officer ~~of each house~~. Any presiding officer refusing to sign a bill
3.26 passed by ~~both houses~~ the legislature shall thereafter be disqualified from any office of
3.27 honor or profit in the state. ~~Each house~~ The legislature by rule shall provide the manner in
3.28 which a bill shall be certified for presentation to the governor in case of such refusal.

3.29 Sec. ~~21~~ 20. No bill shall be passed by ~~either house~~ upon the day prescribed for
3.30 adjournment. This section shall not preclude the enrollment of a bill or its transmittal ~~from~~
3.31 ~~one house to the other~~ or to the executive for his signature.

3.32 Sec. ~~22~~ 21. The style of all laws of this state shall be: "Be it enacted by the legislature
3.33 of the state of Minnesota." No law shall be passed unless voted for by a majority of all

4.1 the members elected to ~~each house~~ of the legislature, and the vote entered in the journal
4.2 ~~of each house~~.

4.3 Sec. ~~23~~ 22. Every bill passed in conformity to the rules ~~of each house and the joint~~
4.4 ~~rules of the two houses~~ legislature shall be presented to the governor. If he approves a
4.5 bill, he shall sign it, deposit it in the office of the secretary of state and notify the ~~house in~~
4.6 ~~which it originated~~ legislature of that fact. If he vetoes a bill, he shall return it with his
4.7 objections to the ~~house in which it originated~~ legislature. His objections shall be entered
4.8 in the journal. If, after reconsideration, two-thirds of ~~that house~~ the legislature agree to
4.9 pass the bill, ~~it shall be sent, together with the governor's objections, to the other house,~~
4.10 ~~which shall likewise reconsider it. If approved by two-thirds of that house~~ it becomes a
4.11 law and shall be deposited in the office of the secretary of state. In such cases the votes ~~of~~
4.12 ~~both houses~~ shall be determined by yeas and nays, and the names of the persons voting for
4.13 or against the bill shall be entered in the journal ~~of each house~~. Any bill not returned by
4.14 the governor within three days (Sundays excepted) after it is presented to him becomes a
4.15 law as if he had signed it, unless the legislature by adjournment within that time prevents
4.16 its return. Any bill passed during the last three days of a session may be presented to the
4.17 governor during the three days following the day of final adjournment and becomes law if
4.18 the governor signs and deposits it in the office of the secretary of state within 14 days after
4.19 the adjournment of the legislature. Any bill passed during the last three days of the session
4.20 which is not signed and deposited within 14 days after adjournment does not become a law.

4.21 If a bill presented to the governor contains several items of appropriation of money,
4.22 he may veto one or more of the items while approving the bill. At the time he signs the bill
4.23 the governor shall append to it a statement of the items he vetoes and the vetoed items shall
4.24 not take effect. If the legislature is in session, he shall transmit to the ~~house in which the~~
4.25 ~~bill originated~~ legislature a copy of the statement, and the items vetoed shall be separately
4.26 reconsidered. If on reconsideration any item is approved by two-thirds of the members
4.27 elected to ~~each house~~, it is a part of the law notwithstanding the objections of the governor.

4.28 Sec. ~~24~~ 23. Each order, resolution or vote ~~requiring the concurrence of the two houses~~
4.29 except such as relate to the business or adjournment of the legislature shall be presented to
4.30 the governor and is subject to his veto as prescribed in case of a bill.

4.31 Sec. ~~25~~ 24. During a session ~~each house~~ the legislature may punish by imprisonment
4.32 for not more than 24 hours any person not a member who is guilty of any disorderly
4.33 or contemptuous behavior in its presence.

4.34 Sec. ~~26~~ 25. Passage of a general banking law requires the vote of two-thirds of the
4.35 members of ~~each house~~ of the legislature.

5.1 article V, section 3, will read:

5.2 Sec. 3. The governor shall communicate by message to each session of the legislature
5.3 information touching the state and country. He is commander-in-chief of the military
5.4 and naval forces and may call them out to execute the laws, suppress insurrection and
5.5 repel invasion. He may require the opinion in writing of the principal officer in each of
5.6 the executive departments upon any subject relating to his duties. With the advice and
5.7 consent of the ~~senate~~ legislature he may appoint notaries public and other officers provided
5.8 by law. He may appoint commissioners to take the acknowledgment of deeds or other
5.9 instruments in writing to be used in the state. He shall take care that the laws be faithfully
5.10 executed. He shall fill any vacancy that may occur in the offices of secretary of state,
5.11 auditor, attorney general and the other state and district offices hereafter created by law
5.12 until the end of the term for which the person who had vacated the office was elected or
5.13 the first Monday in January following the next general election, whichever is sooner, and
5.14 until a successor is chosen and qualified.

5.15 article V, section 5, will read:

5.16 Sec. 5. In case a vacancy occurs from any cause whatever in the office of governor,
5.17 the lieutenant governor shall be governor during such vacancy. The compensation of
5.18 the lieutenant governor shall be prescribed by law. The last elected presiding officer of
5.19 the ~~senate~~ legislature shall become lieutenant governor in case a vacancy occurs in that
5.20 office. In case the governor is unable to discharge the powers and duties of his office, the
5.21 same devolves on the lieutenant governor. The legislature may provide by law for the
5.22 case of the removal, death, resignation, or inability both of the governor and lieutenant
5.23 governor to discharge the duties of governor and may provide by law for continuity of
5.24 government in periods of emergency resulting from disasters caused by enemy attack in
5.25 this state, including but not limited to, succession to the powers and duties of public
5.26 office and change of the seat of government.

5.27 article VIII, section 1, will read:

5.28 Section 1. The ~~house of representatives~~ legislature has the sole power of impeachment
5.29 through a concurrence of a majority of all its members. All impeachments shall be tried
5.30 by the ~~senate~~ legislature. When sitting for that purpose, senators shall be upon oath or
5.31 affirmation to do justice according to law and evidence. No person shall be convicted
5.32 without the concurrence of two-thirds of the senators present.

5.33 article VIII, section 6, will read:

5.34 Sec. 6. A member of the ~~senate or the house of representatives~~ legislature, an executive
5.35 officer of the state identified in section 1 of article V of the constitution, or a judge of the

6.1 supreme court, the court of appeals, or a district court is subject to recall from office by the
6.2 voters. The grounds for recall of a judge shall be established by the supreme court. The
6.3 grounds for recall of an officer other than a judge are serious malfeasance or nonfeasance
6.4 during the term of office in the performance of the duties of the office or conviction during
6.5 the term of office of a serious crime. A petition for recall must set forth the specific
6.6 conduct that may warrant recall. A petition may not be issued until the supreme court has
6.7 determined that the facts alleged in the petition are true and are sufficient grounds for
6.8 issuing a recall petition. A petition must be signed by a number of eligible voters who
6.9 reside in the district where the officer serves and who number not less than 25 percent of the
6.10 number of votes cast for the office at the most recent general election. Upon a determination
6.11 by the secretary of state that a petition has been signed by at least the minimum number
6.12 of eligible voters, a recall election must be conducted in the manner provided by law. A
6.13 recall election may not occur less than six months before the end of the officer's term. An
6.14 officer who is removed from office by a recall election or who resigns from office after a
6.15 petition for recall issues may not be appointed to fill the vacancy that is created.

6.16 article IX, section 1, will read:

6.17 Section 1. A majority of the members elected to ~~each house of~~ the legislature may
6.18 propose amendments to this constitution. Proposed amendments shall be published with
6.19 the laws passed at the same session and submitted to the people for their approval or
6.20 rejection at a general election. If a majority of all the electors voting at the election vote to
6.21 ratify an amendment, it becomes a part of this constitution. If two or more amendments
6.22 are submitted at the same time, voters shall vote for or against each separately.

6.23 article IX, section 2, will read:

6.24 Sec. 2. Two-thirds of the members elected to ~~each house of~~ the legislature may submit
6.25 to the electors at the next general election the question of calling a convention to revise this
6.26 constitution. If a majority of all the electors voting at the election vote for a convention,
6.27 the legislature at its next session, shall provide by law for calling the convention. The
6.28 convention shall consist of as many delegates as there are members of the ~~house of~~
6.29 ~~representatives~~ legislature. Delegates shall be chosen in the same manner as members of the
6.30 ~~house of representatives~~ legislature and shall meet within three months after their election.
6.31 Section 5 of Article IV of the constitution does not apply to election to the convention.

6.32 and article XI, section 5, will read:

6.33 Sec. 5. Public debt may be contracted and works of internal improvements carried on
6.34 for the following purposes:

7.1 (a) to acquire and to better public land and buildings and other public improvements
 7.2 of a capital nature and to provide money to be appropriated or loaned to any agency
 7.3 or political subdivision of the state for such purposes if the law authorizing the debt is
 7.4 adopted by the vote of at least three-fifths of the members of each house of the legislature;

7.5 (b) to repel invasion or suppress insurrection;

7.6 (c) to borrow temporarily as authorized in section 6;

7.7 (d) to refund outstanding bonds of the state or any of its agencies whether or not the
 7.8 full faith and credit of the state has been pledged for the payment of the bonds;

7.9 (e) to establish and maintain highways subject to the limitations of article XIV;

7.10 (f) to promote forestation and prevent and abate forest fires, including the
 7.11 compulsory clearing and improving of wild lands whether public or private;

7.12 (g) to construct, improve and operate airports and other air navigation facilities;

7.13 (h) to develop the state's agricultural resources by extending credit on real estate
 7.14 security in the manner and on the terms and conditions prescribed by law;

7.15 (i) to improve and rehabilitate railroad rights-of-way and other rail facilities whether
 7.16 public or private, provided that bonds issued and unpaid shall not at any time exceed
 7.17 \$200,000,000 par value; and

7.18 (j) as otherwise authorized in this constitution.

7.19 As authorized by law political subdivisions may engage in the works permitted by
 7.20 (f), (g), and (i) and contract debt therefor.

7.21 **Sec. 2. SUBMISSION TO VOTERS.**

7.22 The proposed amendment shall be submitted to the people at the 2018 general
 7.23 election. The question submitted shall be:

7.24 "Shall the Minnesota Constitution be amended to provide that the Minnesota
 7.25 House of Representatives and Senate be replaced by a single legislative body called the
 7.26 Legislature, beginning in 2021.

7.27 Yes

7.28 No "

7.29 **Sec. 3. Minnesota Statutes 2012, section 2.021, is amended to read:**

7.30 **2.021 NUMBER OF MEMBERS.**

7.31 ~~For each legislature, until a new apportionment shall have been made,~~ The senate
 7.32 legislature is composed of ~~67~~ 135 members ~~and the house of representatives is composed~~
 7.33 ~~of 134 members.~~

8.1 Sec. 4. Minnesota Statutes 2012, section 2.031, subdivision 1, is amended to read:

8.2 Subdivision 1. **Legislative districts.** ~~The representatives~~ Representation in the
8.3 ~~senate and house of representatives are~~ legislature is apportioned throughout the state in
8.4 ~~67 senate districts and 134 house of representatives~~ 135 districts. Each senate district is
8.5 entitled to elect one senator and each house of representatives district is entitled to elect
8.6 ~~one representative.~~

8.7 Sec. 5. **EFFECTIVE DATE.**

8.8 If the amendment proposed by section 1 is adopted, the amendment and sections 3
8.9 and 4 are effective for senators whose terms begin the first Monday in January 2021.