

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 2326

(SENATE AUTHORS: MARTY)

DATE
04/20/2017

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OFFICIAL STATUS
Introduction and first reading
Referred to State Government Finance and Policy and Elections

1.1 A bill for an act

1.2 relating to the legislature; proposing an amendment to the Minnesota Constitution,

1.3 article IV; article VIII, sections 1 and 6; article IX, sections 1 and 2; article XI,

1.4 section 5; providing for a single-house legislature; providing by statute for a

1.5 legislature of 99 members; amending Minnesota Statutes 2016, sections 2.021;

1.6 2.031, subdivision 1.

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

1.8 Section 1. **CONSTITUTIONAL AMENDMENTS PROPOSED.**

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

1.10 is adopted, article IV, will read:

1.11 Section 1. The legislature consists of the senate ~~and house of representatives.~~

1.12 Sec. 2. The number of members who compose the senate ~~and house of representatives~~

1.13 shall be prescribed by law. The representation ~~in both houses~~ shall be apportioned equally

1.14 throughout the different sections of the state in proportion to the population thereof.

1.15 Sec. 3. At its first session after each enumeration of the inhabitants of this state made

1.16 by the authority of the United States, the legislature senate shall have the power to prescribe

1.17 the bounds of congressional and legislative districts. Senators shall be chosen by single

1.18 districts of convenient contiguous territory. ~~No representative district shall be divided in~~

1.19 ~~the formation of a senate district.~~ The senate districts shall be numbered in a regular series.

1.20 Sec. 4. ~~Representatives shall be chosen for a term of two years, except to fill a vacancy.~~

1.21 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~~ redistricting provided for in this article and the senators chosen at that election from districts with odd numbers shall serve for an initial term of two years. The governor shall call elections to fill vacancies in ~~either house of the legislature~~ senate.

Sec. 5. 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~~ senator may resign from the ~~legislature~~ senate by tendering his resignation to the governor.

Sec. 6. 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 elected. ~~Each house~~ The senate shall be the judge of the election returns and eligibility of its own members. The ~~legislature~~ senate shall prescribe by law the manner for taking evidence in cases of contested seats ~~in either house.~~

Sec. 7. ~~Each house~~ The senate 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 a second time for the same offense.

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

Sec. 9. The salary of senators ~~and representatives~~ shall be prescribed by a council consisting of the following members: one person who is not a judge from each congressional district appointed by the chief justice of the Supreme Court, and one member from each congressional district appointed by the governor. If Minnesota has an odd number of congressional districts, the governor and the chief justice must each appoint an at-large member in addition to a member from each congressional district. One-half of the members appointed by the governor and one-half of the members appointed by the chief justice must belong to the political party that has the most members in the ~~legislature~~ senate. One-half of the members appointed by the governor and one-half of the members appointed by the chief justice must belong to the political party that has the second-most members in the

~~legislature~~ senate. None of the members of the council may be current or former legislators, or the spouse of a current ~~legislator~~ senator. None of the members of the council may be current or former lobbyists registered under Minnesota law. None of the members of the council may be a current employee of the ~~legislature~~ senate. None of the members of the council may be a current or former judge. None of the members of the council may be a current or former governor, lieutenant governor, attorney general, secretary of state, or state auditor. None of the members of the council may be a current employee of an entity in the executive or judicial branch. Membership terms, removal, and compensation of members shall be as provided by law. The council must prescribe salaries by March 31 of each odd-numbered year, taking into account any other legislative compensation provided to ~~legislators~~ senators by the state of Minnesota, with any changes in salary to take effect on July 1 of that year. Any salary increase for ~~legislators~~ senators authorized in law ~~by the legislature~~ after January 5, 2015, is repealed.

Sec. 10. The members of ~~each house~~ the senate in all cases except treason, felony and breach of the peace, shall 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~~ the senate they shall not be questioned in any other place.

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

Sec. 12. The ~~legislature~~ senate shall meet at the seat of government in regular session in each biennium at the times prescribed by law for not exceeding a total of 120 legislative days. The ~~legislature~~ senate 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~~ senate may adjourn to another time. "Legislative day" shall be defined by law. A special session of the ~~legislature~~ senate may be called by the governor on extraordinary occasions.

~~Neither house during a session of the legislature shall 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.~~

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

4.4 Sec. 14. ~~Each house~~ The senate shall be open to the public during its sessions except in
4.5 cases which in its opinion require secrecy.

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

4.10 Sec. 16. In all elections by the ~~legislature~~ senate members shall vote viva voce and their
4.11 votes shall be entered in the journal.

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

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

4.16 Sec. 19. Every bill shall be reported on three different days in ~~each house~~ the senate,
4.17 unless, in case of urgency, two-thirds of the ~~house where the bill is pending~~ senate deem it
4.18 ~~expedient~~ necessary to dispense with this rule.

4.19 Sec. 20. Every bill passed by ~~both houses~~ the senate shall be enrolled and signed by the
4.20 presiding officer of ~~each house~~. Any presiding officer refusing to sign a bill passed by ~~both~~
4.21 ~~houses~~ shall thereafter be disqualified from any office of honor or profit in the state. ~~Each~~
4.22 ~~house~~ The senate by rule shall provide the manner in which a bill shall be certified for
4.23 presentation to the governor in case of such refusal.

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

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

5.1 ~~members elected to each house of the legislature~~ senate, and the vote entered in the journal
5.2 of each house.

5.3 Sec. 23. Every bill passed in conformity to the rules of ~~each house and the joint rules of~~
5.4 ~~the two houses~~ senate shall be presented to the governor. If he approves a bill, he shall sign
5.5 it, deposit it in the office of the secretary of state and notify the ~~house in which it originated~~
5.6 senate of that fact. If he vetoes a bill, he shall return it with his objections to the ~~house in~~
5.7 ~~which it originated~~ senate. His objections shall be entered in the journal. If, after
5.8 reconsideration, two-thirds of ~~that house~~ the senate agree to pass the bill, ~~it shall be sent,~~
5.9 ~~together with the governor's objections, to the other house, which shall likewise reconsider~~
5.10 ~~it. If approved by two-thirds of that house~~ it becomes a law and shall be deposited in the
5.11 office of the secretary of state. In such cases the votes of ~~both houses~~ shall be determined
5.12 by yeas and nays, and the names of the persons voting for or against the bill shall be entered
5.13 in the journal of ~~each house~~. Any bill not returned by the governor within three days (Sundays
5.14 excepted) after it is presented to him becomes a law as if he had signed it, unless the
5.15 ~~legislature~~ senate by adjournment within that time prevents its return. Any bill passed during
5.16 the last three days of a session may be presented to the governor during the three days
5.17 following the day of final adjournment and becomes law if the governor signs and deposits
5.18 it in the office of the secretary of state within 14 days after the adjournment of the ~~legislature~~
5.19 senate. Any bill passed during the last three days of the session which is not signed and
5.20 deposited within 14 days after adjournment does not become a law.

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

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

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

6.1 Sec. 26. Passage of a general banking law requires the vote of two-thirds of the members
6.2 of ~~each house of the legislature~~ senate.

6.3 article VIII, section 1, will read:

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

6.9 article VIII, section 6, will read:

6.10 Sec. 6. A member of the senate ~~or the house of representatives~~, an executive officer of
6.11 the state identified in section 1 of article V of the constitution, or a judge of the supreme
6.12 court, the court of appeals, or a district court is subject to recall from office by the voters.
6.13 The grounds for recall of a judge shall be established by the supreme court. The grounds
6.14 for recall of an officer other than a judge are serious malfeasance or nonfeasance during the
6.15 term of office in the performance of the duties of the office or conviction during the term
6.16 of office of a serious crime. A petition for recall must set forth the specific conduct that
6.17 may warrant recall. A petition may not be issued until the supreme court has determined
6.18 that the facts alleged in the petition are true and are sufficient grounds for issuing a recall
6.19 petition. A petition must be signed by a number of eligible voters who reside in the district
6.20 where the officer serves and who number not less than 25 percent of the number of votes
6.21 cast for the office at the most recent general election. Upon a determination by the secretary
6.22 of state that a petition has been signed by at least the minimum number of eligible voters,
6.23 a recall election must be conducted in the manner provided by law. A recall election may
6.24 not occur less than six months before the end of the officer's term. An officer who is removed
6.25 from office by a recall election or who resigns from office after a petition for recall issues
6.26 may not be appointed to fill the vacancy that is created.

6.27 article IX, section 1, will read:

6.28 Section 1. ~~A majority~~ Two-thirds of the members elected to ~~each house of the legislature~~
6.29 senate may propose amendments to this constitution. Proposed amendments shall be
6.30 published with the laws passed at the same session and submitted to the people for their
6.31 approval or rejection at a general election. If a majority of all the electors voting at the
6.32 election vote to ratify an amendment, it becomes a part of this constitution. If two or more
6.33 amendments are submitted at the same time, voters shall vote for or against each separately.

7.1 article IX, section 2, will read:

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

7.10 article XI, section 5, will read:

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

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

7.17 (b) to repel invasion or suppress insurrection;

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

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

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

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

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

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

7.27 (i) to improve and rehabilitate railroad rights-of-way and other rail facilities whether
7.28 public or private, provided that bonds issued and unpaid shall not at any time exceed
7.29 \$200,000,000 par value; and

7.30 (j) as otherwise authorized in this constitution.

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

8.3 Sec. 2. **SUBMISSION TO VOTERS.**

8.4 The proposed amendment must be submitted to the people at the 2018 general election
8.5 and, if approved, shall be effective for members of the legislature whose terms begin the
8.6 first Monday in January 2023. The question submitted must be:

8.7 "Shall the Minnesota Constitution be amended to provide that the Minnesota House of
8.8 Representatives and Senate be combined and a single legislative body be created, beginning
8.9 in 2023?

8.10 Yes

8.11 No "

8.12 Sec. 3. Minnesota Statutes 2016, section 2.021, is amended to read:

8.13 **2.021 NUMBER OF MEMBERS.**

8.14 ~~For each legislature, until a new apportionment shall have been made, The senate is~~
8.15 ~~composed of 67 99 members and the house of representatives is composed of 134 members.~~

8.16 Sec. 4. Minnesota Statutes 2016, section 2.031, subdivision 1, is amended to read:

8.17 Subdivision 1. **Legislative districts.** The representatives in the senate ~~and house of~~
8.18 ~~representatives~~ are apportioned throughout the state in 67 99 senate districts ~~and 134 house~~
8.19 ~~of representatives districts.~~ Each senate district is entitled to elect one senator ~~and each~~
8.20 ~~house of representatives district is entitled to elect one representative.~~

8.21 Sec. 5. **EFFECTIVE DATE.**

8.22 If the amendment proposed in section 1 is adopted, sections 3 and 4 are effective for
8.23 members of the senate whose terms begin the first Monday in January 2023.