

1.1 **TEMPORARY RULES OF THE SENATE**

1.2 **87TH LEGISLATURE (2011 - 2012)**

1.3 **1. PARLIAMENTARY REFERENCE**

1.4 The rules of parliamentary practice contained in Mason's Manual of Legislative Procedure
1.5 (1989 edition) govern the Senate in all cases in which they are applicable, and in which they are
1.6 not inconsistent with these rules and orders of the Senate and the joint rules and orders of the
1.7 Senate and House of Representatives.

1.8 **2. REPORTING OF BILLS**

1.9 Every bill, memorial, order, resolution or vote requiring the approval of the Governor must
1.10 be reported to the Senate on three different days before its passage.

1.11 (a) The first report, called the first reading, is made when it has been received for
1.12 introduction.

1.13 (b) The second report, called the second reading, is made when it has been considered by
1.14 all the necessary standing committees and is ready for debate.

1.15 (c) The third report, called the third reading, is made when it is ready for final passage.

1.16 **3. BILL INTRODUCTION**

1.17 3.1 Bills, memorials, and concurrent or joint resolutions may be introduced by a member
1.18 or by a standing committee.

1.19 3.2 The name of the author, authors, or committee must be written on the bill, memorial or
1.20 resolution. The number of authors may not exceed five.

1.21 3.3 An original and two copies are required for introduction.

1.22 3.4 A member or a committee desiring to introduce a bill, memorial or concurrent or joint
1.23 resolution shall deliver it to the office of the Secretary, and the Secretary shall promptly deliver
1.24 all the bills, memorials or concurrent or joint resolutions to the President who shall present
1.25 them to the Senate.

1.26 3.5 During the period between the last day of the session in any odd-numbered year and
1.27 the first day of the session in the following year, a bill filed with the Secretary for introduction
1.28 must be given a file number and may be unofficially referred by the President, with the approval
1.29 of the Chair of the Committee on Rules and Administration, to an appropriate standing committee
1.30 of the Senate. All bills filed for introduction during this period must be presented to the Senate
1.31 when it reconvenes and must be referred to the standing committees previously indicated by the
1.32 President, subject to objection to the referral under Rule 4.10.

4. BILL REFERRAL

4.1 The President shall refer each bill without motion to the proper standing committee unless otherwise referred by the Senate.

4.2 A bill or resolution may not be referred to committee or amended until it has been given its first reading.

4.3 A member may not object to a bill or resolution on its introduction.

4.4 All bills appropriating money, or obligating the state to pay or expend money, or establishing a policy which to be effective will require expenditure of money, when referred to and reported by any other than the Committee on Finance, must be referred before passage to the Committee on Finance.

4.5 All bills delegating rulemaking to a department or agency of state government and all bills exempting a department or agency of state government from rulemaking, when referred to and reported by any other than the Committee on State and Local Government Operations and Oversight, must be referred before passage to the Committee on State and Local Government Operations and Oversight.

4.6 All bills creating a new commission, council, task force, board, or other body to which a member of the legislature will be appointed must be referred before passage both to the Committee on State and Local Government Operations and Oversight and to the Committee on Rules and Administration.

4.7 All bills authorizing or increasing a sentence of imprisonment to a state correctional institution must be referred before passage to the Committee on Judiciary.

4.8 All resolutions required to follow the same procedure as bills must be referred before passage to the Committee on Rules and Administration.

4.9 A bill introduced by a committee need not be referred to a standing committee unless a question arises. It must lie over one day before being given its second reading.

4.10 A member may question the reference of a bill during the order of business of first reading on the day of introduction. When a member questions the reference of a bill, the bill must be referred without debate to the Committee on Rules and Administration to report the proper reference. Upon adoption of the report of the Committee on Rules and Administration, the bill must be referred accordingly.

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5. RECALL FROM COMMITTEE

5.1 With the concurrence of the chief author of the bill, before the deadline for committee action on a bill, a majority of the whole Senate may recall the bill from a committee and re-refer it to any other committee or place it on General Orders. After the committee deadline for action on a bill, 41 affirmative votes of the whole Senate may recall the bill from any committee and re-refer it to any other committee or place it on General Orders.

5.2 By a report of the Committee on Rules and Administration adopted by the Senate, the Committee on Rules and Administration, on request of the chief author, may remove a bill from committee and re-refer it to any other committee or place it on General Orders.

6. RESOLUTIONS

6.1 Memorial resolutions addressed to the President or the Congress of the United States, or a house or member of Congress, or a department or officer of the United States, or a state or foreign government, joint resolutions, and resolutions requiring the signature of the Governor must follow the same procedure as bills before being adopted.

6.2 A resolution may not be changed to a bill, and a bill may not be changed to a resolution.

6.3 When a member gives notice of intent to debate a resolution not required to follow the same procedure as bills and not offered by the Committee on Rules and Administration, the resolution must lie over one calendar day without debate or other action.

6.4 Upon the request of a member, the resolution must be referred to the proper committee. If a question arises concerning the proper reference the procedure provided by Rule 4.10 applies.

7. BUDGET TARGETS

7.1 The Committees on Taxes and on Finance must hold hearings as necessary to determine state revenues and appropriations for the fiscal biennium.

7.2 At least 15 days before the deadline for divisions of the Committee on Finance to act favorably on omnibus appropriations bills, targets for the general fund budget must be publicly announced.

7.3 The omnibus tax and appropriation bills are:

- (1) the omnibus tax bill;
- (2) the education appropriations bill;
- (3) the higher education appropriations bill;
- (4) the health and human services appropriations bill;

- 4.1 (5) the environment and natural resources appropriations bill;
- 4.2 (6) the agriculture and rural economies appropriations bill;
- 4.3 (7) the jobs and economic growth appropriations bill;
- 4.4 (8) the commerce and consumer protection appropriations bill;
- 4.5 (9) the energy, utilities and telecommunications appropriations bill;
- 4.6 (10) the judiciary and public safety appropriations bill;
- 4.7 (11) the state government innovation and veterans appropriations bill;
- 4.8 (12) the transportation appropriations bill; and
- 4.9 (13) the omnibus capital investment bill.

4.10 An omnibus appropriation or tax bill may not be divided.

4.11 7.4 An amendment to an omnibus appropriation or tax bill that is a Senate file or an
4.12 unofficial engrossment of a House file is out of order if it will increase net appropriations from
4.13 a fund for a fiscal biennium, compared to the bill as it was reported to the floor of the Senate,
4.14 without a corresponding increase in net revenue.

4.15 7.5 An amendment to an omnibus appropriation or tax bill that is a Senate file or an
4.16 unofficial engrossment of a House file is out of order if it will reduce net revenue to a fund for a
4.17 fiscal biennium, compared to the bill as it was reported to the floor of the Senate, without a
4.18 corresponding reduction in net appropriations.

4.19 7.6 An amendment to an omnibus appropriation or tax bill that is a Senate file or an
4.20 unofficial engrossment of a House file is out of order if it will change appropriations, transfers,
4.21 or revenues to an agency that was not in the bill as it was reported to the floor of the Senate, or
4.22 will create or increase the amount of a tax expenditure by reducing appropriations, transfers, or
4.23 revenues to an agency that was not in the bill as it was reported to the floor of the Senate.

4.24 **8. CONFIRMATIONS**

4.25 8.1 Every gubernatorial appointment requiring the advice and consent of the Senate must
4.26 be referred by the President to the appropriate committee. If a question arises as to the proper
4.27 committee, the appointment must be referred without debate to the Committee on Rules and
4.28 Administration for a report making the proper reference.

4.29 8.2 An appointment referred to committee and not reported to the Senate within 60
4.30 legislative days after it was referred is withdrawn from committee and placed on the confirmation

5.1 calendar for consideration by the Senate before adjournment of the regular session, unless the
5.2 appointee's term has expired or the appointee is no longer serving.

5.3 8.3 The final question on the appointment is, "Will the Senate, having given its advice,
5.4 now consent to this appointment?" The question must not be put the same day the appointment is
5.5 received or on the day it is reported by committee except by unanimous consent. Confirmation of
5.6 the appointment requires the affirmative vote of a majority of the whole Senate.

5.7 **9. STANDING COMMITTEES**

5.8 The standing committees of the Senate are as follows:

5.9 Agriculture and Rural Economies

5.10 Capital Investment

5.11 Commerce and Consumer Protection

5.12 Education

5.13 Energy, Utilities and Telecommunications

5.14 Environment and Natural Resources

5.15 Finance

5.16 Health and Human Services

5.17 Higher Education

5.18 Jobs and Economic Growth

5.19 Judiciary and Public Safety

5.20 Local Government and Elections

5.21 Rules and Administration

5.22 State Government Innovation and Veterans

5.23 Taxes

5.24 Transportation

5.25 **10. APPOINTMENTS TO STANDING COMMITTEES**

5.26 10.1 The majority and minority groups must each be represented on all standing
5.27 committees of the Senate substantially in proportion to their numbers in the Senate. The majority
5.28 group shall assign the number of positions the minority group will hold on each committee. The
5.29 minority group must be given adequate notice of its positions before the session begins.

5.30 10.2 Both the majority and minority groups shall appoint their own members to fill the
5.31 number of positions each group will hold on each committee and budget division. The minority
5.32 group shall transmit notice of its assignments to the majority group within 14 calendar days after
5.33 receipt of the notice of positions available. The minority group may designate a ranking member
5.34 for each committee. Nothing prohibits a member of the minority group from serving as chair or
5.35 vice chair of a committee, subcommittee, division, or commission. If the minority group for any

6.1 reason fails to make its appointments pursuant to this rule, the majority group may make all the
6.2 committee and budget division assignments.

6.3 10.3 The majority and minority committee assignments are subject to the uniform criteria
6.4 governing committee assignments applicable to both the majority and minority groups. The
6.5 uniform criteria must be promulgated by the majority group and transmitted to the minority group
6.6 together with notification of committee and budget division positions available to the minority.

6.7 10.4 The Senate resolution establishing representation on all Senate standing committees
6.8 must set forth committee assignments as made by the majority and minority groups.

6.9 10.5 A member may not serve as the chair of the same standing committee or the same
6.10 division of a standing committee, or a committee or division with substantially the same
6.11 jurisdiction, for more than three consecutive Senate terms, provided that a chair whose third term
6.12 ends in a year ending in one may serve a fourth consecutive term of no more than two years. This
6.13 limit does not apply to the Committee on Rules and Administration. This limit applies to time
6.14 served as a chair in the seventy-eighth legislature and thereafter.

6.15 10.6 After the organization of the Senate and after consultation with and the approval of
6.16 the minority leader, the Chair of the Committee on Rules and Administration may add members
6.17 to or delete members from a standing committee or division.

6.18 **11. APPOINTMENTS BY SUBCOMMITTEE ON COMMITTEES**

6.19 11.1 The Committee on Rules and Administration may constitute a standing Subcommittee
6.20 on Committees, the report of which within its jurisdiction has the effect of a report of the
6.21 Committee on Rules and Administration. The subcommittee consists of at least five members,
6.22 including members of the minority group substantially in proportion to their number in the Senate.

6.23 11.2 Unless otherwise provided, the Subcommittee on Committees shall appoint all
6.24 members of commissions or other bodies authorized to be appointed by the Senate and report the
6.25 appointments to the Senate.

6.26 **12. COMMITTEE MEETINGS**

6.27 12.1 All meetings of the Senate, its committees, committee divisions, and subcommittees
6.28 are open to the public. A meeting of a caucus of the members of any of those bodies from the same
6.29 political party need not be open to the public. A caucus of the Hennepin county, Ramsey county,
6.30 or St. Louis county delegation is open to the public. For purposes of this rule, a meeting occurs
6.31 when a quorum is present and action is taken regarding a matter within the jurisdiction of the body.

6.32 12.2 Any person may submit to the Chair of the Committee on Rules and Administration
6.33 a complaint that members have violated the open meeting requirements of Minnesota Statutes,

7.1 section 3.055. A member of the Senate may submit the complaint either orally or in writing;
7.2 others must submit the complaint in writing. Whether the complaint was written or oral, the
7.3 Chair of the Committee on Rules and Administration shall immediately forward it in writing to
7.4 the Subcommittee on Ethical Conduct without disclosing the identity of the complainant. The
7.5 complaint must not be further disclosed without the consent of the complainant, except to the
7.6 members against whom the complaint was made, unless the complaint was made by a member of
7.7 the Senate in writing under oath, in which case the investigatory procedures of Rule 55 apply.

7.8 12.3 To the extent practical, a committee, subcommittee, or division shall announce each
7.9 meeting to the public at least three calendar days before convening. The notice must state the
7.10 name of the committee, subcommittee, or division, the bill or bills to be considered, and the place
7.11 and time of meeting. A bill may not be considered on the day it was introduced, except by a vote
7.12 of two-thirds of the members of the committee, subcommittee, or division. The notice must be
7.13 posted on the Senate's Web site and on all Senate bulletin boards in the Capitol and the State
7.14 Office Building. A notice must be sent to the House of Representatives for posting as it deems
7.15 necessary. If the three-day notice requirement cannot be met, the committee, subcommittee, or
7.16 division shall give simultaneous notice to all of the known proponents and opponents of the
7.17 bill as soon as practicable.

7.18 12.4 A Senate committee, subcommittee, or division shall adjourn no later than 10:00 p.m.
7.19 each day, unless two-thirds of the members present vote to suspend this requirement.

7.20 12.5 Committees, subcommittees, and divisions may not meet while the Senate is in
7.21 session without permission of the Senate. The names of the members excused shall be printed
7.22 in the Journal.

7.23 12.6 A majority of its members constitutes a quorum of a committee, subcommittee,
7.24 or division.

7.25 12.7 Each standing committee of the Senate, including a subcommittee or division of the
7.26 committee, may at any time sit and act, investigate and take testimony on any matter within its
7.27 jurisdiction, report hearings held by it, and make expenditures as authorized by the Committee on
7.28 Rules and Administration.

7.29 12.8 A standing committee, but not a subcommittee or division, may require by subpoena
7.30 or otherwise the attendance and testimony of witnesses and the production of correspondence,
7.31 books, papers, and documents, in the manner provided by Minnesota Statutes, section 3.153.

7.32 12.9 Upon the request of a member of a committee, subcommittee, or division to which a
7.33 bill has been referred, or upon the request of the chief author of the bill, a record must be made of
7.34 the vote on the bill or any amendment in the committee, subcommittee, or division.

9.1 duties of the President under this rule until the President is able to sign the documents described
9.2 or until the Senate elects a new President, whichever occurs first.

9.3 **15. ADMISSION TO SENATE CHAMBER**

9.4 15.1 The Senate Chamber is reserved for Senate use.

9.5 15.2 A person may not be admitted to the Senate Chamber except as provided in these
9.6 rules. A member, an officer, the constitutional officers, ex-Governors of the State of Minnesota,
9.7 members of the House, judges of the trial and appellate courts and members of Congress may be
9.8 admitted.

9.9 15.3 Past members of Congress or of the state Legislature who are not interested in
9.10 any claim or directly in a bill pending before the Legislature may be personally admitted by a
9.11 member of the Senate.

9.12 15.4 An employee of either house may be admitted at the request of a member or an
9.13 officer of the Senate.

9.14 15.5 The head of a department of state government may be admitted by the President.

9.15 15.6 A member of another state, provincial, or national legislative body may be admitted
9.16 to the floor by any member of the Senate. A member of another legislative body who is admitted
9.17 to the floor may be introduced to the Senate by the President.

9.18 15.7 When the Senate is not meeting, a person who is not a member may be admitted to the
9.19 floor at the request of a member or an officer.

9.20 15.8 Public hearings may not be held in the Senate Chamber. The Senate Chamber may
9.21 not be used for any commercial purpose.

9.22 15.9 The Retiring Room of the Senate is reserved for the exclusive use of the members of
9.23 the Senate at all times. The Sergeant at Arms shall strictly enforce this rule.

9.24 15.10 When a member-elect is sworn in, the member-elect may request that one guest be
9.25 admitted until the member-elect has been sworn in.

9.26 **16. PRIVILEGE OF REPORTERS**

9.27 16.1 The Secretary shall provide space for news reporters on the Senate floor in limited
9.28 numbers, and in the Senate gallery. Because of limited space on the floor, permanent space is
9.29 limited to those news agencies that regularly cover the legislature, namely: The Associated Press,
9.30 St. Paul Pioneer Press, St. Paul Legal Ledger, Star Tribune, Duluth News-Tribune, The Forum,
9.31 Rochester Post-Bulletin, St. Cloud Times, WCCO radio, KSTP radio, Minnesota Public Radio,
9.32 and Minnesota News Network. The Secretary shall provide an additional two spaces to other

10.1 reporters if space is available. One person from each named agency and one person from the
10.2 Senate Publications Office may be present at the press table on the Senate floor at any time. Other
10.3 news media personnel may occupy seats provided in the Senate gallery.

10.4 16.2 The Secretary shall compile and distribute to the public a directory of reporters
10.5 accredited to report from the Senate floor. The directory must include each reporter's picture
10.6 and news organization and a brief biography.

10.7 16.3 The Secretary must issue each accredited reporter an identification badge showing the
10.8 reporter's name and news organization. The reporter must wear the badge when in the Senate
10.9 Chamber.

10.10 **17. DECORUM**

10.11 17.1 In case of a disturbance or disorderly conduct in the lobbies or galleries, the President
10.12 may order them cleared.

10.13 17.2 A member may not introduce a visitor or visitors in the galleries from the floor or
10.14 rostrum of the Senate.

10.15 17.3 Smoking is not permitted in the Senate Chamber or galleries, the Retiring Room,
10.16 hearing rooms, offices, or other spaces under the control of the Senate.

10.17 17.4 During floor proceedings, picture taking by persons other than accredited news or
10.18 legislative photographers, picture taking with floodlights or flash units, and visual or audible
10.19 disruptions are prohibited. At all times, demonstrations and food or beverages are prohibited
10.20 in the Senate Chamber and in the galleries.

10.21 17.5 Television recording or broadcasting on the Senate floor is under the direction of the
10.22 Secretary.

10.23 **18. ORDER OF BUSINESS**

10.24 18.1 The order of business is as follows:

- 10.25 1. Petitions, letters, remonstrances.
- 10.26 2. Executive and official communications.
- 10.27 3. Messages from the House of Representatives.
- 10.28 4. First reading of House bills.
- 10.29 5. Reports of committees.
 - 10.30 (a) From standing committees.

- 11.1 (b) From select committees.
- 11.2 6. Second reading of Senate bills.
- 11.3 7. Second reading of House bills.
- 11.4 8. Introduction and first reading of Senate bills.
- 11.5 9. Motions and Resolutions.
- 11.6 10. Calendar.
- 11.7 11. Consent Calendar.
- 11.8 12. General Orders.
- 11.9 13. Announcements of Senate interest.

11.10 18.2 Under the order of business of Motions and Resolutions, the Senate may by a majority
11.11 vote of the whole Senate temporarily revert or proceed to any other order of business.

11.12 **19. PETITIONS AND OTHER COMMUNICATIONS**

11.13 19.1 In presenting a petition, memorial, remonstrance or other communication addressed
11.14 to the Senate, a member shall only state the general purpose of it.

11.15 19.2 Every petition, memorial, remonstrance, resolution, bill and report of committee, must
11.16 have an appropriate title, and the name of the member presenting it written on it.

11.17 19.3 Every written communication distributed to members in the Senate Chamber must
11.18 have the name of the member or officer distributing it displayed on it.

11.19 **20. MESSAGES FROM THE HOUSE**

11.20 A message from the House of Representatives that a Senate bill has been amended, and the
11.21 amendment, must be printed and placed on the members' desks before a member may move to
11.22 concur in the House amendment. If the amendment has been printed in the House Journal for a
11.23 preceding day and is available to the members, the Journal copy may serve as the printed copy.

11.24 **21. OBJECTIONS TO COMMITTEE REFERRALS**

11.25 A member may question the proper reference of a bill at the time the bill is reported by a
11.26 standing committee to which it was previously referred. When a member questions the reference
11.27 of a bill, the bill must be referred without debate to the Committee on Rules and Administration
11.28 to report the proper reference. Upon adoption of the report of the Committee on Rules and
11.29 Administration, the bill must be referred accordingly.

12.1

22. GENERAL ORDERS

12.2 22.1 The Secretary shall make a list of all bills, resolutions, reports of committees, and
12.3 other proceedings of the Senate that are referred to the Committee of the Whole and number
12.4 them. The lists are called the "General Orders".

12.5 22.2 Items on General Orders may be taken up in the order in which they are numbered, as
12.6 ordered by the Chair of the Committee on Rules and Administration, or as otherwise ordered by a
12.7 majority of the committee.

12.8 22.3 General Orders, together with all bills required to be included on it, must be
12.9 electronically available or printed at least one calendar day before being considered in Committee
12.10 of the Whole.

12.11 22.4 With the concurrence of the chief author of the bill, a majority of the whole Senate
12.12 may at any time take a bill from the table and place it on General Orders.

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23. COMMITTEE OF THE WHOLE

12.14 23.1 All bills, memorials, orders, resolutions and votes requiring the approval of the
12.15 Governor must, after a second reading, be considered in Committee of the Whole before they are
12.16 finally acted upon by the Senate, unless considered on the Consent Calendar or as a Special Order.

12.17 23.2 The President may call a member to the Chair when the Senate resolves itself into the
12.18 Committee of the Whole.

12.19 23.3 The rules observed in the Senate govern, as far as practicable, the proceedings of the
12.20 Committee of the Whole, and the Chair of the Committee of the Whole has the powers of the
12.21 President, as appropriate. However, a member may speak more than twice on the same subject
12.22 and a call for the previous question may not be made.

12.23 23.4 A member may request a roll call vote. The vote must be recorded in the Journal
12.24 along with the amendment.

12.25 23.5 The recommendations of the Committee of the Whole must be reported to the Senate.
12.26 The question is on the adoption or rejection of the report, and no other question may be admitted.
12.27 The question may be divided to permit separate Senate action on the report as to any bill.

12.28 23.6 On adoption of the report of the Committee of the Whole, all bills recommended to
12.29 pass must be placed on the Calendar.

13.1 **24. CALENDAR**

13.2 24.1 The Secretary shall make a Calendar of all bills, resolutions and other matters
13.3 approved by the Committee of the Whole for final action. The Secretary shall place them on the
13.4 Calendar in the order in which they have been acted upon in Committee of the Whole.

13.5 24.2 The Calendar must be electronically available or printed at least one calendar day
13.6 before the matters on it are considered.

13.7 **25. CONSENT CALENDAR**

13.8 25.1 If a committee determines that a bill it recommends to pass is not likely to be opposed,
13.9 the committee may recommend that the bill be placed on the Consent Calendar. If the committee
13.10 report is adopted, the bill must be electronically available or printed and placed on the Consent
13.11 Calendar after its second reading. On the question of adoption of the report, the question of
13.12 accepting the recommendation that the bill be placed on the Consent Calendar may be divided
13.13 from the question of adopting the report in other respects.

13.14 25.2 A majority of the whole Senate, or the Chair of the Committee on Rules and
13.15 Administration, may order a bill on General Orders placed on the Consent Calendar.

13.16 25.3 The Consent Calendar must be electronically available or printed at least one calendar
13.17 day before the matters on it are considered.

13.18 25.4 If a member objects to consideration of a bill on the Consent Calendar at any time
13.19 during its consideration in the Senate before the question on final passage is put, and that objection
13.20 is supported by at least two other members, the bill is referred to the Committee of the Whole, and
13.21 the Secretary shall place it at the bottom of General Orders subject to Rule 22.2, except that it
13.22 need not lie over one calendar day before consideration in the Committee of the Whole.

13.23 **26. SPECIAL ORDERS**

13.24 26.1 The Chair of the Committee on Rules and Administration, or the Chair's designee,
13.25 may designate a special order for a bill that has been given its second reading.

13.26 26.2 A special order may provide that the bill be considered immediately, at a time certain,
13.27 or after specific other business is completed.

13.28 26.3 During consideration of a special order, Rule 36.5 is suspended.

13.29 26.4 As nearly as applicable, debate on the bill and all proceedings including amendments
13.30 and substitutions must be conducted as in the Committee of the Whole.

13.31 26.5 On any question, a member may request a roll call vote, which must be entered
13.32 in the Journal.

14.1 26.6 Unless it is otherwise disposed of, after consideration a bill on Special Orders must
14.2 immediately proceed to its third reading and final passage.

14.3 26.7 A bill may not be made a special order if the chief author has declined on three
14.4 previous occasions to take the bill up after it was designated a special order.

14.5 **27. MOTIONS**

14.6 27.1 A motion or amendment must be written if a member requests. It must identify the
14.7 member or committee offering it.

14.8 27.2 When a motion is made, it must be stated by the President. If it is in writing, it must
14.9 be handed to the Secretary and read to the members.

14.10 27.3 After a motion is stated by the President, or read by the Secretary, it is in possession
14.11 of the Senate, but may be withdrawn by the author at any time before decision or amendment.

14.12 **28. PRECEDENCE OF MOTIONS**

14.13 28.1 When a question is under debate no motion may be made, except:

14.14 1. To adjourn.

14.15 2. To recess.

14.16 3. To reconsider.

14.17 4. To lay on the table.

14.18 5. For the previous question.

14.19 6. To refer.

14.20 7. To postpone to a day certain.

14.21 8. To amend.

14.22 9. To postpone indefinitely.

14.23 28.2 Motions numbered 1, 2, 4 and 5 above are not debatable.

14.24 28.3 These motions have precedence in the foregoing order; but when a motion for the
14.25 previous question has been made, or the main question ordered, a motion to lay on the table
14.26 is not in order.

15.1 28.4 A motion to postpone to a day certain, to refer, to postpone indefinitely, or to amend,
15.2 having been decided, may not again be put on the same day, nor at the same stage of the bill
15.3 or proposition.

15.4 **29. MOTION TO ADJOURN**

15.5 A motion to adjourn or a motion to adjourn to a time certain is always in order. The latter
15.6 motion is debatable solely as to the time. When either motion is rejected, it may not be renewed
15.7 until further business has been transacted.

15.8 **30. MOTION TO RECONSIDER**

15.9 30.1 When a motion or question has been decided, a member who voted with the prevailing
15.10 side may move for reconsideration on the same day on which the vote was taken or within the
15.11 next two calendar days or, if later, the first day the Senate meets after the vote was taken. The
15.12 motion takes precedence over all other questions except a motion to adjourn or recess. When a
15.13 motion to adjourn is adopted before the disposition of the motion for reconsideration, a motion
15.14 for reconsideration must lie over until the next succeeding day the Senate meets except as
15.15 provided in this rule.

15.16 30.2 When notice of intent to move reconsideration of the final action of the Senate on a
15.17 question is given by a member, the Secretary shall retain the subject of the notice until after the
15.18 expiration of the time during which the motion can be made.

15.19 30.3 A notice of intent to move for reconsideration is not in order after the Tuesday before
15.20 the third Saturday in May, but a motion to reconsider may be made.

15.21 30.4 A motion for reconsideration having been once voted on may not be made again
15.22 nor reconsidered.

15.23 **31. MOTION FOR THE PREVIOUS QUESTION**

15.24 31.1 Unless a motion for the previous question is made specifically applicable to a
15.25 subsidiary motion, it must be in this form: "Shall the main question now be put?" If the motion
15.26 for the previous question is supported by a majority of the members present, its effect is to put an
15.27 end to all debate and bring the Senate to a direct vote upon all pending amendments in their order
15.28 and then upon the main question.

15.29 31.2 On a motion for the previous question, a call of the Senate is in order before the
15.30 President submits the question to the Senate.

15.31 31.3 On a motion for the previous question there is no debate. All incidental questions
15.32 of order, arising after a motion is made for the previous question, and pending the motion, must
15.33 be decided, whether on appeal or otherwise, without debate.

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32. MOTION TO REFER

A bill or resolution may be referred to committee at any time before its passage. If an amendment is reported on the referral to any committee other than the Committee of the Whole, it must again be read the second time, considered in Committee of the Whole, read the third time and placed on final passage. If the referral is to the Committee of the Whole it must be placed at the head of General Orders, except when the referral is from the Consent Calendar under Rule 25.4.

33. MOTION TO AMEND BILL OR RESOLUTION

33.1 A motion to amend must be written if a member requests. It must identify the member offering it.

33.2 In drawing an amendment to a bill or resolution, reference must be made, first to the number of the bill, then to the page, and then to the line or lines where language is to be stricken or inserted.

33.3 In filling blanks, the largest sum, the longest time and the greatest distance must be first taken.

33.4 The title to a bill may be amended by the Secretary at any time the bill is amended by the Senate.

33.5 An amendment is not in order to a bill on the Calendar or after third reading without the unanimous consent of the Senate unless it fills a blank, amends the title, is proposed to the chief author of the bill by the Revisor of Statutes to correct technical defects found by the Revisor while engrossing earlier amendments to the bill, or is proposed to a bill on the Consent Calendar before the bill is given its third reading.

34. MOTION TO SUSPEND RULES

34.1 A rule may be suspended by a vote of at least two-thirds of the whole Senate.

34.2 A motion to suspend the rules for the purpose of advancing a bill may be made only under the order of business, "Motions and Resolutions".

35. GERMANENESS

35.1 An amendment proposed to the Senate or to the Committee of the Whole that is not germane is out of order.

35.2 A non-germane amendment includes one that relates to a substantially different subject, or is intended to accomplish a substantially different purpose, than that of the original bill to which it is proposed.

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37. ABSENCE OF MEMBERS

A member or officer of the Senate may not be absent from a session of the Senate unless excused by the Senate. The name of a member excused must be printed in the Journal.

38. CALL OF THE SENATE

38.1 A member may impose a call of the Senate requiring the attendance of all members before any further proceedings occur except a motion to adjourn.

38.2 Upon the imposition of a call, a member may request a record of those present and the Sergeant at Arms shall bring in the absent members.

38.3 When the Senate has been placed under call, a member may demand that the doors be closed and that no member be permitted to leave the Chamber until the matter or question, if any, under consideration at the time of the call is disposed of, or until the call is lifted by a majority of the whole Senate, or until the Senate adjourns.

38.4 A majority of the whole Senate may excuse members not answering the call.

38.5 A call may not be imposed after voting has commenced.

39. DIVISION OF QUESTION

39.1 A member may call for a division of the question when the division is possible. A motion to strike and insert is indivisible.

39.2 The defeat of a motion to strike does not preclude an amendment nor a motion to strike and insert.

40. VOTING

40.1 The President shall distinctly state the question before taking the vote. The President shall declare the result of the vote. If a member questions the result of a vote, the President shall order a division.

40.2 A member may vote on a question or be counted on a division only at the member's own seat in the Senate Chamber.

40.3 At any time before the start of voting on a question, a member may request a roll call vote, which must be entered in the Journal.

40.4 Unless otherwise ordered, a roll call vote, except upon elections, may be taken by means of the electrical voting system under the control of the President.

40.5 A roll call vote may not be interrupted except to close the roll as provided in Rule 41.3.

19.1 40.6 A member or other person may not proceed to or remain by the Secretary's desk while
19.2 a roll call or division is being taken.

19.3 **41. MEMBERS TO VOTE UNLESS EXCUSED**

19.4 41.1 Every member who is in the Senate Chamber during a roll call, including in the
19.5 Committee of the Whole, shall vote upon the request of another member unless excused by
19.6 the Senate.

19.7 41.2 A motion by a member to be excused from voting must be made before the question is
19.8 put. A member wishing to be excused from voting may make a brief statement of the reason for
19.9 making the request. The question on the motion to excuse must be taken without further debate.

19.10 41.3 When members have had an opportunity to vote and fail to do so, a majority of the
19.11 whole Senate may, by motion, direct the President to close the roll.

19.12 41.4 The vote on a motion to close the roll must be taken without debate. No member
19.13 is required to vote on the motion.

19.14 **42. FINAL PASSAGE**

19.15 The final question on a bill or other matter requiring action by both Houses after its first and
19.16 second reading, and after the consideration in Committee of the Whole, is on its final passage.

19.17 **43. TRANSMITTING BILLS TO THE HOUSE**

19.18 43.1 Except when a motion to reconsider has been made as provided in Rule 30,
19.19 immediately after the passage of a bill or other matter in which the concurrence of the House of
19.20 Representatives is requested, the Secretary shall transmit it to the House.

19.21 43.2 On the concurrence of a bill or other matter of the House by the Senate, or on the
19.22 concurrence or disagreement in a vote of the House, the Secretary shall notify the House.

19.23 **44. ENGROSSING AND ENROLLING OF BILLS**

19.24 44.1 The Secretary and the Engrossing Secretary shall ensure that every bill, memorial, or
19.25 resolution originating in the Senate is carefully engrossed before it is transmitted to the House
19.26 of Representatives for concurrence.

19.27 All engrossing and enrolling of bills shall be done at the direction and under authority of
19.28 the Senate.

19.29 44.2 The Secretary shall ensure that every bill, memorial, or resolution originating in the
19.30 Senate is carefully enrolled by the Revisor of Statutes before it is presented to the Governor
19.31 or filed with the Secretary of State.

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45. COMPARISON AND SUBSTITUTION OF BILLS

45.1 A House bill, after its first reading, must be referred as follows, unless there is a motion by the Chair of the Committee on Rules and Administration or a designee of the Chair:

(a) If there is no Senate companion bill, the House bill must be referred to the appropriate standing committee, unless there is objection under Rule 4.10.

(b) If there is a Senate companion bill, the House bill must be referred to the standing committee possessing the Senate companion.

(c) If the Senate companion bill has been reported to the Senate, the House bill must be referred to the Committee on Rules and Administration, which shall report whether the House bill is identical to the Senate companion bill. If the bills are identical, the report must recommend that the House bill be given its second reading and substituted for the Senate companion bill and the Senate companion bill be indefinitely postponed. If the House bill is not identical to the Senate companion bill, the report of the committee must recommend an amendment to the House bill that when adopted will render the House bill identical to the Senate bill. Upon adoption of a committee report containing the proposed amendment, the House bill as amended must be given its second reading and substituted for the Senate companion bill and the Senate companion bill must be indefinitely postponed.

45.2 The Secretary shall prepare and submit reports under this rule on behalf of the Committee on Rules and Administration.

45.3 A House bill placed on the Calendar by substitution must not be given its third reading on the same day as the substitution.

46. CONFERENCE COMMITTEES

46.1 The Committee on Rules and Administration may constitute a standing Subcommittee on Conference Committees, the report of which within its jurisdiction has the effect of a report of the Committee on Rules and Administration. The subcommittee consists of three members, one of whom must be a member of the minority group.

46.2 The Subcommittee on Conference Committees shall appoint all conference committees of the Senate and report the appointments to the Senate. In the appointment of members of conference committees between the two houses, the Subcommittee on Conference Committees shall appoint those who are in accord with the position of the Senate. Whenever practical, the subcommittee shall give preference to authors of bills in dispute and to members of standing committees in which the bills were considered.

21.1 **47. DISPOSITION OF BILLS ON ADJOURNMENT**

21.2 Adjournment of the regular session in an odd-numbered year to a date certain in the
21.3 following year is equivalent to daily adjournment, except that a bill on the Calendar, Consent
21.4 Calendar, General Orders, or table, other than a bill laid on the table after being vetoed by the
21.5 governor or after its conference committee has been discharged under Joint Rule 3.02, must
21.6 be returned to the standing committee other than the Committee on Rules and Administration
21.7 from which it was last reported to the Senate, unless otherwise provided for by motion before
21.8 adjournment. Bills returned to committee under this rule must, upon request of the chief author,
21.9 be given priority for consideration by the committee in the even-numbered year ahead of all other
21.10 bills in the order in which they appeared on the Calendar, Consent Calendar, or General Orders.

21.11 **48. PRINTING AND DISTRIBUTION OF BILLS**

21.12 48.1 Unless otherwise ordered by the Senate, all Senate bills that have been reported upon
21.13 favorably or without recommendation by a committee must be electronically available or printed
21.14 before consideration by the Senate or the Committee of the Whole.

21.15 48.2 A House bill amended by the Senate must be unofficially engrossed and electronically
21.16 available or printed when placed on General Orders.

21.17 48.3 A bill may be electronically available or printed by order of the Secretary when
21.18 amended after second reading.

21.19 48.4 A bill must be electronically available or printed when ordered by the Senate.

21.20 48.5 Action by the Senate on a bill that has not been printed is a waiver of the printing
21.21 requirement.

21.22 48.6 To the extent practical, the Secretary shall provide a copy of any bill to the public
21.23 and may charge a reasonable fee.

21.24 **49. JOURNAL AND INDEX**

21.25 49.1 The Secretary shall keep a correct Journal of the proceedings of the Senate and shall
21.26 perform other duties assigned to the Secretary.

21.27 49.2 The Secretary shall not permit Journal records, accounts or papers to be taken out of
21.28 the Secretary's custody, other than in the regular mode of business. If a document in the Secretary's
21.29 charge is missing, the Secretary shall report the fact to the President, so that inquiry may be made.

21.30 49.3 The Secretary shall supervise the recording of proceedings in the Journal, the
21.31 engrossing, transcribing and copying of bills and resolutions, and generally perform the duties of
21.32 Secretary, under direction of the Committee on Rules and Administration.

23.1 existing House of Representatives have been elected, at which time the electronic record may be
23.2 preserved or disposed of as the Secretary sees fit. The Legislative Reference Library shall keep
23.3 electronic records, logs, and minutes forwarded to it until two years after the end of the period
23.4 for which the members of the existing Senate have been elected, at which time they may be
23.5 preserved or disposed of as the Library sees fit.

23.6 50.9 The Senate intends that testimony and discussion preserved under this rule not be
23.7 admissible in any court or administrative proceeding on an issue of legislative intent.

23.8 **51. OTHER DUTIES OF SECRETARY**

23.9 51.1 The Secretary shall not issue a certificate authorizing the payment of money by virtue
23.10 of a motion or resolution, unless the motion or resolution is voted for by a majority of the whole
23.11 Senate on a roll call vote.

23.12 51.2 The Secretary and the Engrossing Secretary shall correct all mistakes in numbering
23.13 the sections and reference to them, whether the errors occur in the original bill or are caused
23.14 by amendments to it.

23.15 51.3 The Secretary is the agent of the Senate for the purchase of supplies and services. The
23.16 Secretary's records on purchase of supplies and services are open for inspection.

23.17 51.4 The Secretary shall adopt administrative controls to ensure that each member is
23.18 accountable for the member's own long distance telephone calls and that Senate telephones
23.19 are used only for Senate business.

23.20 51.5 By the 15th day of April, July, October, and January of each year, the Secretary shall
23.21 submit a detailed report of Senate expenditures during the previous quarter to the Committee on
23.22 Rules and Administration.

23.23 51.6 The Secretary's public records may be inspected during normal business hours.

23.24 **52. SERGEANT AT ARMS**

23.25 The Sergeant at Arms shall execute all orders of the President and perform all assigned
23.26 duties connected with the police and good order of the Senate Chamber; exercise supervision
23.27 over the entry and exit of all persons to and from the Chamber; see that messages are promptly
23.28 delivered; see that the hall is properly ventilated and the temperature is properly regulated, and
23.29 that the Chamber is open for the use of members of the Senate at least one-half hour before the
23.30 start of a session; and perform all other services pertaining to the office of Sergeant.

23.31 **53. BUDGET AND EXPENDITURES**

23.32 53.1 The Committee on Rules and Administration shall adopt an operating budget for
23.33 the Senate and post it on the Senate Web site.

24.1 53.2 All propositions for the appointment and payment of employees of the Senate or for
24.2 expenditures of the Legislature, other than those provided by law, must be referred without debate
24.3 to the Committee on Rules and Administration.

24.4 **54. EMPLOYEES**

24.5 54.1 The Committee on Rules and Administration shall establish positions, set
24.6 compensation, appoint employees, and authorize expense reimbursement for employees as it
24.7 deems necessary to carry out the work of the Senate. At the request of any committee member, an
24.8 action of the committee must be submitted as a Senate resolution for adoption by the Senate.

24.9 54.2 The Secretary shall keep a roster of all employees of the Senate, including positions
24.10 and compensation, which must be open for inspection by the public.

24.11 54.3 The Secretary shall post, in a public place in the Capitol, a notice of every vacant
24.12 position on the permanent staff of the Senate. The notice must remain posted for at least two
24.13 weeks, and no vacancy may be filled until the period of posting has elapsed.

24.14 54.4 Except as otherwise provided in these rules, the Committee on Rules and
24.15 Administration has full and exclusive authority over, and charge of all employees of the Senate
24.16 both elected and appointed. The committee has the sole and exclusive power and authority to
24.17 assign them to duties other than for which they were elected or appointed as the committee
24.18 may provide.

24.19 54.5 The committee may make employment rules and regulations. In case of violation of
24.20 an order of the committee by an employee, or in case of a violation of a rule or regulation made
24.21 by the committee, or in case of misconduct or omission by an employee, the Committee on Rules
24.22 and Administration may hear complaints and discharge the employee or impose discipline, a
24.23 fine, or other punishment upon the employee.

24.24 54.6 The Secretary shall supervise the employees under the direction of the Committee on
24.25 Rules and Administration.

24.26 **55. SUBCOMMITTEE ON ETHICAL CONDUCT**

24.27 55.1 The Subcommittee on Committees shall appoint a Subcommittee on Ethical Conduct
24.28 of the Committee on Rules and Administration consisting of four members, two from the majority
24.29 group and two from the minority group.

24.30 55.2 The subcommittee shall serve in an advisory capacity to a member or employee upon
24.31 written request and shall issue recommendations to the member or employee. A member may
24.32 request the subcommittee to provide its advice on a potential conflict of interest to the member in
24.33 private. If so requested, the subcommittee shall conduct its proceedings on the advisory opinion

25.1 in private. The request, proceedings on the request, and any advice given by the subcommittee
25.2 in response to the request must remain private. The member may not use an advisory opinion
25.3 from the subcommittee as a defense to a complaint under this rule unless the opinion has been
25.4 adopted by the subcommittee at a public meeting.

25.5 55.3 The subcommittee shall investigate a complaint by a member of the Senate in writing
25.6 under oath received before adjournment sine die in the last year of a senate term or during a
25.7 special session held after that time regarding improper conduct by a member or employee of the
25.8 Senate. The subcommittee has the powers of a standing committee to issue subpoenas under
25.9 Minnesota Statutes, section 3.153.

25.10 55.4 Within 30 days after receiving a complaint, the subcommittee must meet and either
25.11 make a finding of no probable cause, vote to defer action until a certain time, or proceed with
25.12 its investigation.

25.13 55.5 In order to determine whether there is probable cause to believe that improper conduct
25.14 has occurred, the subcommittee may, by a vote of three of its members, conduct a preliminary
25.15 inquiry in executive session to which the open meeting requirements of Rules 12.1 to 12.3 do
25.16 not apply. The executive session may be ordered by a vote of three of its members whenever
25.17 the subcommittee determines that matters relating to probable cause are likely to be discussed.
25.18 The executive session must be limited to matters relating to probable cause. Upon a finding of
25.19 probable cause, further proceedings on the complaint are open to the public.

25.20 55.6 The subcommittee may appoint special counsel to provide expert advice on how
25.21 to conduct its proceedings. The subcommittee may appoint a suitable person to conduct the
25.22 investigation and report findings of fact and recommendations for action to the subcommittee.

25.23 55.7 If, after investigation, the subcommittee finds the complaint substantiated by the
25.24 evidence, it shall recommend to the Committee on Rules and Administration appropriate
25.25 disciplinary action.

25.26 55.8 To minimize disruption of its public proceedings, the subcommittee may require that
25.27 television coverage be pooled or be provided by Senate media services.

25.28 55.9 If criminal proceedings relating to the same conduct have begun, the subcommittee
25.29 may defer its proceedings until the criminal proceedings have been completed.

25.30 55.10 The Senate intends that proceedings of the Subcommittee on Ethical Conduct not be
25.31 admissible in any criminal proceeding.

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56. STANDARDS OF ETHICAL CONDUCT

56.1 Members shall adhere to the highest standard of ethical conduct as embodied in the Minnesota Constitution, state law, and these rules.

56.2 A member shall not publish or distribute written material if the member knows or has reason to know that the material includes any statement that is false or clearly misleading, concerning a public policy issue or concerning the member's or another member's voting record or position on a public policy issue.

56.3 Improper conduct includes conduct that violates a rule or administrative policy of the Senate, that violates accepted norms of Senate behavior, that betrays the public trust, or that tends to bring the Senate into dishonor or disrepute.

57. CONFLICTS OF INTEREST

A member who in the discharge of senatorial duties would be required to take an action or make a decision that would substantially affect the member's financial interests or those of an associated business, unless the effect on the member is no greater than on others in the member's business classification, profession, or occupation, shall disclose the potential conflict of interest by following the procedure set forth in Minnesota Statutes, section 10A.07.

58. LOBBYISTS

58.1 A lobbyist shall not appear before a Senate committee pursuant to the lobbyist's employment unless the lobbyist is in compliance with the law requiring lobbyist registration, Minnesota Statutes, sections 10A.03 to 10A.06. A lobbyist, when appearing before a committee, shall disclose to the committee on whose behalf the lobbyist speaks and the purpose of the lobbyist's appearance.

58.2 A lobbyist shall not knowingly, either directly or through a third party, furnish false or misleading information or make a false or misleading statement that is relevant and material to a matter before the Senate or any of its committees when the lobbyist knows or should know it will influence the judgment or action of the Senate or any of its committees, subcommittees, or divisions.

58.3 The Subcommittee on Ethical Conduct shall investigate a complaint by a member of the Senate in writing under oath received before adjournment sine die in the last year of a Senate term or during a special session held after that time that a lobbyist has violated Rule 58.1 or 58.2. The investigatory procedures of Rule 55 apply, except as provided in this rule. The complaint and proceedings on the complaint are private until the subcommittee has found probable cause to believe that a violation of Rule 58.1 or 58.2 has occurred, unless they are made public by the

27.1 lobbyist whose conduct is the subject of the complaint or by the vote of at least three members
27.2 of the subcommittee.

27.3 **59. AMENDMENTS TO RULES**

27.4 Every proposition to amend a rule of the Senate must be referred to the Committee on Rules
27.5 and Administration. The proposition may not be acted upon until the report of the committee
27.6 is received by the Senate.