



Senior Advocates FYI

4/10/2009

There currently is a legislative break underway (April 8-13), allowing a chance to take stock and update subscribers to SAFYI. As of April 9, over 2,300 bills have been introduced in the House of Representatives, and 2,062 bills in the Senate. However, as you will see in the tracking document, very few of the issues being tracked by SAFYI (41 tracked in last email) are being heard and passed through the required committees according to the deadlines established by the House and Senate.

Last Tuesday, April 7th, was the second deadline, which requires that both bodies have acted favorably on companion bills in policy committees of jurisdiction. However, be advised that all language can be revived through established exceptions to procedures, right up to adjournment of the second year of the biennium. (Two documents are included in this emailing that define a number of the terms, and review procedures and requirements that can help us all understand how the session works. Additional material of this sort is available on the Legislature's website.)

The attached tracking document is a list of bills that MBA staff and AAA directors follow together. It is also regularly reviewed by the SON (senior organizational network) group. These groups do not follow all nursing facility bills, especially those concerned with single county rate adjustments or very technical issues. Likewise, the community waiver program bills that consist primarily of "inside baseball" level of information are omitted.

If you or your organization is following a bill that you believe should be included in this tracking document, please bring it to my attention.

As in previous years, you may find actual text of all bills and legislative staff summaries of many bills at:

<http://www.leg.state.mn.us/leg/legis.asp>

Senior Advocates FYI is a periodic update from the
Minnesota Board on Aging.
Call 1-800-882-6262 or e-mail john.selstad@state.mn.us

SAFYI Legislative Tracking Priorities—Update 4/10/09

House File	Senate File	Description
HF 528	SF 489	Reverse mortgage law changes, increasing consumer protections. Passed through committees and awaiting debate and action on the floor of both bodies.
HF 632	SF 412	Uniform Adult Guardianship and Protective Proceedings Act enactment for Minnesota. This legislation is modeled after nationally prepared recommendations to better coordinate legal surrogacy arrangements between states. Passed through committees and awaiting debate and action on the floor of both bodies.
HF 818	SF 758	Vulnerable Adult Justice Act. These bills have been amended to remove the new costs, which were related to a proposed central entry point. An additional amendment directing the commissioner (DHS) to seek a “stimulus” grant for the common entry point passed in both bodies.
HF 936	SF 839	A Communities for a Lifetime Bill—requires MBA development of a mechanism for voluntary designation as a Community for a Lifetime. Sponsored by the Minnesota Leadership Council on Aging. Passed through committees and awaiting debate and action on the floor of both bodies.
HF 1329	SF 1229	Personal care attendant law changes. Actions included that were recommended by the Office of Legislative Auditor report on PCAs. Passed in both bodies’ policy committees but still in flux and deserves following.
HF 1760	SF 1526	Continuing Care Administration (DHS) policy bill for technical and non-finance related policy changes in aging, disability, and nursing facilities. Passed Senate policy committee and went to floor, but House has amended their version in order to become the Omnibus H & HS policy bill. More action to follow.
HF 2036	SF 1799	Alzheimer’s working group to be convened by the MBA. Passed policy committees.
HF 1448	SF 1887	Information released to health care agents, and access granted to health care agents. Passed through committees and awaiting debate and action on the floor of both bodies.



Committee Deadlines

The committee deadlines for 2009 are:

- 1st deadline - Friday, March 27
- 2nd deadline - Tuesday, April 7
- 3rd deadline - Thursday, April 16
- 4th deadline - Wednesday, April 22
- 5th deadline - Thursday, May 7

Note: The first and second deadlines do not apply to the House committee on Finance, Ways and Means, Taxes, or Rules and Legislative Administration, or to the Senate committee on Capital Investment, Finance, Taxes, or Rules and Administration. See the [concurrent resolution](#) on committee deadlines for further explanation.

Explanation

There is no yearly deadline for the introduction of bills. However, each year the Legislature establishes deadlines for committee action on bills. The Legislature shall establish by concurrent resolution deadlines for each regular session. The deadlines do not apply to the House committees on Capital Investment, Ways and Means, Taxes, or Rules and Legislative Administration, nor to the Senate committees on Capital Investment, Finance, Taxes, or Rules and Administration.

Committee deadlines are announced during the first half of a session in order to winnow the list of topics to be dealt with that year.

The first deadline is for committees to act favorably on bills in the house of origin.

The second deadline is for committees to act favorably on bills, or companions of bills, that met the first deadline in the other house.

A committee has until the second deadline to act favorably on a bill, or the companion of a bill, that by the first deadline was referred to a finance committee. The deadline for a committee of either house to act on a bill that has been recommended favorably by the Legislative Commission on Pensions and Retirement is the second committee deadline. The major appropriation bills are exempt from the first two deadlines.

The third deadline is for committees to act favorably on major appropriation and finance bills. When a committee in either house acts favorably on a bill after a deadline established in the concurrent resolution, the bill must be referred in the Senate to the Committee on Rules and Administration and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. Either rules committee, when reporting a bill referred to the committee under this rule, may waive application of the rule to subsequent actions on that bill by other committees.

The fourth deadline is for the House and Senate Committees on Finance, the House Committee on Ways and Means, and the House and Senate Committees on Taxes to act favorably on omnibus appropriation and tax bills.

The fifth deadline is for conference committees on omnibus appropriation and tax bills to report bills to the floor.

Mid-Legislative Session Reminders

General Register

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

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

Calendar for the Day

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

In the Senate, bills approved by the "committee of the whole" are placed on the Calendar. At this point, the bill has its third reading, after which time the bill cannot be amended unless the entire body agrees to it. Toward the end of the session, the Senate Committee on Rules and Administration designates bills from the General Orders calendar to receive priority consideration. These Special Orders bills are debated, amended, and passed in one day. A bill needs 68 votes to pass the House and 34 votes to pass the Senate. If the House and Senate each pass the same version of the bill, it goes to the governor for a signature.

Special Orders

Toward the end of the session, the rules committee of the House and the Majority Leader of the Senate may designate bills from the General Orders to receive priority consideration in their respective bodies. These Special Orders bills are debated, amended, and passed in one day. The House also has a Rule 1.10 calendar which allows the chairs of the Taxes and Appropriations committees to call up for consideration any tax or appropriations bill that has had a second reading. These Rule 1.10 bills are debated, amended, and passed in one day.

What is an omnibus bill?

An omnibus bill is a large bill that includes several different issues under one general topic such as education. It's usually an appropriations bill, contains many pages, and is often comprised of several individual bills. Legislators often say the smaller bills are "rolled into" the larger one.

Conference

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

Floor

The conference committee's compromise bill then goes back to the House and the Senate for another vote. If both bodies pass the bill in this form, it is sent to the governor for his or her approval or disapproval. (If one or both bodies reject the report, it goes back to the conference committee for further consideration.)

Governor

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

What are first, second, and third readings?

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

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

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

The second reading occurs when either body finishes committee action on a bill and it is sent to the floor. This happens in advance of the floor debate on the bill.

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

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

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

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

When do new laws go into effect?

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

***any bill that does appropriate money is effective the 1st of July (unless a different date is specified). This applies to the entire bill, even a provision that itself is policy only. Beware: it is common to hear people who should know better to affirm that a policy section in an appropriations bill is effective August 1.*

****the phrase "effective the day after final enactment" means the day after the Governor signs the bill.*

***an "ACT" is the version of a bill as sent to the Governor for signature. The content is identical to the version passed by the Legislature but the page and line numbers will vary somewhat. If you need to refer to that level of detail in preparing instructions or a notice, you need to be working from the "Act" version.*

How do you reference an "Act" that is signed by the Governor?

The proper reference to a bill passed and signed in this past session is "Laws of Minnesota, 2009, Chapter ###".