
Making Laws is a series of publications that explain the lawmaking process of the Minnesota Legislature. This work is the eighth in the series and discusses what happens when a bill reaches the House and Senate floors. Please see the list at the end for other works in this series.

Executive Summary

The second reading of a bill signifies that it is finished with committee consideration and ready for the next step in the process: consideration on the floor by all members of the house. Floor procedures on bills, depicted graphically in the flowchart on page 16, are largely a creation of each house of the legislature (except for the constitutional requirements for reporting and voting on bills described in a separate work in this series *Passing Bills*).

Preparation. After its second reading, a bill is prepared for floor consideration and added to a list of bills awaiting floor action.

Scheduling: How Bills Come Up for Floor Action. Bills first appear on a list of waiting bills in the order of their second reading. Bills come up for floor action by being selected by leadership through the Rules Committee for consideration on a particular day.

Floor Deliberation. Because procedures for handling all bills on the floor have common objectives, the general sequence of action on a bill is broadly similar no matter what list carries the bill. The five main steps in floor deliberation on a bill are notice, presentation and debate, possible amendment, third reading, and the vote on passage.

Decision Making on the Floor. The parliamentary way of making a group decision is to assemble and vote on a proposed decision. The constitution requires the presence of a specified number of members on the floor to transact any business, and it requires the vote of a specified number to make certain decisions. To ensure that a house is able to function and carry out its legislative duties under these conditions, members are required to attend floor session and to vote on most questions, unless excused, and a house can compel attendance for this purpose.

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Preparation

After its second reading, a bill is prepared for the floor and added to a list of bills awaiting floor action.

The chamber staff is responsible for preparing the bill for floor consideration

Preparation of the bill for the floor is the responsibility of the chief clerk of the House or secretary of the Senate, assisted by the Revisor’s Office.

- If the adopted committee report on the bill recommended amendments, the Revisor’s Office prepares a new engrossment of the bill, incorporating the amendments into the text of the bill.
- The information printed on the first page of the bill (authors and procedural history) is updated to reflect the bill’s new position in the legislative process.
- Copies of the bill are made for distribution to members and the public, both on paper and on the Internet.

The bill is appended to a list of bills awaiting floor action

Each house maintains lists of bills awaiting floor action. In the House, it’s the General Register or the Consent Calendar. In the Senate, it’s the Consent Calendar or General Orders.

Once placed on the General Register, the bill appears on a list of bills awaiting floor action. Bills are listed in the order that they received their second reading.

Bills that are unobjectionable may be placed on the Consent Calendar

The Senate and House maintain a Consent Calendar for bills that are “not likely to be opposed.” The purpose of this calendar is to expedite the passage of unobjectionable bills, thus preserving precious floor time for more difficult bills.

A bill typically appears on the Consent Calendar as a result of a committee report. When the last committee to report a bill believes it to be unobjectionable, the committee may recommend placement on the Consent Calendar. After the house adopts the committee report, the bill is directed accordingly. A Senate rule also allows a majority of the whole Senate (34 senators), or the Senate majority leader, to order a bill moved from General Orders to the Consent Calendar.

The Consent Calendar was eliminated in the House in 2013, but in 2023, the House restored the use of a Consent Calendar. The chair and leading minority member may recommend a bill be placed on the Consent Calendar, but the House Rules Committee actually establishes a Consent Calendar and places bills there.

To preserve the integrity of the Consent Calendar as a place for bills that are not controversial, the rules allow for easy removal of a bill that turns out to be contentious. A bill must be removed from the Consent Calendar in the Senate if three of the 67 senators object. In the House, the standard is five of the 134 members.

All other bills are placed on the General Register (House) or General Orders (Senate)

If the last committee to report a bill does not recommend placement on the Consent Calendar, the bill is placed on another list of bills awaiting floor action. In the House, this list is called the General Register; in the Senate, it is called General Orders.

The General Register and General Orders traditionally are printed and posted on the Internet.

Scheduling: How Bills Come Up for Floor Action

A bill comes up for floor action by being selected by leadership for consideration on a particular day. In the past, bills sometimes rose to the top of the list for action simply by the passage of time. For decades, bills have been considered only when chosen by leadership.

Floor consideration is not guaranteed for every waiting bill

Just because a bill appears on a list of bills awaiting floor action does not mean that it will certainly or soon be considered by either house. Bills listed on the Consent Calendar ordinarily are acted upon in short order. But bills listed on the General Register or General Orders may remain there for extended periods, sometimes running out the session in place.¹

¹ When a house adjourns the first year's session for the interim break, bills remaining on the General Register or General Orders are returned automatically to a committee (usually the last committee to report them). The committee receiving such a bill may revive it by reporting it again when the session resumes the next year. When a house ends a session permanently, by adjourning *sine die* (without a date for reconvening), the bills remaining on General Orders or the General Register expire in place. For more information about how bills are handled at adjournment for the interim, see a separate work in this series *Forms of Action*.

Inaction on a bill may be deliberate. Sometimes, inaction on a bill stems from a decision by the author to delay or abort further consideration of the bill. Or key members, perhaps a majority of members, may oppose floor action on the bill. A house may decide to remove a bill from a floor list and return it to a committee, where it may remain permanently. Inaction may also be for simple lack of time: the session may end before a house can act on every waiting bill. However, unless the bill has arrived on the floor during the last days, it is likely that bills fail to move because the majority does not prioritize their passage.

A bill may come up for consideration as part of the regular order of floor business

One way that a bill comes up for floor action is by rising to the top of a list as the house works its way through the bills listed there. Three of the four lists of bills are not just lists; they are parts of the regular, daily order of business on the floor (see the separate work in this series *Passing Bills*).

Each day of floor session, when the Senate or House arrives at the Consent Calendar in either house or General Orders in the Senate, it may take action on bills listed there. To prevent precipitous floor action on bills, however, a bill must be available to members at least one day before it is taken up from one of these lists. As explained earlier, when a house meets two days in a row, a bill can appear on a list on the calendar day after it receives a second reading, which is the same day that the bill becomes available. Bills in this situation still appear on the list, but under the heading “To Lie Over” (Senate) or “Technical Calendar” (House). The bills so labeled are not eligible for action that day (absent a suspension of the rule); they are held over on the list until the next session day, when they appear again without the label.

In contrast to the Consent Calendar in both houses and General Orders in the Senate, the General Register is not a part of the regular order of House business. It is simply a list of bills that are ready for floor consideration. The House never acts directly on bills listed on the General Register. All bills in the House come up for floor action in another way: by being selected for consideration on a particular day.

Therefore, Senate bills may occasionally receive consideration because of their progress on a calendar, but House bills require intentional scheduling.

A bill may be selected for action on a particular day

The typical way that a bill may come up for floor action is by being selected by some authority for consideration on a particular day.

The General Register and General Orders are the main repository for bills awaiting floor action; most bills are listed there, not on the Consent Calendar. These two repositories of waiting bills grow very long, especially toward the end of session as committees finish their work. Some of the bills are simple and short, others complex and lengthy; some are momentous, others are of small consequence; some are urgent, others are not; some are likely to pass quickly, others may

be debated at length. Yet all are listed together on the General Register or General Orders, in the order of their second reading.

The length of the two lists, and the circumstantial ordering of bills on them, make it difficult for a house to manage floor business—to schedule bills to fit the floor time expected to be available on a particular day, to accelerate or retard action on key bills, to coordinate work between the houses, or to accommodate the schedules of bill authors. To accomplish these objectives, both houses have developed procedures that allow bills to be plucked from the General Register or General Orders and placed on another list of bills scheduled for consideration on a specific day. The Senate places the selected bills on a list called Special Orders. The House places them on one of two lists: the Calendar for the Day or the Fiscal Calendar.

Senate Special Orders

The chair of the Senate Committee on Rules and Administration—who is the Senate majority leader—may designate any bill that has had its second reading as a special order for immediate consideration on a certain day or at a certain time. Usually, the majority leader selects from the bills listed on General Orders, but any bill may be selected that has had a second reading, so a bill could be made a Special Order before it even appears on General Orders.

Unlike General Orders and the Consent Calendar, Special Orders is not an item on the Senate’s regular order of daily business. This allows the majority leader to turn the Senate’s attention to particular bills at almost any time during a floor session. As the legislative session moves toward a close, the majority leader makes increasing use of this authority to accelerate and schedule floor action on important or urgent bills.

Special Orders traditionally is printed, but in the harried days toward the end of session, bills may be special ordered in the midst of a floor session, resulting in the distribution on the floor of a handwritten list on plain paper. When it becomes available, Special Orders is now also posted on the Internet.

House Calendar for the Day and Fiscal Calendar

As explained earlier, the House does not act on bills listed on the General Register. A bill appearing there is not available for floor consideration without being placed on another list—a calendar of bills actionable on the floor.

The House uses two such calendars: the Calendar for the Day and the Fiscal Calendar. The Calendar for the Day is the main calendar for scheduling bills for action on the House floor, while the Fiscal Calendar, as its name suggests, may only be used for bills affecting the state’s financial affairs. The Calendar for the Day is the ninth item on the House’s regular order of daily business, immediately preceding the Consent Calendar. Each day of floor session, when the House arrives at this order of business, it may take up the bills listed for action on the Calendar for the Day. The Fiscal Calendar, in contrast,

is not part of the regular daily order of House floor business. In this respect, it is similar to Special Orders in the Senate but applies only to bills with a fiscal impact.

Bills are placed on the Calendar for the Day by the Committee on Rules and Legislative Administration, which is chaired by the House majority leader. (The House may also place bills on the calendar, but this is rare.) Bills are placed on the Fiscal Calendar by a chair of one of the two main House fiscal committees—the Taxes Committee and the Ways and Means Committee. Until toward the end of an annual session, these authorities must announce their selections at least one day ahead—by 5:00 p.m. the day before floor action is planned on the bills. Toward the end of session, this day-ahead notice of bills selected for floor action is often waived by the Rules Committee, but it is customarily given anyway.

Usually the authorities select bills for these calendars from among the bills already listed on the General Register. But any bill that has had its second reading is eligible for selection. So when the House is meeting every day, a bill could be selected on the same day that it receives its second reading, resulting in its appearance the next day on both the General Register and a calendar of bills available for floor action that day.

The Calendar for the Day is traditionally printed on yellow paper, the Fiscal Calendar on green paper (like Special Orders in the Senate). Both calendars are also posted on the Internet.

At times bills are taken up for action in the order they appear on a list

The practice of following a list of bills on the General Register or General Orders in sequence has languished. Both houses prefer a controlled choice of which bills progress, usually determined by the majority caucus. Because fewer bills have passed into law in recent years, this selection-based process offers more leadership control. Fewer bills passing means a leadership designation is the crucial step in determining the progression of bills through the floors.

Within a calendar or order of business established for by the majority caucus for a given floor session, a house may choose to act on bills in the order that they appear. The house then begins with the first bill on the list and proceeds down the list, considering and disposing of each bill in turn.

However, deviations from the sequential order are common. A bill may be skipped or taken out of order for various reasons: to expedite or delay consideration of a particular bill, to accommodate an author's schedule, to allow an author time to prepare for floor debate or prepare an amendment, or to wait until the text of the bill is compared with its companion bill just arrived from the other house. Departures from usual order come to pass in several ways: in the House, the rules authorize the speaker to determine the order that bills are considered on the Calendar for the Day. The speaker also decides when to bring up the Fiscal Calendar, which often has but one or two bills listed. A Senate rule requires the approval of the membership to

take a General Orders bill out of order; the presiding officer generally brings this about quickly by announcing a change in order “without objection” or with a quick, pro forma oral vote. When the Senate is working on Special Orders, the majority leader directs the order in which the bills are considered. The author of a bill also may initiate a deviation from the usual order. On any calendar or order, consideration of a bill may be delayed if the author requests. These author requests generally are accommodated, so long as the author does not overuse the privilege: in some cases, there is a three-request limit.

Floor Deliberation

Because procedures for handling all bills on the floor have the common objectives described in *Passing Bills*, the general sequence of action on each bill is broadly similar, no matter which order or calendar carries the bill. The five main steps in the process of floor deliberation are: notice, presentation and debate, possible amendment, third reading, and the vote on passage.

A bill goes through all of these steps at once, on the same day, except for a bill taken up on the Senate’s General Orders, where two days normally are required.

Floor proceedings on a bill begin with notice from the presiding officer

The presiding officer begins consideration of a bill by directing the members’ attention to it, by means of an announcement from the desk of the bill’s file number and other information about it. The presiding officer then recognizes the bill’s chief author.

A motion is not required, except for bills considered on Senate General Orders

Committee action in the Senate on a bill always begins with a motion—that the bill be recommended to pass. In the House, the motion is for the bill to advance. On the floor this initial motion is not required, except for bills taken up on Senate General Orders, because the outcome of floor action is not a vote on a motion recommending passage, but third reading and the actual vote on passage.

Senate General Orders bills require a motion because they are dealt with initially on the floor not by the Senate but by yet another committee—the Committee of the Whole, which is all senators sitting as a committee. The work product of the Committee of the Whole is not a bill ready for third reading and a vote on passage, as on all other calendars and orders, but rather a report from the Committee of the Whole to the Senate recommending action on the bill. (As described later, final Senate action normally occurs on a subsequent day on the Senate Calendar.) For this reason, the author of a bill on General Orders begins by moving “that when this committee do arise, [the bill] be recommended to pass.”

The Committee of the Whole

When the Senate reaches General Orders in its regular order of business, the Senate “resolves itself” into a Committee of the Whole. This is accomplished by an announcement from the presiding officer that the Senate is in recess, followed immediately by the sound of a gavel bringing the Committee of the Whole to order. When work on General Orders bills concludes for the day, the committee “arises” and is replaced in the room by the Senate, which, after being gavelled to order by its presiding officer, promptly adopts the reports it has just received from the Committee of the Whole.

The institution of the Committee of the Whole stems from the struggle of the early British Parliament to achieve independence from the Crown. The committee device allowed members of Parliament to rid themselves of the Crown’s representative, who normally presided over their meetings, so as to meet, speak, and vote privately. A similar institutional situation prevailed in the Minnesota Senate before 1973, when the presiding officer of the Senate was an executive branch official—the lieutenant governor. Since 1973, under a 1972 constitutional amendment, the presiding officer of the Senate is a senator elected by the Senate.

Proceedings of the Committee of the Whole differ from Senate proceedings in ways that still reflect these origins. The presiding officer of the committee, who often is not the president but another senator, is addressed as the “chair.” Rules of debate that apply in meetings of the Senate are relaxed in meetings of the Committee of the Whole, generally in favor of informality, freedom of debate, and privacy. For example, Senate rules limiting the number of times a member may speak on a question are relaxed in meetings of the committee. And voice voting, which does not produce a record of how each senator voted, is more common in the committee than in Senate sessions. Roll-call votes were entirely forbidden in the committee until the early 1970s and still are not taken there without the demand of at least three senators, rather than just the one required in sessions of the Senate. Even the final vote on a bill—because it is a vote of a committee on a motion recommending passage, not a Senate vote on passage—can be taken by voice rather than by roll call; and favorable action requires the support only of a majority of senators voting rather than the majority of all senators that is required by the constitution for passage.

The House also once used a similar Committee of the Whole process, even though the House’s presiding officer has always been a member of the House elected by the House. The House abandoned its Committee of the Whole and replaced General Orders with the General Register in 1999.

The bill author presents and defends the bill

After the initial procedural formalities, the author presents the bill, describing what it is intended to accomplish, why it is needed, and why members should support it. A Consent Calendar bill may be presented in a minute or two. A complex or contentious bill on another calendar or order may require a lengthy presentation that anticipates and defends against objections and criticisms from other members, provides important procedural information (amendments considered and adopted or rejected by committees, action in the other house, and the like), and identifies important groups or officials supporting the bill. On a large omnibus bill, the author may yield the floor to other members to present various parts of the bill on which they have special expertise.

During the course of the author's presentation, other members may rise and ask to be recognized to question the chief author or other presenters, sometimes seeking information or clarification, sometimes making points for or against the bill. These exchanges may lead into a generalized and lengthy debate on disputed points.

The author and other members may offer amendments to the bill

While presenting the bill, the author also may offer amendments to it. The author's amendments are taken before those of other members, both as a courtesy to the author and so as to avoid wasting time debating provisions that the author plans to change anyway. Whether to present the bill and then amend, or amend and then present, is the author's choice; it depends on the contentiousness of an amendment, how substantially the amendment changes the bill and therefore the author's explanation of the bill, and other considerations. Some author's amendments may be accepted pro forma by the members; others may be controversial and much disputed.

After the author's business is concluded, other members may offer amendments. One by one, these are announced by the presiding officer, presented by the sponsor of the amendment, debated, possibly amended further by other amendments, and finally voted upon. Some amendments are disposed of in seconds or minutes (as, for example, when the author of an amendment has no objection to a proposed change and offers to incorporate it into the amendment); others take hours of floor time.

For more information on amendments see a separate work in this series *Forms of Action*.

Both houses restrict floor amendments

In Congress and some other state legislatures, unhappy experience with uninhibited floor action on bills causes legislative leaders to tightly control floor amendments. In Minnesota, legislators remain comparatively free to offer amendments on the floor. But both houses have adopted some rules restraining certain types of amendments. Some of these restrictive rules are broadly accepted by the membership; others may be the source of considerable contention on the floor.

Germaneness

Legislative rules allow a proposed amendment to be excluded from consideration not on its policy merits but because it is not "germane" to the bill. This serves a purpose similar to the single-subject rule in the state constitution: to prevent bills from being freighted with an accumulation of unrelated provisions on diverse matters. Germaneness questions play a much larger role in amendments on the floor than in committee, where the rule is relaxed or extinguished.

The Senate defines a non-germane amendment as one that is on "a substantially different subject" or is "intended to accomplish a substantially different purpose" than the bill. The House defines it as one that is on "a subject different" from the subject of the bill.

If a member objects to a floor amendment on the grounds that it is not germane to the bill, the presiding officer listens to advice—sometimes a lot of it—from members, and then decides (“rules”) whether the amendment is germane or not. An undecided presiding officer may put the question to the membership for a vote, but this is not frequently done.

A member may appeal the ruling of the presiding officer. The appeal is to the membership of the house. (Any ruling of the presiding officer may be so appealed.) An appeal requires members to vote on the question of germaneness, either supporting or opposing the ruling of the presiding officer. An appeal may be initiated with the hope of overturning the ruling of the presiding officer or more with the object of putting each member on record as to whether the amendment should be considered by the house.

A House rule requires an amendment to an amendment to be germane to the amendment, and not the underlying bill. This is an attempt to clarify the germaneness rule to limit bridge amendments, which create a chain of germaneness to allow disparate issues to be heard on the floor.²

Budget limits

As described in a separate work in this series, *Making the Budget*, each house establishes spending limits for about a dozen categories of state spending, corresponding generally to the scope of the several omnibus budget bills. When these spending limits are in force, a presiding officer may rule an amendment out of order if the amendment would place the bill out of compliance with a spending limit. This ruling of the presiding officer, like rulings on germaneness, may be appealed to a vote of the members.

Prefiling of amendments

In 2013, the House adopted a rule allowing the Rules Committee to establish a prefiling period for amendments to bills on the floor. This requirement makes floor amendments publicly available on the day prior to floor debate. If the Rules Committee does not trigger this requirement, amendments can be heard as fast as they are conceived and written.

After all amendments are disposed of, the bill is ready for final floor action

Final floor proceedings on a bill consist of the two steps described in *Passing Bills*:

² The ceaseless battle between majority control of the agenda and minority desire to be heard is epitomized by this germaneness rule, which exists to limit debate to the matter at hand, or to stifle larger debate, depending on whether the majority or minority is choosing the descriptive term.

Third reading

Third reading signifies that the house is finished with the work of revising the text of the bill. After third reading, a bill may not be amended without unanimous consent (except for very technical corrections, like an amendment to the title).

Third reading also signifies that the bill is ready for the final step—the vote on passage. Because the vote follows third reading, each bill is reported individually at this point, rather than collectively as in some earlier reports. Third reading consists of a reference to the bill's number and, in the Senate, an oral recitation of the first part of the bill's title, which provides notice of the subject of the bill about to be voted upon.

Vote on passage

After the bill receives its third reading, the presiding officer asks if there is any further discussion of the bill before the final vote. Sometimes no floor discussion intervenes between third reading and the vote. Members already have debated the issues posed by the bill and any amendments to it that may have been offered. Often the author of the bill makes a final request for favorable action. Sometimes members put additional questions to the author or make concluding points about the wisdom of the bill. Occasionally a contentious bill, or one on which the vote is expected to be close, may be debated at considerable length again, after third reading.

When all members wishing to speak about the bill have finished, the presiding officer calls for the vote on passage and instructs the chief staff officer (chief clerk of the House, secretary of the Senate) to take the vote. Constitutional and legislative requirements for this final vote are described in *Passing Bills*.

Final action is taken at once, on the same day, except for Senate General Orders bills

Except for bills considered on Senate General Orders by the Committee of the Whole, all floor action on bills is completed in a single day. The bill is presented, debated, perhaps amended, and then immediately receives its third reading leading to the vote on passage. There is no interval between floor debate and final action, nor is the bill engrossed before final action. This one-day procedure is used in the House for all bills. The Senate uses it for bills on the Consent Calendar and on Special Orders, but not General Orders.

Consent Calendar bills in the Senate are not much amended or debated, so floor proceedings typically move rapidly from presentation to third reading and the vote on passage. A bill on the Consent Calendar may go from the author's presentation to third reading and passage in a few minutes. The Senate may dispose of a dozen or more of these bills in a half hour.

Bills taken up on Senate's Special Orders and the House's Calendar for the Day and Fiscal Calendar also are presented, debated, perhaps amended, read a third time, and passed all in one day, although some of these bills may be very complex, contentious, and extensively debated and amended on the floor.

The Senate takes final action on General Orders bills on the next session day

As described earlier, a General Orders bill is not considered on the floor initially by the Senate but by the Senate's Committee of the Whole. After debating and possibly amending the bill, the committee reports the bill to the Senate with its recommendations for action. The Senate adopts the committee report but then normally takes no further action on the bill but goes on to other business, leaving the reported bill to be engrossed, if the adopted committee report recommended amendment, and prepared for final action on the next session day.³

On the next session day, the bills reported by the Committee of the Whole appear on another list of bills, the Senate Calendar, traditionally printed on yellow paper. This is on the regular order of Senate business, immediately preceding the Consent Calendar and General Orders. When the Senate reaches the Calendar in its order of business, each of the bills listed for final action receives its third reading and then, usually with little or no discussion, the vote on passage. (Senate rules require that bills on the Calendar be available in electronic or paper form at least one day before the Senate may act on them, so if the next session day is also the next calendar day, the bills appear on the Calendar under the heading "To Lie Over." Bills appearing under this rubric appear again on the Calendar for third reading and final consideration on the following session day.)

This two-day procedure—General Orders on one day, the Calendar on the next—slows the progress of a General Orders bill through Senate floor consideration. Thus, placing a bill on Special Orders in the Senate expedites it in two ways: not only is the bill selected for immediate floor consideration, rather than having to wait its turn on General Orders, the bill also passes in one day rather than the two required for a General Orders bill.

A house may limit debate

During the 2009-2010 Legislature, the House experimented with time limits on floor debate. The Rules Committee debated and adopted limits for bills scheduled for floor action. The majority leader then had the option of moving the previous question, when a given bill had exhausted the allotted time. In practice, this rule was seldom evoked, and was controversial. It was repealed in 2011 and replaced with the prefiling of floor amendments in 2013 (see page 10).

³ It is possible for the Senate to proceed immediately to final action—third reading and the vote on passage—on a General Orders bill, by suspending the Senate rules (which requires a two-thirds vote). This is not the usual practice, but it is sometimes used to expedite passage of a bill.

Decision Making on the Floor

The parliamentary way of making a group decision is to assemble and vote on a proposed decision. The constitution requires the presence of a specified number of members⁴ on the floor to transact any business, and it requires the vote of a specified number to make certain decisions. To ensure that a house is able to function and carry out its legislative duties under these conditions, members are required to attend floor session and to vote on most questions, unless excused, and a house can compel attendance for this purpose.

Members must vote

One object of floor proceedings is to allow, and if necessary require, each member to take a position on amendments to the bill and, ultimately, on the bill itself. Thus, the rules of both houses require members to vote on most questions when called upon to do so, unless excused from voting due to a personal financial interest in the decision (commonly referred to as a conflict of interest).

Members vote on the floor by a call of the roll, by voice, or by division, just as in committee, but using some different methods.⁵

By a call of the roll

A roll-call vote on the floor places each member on the record, in the journal, either as favoring or opposing the amendment, bill, or other decision under consideration.

Both houses call the roll for the vote on the passage of a bill or the override of a veto. On most other questions, a roll-call vote is not required unless demanded by a certain number of members before the voting begins. In the House, 15 members may require a roll-call vote; in the Senate, a single member may require it except in the Committee of the Whole, where it takes three.

In committee, roll-call votes are accomplished orally, each member voicing a vote in response to the call of the member's name. On the floor, to save time both houses take roll-call votes by means of electronic voting systems controlled by the chief clerk of the House and the secretary of the Senate under the direction of the presiding officer. Members vote by pushing one of two buttons mounted on the desk before them (green for yes, red for no). The vote of each member—green or red—is displayed on a large electronic panel in the chamber.

When members have voted, the presiding officer instructs the clerk or secretary to close the roll. This stops further voting and causes an electronic tally of the vote totals, which

⁴ During the COVID-19 states of emergency in 2020 to 2022, remote attendance and floor voting were allowed in both the House and Senate. The methods varied, but both bodies worked to establish a quorum in the seat of government and to establish that quorum in a manner that met constitutional requirements.

⁵ The House allows members to choose not to vote on a memorial resolution.

also is displayed on an electronic panel in the chamber. (The Senate displays a running tally during the vote; the House displays the tally after the roll is closed.) The presiding officer announces the tally of affirmative and negative votes on the question and the resulting decision. The voting system produces a printed record, showing how each member voted, which later appears in the journal of the house.

Electronic voting saves much time on the floor. Most roll-call votes are accomplished in less than a minute. At this late stage of the legislative process, often after lengthy debate, members usually have decided how they are going to vote and are happy to do so. Sometimes, though, on a highly contentious bill, or one where the vote is very close, one or more members may not vote, even though present in the chamber or nearby. A house may excuse a member from voting, but it also may refuse to do so, resulting in a delay in closing the roll while the reluctant member is found or cajoled—a process that usually takes a few minutes but occasionally several hours. At such times, the presiding officer may direct the chief clerk of the House or secretary of the Senate to call for the reluctant member by voice, whereupon that officer begins repeatedly to intone the name of the member.

By voice

If a roll-call vote is not required or demanded, the presiding officer conducts a voice vote. This is accomplished by calling first for the voices of those in favor, then of those opposed. The presiding officer judges by ear which side of the question had the largest number of votes and announces the result.

In contrast to roll-call votes, the journal record of a voice vote indicates only which side prevailed on the question. There is no indication of who or how many voted on each side of the question.

Voice voting is more common on the Senate floor than on the House floor, probably in part because the number of representatives, twice that of senators, makes a voice vote in the House a bit more problematic, especially in the event of a division.

By division

If a voice vote is close or very important, a member may question the presiding officer's judgment about which side prevailed. The member does this by calling for a division—which precipitates a hand count of the number of members voting on each side of the question.

A division vote is accomplished on the floor by having members stand to be counted. The presiding officer calls first for the members voting in favor to stand by their desks to be counted; then those opposed must stand to be counted. The chamber staff performs the count and reports the tally to the presiding office, who announces the number on each side of the question and the result—the two facts that will appear in the journal record of the vote.

A hand count takes considerable time and also may be more subject to error than a roll-call vote, especially in the House with twice the membership of the Senate.

A house may require all members to be present in the chambers

The constitution allows a house to operate legally only when properly assembled as a group. Without the presence of a quorum (at least a majority of the members—68 representatives, 34 senators), a house may do only two things: (1) adjourn, and (2) send for the absent members.

Moreover, a house—unlike a committee—is not permitted to take final action on legislation by majority vote of a quorum. As described in *Passing Bills*, the constitution requires a specific number of affirmative votes (at least 68 in the House, at least 34 in the Senate) to pass any bill, and a greater number for some bills and actions. Legislative rules impose a similar minimum vote requirement for other decisions by a house (e.g., to suspend a rule in case of urgency).

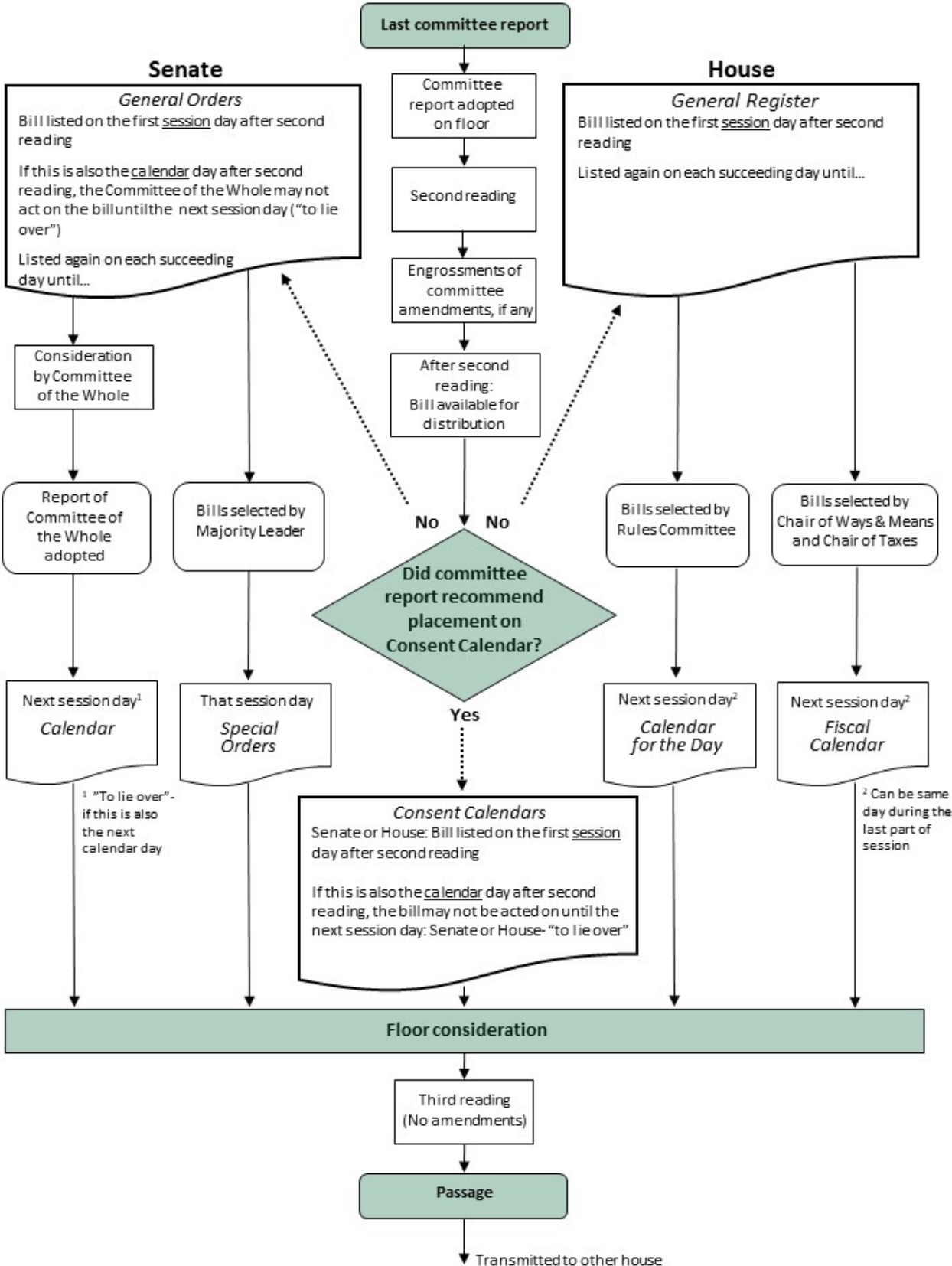
To ensure that a house is able to operate and carry out its legislative business under these conditions, the constitution allows a house to “compel the attendance of absent members in the manner and under the penalties it may provide.” Without this authority, a group of legislators, simply by not showing up or refusing to vote on the floor, could deny a house the quorum required to function or the number required to legislate.

Both houses use this constitutional authority to compel attendance. Legislative rules require members to attend floor sessions unless excused by the presiding officer for illness or other sufficient cause. In addition, the rules establish a method for compelling attendance—the call of the House or call of the Senate. A call may be imposed at any time during a floor session except during a vote. A single senator may demand a call of the Senate; ten representatives may demand a call of the House.

A call brings all floor proceedings to a stop while the presiding officer directs the taking of the roll by means of the electronic voting board. If this shows that some unexcused members are absent, the house may continue the call, halting all proceedings while waiting for the return of the absent members. On occasion, a call continues for hours while a member is found—or even fetched from afar. More commonly, a house votes to suspend the call and instruct the sergeant at arms to bring in the absent members. Suspending the call allows floor proceedings to resume while the absent members are rounded up and brought to the chamber. Though suspended, the call nonetheless remains in effect. Until it is terminated (“lifted”) by a vote of the house, members may not leave the chamber without the permission of the presiding officer.

Many times a call is imposed simply because the house wants to collect members from nearby hallways or meeting rooms for an important debate or decision. Legislators have worked hard to get elected so as to participate in state decisions and generally are eager to attend floor sessions and vote. Sometimes, though, a call is demanded by some to ensure that others are required to vote on the record on an especially divisive or difficult question.

The Bill on the Floor



About This Series

This publication series describes the formal process of making laws in Minnesota. The series is made up of nine separate publications, each one describing an aspect of the lawmaking process. Together they explain the legislature as a body and the various components and procedures that are involved in creating law.

The first two works in the series describe the structure of the legislature and forms of action in the legislative body. The rest of the works in the series describe steps in the process of making laws including passing bills, bicameral agreement, review by the governor, the committee system, committee proceedings, a bill on the floor, and making the budget. The complete series is listed here:

- [The Legislature](#)
- [Forms of Action](#)
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- [Bicameral Agreement](#)
- [Review by the Governor](#)
- [The Committee System](#)
- [Committee Proceedings](#)
- The Bill on the Floor
- [Making the Budget](#)

Earlier Versions

Making Laws was originally published as a comprehensive guide to the Minnesota legislative process in 2005 and written by Tom Todd, former director of House Research. It was updated and republished in 2010 and again in 2018. The current series represents separate chapters in the previously published guide.



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