

The Three Branches of Minnesota State Government



Legislative Branch: The Lawmakers

Bicameral Legislature: Minnesota House of Representatives and Minnesota Senate.

House of Representatives and Senate Members:

134 representatives, one from each House district; 67 senators, one from each Senate district (there are two House districts within each Senate district)

Terms: two years for House members; four years for senators (in years ending in "0," senators are elected to a two-year term)

Requirements:

- qualified voter
- 21 years old
- Minnesota resident — one year
- district resident — six months before election

Responsibilities:

Legislative

- introduce and study ideas (bills) for laws (all revenue-raising bills begin in the House)
- serve on standing committees
- pass state laws (all bills must pass both the House and the Senate)
- pass the state's biennial (two-year) budget
- can override governor's veto (requires two-thirds vote in both House and Senate)

Judicial

- judge election qualification of members
- can expel members

- House can impeach members of the executive and judicial branches
- Senate can convict and remove members of the executive and judicial branches after House impeachment

Other

- respond to the needs and concerns of constituents
- elect regents to the University of Minnesota

Organization:

Each body

- begins regular session every odd-numbered year in January and meets beginning usually in February each even-numbered year
- may meet for up to 120 legislative days during the biennium, but not after the first Monday following the third Saturday in May
- organizes on the basis of majority and minority caucuses
- elects a member as presiding officer (speaker of the House; president of the Senate)

Speaker of the House; Chair of Senate Rules and Administration Committee

- designates number, function, chairs and majority members of committees
- designates number of committee members the minority appoints



Standing committees

- study and research bills
- hear public testimony on bills
- make recommendations to the full House and the full Senate

Conference committees

- resolve differences when the House and Senate pass different versions of a bill
- consist of three or five members of each body

Legislative Commissions

- chairs are usually legislators
- various authorities (usually the governor) appoint members
- do in-depth studies on specific issue areas, and review related laws, rules and finances
- serve as advisory groups to the Legislature
- example: Legislative-Citizen Commission on Minnesota Resources

Executive Branch: The Administrators

Five Constitutional Officers: Governor, Lieutenant Governor, Secretary of State, State Auditor, Attorney General.

Governor

Term: four years

Requirements:

- qualified voter
- 25 years old
- Minnesota resident — one year
- U.S. citizen



Responsibilities:

Executive

- administer laws and affairs of the state
- appoint heads of departments and agencies
- act as commander-in-chief of state military forces

Legislative

- inform Legislature of condition of the state
- propose a state budget
- review bills the Legislature passes — approve (sign) or reject (veto)
- can call emergency legislative sessions

Judicial

- appoint judges to fill vacancies in district, appellate and supreme courts
- can issue pardons and reprieves, restore civil rights to felons

Lieutenant Governor

Term: four years (voters elect as team with governor)

Requirements:

- qualified voter
- 25 years old
- Minnesota resident — one year
- U.S. citizen

Responsibilities:

- represent governor
- assume governor's responsibilities in governor's absence or if a vacancy occurs
- assume duties governor assigns

Secretary of State

Term: four years

Requirements:

- qualified voter
- 21 years old

Responsibilities:

- act as chief election official

- certify official documents, governor's executive orders, laws the Legislature passes
- regulate Minnesota businesses
- act as custodian of official records

State Auditor

Term: four years

Requirements:

- qualified voter
- 21 years old

Responsibilities:

- collect, check and standardize financial information from local units of government
- investigate audit reports

Attorney General

Term: four years

Requirements:

- qualified voter
- 21 years old

Responsibilities:

- provide legal services to state government
- represent the state in court cases
- enforce laws concerning charitable organizations
- protect public rights

State Departments and Agencies

Departments

- 20 executive departments
- governor appoints the head (commissioner) of each department
- example: Department of Human Services

Agencies

- independent, separate from departments
- governor appoints portions of membership
- example: Minnesota Zoological Garden

Semi-State Agencies

- separate from departments and agencies
- not under direct appointive control of the governor
- example: Minnesota State Agricultural Society

Judicial Branch: The Judges

Three Levels of Courts: Supreme Court, Court of Appeals, District Court.

Supreme Court

Members:

One chief justice and six associate justices (total seven judges)

Term: six years

Requirements: licensed to practice law in Minnesota

Responsibilities:

- hear appeals on decisions from the Court of Appeals, Workers' Compensation Court of Appeals, Tax Court and persons convicted of first-degree murder
- hear constitutionality cases
- interpret the law and constitution
- regulate all courts in the state
- recommend improvements of the judicial system
- oversee law practice and judicial planning

Note: The Tax Court and Workers' Compensation Court of Appeals are administrative divisions of the Executive Branch.

Court of Appeals

Members:

One chief judge, 18 associate judges (total 19 judges)

Term: six years

Requirements: licensed to practice law in Minnesota

Responsibilities:

- hear appeals on decisions from lower courts
- hear appeals from administrative agencies
- hear appeals from commissioner of Employment and Economic Development

District Court

Members:

Ten judicial districts, each with several judges (about 289 judges total across the state)

Term: six years

Requirements: licensed to practice law in Minnesota

Responsibilities:

- hear criminal cases
- hear public policy issues, civil cases
- hear juvenile cases
- hear family cases
- hear probate cases
- hear traffic cases

3

Conciliation Court

Members:

One conciliation court in each county — District Court judges serve as conciliation court judges except in Hennepin and Ramsey counties where assigned attorneys serve as referees

Requirements: licensed to practice law in Minnesota

Responsibilities:

- hear only civil claims of damages up to \$7,500 (except for disputes over consumer credit transactions, which must be less than \$4,000 to be heard in conciliation court)

Note: Conciliation Court is a division of District Court.

Judicial Boards and Advisory Committees

- Supreme Court and/or governor appoints members
- advise courts
- consists of lawyers, administrators, legislators, judges, lay members
- example: State Board of Law Examiners

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