

A bill for an act
relating to state government; proposing an amendment to the Minnesota
Constitution, article IV, section 9; authorizing a council to establish salaries for
legislators; changing the composition of the Compensation Council; amending
Minnesota Statutes 2010, section 15A.082, subdivisions 1, 2, 3.

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

Section 1. **CONSTITUTIONAL AMENDMENT PROPOSED.**

An amendment to the Minnesota Constitution is proposed to the people. If the
amendment is adopted, article IV, section 9, will read:

Sec. 9. ~~The compensation salary of senators and representatives shall be prescribed
by law. No increase of compensation shall take effect during the period for which the
members of the existing house of representatives may have been elected.~~ a council
consisting of the following members: eight nonjudges appointed by the chief justice of
the Supreme Court, and one member from each congressional district appointed by the
governor. Four members appointed by the governor and four members appointed by
the Supreme Court must belong to the political party that has the most members in the
legislature. Four members appointed by the governor and four members appointed by the
Supreme Court must belong to the political party that has the second-most members in the
legislature. The council must prescribe salaries by May of each odd-numbered year, with
any changes in salary to take effect in January of the next odd-numbered year. Other items
of compensation for legislators shall be determined as provided by law.

Sec. 2. **SCHEDULE AND QUESTION.**

The proposed amendment must be submitted to the people at the 2012 general election. The question submitted must be:

"Shall the Minnesota Constitution be amended to provide that salary for legislators will be prescribed by a compensation council instead of by the legislature?"

Yes

No "

Sec. 3. Minnesota Statutes 2010, section 15A.082, subdivision 1, is amended to read:

Subdivision 1. **Creation.** A Compensation Council is created each ~~even-numbered~~ odd-numbered year to assist the legislature in establishing the compensation of constitutional officers, ~~members of the legislature,~~ justices of the Supreme Court, judges of the Court of Appeals and district court, and the heads of state and metropolitan agencies included in section 15A.0815.

Sec. 4. Minnesota Statutes 2010, section 15A.082, subdivision 2, is amended to read:

Subd. 2. **Membership.** The Compensation Council consists of 16 members: ~~two members of the house of representatives appointed by the speaker of the house; two members of the senate appointed by the majority leader of the senate; one member of the house of representatives appointed by the minority leader of the house of representatives; one member of the senate appointed by the minority leader of the senate; two~~ eight nonjudges appointed by the chief justice of the Supreme Court, of whom no more than four may belong to the same political party; and one member from each congressional district appointed by the governor, of whom no more than four may belong to the same political party. Appointments must be made ~~by October 1~~ after the first Monday in January and before January 15. The compensation and removal of members appointed by the governor or the chief justice shall be as provided in section 15.059, subdivisions 3 and 4. The Legislative Coordinating Commission shall provide the council with administrative and support services.

Sec. 5. Minnesota Statutes 2010, section 15A.082, subdivision 3, is amended to read:

Subd. 3. **Submission of recommendations.** (a) By ~~May~~ April 1 in each odd-numbered year, the Compensation Council shall submit to the speaker of the house and the president of the senate salary recommendations for constitutional officers, ~~legislators,~~ justices of the Supreme Court, and judges of the Court of Appeals and district court. The recommended salary for each other office must take effect on the first Monday in January of the next odd-numbered year, with no more than one adjustment, to take

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effect on January 1 of the year after that. The salary recommendations for legislators, judges, and constitutional officers take effect if an appropriation of money to pay the recommended salaries is enacted after the recommendations are submitted and before their effective date. Recommendations may be expressly modified or rejected. ~~The salary recommendations for legislators are subject to additional terms that may be adopted according to section 3.099, subdivisions 1 and 3.~~

(b) The council shall also submit to the speaker of the house and the president of the senate recommendations for the salary ranges of the heads of state and metropolitan agencies, to be effective retroactively from January 1 of that year if enacted into law. The recommendations shall include the appropriate group in section 15A.0815 to which each agency head should be assigned and the appropriate limitation on the maximum range of the salaries of the agency heads in each group, expressed as a percentage of the salary of the governor.

Sec. 6. **EFFECTIVE DATE.**

Sections 3 to 5 are effective January 1, 2013, if the constitutional amendment proposed in section 1 is adopted by the voters.