

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 Citizen Compensation Council;
amending Minnesota Statutes 2006, 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. The remaining 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. However, if Minnesota has more than eight congressional
districts, half or more of the members appointed by the governor must be from the political
party that has the 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 on July 1 of that
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 2008 general election. The question submitted must be:

"Shall the Minnesota Constitution be amended to remove legislators' ability to set their own salaries, and instead establish a compensation council to prescribe salaries for legislators?"

Yes

No"

Sec. 3. Minnesota Statutes 2006, section 15A.082, subdivision 1, is amended to read:

Subdivision 1. **Creation.** A Citizen 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 2006, section 15A.082, subdivision 2, is amended to read:

Subd. 2. **Membership.** The Citizen Compensation Council consists of 16 members: ~~two members of the house of representatives appointed by the speaker of the house of representatives; 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 2006, 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 Citizen Compensation Council shall submit to the speaker of the house of representatives and the president of the senate salary recommendations for constitutional officers, ~~legislators,~~ justices of the Supreme Court, and judges of the

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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 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 of representatives 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, 2009, if the constitutional amendment proposed in section 1 is adopted by the voters.