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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1297

03/06/2013 Authored by Carlson
The bill was read for the first time and referred to the Committee on Government Operations

A bill for an act

relating to state government; changing provisions of the Legislative Advisory Commission, Legislative Coordinating Commission, Legislative Commission on Pensions and Retirement, Compensation Council, and Mississippi River Parkway Commission; amending Minnesota Statutes 2012, sections 3.30, subdivision 2; 3.303, by adding a subdivision; 3.85, subdivisions 8, 9; 15A.082, subdivisions 1, 2, 3; 161.1419, subdivision 3; repealing Minnesota Statutes 2012, sections 3.304, subdivisions 1, 5; 3.885, subdivision 10; 16A.10, subdivision 1c.

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

Section 1. Minnesota Statutes 2012, section 3.30, subdivision 2, is amended to read:

Subd. 2. Members; duties. (a) The majority leader of the senate or a designee, the chair of the senate Committee on Finance, and the chair of the senate Division of Finance responsible for overseeing the items being considered by the commission, the speaker of the house or a designee, the chair of the house of representatives Committee on Ways and Means, and the chair of the appropriate finance committee, or division of the house of representatives committee responsible for overseeing the items being considered by the commissioner, constitute the Legislative Advisory Commission. The division chair of the Finance Committee in the senate and the division chair of the appropriate finance committee or division in the house of representatives shall rotate according to the items being considered by the commission. If any of the members elect not to serve on the commission, the house of which they are members, if in session, shall select some other member for the vacancy. If the legislature is not in session, vacancies in the house of representatives membership of the commission shall be filled by the last speaker of the house or, if the speaker is not available, by the last chair of the house of representatives Rules Committee, and by the last senate Committee on Committees or other appointing authority designated by the senate rules in case of a senate vacancy. The commissioner of management and

2.1 budget shall be secretary of the commission and keep a permanent record and minutes of
 2.2 its proceedings, which are public records. The commissioner of management and budget
 2.3 shall transmit, under section 3.195, a report to the next legislature of all actions of the
 2.4 commission. Members shall receive traveling and subsistence expenses incurred attending
 2.5 meetings of the commission. The commission shall meet from time to time upon the call of
 2.6 the governor or upon the call of the secretary at the request of two or more of its members.
 2.7 A recommendation of the commission must be made at a meeting of the commission
 2.8 unless a written recommendation is signed by all the members entitled to vote on the item.

2.9 (b) The chair alternates between a member of the senate and a member of the house
 2.10 of representatives in January of each odd-numbered year.

2.11 Sec. 2. Minnesota Statutes 2012, section 3.303, is amended by adding a subdivision to
 2.12 read:

2.13 Subd. 11. **Acceptance of grants and gifts.** The commission may accept gifts
 2.14 and grants for purposes related to the duties of the commission. Money received by the
 2.15 commission from gifts and grants is appropriated to the commission for purposes specified
 2.16 in the gift or grant.

2.17 Sec. 3. Minnesota Statutes 2012, section 3.85, subdivision 8, is amended to read:

2.18 Subd. 8. **Expenses, reimbursement.** The members of the commission and its
 2.19 ~~assistants~~ staff shall be reimbursed for all expenses actually and necessarily incurred in
 2.20 the performance of their duties. Reimbursement for expenses incurred shall be made
 2.21 ~~under the rules governing state employees in accordance with policies adopted by the~~
 2.22 Legislative Coordinating Commission.

2.23 Sec. 4. Minnesota Statutes 2012, section 3.85, subdivision 9, is amended to read:

2.24 Subd. 9. **Expenses and reports.** Expenses of the commission shall be approved
 2.25 by the chair or another member as the rules of the commission provide. ~~The expenses~~
 2.26 ~~shall then be paid like other state expenses. A general summary or statement of expenses~~
 2.27 ~~incurred by the commission and paid shall be made to the legislature by November 15 of~~
 2.28 ~~each even-numbered year.~~

2.29 Sec. 5. Minnesota Statutes 2012, section 15A.082, subdivision 1, is amended to read:

2.30 Subdivision 1. **Creation.** A Compensation Council is created each ~~even-numbered~~
 2.31 odd-numbered year to assist the legislature in establishing the compensation of
 2.32 constitutional officers, members of the legislature, justices of the Supreme Court, judges

3.1 of the Court of Appeals and district court, and the heads of state and metropolitan agencies
3.2 included in section 15A.0815.

3.3 Sec. 6. Minnesota Statutes 2012, section 15A.082, subdivision 2, is amended to read:

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

3.16 Sec. 7. Minnesota Statutes 2012, section 15A.082, subdivision 3, is amended to read:

3.17 Subd. 3. **Submission of recommendations.** (a) By ~~May 1~~ March 15 in each
3.18 odd-numbered year, the Compensation Council shall submit to the speaker of the house
3.19 and the president of the senate salary recommendations for constitutional officers,
3.20 legislators, justices of the Supreme Court, and judges of the Court of Appeals and district
3.21 court. The recommended salary for each office must take effect on the first Monday in
3.22 January of the next odd-numbered year, with no more than one adjustment, to take effect
3.23 on January 1 of the year after that. The salary recommendations for legislators, judges, and
3.24 constitutional officers take effect if an appropriation of money to pay the recommended
3.25 salaries is enacted after the recommendations are submitted and before their effective date.
3.26 Recommendations may be expressly modified or rejected. The salary recommendations
3.27 for legislators are subject to additional terms that may be adopted according to section
3.28 3.099, subdivisions 1 and 3.

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

4.1 the salaries of the agency heads in each group, expressed as a percentage of the salary of
4.2 the governor.

4.3 Sec. 8. Minnesota Statutes 2012, section 161.1419, subdivision 3, is amended to read:

4.4 Subd. 3. **Investigatory powers; chair, vice-chair, and secretary.** The commission
4.5 may hold meetings and hearings at such time and places as it may designate to accomplish
4.6 the purposes set forth in this section ~~and may subpoena witnesses and records.~~ It shall select
4.7 a chair, a vice-chair, and such other officers from its membership as it deems necessary.
4.8 The commission shall appoint a secretary who shall also serve as a commission member.

4.9 Sec. 9. **LEGISLATIVE ADVISORY COMMISSION CHAIR; 2013.**

4.10 Under Minnesota Statutes, section 3.30, subdivision 2, the chair of the Legislative
4.11 Advisory Commission must be a member of the senate in 2013.

4.12 Sec. 10. **REPEALER.**

4.13 Minnesota Statutes 2012, sections 3.304, subdivisions 1 and 5; 3.885, subdivision
4.14 10; and 16A.10, subdivision 1c, are repealed.

3.304 OFFICE OF LEGISLATIVE RESEARCH.

Subdivision 1. **Revisor and Legislative Reference Library; jurisdiction of Legislative Coordinating Commission.** The Legislative Coordinating Commission may establish under its jurisdiction and control an office of legislative research and may include within it the Office of Revisor of Statutes and the Legislative Reference Library. The commission may appoint, set salaries for, and delegate authority to, the personnel it deems necessary to perform the functions required.

Subd. 5. **Expenses of Legislative Coordinating Commission.** One-half the expenses of the Legislative Coordinating Commission not including the expenses of the Office of the Revisor of Statutes and the Legislative Reference Library, as determined by the commission, shall be allocated from the legislative expense fund of each house of the legislature to a legislative research account. The expenses of the commission other than the expenses of the Office of the Revisor of Statutes and the Legislative Reference Library, shall be paid from the legislative research account upon vouchers signed by the chair of the commission.

3.885 LEGISLATIVE COMMISSION ON PLANNING AND FISCAL POLICY.

Subd. 10. **Subcommittee on Government Accountability.** The commission must form a Subcommittee on Government Accountability under section 3.3056 to review recommendations from the commissioner of management and budget under section 16A.10, subdivision 1c, and to review recommendations from the commissioners of management and budget and administration on how to improve the use of Minnesota Milestones and other statewide goals and indicators in state planning and budget documents. The subcommittee shall consider testimony from representatives from the following organizations and agencies: (1) nonprofit organizations involved in the preparation of Minnesota Milestones; (2) the University of Minnesota and other higher education institutions; (3) the Department of Management and Budget and other state agencies; and (4) other legislators. The subcommittee shall report to the commission by February 1 of each odd-numbered year with long-range recommendations for the further implementation and uses of Minnesota Milestones and other government accountability improvements.

16A.10 BUDGET PREPARATION.

Subd. 1c. **Performance measures for change items.** For each change item in the budget proposal requesting new or increased funding, the budget document must present proposed performance measures that can be used to determine if the new or increased funding is accomplishing its goals. To the extent possible, each budget change item must identify relevant Minnesota Milestones and other statewide goals and indicators related to the proposed initiative. The commissioner must report to the Subcommittee on Government Accountability established under section 3.885, subdivision 10, regarding the format to be used for the presentation and selection of Minnesota Milestones and other statewide goals and indicators.