

## State of Minnesota

## HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1823

05/06/2013 Authored by Metsa, Laine, Gunther, Hansen, Peppin and others  
The bill was read for the first time and referred to the Committee on Government Operations

05/14/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Rules and Legislative Administration  
Adoption of Report: Pass and re-referred to the Committee on Ways and Means

05/15/2013 Adoption of Report: Pass and Read Second Time

1.1 A bill for an act  
1.2 relating to state government; proposing an amendment to the Minnesota  
1.3 Constitution, article IV, section 9; authorizing a council to establish salaries for  
1.4 legislators; changing the composition of the Compensation Council; amending  
1.5 Minnesota Statutes 2012, section 15A.082, subdivisions 1, 2, 3.

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

1.7 Section 1. **CONSTITUTIONAL AMENDMENT PROPOSED.**

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

1.10 Sec. 9. The compensation salary of senators and representatives shall be prescribed  
1.11 by law. No increase of compensation shall take effect during the period for which the  
1.12 members of the existing house of representatives may have been elected. a council  
1.13 consisting of the following members: one person who is not a judge from each  
1.14 congressional district appointed by the chief justice of the Supreme Court, and one  
1.15 member from each congressional district appointed by the governor. If Minnesota has  
1.16 an odd number of congressional districts, the governor and the chief justice must each  
1.17 appoint an at-large member in addition to a member from each congressional district.  
1.18 One-half of the members appointed by the governor and one-half of the members  
1.19 appointed by the chief justice must belong to the political party that has the most members  
1.20 in the legislature. One-half of the members appointed by the governor and one-half of  
1.21 the members appointed by the chief justice must belong to the political party that has the  
1.22 second-most members in the legislature. None of the members of the council may be  
1.23 current or former legislators. None of the members of the council may be current or former  
1.24 lobbyists registered under Minnesota law. Membership terms, removal, and compensation

2.1 of members shall be as provided by law. The council must prescribe salaries by March 31  
2.2 of each odd-numbered year, with any changes in salary to take effect on July 1 of that year.

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

2.4 The proposed amendment must be submitted to the people at the 2014 general  
2.5 election. The question submitted must be:

2.6 "Shall the Minnesota Constitution be amended to remove legislators' ability to set  
2.7 their own salaries, and instead establish an independent, citizens-only council to prescribe  
2.8 salaries for legislators?

2.9 Yes .....  
2.10 No ..... "

2.11 Sec. 3. Minnesota Statutes 2012, section 15A.082, subdivision 1, is amended to read:

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

2.17 Sec. 4. Minnesota Statutes 2012, section 15A.082, subdivision 2, is amended to read:

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

2.31 Sec. 5. Minnesota Statutes 2012, section 15A.082, subdivision 3, is amended to read:

3.1 Subd. 3. **Submission of recommendations.** (a) By ~~May~~ April 1 in each  
3.2 odd-numbered year, the Compensation Council shall submit to the speaker of the house  
3.3 and the president of the senate salary recommendations for constitutional officers,  
3.4 ~~legislators~~, justices of the Supreme Court, and judges of the Court of Appeals and district  
3.5 court. The recommended salary for each other office must take effect on the first Monday  
3.6 in January of the next odd-numbered year, with no more than one adjustment, to take  
3.7 effect on January 1 of the year after that. The salary recommendations for ~~legislators~~,  
3.8 ~~judges~~, and constitutional officers take effect if an appropriation of money to pay the  
3.9 recommended salaries is enacted after the recommendations are submitted and before  
3.10 their effective date. Recommendations may be expressly modified or rejected. ~~The salary~~  
3.11 ~~recommendations for legislators are subject to additional terms that may be adopted~~  
3.12 ~~according to section 3.099, subdivisions 1 and 3.~~

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

3.20 Sec. 6. **EFFECTIVE DATE.**

3.21 Sections 3 to 5 are effective January 1, 2015, if the constitutional amendment  
3.22 proposed in section 1 is adopted by the voters.