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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 773

February 8, 2007

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The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections

1.1 A bill for an act
1.2 relating to legislative organization; prohibiting per diem payments to legislators
1.3 during special sessions called due to failure of the legislature to pass major
1.4 budget bills; amending Minnesota Statutes 2006, section 3.099, subdivision 1;
1.5 proposing coding for new law in Minnesota Statutes, chapter 3.

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

1.7 Section 1. **[3.051] RULES OF PROCEEDINGS.**

1.8 The rules of each house and the joint rules of the legislature must conform to
1.9 section 2.

1.10 Sec. 2. Minnesota Statutes 2006, section 3.099, subdivision 1, is amended to read:

1.11 Subdivision 1. **Pay days; mileage; per diem.** (a) The compensation of each
1.12 member of the legislature is due on the first day of the regular legislative session of the
1.13 term and payable in equal parts on January 15, in the first month of each term and on the
1.14 first day of each following month during the term for which the member was elected. The
1.15 compensation of each member of the legislature elected at a special election is due on the
1.16 day the member takes the oath of office and payable within ten days of taking the oath for
1.17 the remaining part of the month in which the oath was taken, and then in equal parts on the
1.18 first day of each following month during the term for which the member was elected.

1.19 (b) Each member shall receive mileage for necessary travel to the place of meeting
1.20 and returning to the member's residence in the amount and for trips as authorized by the
1.21 senate for senate members and by the house of representatives for house members.

1.22 (c) Each member shall also receive per diem living expenses during a regular or
1.23 special session of the legislature in the amounts and for the purposes as determined by the
1.24 senate for senate members and by the house of representatives for house members.

2.1 (d) A member must not receive per diem living expenses during a special session
2.2 that is called in an odd-numbered year because the legislature failed to pass all of the major
2.3 finance and revenue bills during the regular session that year. The house of representatives
2.4 and the senate must adopt rules or resolutions specifying which bills are major finance
2.5 or revenue bills for purposes of this paragraph. If the house and the senate fail to agree
2.6 on which bills are major finance or revenue bills, "major finance or revenue bill" means
2.7 the primary bill establishing state tax policy, and the primary bill making appropriations
2.8 in each of the following areas: higher education; early childhood through high school
2.9 education; agriculture and rural development; environment and natural resources; health
2.10 and human services; state government finance; economic development; public safety; and
2.11 transportation. A member must not receive per diem living expenses during a special
2.12 session that is called in an even-numbered year because the legislature failed to pass a bill
2.13 making appropriations for capital investment purposes during the regular session that year.
2.14 For purposes of this paragraph, the legislature has passed a major finance and revenue bill
2.15 if both the house of representatives and the senate have passed identical versions of the
2.16 same bill, even if the governor vetoes the bill.

2.17 (e) On January 15 in the first month of each term and on the first day of each
2.18 following month, the secretary of the senate and the chief clerk of the house of
2.19 representatives shall certify to the commissioner of finance, in duplicate, the amount of
2.20 compensation then payable to each member of their respective houses and its total.