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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 2490

May 16, 2007

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The bill was read for the first time and referred to the Committee on Rules and Legislative Administration

1.1 A bill for an act
1.2 relating to state government; providing that the Compensation Council
1.3 establishes salaries for legislators, judges, and constitutional officers; amending
1.4 Minnesota Statutes 2006, section 15A.082.

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

1.6 Section 1. Minnesota Statutes 2006, section 15A.082, is amended to read:

1.7 **15A.082 COMPENSATION COUNCIL.**

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

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

2.1 Subd. 3. **Submission of recommendations.** (a) By May 1 in each odd-numbered
 2.2 year, the Compensation Council shall submit to the speaker of the house of representatives
 2.3 and the president of the senate ~~salary recommendations~~ salaries for constitutional officers,
 2.4 legislators, justices of the Supreme Court, and judges of the Court of Appeals and district
 2.5 court. The recommended salary for each office ~~must take~~ takes effect on the first Monday
 2.6 in January of the next odd-numbered year, with no more than one adjustment, to take
 2.7 effect on January 1 of the year after that. ~~The salary recommendations for legislators,~~
 2.8 ~~judges, and constitutional officers take effect if an appropriation of money to pay the~~
 2.9 ~~recommended salaries is enacted after the recommendations are submitted and before~~
 2.10 ~~their effective date. Recommendations may be expressly modified or rejected. The~~
 2.11 ~~salary recommendations~~ salaries for legislators are subject to additional terms that may be
 2.12 adopted according to section 3.099, subdivisions 1 and 3.

2.13 (b) The council shall also submit to the speaker of the house of representatives and
 2.14 the president of the senate recommendations for the salary ranges of the heads of state
 2.15 and metropolitan agencies, to be effective retroactively from January 1 of that year if
 2.16 enacted into law. The recommendations shall include the appropriate group in section
 2.17 15A.0815 to which each agency head should be assigned and the appropriate limitation
 2.18 on the maximum range of the salaries of the agency heads in each group, expressed as a
 2.19 percentage of the salary of the governor.

2.20 Subd. 4. **Criteria.** In ~~making~~ establishing compensation and in recommendations
 2.21 under subdivision 3, paragraph (b), the council shall consider the amount of compensation
 2.22 paid in government service and the private sector to persons with similar qualifications,
 2.23 the amount of compensation needed to attract and retain experienced and competent
 2.24 persons, and the ability of the state to pay the recommended compensation. In ~~making~~
 2.25 ~~recommendations for~~ establishing legislative compensation, the council shall also consider
 2.26 the average length of a legislative session, the amount of work required of legislators
 2.27 during interim periods, and opportunities to earn income from other sources without
 2.28 neglecting legislative duties.

2.29 Subd. 4a. **Constitutional officers.** No constitutional officer whose compensation is
 2.30 set under this section may receive monetary compensation for unused vacation or sick
 2.31 leave accruals.

2.32 Subd. 6. **Expiration.** Each Compensation Council shall expire upon submission of
 2.33 the recommendations required by subdivision 3.