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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **158**

January 22, 2009

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

1.1 A bill for an act
1.2 relating to the legislature; prohibiting per diem payments to members during
1.3 certain special sessions; amending Minnesota Statutes 2008, section 3.099,
1.4 subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2008, section 3.099, subdivision 1, is amended to read:

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

1.15 Each member shall receive mileage for necessary travel to the place of meeting and
1.16 returning to the member's residence in the amount and for trips as authorized by the senate
1.17 for senate members and by the house of representatives for house members.

1.18 Each member shall also receive per diem living expenses during a regular or
1.19 special session of the legislature in the amounts and for the purposes as determined by
1.20 the senate for senate members and by the house of representatives for house members,
1.21 except that members must not receive per diem living expenses for a special session that
1.22 is called within 60 days of adjournment of a regular session in an odd-numbered year
1.23 because the legislature failed to pass the primary bill establishing state tax policy and the
1.24 primary bill making appropriations in each of the following areas: higher education; early

2.1 childhood through high school education; agriculture and rural development; environment
2.2 and natural resources; health and human services; state government finance; economic
2.3 development; public safety; and transportation. A member must not receive per diem
2.4 living expenses during a special session that is called in an even-numbered year because
2.5 the legislature failed to pass a bill making appropriations for capital investment during the
2.6 regular session that year.

2.7 On January 15 in the first month of each term and on the first day of each following
2.8 month, the secretary of the senate and the chief clerk of the house of representatives shall
2.9 certify to the commissioner of finance, in duplicate, the amount of compensation then
2.10 payable to each member of their respective houses and its total.

2.11 Sec. 2. **EFFECTIVE DATE.**

2.12 Section 1 is effective the day following final enactment.