

1.1 A bill for an act

1.2 relating to governmental performance; prohibiting per diem payments to  
1.3 legislators and payment of salary to legislative leaders and the governor during  
1.4 special sessions called due to failure of the legislature to pass major bills;  
1.5 amending Minnesota Statutes 2006, section 3.099, subdivision 1; proposing  
1.6 coding for new law in Minnesota Statutes, chapters 3; 4.

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

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

1.9 The rules of each house and the joint rules of the legislature must conform to the  
1.10 provisions of section 3.099, subdivision 1, paragraph (d).

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

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

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

**S.F. No. 2362, as introduced - 85th Legislative Session (2007-2008)**

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

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

2.16           A member must not receive per diem living expenses and a legislative leader must  
2.17 not receive any salary or per diem living expenses during a special session that is called in  
2.18 an even-numbered year because the legislature failed to pass a bill making appropriations  
2.19 for capital investment purposes during the regular session that year. For purposes of this  
2.20 paragraph, the legislature has passed a major finance and revenue bill if both the house of  
2.21 representatives and the senate have passed identical versions of the same bill, even if the  
2.22 governor vetoes the bill.

2.23           For purposes of this paragraph, "legislative leader" means the majority leader,  
2.24 assistant majority leader, majority whips, minority leader, deputy minority leader, and  
2.25 assistant minority leaders of the senate and the speaker, majority leader, assistant majority  
2.26 leaders, minority leader, deputy minority leader, minority whip, and assistant minority  
2.27 leaders of the house of representatives.

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

2.32           Sec. 3. **[4.52] PAY DURING SPECIAL SESSION.**

2.33           The governor must not receive any salary for the period of a special session that is  
2.34 called in an odd-numbered year because the legislature and the governor failed to enact all  
2.35 of the major finance and revenue bills during the regular session that year. Major finance

**S.F. No. 2362, as introduced - 85th Legislative Session (2007-2008)**

3.1 and revenue bills are those specified under the procedures in section 3.099, subdivision 1,  
3.2 paragraph (d).

3.3 Sec. 4. **EFFECTIVE DATE.**

3.4 Sections 1 to 3 are effective the day following final enactment.