

CHAPTER 15A

STATE AND OTHER PUBLIC OFFICERS
AND EMPLOYEES

15A.081 Salaries and salary ranges for certain employees.

15A.083 Salaries for positions in the judicial branch.

15A.081 SALARIES AND SALARY RANGES FOR CERTAIN EMPLOYEES.

Subdivision 1. The following salaries or salary ranges are provided for the below listed employees in the executive branch of government:

	Salary or Range		
	Effective July 1, 1979	Effective July 1, 1980	Effective July 1, 1981
Administration, department of commissioner	\$44,000	\$47,000	
Administrative hearings office			
chief hearing examiner	38,000	40,000	
Agriculture, department of commissioner	38,000	40,000	
Commerce, department of			
commissioner of banks	34,000	36,500	
commissioner of insurance	34,000	36,500	
commissioner of securities and real estate	34,000	36,500	
director of consumer services	28,000	30,000	
Community college system			
chancellor	44,000	46,000	
Corrections, department of			
commissioner	42,000	45,000	
ombudsman	33,000	35,000	
Economic security, department of commissioner	43,000	45,000	
Education, department of commissioner	43,000	45,000	
Energy, planning and development department of commissioner			46,000

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Finance, department of commissioner	48,000	50,000
Health, department of commissioner	47,000	49,000
Higher education coordinating board executive director	40,000	42,000
Housing finance agency executive director	39,000	41,000
Human rights, department of commissioner	31,000	33,000
Indian affairs board executive director	27,000	29,000
Iron range resources and rehabilitation board commissioner	30,000	31,000
Labor and industry, department of commissioner	38,000	40,000
judge of the workers' compensation court of appeals	38,000	40,000
Mediation services, bureau of director	36,000	38,000
Natural resources, department of commissioner	44,000	47,000
Personnel, department of commissioner	44,000	47,000
Pollution control agency director	38,000	40,000
Public safety, department of commissioner	38,000	41,000
Public service, department of commissioner, public utilities commission	34,000	36,000
director	34,000	36,000
Public welfare, department of commissioner	44,000	48,000
Revenue, department of commissioner	44,000	47,000

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State university system		
chancellor	44,000	46,000
Transportation, department of		
commissioner	44,000	48,000
Transportation, regulation board,		
board member		32,000
Veterans affairs, department of		
commissioner	31,000	33,000

[For text of subs 6 and 7, see M.S.1980]

History: 1981 c 356 s 90; 1Sp1981 c 4 art 4 s 48

15A.083 SALARIES FOR POSITIONS IN THE JUDICIAL BRANCH.

[For text of subs 1 and 2, see M.S.1980]

Subd. 3. **Salary to be paid by the state.** Beginning January 1, 1978, the entire compensation of county, probate and county municipal court judges shall be paid by the state. Beginning on July 1, 1977, the salary increases provided in Laws 1977, Chapter 35, Section 13, and Laws 1977, Chapter 432 for county, probate and county municipal judges shall be paid by the state.

Notwithstanding any other provision in this section to the contrary, an increase in compensation provided a district or supreme court judge in Laws 1977, Chapter 432 shall not take effect as to any judge of the district court or any justice of the supreme court who served in the district or supreme court prior to July 1, 1967, until that judge submits an executed agreement to the executive director of the Minnesota state retirement system in accord with section 490.106.

[For text of subs 4 to 6, see M.S.1980]

Subd. 7. **Workers' compensation court of appeals and compensation judges.** Salaries of judges of the workers' compensation court of appeals shall be 90 percent of the salary for district judges as provided in subdivision 1. Salaries of compensation judges shall be 75 percent of the salary of district court judges as provided in subdivision 1.

History: 1981 c 224 s 16; 1981 c 346 s 7

CHAPTER 16

DEPARTMENT OF ADMINISTRATION

16.014	Regional service center; state agencies; commissioner of administration, leasing authority.	16.756	Commuter vans; state employees and spouses, and blind vending operators.
16.084	Encouragement of participation.	16.822	Definitions.
16.086	Reports.	16.851	State building code; application.
16.125	Transfer of personnel, powers, duties.	16.86	Application of administrative procedure act; enforcement.
16.172	Provisions inapplicable.	16.861	Building officials.
16.244	District heating contracts.	16.869	State building code in municipalities under 2,500; local option.
16.753	Use of state vehicles; compensation for use of personal vehicles.		

16.014 REGIONAL SERVICE CENTER; STATE AGENCIES; COMMISSIONER OF ADMINISTRATION, LEASING AUTHORITY.

Subdivision 1. The commissioner of administration may establish a regional service center on a demonstration basis. The commissioner shall determine which state agencies shall be included in the service center. The commissioner may determine equitable methods of sharing space, personnel and equipment for the agencies he selects to participate in the demonstration service center.

[For text of subd 2, see M.S.1980]

Subd. 3. *[Repealed, 1981 c 356 s 247]*

History: *1981 c 356 s 91*

16.084 ENCOURAGEMENT OF PARTICIPATION.

The commissioners of administration and energy, planning and development shall publicize the provisions of the set-aside program, attempt to locate small businesses able to perform set-aside procurement awards, and encourage participation. When the commissioner of administration determines that a small business is unable to perform under a set-aside contract, he shall so inform the commissioner of energy, planning and development who shall assist the small business in attempting to remedy the causes of the inability to perform a set-aside award. In assisting the small business, the commissioner of energy, planning and development in cooperation with the commissioner of administration shall use any management or financial assistance programs as may be available by or through the department of energy, planning and development, other state or governmental agencies, or private sources.

History: *1981 c 356 s 92*

16.086 REPORTS.

Subdivision 1. **Commissioner of administration.** The commissioner of administration shall submit an annual report pursuant to section 3.195 to the governor and the legislature with a copy to the commissioner of energy, planning and development indicating the progress being made toward the objectives and goals of sections 16.081 to 16.086 during the preceding fiscal year. This report shall include the following information:

(a) The total dollar value and number of potential set-aside awards identified during this period and the percentage of total state procurement this figure reflects;

(b) The number of small businesses identified by and responding to the set-aside program, the total dollar value and number of set-aside contracts actually

awarded to small businesses with appropriate designation as to the total number and value of set-aside contracts awarded to each small business, and the total number of small businesses that were awarded set-aside contracts;

(c) The total dollar value and number of set-aside contracts awarded to small businesses owned and operated by economically or socially disadvantaged persons with appropriate designation as to the total number and value of set-aside contracts awarded to each small business, and the percentages of the total state procurements the figures of total dollar value and the number of set-asides reflect;

(d) The number of contracts which were designated and set-aside pursuant to section 16.083 but which were not awarded to a small business, the estimated total dollar value of these awards, the lowest offer or bid on each of these awards made by the small business and the price at which these contracts were awarded pursuant to the normal procurement procedures.

Subd. 2. Commissioner of energy, planning and development. The commissioner of energy, planning and development shall submit an annual report to the governor and the legislature pursuant to section 3.195 with a copy to the commissioner of administration. This report shall include the following information:

(a) The efforts undertaken to publicize the provisions of the set-aside program during the preceding fiscal year;

(b) The efforts undertaken to identify small businesses including those owned and operated by socially or economically disadvantaged persons, and the efforts undertaken to encourage participation in the set-aside program;

(c) The efforts undertaken by the commissioner to remedy the inability of small businesses to perform on potential set-aside awards; and

(d) The commissioner's recommendations for strengthening the set-aside program and delivery of services to small businesses.

History: 1981 c 356 s 93,94

16.125 TRANSFER OF PERSONNEL, POWERS, DUTIES.

[For text of subd 1, see M.S.1980]

Subd. 2. A transfer made pursuant to subdivision 1 shall be in the form of a reorganization order. A reorganization order shall be filed with the secretary of state, shall be uniform in format and shall be numbered consecutively. An order shall be effective upon filing with the secretary of state and shall remain in effect until amended or superseded. Copies of the filed order shall be delivered promptly by the commissioner to the secretary of the senate and the chief clerk of the house. A reorganization order which transfers all or substantially all of the powers or duties or personnel of a department, the housing finance agency or the pollution control agency shall not be effective until ratified by concurrent resolution or enacted into law.

[For text of subd 3, see M.S.1980]

History: 1981 c 356 s 95

16.172 PROVISIONS INAPPLICABLE.

The office of revisor of statutes not being in the executive branch of the state government, the provisions of this chapter, relating to departments and agencies in the executive branch are inapplicable to that office, including but not limited to contract signing and approval requirements prescribed by section 16.09, and rules

and regulations of the department of administration prescribed pursuant to section 16.02, or any other law. Allotment and encumbrance procedures prescribed by section 16A.14 or any other law are likewise inapplicable to the office of revisor of statutes.

History: *1Sp1981 c 4 art 1 s 22*

16.244 DISTRICT HEATING CONTRACTS.

Notwithstanding any other law, general or special, the commissioner of administration is authorized to enter into or approve a written agreement not to exceed 31 years with a district heating utility that will specify, but not be limited to, the appropriate terms and conditions for the interchange of district heating services.

History: *1981 c 334 s 10*

16.753 USE OF STATE VEHICLES; COMPENSATION FOR USE OF PERSONAL VEHICLES.

Subdivision 1. **Definition.** For purposes of this section, "state vehicle" means any vehicle owned or leased by the state, or loaned to the state.

Subd. 2. **Prohibited uses.** A state vehicle shall be used only for authorized state business. A state vehicle shall not be used for transportation to or from the residence of a state employee, except as provided in subdivision 3.

Subd. 3. **Permitted uses.** A state vehicle may be used by a state employee to travel to or from the employee's residence:

(a) On a day on which it may be necessary for the employee to respond to a work-related emergency during hours when the employee is not normally working; or

(b) If the employee has been assigned the use of a state vehicle for authorized state business on an extended basis, and the employee's primary place of work is not the state work station to which he is permanently assigned; or

(c) If the employee has been assigned the use of a state vehicle for authorized state business away from the work station to which he is permanently assigned, and the number of miles travelled, or the time needed to conduct the business, will be minimized if the employee uses a state vehicle to travel to the employee's residence before or after travelling to the place of state business. Use of a state vehicle pursuant to this subdivision shall require the prior approval of the agency head, or the designee of the agency head. Within 15 days of the end of each three-month period, beginning July 1, 1981, the head of each state agency or department shall report to the commissioner of administration on each case in which a state vehicle is used by an employee of that agency to travel to or from the employee's residence. The commissioner shall specify the form of this report and the information to be included. If no state vehicles have been used for this travel, the head of the agency shall report this to the commissioner.

Subd. 4. **Personal vehicles.** No state employee shall be compensated by the state for use of a personal vehicle for travel between the employee's residence and the state work station to which the employee is permanently assigned, except pursuant to a collective bargaining agreement negotiated under chapter 179, or a plan adopted by the commissioner of employee relations under section 43.113. A collective bargaining agreement or a plan adopted by the commissioner may only provide for this compensation in cases in which an employee is called back to work during hours when the employee is not normally working.

Subd. 5. **Exclusions.** Subdivisions 2 to 4 do not apply to the van pooling program established in section 16.756, or a ride-sharing program established by the

department of transportation, or a trooper employed by the state patrol, or to use of a state vehicle by the governor.

Subd. 6. **Administrative policies.** The commissioner of administration shall adopt regulations necessary to implement this section. These regulations shall include, but are not limited to, a determination of when an employee shall reimburse the state for use of a state vehicle, and rates of reimbursement. Rates of reimbursement shall cover the full cost to the state for the travel for which reimbursement is required. The commissioner shall also set operating procedures for use of state vehicles. These regulations, rates and operating procedures shall not be subject to the administrative procedure act. All moneys received under these regulations and procedures shall be deposited as nondedicated receipts to the credit of the fund from which the costs of operating the individual vehicles are paid.

History: 1981 c 125 s 1

16.756 COMMUTER VANS; STATE EMPLOYEES AND SPOUSES, AND BLIND VENDING OPERATORS.

Subdivision 1. In order to conserve energy and to alleviate traffic congestion in and about the location of state offices, the commissioner of administration shall, in cooperation with the commissioner of energy, planning and development, the commissioner of transportation and interested nonprofit agencies, establish and operate an employee transportation program utilizing commuter vans with a capacity of not less than seven nor more than 16 passengers. The commissioner shall acquire or lease commuter vans, or otherwise contract for the provision of commuter vans, and shall make the vans available for the use of state employees and blind vending operators in a manner consistent with standards and procedures adopted by the commissioner. Standards and procedures adopted pursuant to this subdivision shall not be subject to chapter 15. Commuter vans may be used by state employees and blind vending operators to travel between their homes and their work locations, and for personal purposes after working hours, not including partisan political activity. The commissioner shall provide in his standards and procedures for the recovery by the state of vehicle acquisition, lease, operation and insurance costs through efficient and convenient assignment of vans, and for the billing of costs and collection of fees. A state employee using a van for personal use shall pay, pursuant to the standards and procedures adopted by the commissioner, for operating and routine maintenance costs incurred as a result of the personal use. The commissioner shall promote the maximum practicable participation of state employees and blind vending operators in the use of the vans. Fees collected pursuant to this subdivision shall be deposited in the accounts from which the costs of operating, maintaining and leasing or amortizing acquisition costs for the specific vehicle are paid.

Subd. 1a. State and other public employees and their spouses who live or work outside the metropolitan area shall also be eligible for the employee transportation program established through this section; provided, however, that the driver and substitute driver of every van pool are state employees; and provided, further, that state employees constitute a majority of the members of every van pool. Available space in van pools must, whenever possible, be filled by state employees.

[For text of subs 2 to 5, see M.S.1980]

History: 1981 c 130 s 1; 1981 c 356 s 96

16.822 DEFINITIONS.

[For text of subs 1 and 2, see M.S.1980]

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Subd. 3. "Architect" means an architect or landscape architect registered to practice under sections 326.02 to 326.15.

[For text of subds 4 and 5, see M.S.1980]

Subd. 6. "Engineer" means an engineer registered to practice under sections 326.02 to 326.15.

[For text of subds 7 to 10, see M.S.1980]

History: *1Sp1981 c 4 art 1 s 23,24*

16.851 STATE BUILDING CODE; APPLICATION.

[For text of subds 1 and 2, see M.S.1980]

Subd. 3. Nothing in the state building code shall require that each door entering a sleeping room from a corridor in a nursing home with an approved complete standard automatic fire extinguishing system be constructed or maintained as self-closing or automatically closing.

History: *1981 c 360 art 2 s 4*

16.86 APPLICATION OF ADMINISTRATIVE PROCEDURE ACT; ENFORCEMENT.

[For text of subd 1, see M.S.1980]

Subd. 2. The commissioner shall not be required to publish or distribute those parts of the code which are adopted by reference pursuant to section 15.0412, subdivision 4a.

[For text of subds 3 to 8, see M.S.1980]

History: *1981 c 253 s 22*

16.861 BUILDING OFFICIALS.

[For text of subds 1 to 6, see M.S.1980]

Subd. 7. **Accessibility provisions.** Municipalities which have not adopted the state building code may enforce the building code requirements for handicapped persons by either:

(a) Entering into a joint powers agreement for enforcement with another municipality which has adopted the state building code; or

(b) Contracting for enforcement with an individual certified under subdivision 3 to enforce the state building code.

History: *1981 c 128 s 1*

16.869 STATE BUILDING CODE IN MUNICIPALITIES UNDER 2,500; LOCAL OPTION.

Notwithstanding any other provision of law to the contrary, the governing body of a municipality whose population is less than 2,500 may provide that the state building code, except the requirements for handicapped persons, will not apply within the jurisdiction of the municipality, if the municipality is located in whole or in part within a county exempted from its application pursuant to section 16.868. If more than one municipality has jurisdiction over an area, the state building code continues to apply unless all municipalities having jurisdiction over the area have provided that the state building code, except the requirements for handicapped persons, will not apply within their respective jurisdictions.

History: *1981 c 306 s 1*