

CHAPTER 15A

STATE AND OTHER PUBLIC OFFICERS AND EMPLOYEES, COMPENSATION AND ALLOWANCES

- 15A.01 Amount.
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NOTE: For salary of lieutenant governor see Const. Art. 5, Section 5 and Minnesota Statutes, Section 15A.081. For legislative salaries see section 3.099.

15A.01 AMOUNT.

Subdivision 1. **When paid.** The yearly salaries of the state officers and employees mentioned in this chapter shall be as herein fixed subject to the provisions of section 16A.17.

Subd. 2. **To be in full payment for services.** The salaries provided in this chapter for the officers and employees named herein shall be in full payment for all services that may be rendered by them either in the performance of their regular or special duties or while acting as a member or employee of any state board or commission.

Subd. 3. **Fees collected paid into state treasury.** All fees of any nature collected by any officer or employee named in this chapter in the performance of his official duties for the state shall be paid into the state treasury.

History: 1913 c 400 s 1-3; 1921 c 379 s 1; 1961 c 561 s 11; Ex1971 c 32 s 28 (252,252-1,253,254)

- 15A.02 [Repealed, Ex1971 c 32 s 33]
- 15A.021 [Repealed, 1974 c 511 s 16]
- 15A.03 [Repealed, Ex1971 c 32 s 33]
- 15A.031 [Repealed, 1974 c 511 s 16]
- 15A.04 [Repealed, Ex1971 c 32 s 33]
- 15A.041 [Repealed, 1974 c 511 s 16]
- 15A.05 [Repealed, Ex1971 c 32 s 33]
- 15A.06 [Repealed, Ex1971 c 32 s 33]
- 15A.07 [Repealed, Ex1971 c 32 s 33]
- 15A.071 [Repealed, 1975 c 381 s 23]
- 15A.08 [Repealed, Ex1971 c 32 s 33]

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

Subdivision 1. The governor shall set the salary rate within the ranges listed below for positions specified in this subdivision, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

	Salary Range
	Effective
	July 1, 1983
Commissioner of education;	\$57,500-\$70,000
Commissioner of finance;	

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Commissioner of transportation;
Commissioner of human services;
Chancellor, community college system;
Chancellor, state university system;
Director, vocational technical
education
Executive director, state board of
investment;
Commissioner of administration; \$50,000-\$60,000
Commissioner of agriculture;
Commissioner of commerce;
Commissioner of corrections;
Commissioner of economic security;
Commissioner of employee relations;
Commissioner of energy and economic
development;
Commissioner of health;
Commissioner of labor and industry;
Commissioner of natural resources;
Commissioner of revenue;
Commissioner of public safety;
Chairperson, waste management board
Chief administrative law judge; office of
administrative hearings;
Director, pollution control agency;
Director, state planning agency;
Executive director, higher education
coordinating board;
Executive director, housing finance
agency;
Executive director, teacher's
retirement association;
Executive director, state retirement
system;
Commissioner of human rights; \$40,000-\$52,500
Director, department of public service;
Commissioner of veterans' affairs;
Director, bureau of mediation services;
Commissioner, public utilities commission;
Member, transportation regulation board;
Director, zoological gardens.

Subd. 1a. [Repealed, 1976 c 239 s 7]

Subd. 2. [Repealed, 1974 c 511 s 16]

Subd. 3. [Repealed, 1974 c 511 s 16]

Subd. 4. [Repealed, 1977 c 35 s 21]

Subd. 5. [Repealed, 1980 c 617 s 45]

Subd. 6. The following salaries are provided for the constitutional officers of the state:

Effective	Effective
July 1	January

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	1983	1985
Governor	\$75,000	\$84,560
Attorney general	62,500	66,060
Lieutenant governor	44,000	46,510
Auditor	48,000	50,740
Secretary of state	44,000	46,510
Treasurer	44,000	44,000

The salaries of the chief deputy attorney general, deputy auditor, deputy secretary of state and deputy treasurer shall be set by their superior constitutional officer and may be up to 95 percent of the salaries of their respective superior constitutional officers.

Subd. 7. The following salaries are provided for officers of metropolitan agencies:

	Effective July 1 1983	Effective July 1 1984
Chairman, metropolitan council	\$47,000	\$50,000
Chairman, metropolitan airports commission	14,000	16,000
Chairman, metropolitan transit commission	42,000	-0-
Chairman, regional transit board	-0-	46,000
Chairman, metropolitan waste control commission	18,500	20,000

Fringe benefits for unclassified employees of the metropolitan waste control commission shall not exceed those fringe benefits received by unclassified employees of the metropolitan council.

Subd. 8. **Expense allowance.** Notwithstanding any law to the contrary, positions listed in subdivision 1, constitutional officers, the president of each community college, and the director of vocational-technical education are authorized an annual expense allowance not to exceed \$1,500 for necessary expenses in the normal performance of their duties for which no other reimbursement is provided. However, expense allowances for the chancellor of the state university system and the president of each state university shall be governed only by section 136.063. The expenditures under this subdivision are subject to any laws and rules relating to budgeting, allotment and encumbrance, preaudit and post-audit. The commissioner of finance may promulgate rules to assure the proper expenditure of these funds, and to provide for reimbursement.

History: *Ex1971 c 32 s 11; 1973 c 5 s 1; 1973 c 254 s 3; 1973 c 349 s 2; 1973 c 582 s 3; 1973 c 596 s 1; 1975 c 156 s 2; 1975 c 271 s 6; 1975 c 321 s 2; 1975 c 359 s 23; 1976 c 134 s 8,7,8; 1976 c 166 s 7; 1977 c 35 s 1,2,5,9; 1977 c 430 s 6; 1979 c 192 s 1; 1979 c 332 art 2 s 1; 1980 c 516 s 2; 1980 c 534 s 12; 1980 c 607 art 14 s 25; 1980 c 614 s 123; 1980 c 615 s 60; 1981 c 356 s 90; 1Sp1981 c 4 art 4 s 48; 1983 c 299 s 4-7; 1984 c 619 s 12; 1984 c 640 s 32; 1984 c 654 art 2 s 40,41; 1984 c 654 art 3 s 15, art 5 s 58*

NOTE: Subdivision 1 was also amended by Laws 1983, chapter 289, section 4, to read as follows:
 "Subdivision 1. The following salaries or salary ranges are provided for the below listed employees in the executive branch of government:

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	Effective July 1, 1979	Salary or Range 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			\$47,000
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
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	

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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
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"

NOTE: See also section 135A.07.

15A.082 COMPENSATION COUNCIL.

Subdivision 1. Creation. A compensation council is created each even-numbered year to assist the legislature in establishing the compensation of constitutional officers, members of the legislature, justices of the supreme court, and judges of the court of appeals, district court, county court, and county municipal court.

Subd. 2. Membership. The compensation council consists of 16 members: two members of the house of representatives appointed by the speaker of the house of representatives; two members of the senate appointed by the majority leader of the senate; one member of the house of representatives appointed by the minority leader of the house of representatives; one member of the senate appointed by the minority leader of the senate; two nonjudges appointed by the chief justice of the supreme court; and one member from each congressional district appointed by the governor, of whom no more than four may belong to the same political party. The compensation and removal of members appointed by the governor or the chief justice shall be as provided in section 15.059, subdivisions 3 and 4. The legislative coordinating commission shall provide the council with administrative and support services.

Subd. 3. Submission of recommendations. By January 1 in each odd-numbered year, the compensation council shall submit to the speaker of the house of representatives and the president of the senate salary recommendations for constitutional officers, legislators, justices of the supreme court, and judges of the court of appeals, district court, county court, and county municipal court. The recommended salary adjustments must occur only once, on the effective date of the plan. They may not include periodic adjustments. The salary recommendations for legislators, judges, and constitutional officers take effect on the first Monday in January of the next odd-numbered year, if an appropriation of money to pay the recommended salaries is enacted after the recommendations are submitted and before their effective date. Recommendations may be expressly modified or rejected by a bill enacted into law. The salary recommendations for legislators are subject to additional terms that may be adopted according to section 3.099, subdivisions 1 and 3.

Subd. 4. Criteria. In making compensation recommendations, the council shall consider the amount of compensation paid in government service and the

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private sector to persons with similar qualifications, the amount of compensation needed to attract and retain experienced and competent persons, and the ability of the state to pay the recommended compensation. In making recommendations for legislative compensation, the council shall also consider the average length of a legislative session, the amount of work required of legislators during interim periods, and opportunities to earn income from other sources without neglecting legislative duties.

Subd. 5. Conflicts. Salaries established under the procedures specified in subdivision 3 shall take precedence over salaries listed in sections 3.099, 15A.081, and 15A.083.

Subd. 6. Expiration. Each compensation council shall expire upon submission of the recommendations required by subdivision 3.

History: 1983 c 299 s 8; 1984 c 654 art 2 s 42

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

Subdivision 1. Elective judicial officers. The following salaries shall be paid annually to the enumerated elective judicial officers of the state:

	Effective July 1, 1983	Effective January 1, 1985
(1) Chief justice of the supreme court	\$70,000	\$73,700
(2) Associate justice of the supreme court	65,000	\$68,400
(3) Chief judge of the court of appeals	62,500	\$65,800
(4) Judge of the court of appeals	60,000	\$63,100
(5) District judge, judge of county court probate court, and county municipal court	55,000	\$60,500

Subd. 2. County court and county municipal judges. If any judge of the county municipal courts, and county courts in the counties of Hennepin, Ramsey, Washington, Anoka, Scott, St. Louis, Carver, and Dakota or the county or probate court in St. Louis county dies while in office, the amount of his salary remaining unpaid for the month in which his death occurs, shall be paid to his estate.

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.

Subd. 4. Ranges for other judicial positions. Salaries or salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of any position for which a salary range has been provided shall

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fix the individual salary within the prescribed range, considering the qualifications and overall performance of the employee. Appointments to fill vacancies shall not be made above the midpoint of the salary range prescribed for the position unless the state court administrator has been consulted in advance and his approval obtained. Any salary increase that would adjust an employee's rate of pay beyond the midpoint of the range prescribed for the position must be approved in advance by the state court administrator. The salaries of the district administrators of the second, fourth, and sixth judicial districts may be supplemented by the appropriate county board in an amount not to exceed \$10,000 per year. The salary of the state public defender shall be 95 percent of the salary of the attorney general.

	Salary or Range Effective July 1, 1983
District court administrator	36,000-48,000
Board on judicial standards executive director	32,000-44,000
State court administrator	45,500-54,000

Subd. 4a. [Repealed, 1979 c 332 art 2 s 7]

Subd. 5. **Tax court.** Salaries of judges of the tax court shall be the same as the base salary for district judges as provided in subdivision 1.

Subd. 6. **Referee salaries.** Notwithstanding any other law or ordinance to the contrary, no referee or administrative law judge employed by a court in this state shall receive a salary which is in excess of 90 percent of the salary paid a judge of the court by which he is employed.

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: *Ex1971 c 32 s 12; 1973 c 564 s 3; 1973 c 596 s 2; 1973 c 598 s 4; 1974 c 355 s 35; 1975 c 381 s 1; 1976 c 2 s 2; 1976 c 134 s 78; 1977 c 35 s 13; 1977 c 307 s 1,29; 1977 c 432 s 46; 1978 c 674 s 4; 1978 c 793 s 40,41; 1979 c 332 art 2 s 2-4; 1980 c 614 s 49; 1981 c 224 s 16; 1981 c 346 s 7; 1983 c 299 s 9-11; 1983 c 301 s 66,236; 1984 c 640 s 32; 1984 c 654 art 2 s 43*

15A.084 [Repealed, 1974 c 511 s 16]

15A.085 [Repealed, 1974 c 511 s 16]

15A.09 [Repealed, Ex1971 c 32 s 33]

15A.091 [Repealed, Ex1971 c 32 s 33]

15A.10 [Repealed, Ex1971 c 32 s 33]

15A.101 [Renumbered 16A.16]

15A.11 [Repealed, Ex1971 c 32 s 33]

15A.12 [Renumbered 43.068]

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15A.13 OTHER TERMS AND CONDITIONS OF EMPLOYMENT.

The annual salaries prescribed by chapter 15A for positions in the unclassified service of the executive branch of the state government are in addition to other terms and conditions of their employment as now or hereafter prescribed by law or the commissioner of employee relations pursuant to section 43A.18, subdivision 3.

History: 1957 c 936 s 12; Ex1971 c 32 s 17; 1979 c 332 art 1 s 9; 1980 c 617 s 47; 1981 c 210 s 54

15A.14 [Repealed, 1973 c 507 s 47; 1974 c 511 s 16]

15A.15 CONSTRUCTION.

Nothing in chapter 15A shall be construed to in any way affect the number of positions as now provided by law and designated in chapter 15A in the singular nor the appropriations from which the salaries herein prescribed are payable.

History: 1957 c 936 s 14; 1973 c 35 s 4

15A.16 [Repealed, Ex1971 c 32 s 33]

15A.17 [Repealed, Ex1971 c 32 s 33]

15A.18 APPELLATE COURTS EMPLOYEES.

Within the limits of their appropriations for salaries and subject to the conditions of the appropriations, the appellate courts may employ such technical, clerical, stenographic, and other personnel as is necessary.

History: 1913 c 400 s 1 cl 2; Ex1919 c 29 s 1; Ex1919 c 30 s 1; 1921 c 504 s 1; 1923 c 377 s 1; 1925 c 268 s 1; 1941 c 548 s 3; 1945 c 507 s 1; 1947 c 427 s 1; 1951 c 455 s 3; 1983 c 247 s 15 (252(2))

15A.19 [Repealed, Ex1971 c 32 s 33]

15A.20 Subdivision 1. MS 1969 [Repealed, Ex1971 c 3 s 76 subd 3]

Subdivision 1. MS 1971 [Renumbered 43.328, Subdivision 1]

Subd. 2. MS 1971 [Renumbered 43.328, Subd 2]

Subd. 3. MS 1971 [Renumbered 43.328, Subd 3]

Subd. 4. MS 1971 [Repealed, 1974 c 364 s 23]

Subd. 5. MS 1971 [Repealed, 1974 c 364 s 23]

15A.21 [Repealed, 1973 c 720 s 79]

15A.22 PUBLIC EMPLOYEES; RELIGIOUS HOLIDAYS.

Any employee of the state, its political subdivisions, or a municipality therein who observes a religious holiday on days which do not fall on a Sunday or a legal holiday, shall be entitled to such days off from his employment for such observance. Such days off shall be taken off without pay except where the employee has accumulated annual leave, and in that case such days shall be charged against the accumulated annual leave of the employee or unless the employee is able to work an equivalent number of days at some other time during the fiscal year to compensate for the days lost.

History: 1971 c 583 s 1