

## CHAPTER 15A

PUBLIC OFFICERS AND EMPLOYEES;  
COMPENSATION AND ALLOWANCES

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

15A.082 Compensation council.

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

Subdivision 1. **Salary ranges.** 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, 1987

\$57,500-\$78,500

Commissioner of finance;  
Commissioner of education;  
Commissioner of transportation;  
Commissioner of human services;  
Commissioner of revenue;  
Commissioner of public safety;  
Executive director, state board of investment;  
Director of the state lottery;

\$50,000-\$67,500

Commissioner of administration;  
Commissioner of agriculture;  
Commissioner of commerce;  
Commissioner of corrections;  
Commissioner of jobs and training;  
Commissioner of employee relations;  
Commissioner of health;  
Commissioner of labor and industry;  
Commissioner of natural resources;  
Commissioner of trade and economic development;  
Chief administrative law judge; office of administrative hearings;  
Commissioner, pollution control agency;  
Director, office of waste management;  
Commissioner, housing finance agency;  
Executive director, public employees retirement association;  
Executive director, teacher's retirement association;  
Executive director, state retirement system;

Chair, metropolitan council;  
 Chair, regional transit board;  
 \$42,500-\$60,000  
 Commissioner of human rights;  
 Commissioner, department of public service;  
 Commissioner of veterans' affairs;  
 Commissioner, bureau of mediation services;  
 Commissioner, public utilities commission;  
 Member, transportation regulation board;  
 Ombudsman for corrections;  
 Ombudsman for mental health and retardation.

*[For text of subd 7, see M.S.1990]*

**Subd. 7b. Higher education officers.** The higher education board, state university board, the state board for community colleges, the state board of technical colleges, and the higher education coordinating board shall set the salary rates for, respectively, the chancellor of the higher education system, the chancellor of the state universities, the chancellor of the community colleges, the chancellor of vocational technical education, and the executive director of the higher education coordinating board. The respective board shall submit the proposed salary increase to the legislative commission on employee relations for approval, modification, or rejection in the manner provided in section 43A.18, subdivision 2. Salary rates for the positions specified in this subdivision may not exceed 95 percent of the salary of the governor under section 15A.082, subdivision 3. In deciding whether to recommend a salary increase, the governing board shall consider the performance of the chancellor or director, including the chancellor's or director's progress toward attaining affirmative action goals.

*[For text of subs 8 and 9, see M.S.1990]*

**History:** 1990 c 375 s 3; 1991 c 233 s 38; 1991 c 345 art 2 s 9; 1991 c 356 art 9 s 1

## 15A.082 COMPENSATION COUNCIL.

*[For text of subs 1 and 2, see M.S.1990]*

**Subd. 3. Submission of recommendations.** By May 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 for each office must take effect on July 1 of the next odd-numbered year, with no more than one adjustment, to take effect on July 1 of the year after that. The salary recommendations for legislators, judges, and constitutional officers take effect 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. The salary recommendations for legislators are subject to additional terms that may be adopted according to section 3.099, subdivisions 1 and 3.

*[For text of subs 4 and 6, see M.S.1990]*

**History:** 1991 c 22 s 1; 1991 c 345 art 1 s 51

## CHAPTER 16A

## DEPARTMENT OF FINANCE

16A.105	Debt capacity forecast.	16A.641	State bonds; appropriations.
16A.11	Budget to legislature.	16A.662	Infrastructure development bonds.
16A.123	Approved complement.	16A.672	Bonds and certificates of indebtedness.
16A.133	Credit union, parking, other deductions.	16A.69	Appropriations into single project account.
16A.15	Accounting system; allotment and encumbrance.	16A.711	Local government trust fund.
16A.27	State funds; deposit; control by commissioner.	16A.721	State seminar fees, appropriation.
16A.45	Outstanding unpaid warrants, cancellation.	16A.723	Governor's residence; reimbursement of expenses.

**16A.105 DEBT CAPACITY FORECAST.**

By January 14 of each odd-numbered year the governor shall submit to the legislature a debt capacity forecast. The debt capacity forecast must include statements of the indebtedness of the state for bonds, notes, and other forms of long-term indebtedness that are not accounted for in proprietary or fiduciary funds, including general obligation bonds, moral obligation bonds, revenue bonds, loans, grants payable, and capital leases. The forecast must show the actual amount of the debt service for at least the past two completed fiscal years, and the estimated amount for the current fiscal year and the next six fiscal years, the debt authorized and unissued, the condition of the sinking funds, and the borrowing capacity for the next six fiscal years.

*History: 1991 c 342 s 1*

**16A.11 BUDGET TO LEGISLATURE.**

Subdivision 1. **When.** The governor shall submit a three-part budget to the legislature. Parts one and two, the budget message and detailed operating budget, must be submitted by the fourth Monday in January in each odd-numbered year. Part three, the detailed recommendations as to capital expenditure, need not be submitted until June 15.

*[For text of subd 2, see M.S.1990]*

Subd. 3. **Part two: detailed budget.** Part two of the budget, the detailed budget estimates both of expenditures and revenues, shall contain any statements on the financial plan which the governor believes desirable or which may be required by the legislature. The detailed estimates shall include the budget request of each agency arranged in tabular form so it may readily be compared with the governor's budget for each agency. They shall also include, as part of each agency's organization chart, a summary of the personnel employed by the agency, showing the complement approved by the legislature for the current biennium, additional complement positions authorized through the governor or the commissioner, positions transferred into or out of the agency, additional part-time and seasonal positions and the number of employees of all kinds employed by the agency on June 30 of the last complete fiscal year. The summary of the number of employees must list employees by employment status, including but not limited to full-time unlimited, part-time unlimited, full-time or part-time seasonal, intermittent, full-time or part-time temporary, full-time or part-time emergency, and other. The summary of personnel shall also be shown for each functional division of the agency, and for each fund and type of appropriation.

Any increase in complement with the exception of federal positions, approved by the commissioner of finance as temporary positions, shall be reflected in the governor's budget recommendations to the legislature as change request items. These positions are not permanent positions until the legislature has approved the change request items.

Subd. 3a. **Part three: detailed capital budget.** The detailed capital budget must

include recommendations for capital projects to be funded during the next six fiscal years. It must be submitted with projects rank ordered in two ways: in order of importance among all budget projects as determined by the governor, and in order of importance among that agency's requests as determined by the agency originating the request.

*[For text of subd 4, see M.S.1990]*

**Subd. 5. Capital facilities note.** The commissioner shall prepare a facilities note on each capital project, estimating program cost impacts and efficiencies stemming from the approval of that project.

**History:** 1991 c 342 s 2-5

### 16A.123 APPROVED COMPLEMENT.

*[For text of subs 1 to 4, see M.S.1990]*

**Subd. 5. Department of natural resources complement.** The legislature shall establish complements for the department of natural resources based on the number of full-time equivalent positions and dollars appropriated for salary-related expenditures.

The commissioner of natural resources shall provide a biennial report indicating the distribution of the full-time equivalents for the previous biennium as a supplement to the agency's biennial budget request for succeeding bienniums. The biennial budget document submitted to the legislature by the governor shall indicate, by program and by activity, the number of full-time equivalent positions included as base level. The governor's salary and full-time equivalents requests for the agency shall include all full-time, part-time, and seasonal dollars and full-time equivalent positions requested. Any change level request submitted by the governor to the legislature for consideration as part of the governor's biennial budget containing funding for salaries shall indicate the number of additional full-time equivalent positions and salary dollars requested.

Within the full-time equivalent number and amount of salary dollars appropriated for the department, the commissioner shall have the authority to establish as many full-time, part-time, or seasonal positions as required to accomplish the assigned responsibilities for the department. The commissioner shall have the authority to reallocate salary dollars for other operating expenses, but the commissioner shall not have authority to reallocate other operating funds to increase the total amount appropriated for salary-related expenses, including salary supplement, without receiving prior approval according to the process defined in this subdivision.

In the event that the commissioner finds it necessary to exceed the full-time equivalent number or the amount of appropriated dollars and the legislature is not in session, the commissioner shall seek approval of the legislative advisory commission under subdivision 4. Legislative advisory commission approved full-time equivalent positions and dollars shall only become part of the agency budget base if the increase is the result of appropriations made to the agency by the legislature that are in addition to the appropriations made in the omnibus appropriations acts. All other legislative advisory commission authorized full-time equivalent positions or dollar adjustments shall be temporary for the biennium during which they are authorized unless approved by the legislature.

**History:** 1991 c 254 art 2 s 2

### 16A.133 CREDIT UNION, PARKING, OTHER DEDUCTIONS.

**Subdivision 1. Payroll direct deposit and deductions.** An agency head in the executive, judicial, and legislative branch shall, upon written request signed by an employee, directly deposit all or part of an employee's pay in any credit union or financial institution, as defined in section 47.015, designated by the employee. An agency head may, upon written request of an employee, deduct from the pay of the employee a requested amount to be paid to the Minnesota benefit association, or to any organization contemplated by section 179A.06, of which the employee is a member, or to a company that

has contracted to insure the employee for the medical costs of cancer or intensive care. If an employee is a member of or has accounts with more than one credit union or financial institution or more than one organization under section 179A.06, or is insured by more than one company, only one credit union or financial institution may be paid money by direct deposit, and one credit union, one organization, and one company may be paid money by payroll deduction from the employee's pay.

*[For text of subd 2, see M.S.1990]*

**History:** 1991 c 238 art 4 s 1

#### **16A.15 ACCOUNTING SYSTEM; ALLOTMENT AND ENCUMBRANCE.**

*[For text of subs 1 to 5, see M.S.1990]*

**Subd. 6. Budget and cash flow reserve account.** A budget and cash flow reserve account is created in the general fund in the state treasury. The commissioner of finance shall, as authorized from time to time by law, restrict part or all of the budgetary balance in the general fund for use as the budget and cash flow reserve account. The commissioner of finance shall transfer from the budget and cash flow reserve account the amount necessary to bring the total amount, including any existing balance in the account on June 30, 1991, to \$400,000,000. The amounts restricted shall remain in the account until drawn down under subdivision 1 or increased under section 16A.1541.

*[For text of subd 7, see M.S.1990]*

**History:** 1991 c 291 art 21 s 2

#### **16A.27 STATE FUNDS; DEPOSIT; CONTROL BY COMMISSIONER.**

*[For text of subs 1 to 4, see M.S.1990]*

**Subd. 5. Charges, compensating balances.** The commissioner may, after consulting with the state treasurer, agree that the treasurer may pay a depository a reasonable charge from appropriated money, maintain appropriate compensating balances with the depository, or purchase non-interest-bearing certificates of deposit from the depository for performing depository related services.

**History:** 1991 c 345 art 1 s 52

#### **16A.45 OUTSTANDING UNPAID WARRANTS, CANCELLATION.**

**Subdivision 1. Cancel; credit.** Once each fiscal year the commissioner and the treasurer shall cancel upon their books all outstanding unpaid commissioner's warrants, except warrants issued for federal assistance programs, that have been issued and delivered for more than five years prior to that date and credit to the general fund the respective amounts of the canceled warrants. The commissioner and the treasurer shall cancel upon their books all outstanding unpaid commissioner's warrants issued for federal assistance programs that have been issued and delivered for more than the period of time set pursuant to the federal program and credit to the general fund and the appropriate account in the federal fund, the amount of the canceled warrants.

*[For text of subs 2 and 3, see M.S.1990]*

**History:** 1991 c 345 art 1 s 53

#### **16A.641 STATE BONDS; APPROPRIATIONS.**

*[For text of subs 1 and 2, see M.S.1990]*

**Subd. 3. Series of bonds.** Bonds authorized by a law may be issued in more than one series, and bonds authorized by more than one law may be combined in a single series, as determined by order of the commissioner. The order must state the principal

amount of the bonds to be issued under each law, and the aggregate principal amount and the maturity dates and amounts of the bonds included in the series that are to be issued for the purpose of each special fund.

At any time during the 18 months following the issuance of any series of bonds, the commissioner may, by amendment to the order authorizing their issuance, determine that any portion of the bonds were issued, or shall be deemed to have been issued, pursuant to a law other than the one specified in the original order and for a different purpose, and reallocate and transfer their proceeds to the appropriate account in the bond proceeds fund or the appropriate special fund, for expenditure pursuant to the law pursuant to which the amendment determines they were issued. No such amendment shall be adopted unless:

- (1) on the date of the original order, the bonds could have been issued and their proceeds expended as determined in the amended order;
- (2) all actions required for the issuance of the transferred bonds have been taken on or before the date of the amendment; and
- (3) the commissioner determines upon advice of counsel that the taxability of the interest on the bonds for federal income tax purposes will not be affected by the amendment.

*[For text of subs 4 to 13, see M.S.1990]*

**History:** 1991 c 345 art 1 s 54

#### 16A.662 INFRASTRUCTURE DEVELOPMENT BONDS.

*[For text of subd 1, see M.S.1990]*

**Subd. 2. Bonds authorized.** When authorized by law enacted in accordance with the constitution, article XI, sections 5 and 7, the commissioner may by order sell and issue bonds of the state evidencing public debt incurred for any purpose stated in the law. The bonds are general obligations of the state, and the full faith and credit of the state are pledged for their payment.

*[For text of subd 3, see M.S.1990]*

**Subd. 4. Establishment of debt service account; appropriation of debt service account money.** There is established within the state bond fund a separate and special account designated as the infrastructure development bond debt service account. The money on hand in the debt service account must be used solely for the payment of the principal of and interest on bonds issued under Laws 1990, chapter 610, article 1, section 30, subdivision 2, and is appropriated for this purpose. This appropriation does not cancel as long as any of the bonds remain outstanding.

**Subd. 5. Assessment to higher education systems.** (a) In order to reduce the amount otherwise required to be transferred to the state bond fund with respect to bonds heretofore or hereafter issued under Laws 1990, chapter 610, article 1, section 30, subdivision 2, the commissioner of finance shall assess each higher education system for one-third the amount that would otherwise need to be transferred with respect to those bonds sold to finance capital improvement projects at institutions under the control of the system; provided that, to the extent that the amount to be transferred is for payment of principal and interest on bonds sold to finance life safety improvements, the commissioner must not assess the higher education systems for the transfer.

(b) After each sale of the bonds, the commissioner of finance shall notify the state board for vocational technical education, the state board for community colleges, the state university board, and the regents of the University of Minnesota of the amounts for which each system is responsible for each year for the life of the bonds. The amounts payable each year are reduced by one-third of the net income from investment of those bond proceeds that must be allocated among the systems in proportion to the amount of principal and interest otherwise required to be paid by each. Each higher education

system shall pay its annual share of debt service payments to the commissioner of finance by December 1 each year. If a higher education system fails to make a payment when due, the commissioner of finance shall reduce allotments for appropriations from the general fund otherwise payable to the system to cover the amount of the missed debt service payment. The commissioner of finance shall credit the payments received from the higher education systems to the infrastructure development bond debt service account in the state bond fund each December 1 before the transfer is made under subdivision 4.

*[For text of subs 6 to 8, see M.S.1990]*

**History:** 1991 c 233 s 39-41; 1991 c 345 art 1 s 55

#### **16A.672 BONDS AND CERTIFICATES OF INDEBTEDNESS.**

*[For text of subs 1 to 8, see M.S.1990]*

**Subd. 9. Appropriation.** The money needed to pay when due the compensation and expenses of registrars, delivery agents, and paying agents, and the expenses of other agreements under subdivision 7 is appropriated annually to the commissioner from the general fund.

*[For text of subs 9a to 11, see M.S.1990]*

**History:** 1991 c 345 art 1 s 56

#### **16A.69 APPROPRIATIONS INTO SINGLE PROJECT ACCOUNT.**

*[For text of subs 1 and 2, see M.S.1990]*

**Subd. 3. Capitol area planning.** The department shall set aside from a state appropriation available for that purpose funds for the planning and consulting services of the capitol area architectural and planning board when a state agency or the Minnesota historical society plans and constructs any capital improvement in the capitol area as defined in section 15.50, subdivision 2, paragraph (a).

**History:** 1991 c 345 art 1 s 57

#### **16A.711 LOCAL GOVERNMENT TRUST FUND.**

**Subdivision 1. Creation.** The commissioner shall deposit to the credit of the local government trust fund all money available to the credit of the trust. The commissioner shall maintain the trust as a separate fund to be used only to pay money, as provided by law, to local governments for intergovernmental aid or to repay advances made by the general fund, as provided under subdivision 4.

**Subd. 2. Appropriation.** The money to be paid by law from the local government trust fund is appropriated annually.

**Subd. 3. Estimates; reduction of payments.** (a) At the beginning of each fiscal year the commissioner, in consultation with the commissioner of revenue, shall estimate for the fiscal year:

(1) the amount of revenues to be deposited in the trust fund under sections 297A.44 and 297B.09 and other law; and

(2) the payments authorized by law to be made out of the trust.

If the estimated payments exceed the estimated receipts of the trust fund, the appropriations from the trust to each program are proportionately reduced, unless otherwise provided by law.

If the estimated receipts of the trust fund exceed the estimated payments by \$1,000,000 or more, the appropriation from the trust fund to each intergovernmental aid program is increased proportionately. The aid paid to each local government under the program is increased proportionately unless otherwise provided by law.

(b) If as a result of changes in economic conditions or if information becomes available that indicates changes either in receipts or payments from the trust fund, the commissioner may at other times estimate the amount of receipts or payments and reduce or restore the appropriations under paragraph (a).

**Subd. 4. General fund advances.** If the money in the trust fund is insufficient to make payments on the dates provided by law, but the commissioner estimates receipts for the fiscal year will be sufficient, the commissioner shall advance money from the general fund to the trust fund necessary to make the payments. On or before the close of the biennium the trust shall repay the advances with interest, calculated at the rate of earnings on invested treasurer's cash, to the general fund.

**History:** 1991 c 291 art 2 s 2

#### **16A.721 STATE SEMINAR FEES, APPROPRIATION.**

**Subdivision 1. Account, rules.** The commissioner may make rules for charging fees for seminars and workshops conducted by agencies. The commissioner may keep accounts for deposit of the seminar and workshop fee receipts. The commissioner may allow the unobligated balances in these accounts to be carried forward provided that the funds are expended in the following fiscal year. Unobligated balances that are not carried forward shall cancel to the general fund.

*[For text of subd 2, see M.S.1990]*

**History:** 1991 c 345 art 1 s 58

#### **16A.723 GOVERNOR'S RESIDENCE; REIMBURSEMENT OF EXPENSES.**

**Subdivision 1. Account procedures.** The commissioner may establish procedures to accept funds for reimbursement of expenditures at the governor's residence.

**Subd. 2. Appropriation.** The reimbursements collected under subdivision 1 are appropriated for payment of expenses relating to events conducted at the governor's residence.

**History:** 1991 c 345 art 1 s 59