

products are sold at retail only. At the time of filing the application for a permit, the applicant shall submit to the commissioner duplicate floor plans of such plant or establishment which shall show the placement of equipment, the source of water supply and method of distribution, and the location of the plumbing system, including the disposal of wastes. All new construction or alteration of any existing plants or establishment shall be made only with the approval of the commissioner and duplicate plans for such construction or alteration shall be submitted to him for approval. Any permit may be revoked by the commissioner for due cause after the holder of the permit has been given the opportunity for a hearing, in which case the holder of the permit shall be notified in writing, at least seven days prior to the date of such hearing, of the time and place of such hearing.

Approved April 22, 1955.

CHAPTER 659—S. F. No. 776

An act relating to the state civil service, providing for basic rates of pay and cost of living adjustments thereunder; amending Minnesota Statutes 1953, Section 43.12, Subdivision 2, Section 43.121, Subdivision 1, and Section 43.123, Subdivisions 1, 2, 3, and 4; repealing Minnesota Statutes 1953, Section 43.122, Subdivision 1, Section 43.123, Subdivisions 5 and 6, and Section 43.124; and adding new provisions.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1953, Section 43.12, Subdivision 2, is amended to read:

Subd. 2. **Salary ranges.** (1) The following salary ranges are established as the basic rates of pay for state employees in the classified service under the state civil service act:

	Minimum				Maximum		
Range No. 1	\$150	\$156	\$162	\$168	\$175	\$182	
Range No. 2	\$156	\$162	\$168	\$175	\$182	\$189	
Range No. 3	\$162	\$168	\$175	\$182	\$189	\$197	
Range No. 4	\$168	\$175	\$182	\$189	\$197	\$205	
Range No. 5	\$175	\$182	\$189	\$197	\$205	\$213	
Range No. 6	\$182	\$189	\$197	\$205	\$213	\$222	
Range No. 7	\$189	\$197	\$205	\$213	\$222	\$231	
Range No. 8	\$197	\$205	\$213	\$222	\$231	\$240	

Range No. 9	\$205	\$213	\$222	\$231	\$240	\$250
Range No. 10	\$213	\$222	\$231	\$240	\$250	\$260
Range No. 11	\$222	\$231	\$240	\$250	\$260	\$270
Range No. 12	\$231	\$240	\$250	\$260	\$270	\$281
Range No. 13	\$240	\$250	\$260	\$270	\$281	\$292
Range No. 14	\$250	\$260	\$270	\$281	\$292	\$304
Range No. 15	\$260	\$270	\$281	\$292	\$304	\$316
Range No. 16	\$270	\$281	\$292	\$304	\$316	\$329
Range No. 17	\$281	\$292	\$304	\$316	\$329	\$342
Range No. 18	\$292	\$304	\$316	\$329	\$342	\$356
Range No. 19	\$304	\$316	\$329	\$342	\$356	\$370
Range No. 20	\$316	\$329	\$342	\$356	\$370	\$385
Range No. 21	\$329	\$342	\$356	\$370	\$385	\$400
Range No. 22	\$342	\$356	\$370	\$385	\$400	\$416
Range No. 23	\$356	\$370	\$385	\$400	\$416	\$433
Range No. 24	\$370	\$385	\$400	\$416	\$433	\$450
Range No. 25	\$385	\$400	\$416	\$433	\$450	\$468
Range No. 26	\$400	\$416	\$433	\$450	\$468	\$487
Range No. 27	\$416	\$433	\$450	\$468	\$487	\$506
Range No. 28	\$433	\$450	\$468	\$487	\$506	\$526
Range No. 29	\$450	\$468	\$487	\$506	\$526	\$547
Range No. 30	\$468	\$487	\$506	\$526	\$547	\$569
Range No. 31	\$487	\$506	\$526	\$547	\$569	\$592
Range No. 32	\$506	\$526	\$547	\$569	\$592	\$616
Range No. 33	\$526	\$547	\$569	\$592	\$616	\$641
Range No. 34	\$547	\$569	\$592	\$616	\$641	\$667
Range No. 35	\$569	\$592	\$616	\$641	\$667	\$694
Range No. 36	\$592	\$616	\$641	\$667	\$694	\$722
Range No. 37	\$616	\$641	\$667	\$694	\$722	\$751
Range No. 38	\$641	\$667	\$694	\$722	\$751	\$781

(2) Each salary range set forth in clause (1) shall include a *minimum salary plus* five salary increases, from the minimum to the maximum of the range, each such increase, for the purpose of Sections 43.12, Subdivision 2 to 43.123, to be termed a step. *Each step shall be equal to 4% of the last previous salary rate, subsequently converted to the nearest dollar.*

(3) *When additional steps shall be required as provided in section 43.123, each additional step shall be computed by adding 4% to the last previous salary rate and subsequently converting to the nearest dollar.*

(4) None of the provisions of Sections 43.12, Subdivi-

sion 2, to 43.123, shall apply to employees in the classified service under the state civil service act who are paid on a fee basis, or to such employees who are department heads.

(5) For the purposes of this subdivision, as applied to an employee the words "his former salary" mean *his adjusted salary within the range of salaries theretofore established for the class of his position*; the words "his new range" mean the salary range established by this act by which the class of his position shall be paid as provided in section 43.123, subdivision 4; and "minimum" and "maximum," used alone, mean respectively, the minimum and maximum of a range.

(6) On July 1, 1955, the salaries of state employees in the classified service shall be adjusted as follows:

(a) Each class shall be assigned to a salary range as provided in section 43.121, subdivision 1.

(b) The adjusted salary ranges to be used as rates of pay for state employees in the classified service shall be determined as provided in section 43.123, subdivision 4.

(c) The salary of any employee whose former salary is less than the minimum of his new range shall be increased to the new minimum.

(d) The salary of any employee whose former salary is between the minimum and the maximum of his new range shall remain the same if his former salary coincides with a rate of his new range; if his former salary does not coincide with a rate of his new range, it shall be increased to the next higher rate in his new range.

Sec. 2. Minnesota Statutes 1953, Section 43.121, Subdivision 1, is amended to read:

43.121 Salary range assignment. Subdivision 1. The director shall, as soon as practicable after the final enactment of this act, assign each class of employment in the classified service, established pursuant to Minnesota Statutes 1953, Section 43.12, Subdivision 1, to one of the salary ranges established by section 43.12, subdivision 2. These assignments shall be referred to the board for its consideration, after public hearing, as provided in section 43.12, subdivision 1. The salary of any employee which is in excess of the maximum of the range to which his class is assigned shall not be changed by reason of this schedule, but such employee shall not be eligible for any salary increases until his salary is within his new range. After the board has acted upon the assignments, the director shall submit them to the commissioner of administration, who shall determine whether sufficient funds are avail-

able. The commissioner of administration may approve or reject such assignments. Subsequent to the commissioner's action, the procedures prescribed in section 43.123 shall be followed. On July 1, 1955, the resulting schedules shall be placed in effect and shall remain in effect until changed as provided by subdivision 2 or by section 43.123.

Sec. 3. Minnesota Statutes 1953, Section 43.123, Subdivision 1, is amended to read:

43.123 **Investigation.** Subdivision 1. The director shall, during the month of March *each year*, make an investigation and determine whether there has been a change in the average cost of living in the cities of this State since January of the previous year as shown by the January indices published by the bureau of labor statistics of the United States department of labor.

Sec. 4. Minnesota Statutes 1953, Section 43.123, Subdivision 2, is amended to read:

Subd. 2. (1) *Whereas the bureau of labor statistics of the United States department of labor, herein termed the bureau, is now publishing a new consumers price index known as the Revised Consumers' Price index using as a base period the years 1947 through 1949, and has discontinued publication of previous indices, the director shall in making the investigations and determinations provided for in this section use such Revised Consumers' Price Index.*

Sec. 5. Minnesota Statutes 1953, Section 43.123, Subdivision 3, is amended to read:

Subd. 3. *If the Revised Consumers' Price Index is superseded by a different index published by said bureau, the director shall establish the relative relationship of the Revised Consumers' Price Index to the new Consumers' Price Index and thereafter and then on the basis of such relationship shall determine the increase or decrease in the cost of living during the year under investigation. If the bureau does not publish an index of the cost of living for the Minneapolis-St. Paul area, the director shall use the national average as published by the bureau in lieu of the Minneapolis-St. Paul index for the purpose of establishing the economic adjustment increases or decreases authorized in this section.*

Sec. 6. Minnesota Statutes 1953, Section 43.123, Subdivision 4, is amended to read:

Subd. 4. *If upon any investigation provided for in subdivision 1 the director shall ascertain that the average cost of*

living index is more than 99.9 and not more than 103.9, he shall so notify the commissioner of administration, and effective the first day of the ensuing fiscal year, the basic salaries provided for in section 43.12, subdivision 2, shall be paid.

If upon such investigation he shall ascertain that such cost of living index is more than 103.9 and not more than 107.9, he shall so notify the commissioner of administration, and each classified employee's salary shall be adjusted by adding an economic adjustment increase of one step. Effective the first day of the ensuing fiscal year, salaries shall be paid accordingly. If upon such investigation he shall ascertain that such cost of living index is more than 107.9 and not more than 111.9, he shall so notify the commissioner of administration, and the economic adjustment increase of each employee's salary shall be increased to two steps. Effective the first day of the ensuing fiscal year, salaries shall be paid accordingly.

After any such investigation a like recommendation shall be made for an additional one step increase for each rise in such index of four points, or fraction thereof, above 111.9, ascertained by the director, no more than one such increase to be recommended for rises within the same four point range.

If upon such investigation he shall ascertain that such cost of living index is more than 95.9 and not more than 99.9, he shall so notify the commissioner of administration, and each rate listed in section 43.12, subdivision 2 (1) shall be reduced by an amount which is equal to 4% of the rate listed and which is subsequently converted to the nearest dollar. Effective the first day of the ensuing fiscal year, the resulting schedule shall constitute the rates of pay for state employees in the classified service, and each employee shall receive a salary in the resulting schedule bearing the same relation to the minimum and maximum salaries of his range as his salary bore to the minimum and maximum salaries of his range under the former schedule.

If upon such investigation he shall ascertain that such cost of living index is more than 91.9 and not more than 95.9, he shall so notify the commissioner of administration, and each rate listed in section 43.12, subdivision 2 (1) shall be reduced by an amount which is equal to 4% of the rate listed and which is subsequently converted to the nearest dollar; the resulting rates shall be reduced by an amount computed at 4% of such resulting rates in like manner as above. Effective the first day of the ensuing fiscal year, the resulting schedule shall constitute the rates of pay for state employees in the classified service, and each employee shall receive a salary in the resulting schedule bearing the same relation to the

minimum and maximum salaries of his range as his salary bore to the minimum and maximum salaries of his range under the last previous schedule.

After any such investigation a like recommendation shall be made for an additional reduction figured at 4% as above for each lowering in such index of four points, or fraction thereof, below 92.0 but not lower than 60.0, ascertained by the director, no more than one such reduction to be recommended for lowerings of the index within the same four point range.

If upon such investigation he shall ascertain that such cost of living index is below 60.0, no further reduction of salaries shall be made by reason of the fact that the cost of living index is less than 60.0.

Following each yearly investigation the director shall recommend an increase, a decrease, or no change in the number of steps to be added to the basic salary ranges. The recommendations of the director to the commissioner shall be made on or before April 1 of the year in which his investigation is made, and if the legislature is in session, copies of such recommendations shall at the same time be filed with each branch thereof. If the commissioner upon receiving any such recommendation finds that sufficient funds are available to finance the additional adjustment, he shall so certify to the director on or before June 1 of that year. Copies of all certifications by the commissioner made pursuant to this subdivision shall be filed in the office of the secretary of state. The new adjustment shall become effective the first day of the ensuing fiscal year and salaries shall be paid accordingly.

Sec. 7. Minnesota Statutes 1953, Section 43.123, is amended by adding a subdivision to read:

[Subd. 7.] *All increases and decreases provided for in this section shall be used by the commissioner of administration in connection with all salaries and accounting records and with all budget estimates for all departments or agencies of the state government.*

Sec. 8. [43.125] **Rates in addition to established maximum salary.** *Subdivision 1. (1) The rates provided for by this section shall be in addition to maximum salaries established by section 43.12, subdivision 2, as adjusted under the provisions of section 43.123. The additional step provided for in subdivision 2 of this section shall be computed as provided in section 43.12, subdivision 2 (3). The second additional step provided for in subdivision 3 of this section shall be computed by adding to each rate provided for in subdivision 2 a step computed as provided in section 43.12, subdivision 2 (3).*

(2) For the purposes of this section, an employee who receives an increase in salary on July 1, 1955, as a result of adjustments made under provisions of section 43.12, subdivision 2 (6), shall be considered as being at the maximum salary of his range starting on such date on or after July 1, 1955, as he reaches the maximum adjusted salary for the range to which his class is assigned under the provisions of section 43.12, subdivision 2, section 43.121, and section 43.123.

(3) For the purposes of this section the words "higher range" mean a salary range having a higher maximum adjusted salary. For the purposes of this section an employee whose class is or has been re-assigned to a higher range under the provisions of section 43.121, shall be considered as being at the maximum salary only on and after such date as he reaches the maximum adjusted salary of the new range. For the purpose of this section, reassignments made under the provisions of Laws 1947, Chapter 606, to a range having the same range number as previously, shall not be considered as reassignments to higher ranges.

Subd. 2. Any employee in the classified service of the state of Minnesota who is paid on a monthly basis shall be eligible to receive as a merit increase, upon recommendation of his appointing authority, one additional step above the maximum adjusted salary established for his class, provided the following conditions are met:

(1) that he has been employed continuously in the classified service at a monthly rate for at least eight years.

(2) that he has been in the same class, or in more than one class all of which are in the same salary range, for at least eight years continuously, and,

(3) that on or after July 1, 1955, he has been at the maximum adjusted salary of his range for at least three years continuously.

Subd. 3. Any employee in the classified service of the state of Minnesota who has been paid at the rate provided for in subdivision 2 for at least five years continuously, shall be eligible to receive as a merit increase, on the recommendation of his appointing authority, a second additional step above the maximum adjusted salary established for his class.

Sec. 9. Repealer. Minnesota Statutes 1953, Section 43.122, Subdivision 1, Section 43.123, Subdivisions 5 and 6; and Section 43.124, are hereby repealed.

Approved April 22, 1955.