

15A.0815 SALARY LIMITS FOR CERTAIN EMPLOYEES.

Subdivision 1. **Salary limits.** The governor or other appropriate appointing authority shall set the salary rates for positions listed in this section within the salary limits listed in subdivisions 2 to 4, subject to approval of the Legislative Coordinating Commission and the legislature as provided by subdivision 5 and sections 3.855 and 15A.081, subdivision 7b.

Subd. 2. **Group I salary limits.** The salaries for positions in this subdivision may not exceed 95 percent of the salary of the governor:

- Commissioner of administration;
- Commissioner of agriculture;
- Commissioner of education;
- Commissioner of commerce;
- Commissioner of corrections;
- Commissioner of finance;
- Commissioner of health;
- Executive director, Minnesota Office of Higher Education;
- Commissioner, Housing Finance Agency;
- Commissioner of human rights;
- Commissioner of human services;
- Commissioner of labor and industry;
- Commissioner of natural resources;
- Director of Office of Strategic and Long-Range Planning;
- Commissioner, Pollution Control Agency;
- Executive director, Public Employees Retirement Association;
- Commissioner of public safety;
- Commissioner of revenue;
- Executive director, State Retirement System;
- Executive director, Teachers Retirement Association;
- Commissioner of employment and economic development;

Commissioner of transportation; and

Commissioner of veterans affairs.

Subd. 3. **Group II salary limits.** The salaries for positions in this subdivision may not exceed 85 percent of the salary of the governor:

Executive director of Gambling Control Board;

Commissioner, Iron Range Resources and Rehabilitation Board;

Commissioner, Bureau of Mediation Services;

Ombudsman for Mental Health and Developmental Disabilities;

Chair, Metropolitan Council;

Executive director of pari-mutuel racing; and

Commissioner, Public Utilities Commission.

Subd. 4. **Group III salary limits.** The salary for a position in this subdivision may not exceed 25 percent of the salary of the governor:

Chair, Metropolitan Airports Commission.

Subd. 5. **Appointing authorities to recommend certain salaries.** (a) The governor, or other appropriate appointing authority, may submit to the Legislative Coordinating Commission recommendations for salaries within the salary limits for the positions listed in subdivisions 2 to 4. An appointing authority may also propose additions or deletions of positions from those listed.

(b) Before submitting the recommendations, the appointing authority shall consult with the commissioner of finance concerning the recommendations.

(c) In making recommendations, the appointing authority shall consider the criteria established in section 43A.18, subdivision 8, and the performance of individual incumbents. The performance evaluation must include a review of an incumbent's progress toward attainment of affirmative action goals. The appointing authority shall establish an objective system for quantifying knowledge, abilities, duties, responsibilities, and accountabilities, and in determining recommendations, rate each position by this system.

(d) Before the appointing authority's recommended salaries take effect, the recommendations must be reviewed and approved, rejected, or modified by the Legislative Coordinating Commission and the legislature under section 3.855, subdivisions 2 and 3. If, when the legislature is not in session, the commission fails to reject or modify salary recommendations of the governor within 30 calendar days of their receipt, the recommendations are deemed to be approved.

(e) The appointing authority shall set the initial salary of a head of a new agency or a chair of a new metropolitan board or commission whose salary is not specifically prescribed by law after consultation with the commissioner, whose recommendation is advisory only. The amount of the new salary must be comparable to the salary of an agency head or commission chair having similar duties and responsibilities.

(f) The salary of a newly appointed head of an agency or chair of a metropolitan agency listed in subdivisions 2 to 4, may be increased or decreased by the appointing authority from the salary previously set for that position within 30 days of the new appointment after consultation with the commissioner. If the appointing authority increases a salary under this paragraph, the appointing authority shall submit the new salary to the Legislative Coordinating Commission and the full legislature for approval, modification, or rejection under section 3.855, subdivisions 2 and 3. If, when the legislature is not in session, the commission fails to reject or modify salary recommendations of the governor within 30 calendar days of their receipt, the recommendations are deemed to be approved.

History: *2Sp1997 c 3 s 5; 1998 c 351 s 1; 2000 c 501 s 1,2; 1Sp2001 c 4 art 6 s 6; 1Sp2001 c 10 art 2 s 18,19; 2003 c 130 s 12; 1Sp2003 c 2 art 5 s 1; 1Sp2003 c 4 s 1; 2004 c 206 s 6; 2005 c 55 s 3; 2005 c 56 s 1; 2005 c 107 art 2 s 60; 2008 c 204 s 3,42; 2008 c 363 art 13 s 15,16*