

Research Department

Patrick J. McCormack, Director

600 State Office Building
St. Paul, Minnesota 55155-1298
651-296-6753 [FAX 651-296-9887]
www.house.mn/hrd/hrd.htm



Minnesota House of Representatives

January 2, 2013

TO: Members, Compensation Council

FROM: Mark Shepard, Legislative Analyst, 651-296-5051

RE: Other Salaries Affected by Salaries within the Council's Jurisdiction

Salaries within the jurisdiction of the compensation council affect salaries of various other public officials whose salaries are established or limited by law.

State Executive Agencies

The compensation council makes recommendations for salary ranges for heads of executive and metropolitan agencies. Under current law, salary ranges for heads of most executive and metropolitan agencies are capped at 95 percent or 85 percent of the Governor's salary (Minn. Stat. §15A.0815). The Governor's salary or the salary of executive agency heads affects other state government salaries:

- ▶ The agency head salary is the limit of compensation for other employees in the agency, with limited exceptions¹ (Minn. Stat. § 43A.17, subd. 1).
- ▶ The compensation of the executive director of Minnesota Business Finance, Inc. may not exceed 95 percent of the Governor's salary (Minn. Stat. §116S.03, subd. 1). The compensation of the executive director of the Northern Technology Initiative, Inc. may not exceed 85 percent of the Governor's salary (Minn. Stat. § 116T.03, subd. 1).

¹ The Commissioner of Management and Budget may approve a salary up to 120 percent of the agency head salary for a position that requires special expertise necessitating a higher salary to attract or retain qualified persons. There also are exceptions for doctors of medicine, doctors of dental surgery, information systems staff, and certain actuaries and epidemiologists. Minn. Stat. § 43A.17, subd. 3 and 4.

- ▶ For the administrator of the Minnesota Zoo, any salary in excess of 95 percent of the governor's salary must be paid with nonstate funds (Minn. Stat. § 85A.02, subd. 5a).
- ▶ The salary for the lottery director is established at 95 percent of the governor's salary (Minn. Stat. § 349A.02, subd. 1).

Executive Branch Judges and Judicial Branch positions

The compensation council recommends salaries for judges in the judicial branch. Salaries for certain judges in the executive branch are tied to salaries of judges in the judicial branch. These relationships are established in Minnesota Statutes, § 15A.083.

Position	Salary
Tax court judge	98.52% of district court judge
Chief tax court judge	98.52% of chief district court judge
Chief administrative law judge	98.52% of district court judge
Asst. chief administrative law judge and administrative law judge supervisors	93.60% of district court judge
Administrative law judge	88.67% of district court judge
Workers' compensation court of appeals judge	98.52% of district court judge
Chief judge, workers' compensation court of appeals	98.52% of chief district court judge
Compensation judges	88.67% of district court judge

Additional statutes provide that:

- ▶ A referee or administrative law judge employed by a court may not receive a salary of more than 90 percent of the salary paid a judge of the employing court.
- ▶ The salary of the state public defender (set by the Board of Public Defense) cannot exceed the salary of a district court judge.

Local Government Employees

The salary (and certain other forms of compensation) of a political subdivision employee may not exceed a limit that initially was set at 110 percent of the salary of the governor² (Minn. Stat. § 43A.17, subd. 9). The law imposing this limit provided that it would be increased each January, based on the consumer price index. The salary limit in 2013 is \$160,639.

MS/mk

² The political subdivision salary cap does not apply to school districts; to local government hospitals, clinics, or health-maintenance organizations; or to doctors of medicine or osteopathy. Also, the Commissioner of Management and Budget may increase the limit for a position the commissioner determines necessitates a higher salary to attract or retain a qualified person.