

The amount allocated for construction of the park shall not be expended without approval of the required street vacations by the St. Paul planning commission and the St. Paul city council.

The commissioner of administration shall landscape this area in accordance with plans approved by the capitol area architectural and planning board.

This appropriation shall not cancel but shall remain available until the project is completed.

Sec. 15. **[16.016]** The commissioner of administration may establish a service center in regional development commission district 3. The state planning agency and the regional development commission of region 3 shall cooperate with the commissioner in establishing the service center. The commissioner shall determine which state agencies shall be included in the service center. The commissioner may determine equitable methods of sharing space, personnel and equipment for the agencies he selects to participate in the service center. The commissioner may enter into a rental lease for a base term of five years with a five year leasehold renewal option for the purpose of acquiring suitable space for the service center.

Approved June 8, 1977.

CHAPTER 452—S.F.No.1337

[Coded in Part]

An act relating to the operation of state government; providing for wage and fringe benefits for certain state employees; ratifying collective bargaining agreements; providing emergency rule making authority; increasing salary ranges; limiting salary increases of certain political subdivision employees; placing time limitations on the execution of negotiated agreements; appropriating money; amending Minnesota Statutes 1976, Sections 43.067, Subdivisions 3 and 4, as amended; 43.09, Subdivision 3; 43.12, Subdivisions 2, 3, 5, 6, 7, 8, 10, 11, 14, 16, 17, and 18, and by adding a subdivision; 43.121, Subdivision 3; 43.122, Subdivision 3, and by adding a subdivision; 43.126, Subdivision 1; 43.323, by adding a subdivision; 43.42; 43.44, Subdivision 1; 43.46; 43.50, Subdivision 1; 179.74, Subdivision 5; 299D.03, Subdivisions 2 and 3; 422A.09, by adding a subdivision; and Chapter 43, by adding a section; repealing Minnesota Statutes 1976, Sections 43.09, Subdivision 7; 43.12, Subdivisions 4 and 9; and 299D.03, Subdivision 3a.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. STATE GOVERNMENT; TEMPORARY PROVISION; WAGE AND ECONOMIC FRINGE BENEFITS; AGREEMENTS APPROVED. Within the funds appropriated for the purpose by the 70th legislature and except as may otherwise be provided in this act, the commissioner of personnel is authorized to implement those provisions of agreements negotiated and executed on or before May 15, 1977, with the Minnesota state employees union, American federation of state, county and municipal

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employees, council No. 6, the Minnesota teamsters public and law enforcement employees union, local No. 320, the international union of operating engineers, locals No. 34, No. 49 and No. 808, the association of institutional dentists, the bureau of criminal apprehension agents association, the professional employee pharmacists of Minnesota, the middle management association, the state residential schools education association, the Minnesota conservation officers association, the independent Minnesota association of government employees, the bureau of criminal apprehension association of forensic scientists, the Minnesota highway patrol officers' association, and the Minnesota administrative hearing officers association which establish wage and economic fringe benefits. A state employee whose exclusive representative, as defined by section 179.63, subdivision 6, has not executed an agreement with the state covering wages and economic fringe benefits on or before May 15, 1977, shall not receive the wage and economic fringe benefit increases provided by this act.

Sec. 2. Minnesota Statutes 1976, Section 43.067, Subdivision 3, as amended by Laws 1977, Chapter 35, Section 3, is amended to read:

Subd. 3. **MEDICAL DOCTORS EXEMPTED.** Salaries of medical doctors who are occupying positions which the commissioner of personnel determines require an M.D. degree and who are paid under the provisions of section 43.126, or who are employed by political subdivisions in positions that the governing body of the political subdivision has determined require an M.D. degree, shall be excluded from the limitation provided in this section.

Sec. 3. Minnesota Statutes 1976, Section 43.067, Subdivision 4, as added by Laws 1977, Chapter 35, Section 3, is amended to read:

Subd. 4. **LIMIT ON POLITICAL SUBDIVISION SALARIES.** Notwithstanding any other law to the contrary, no salary of a person employed by a city, county, town, school district, metropolitan or regional agency, or other political subdivision of the state may exceed the salary of the commissioner of finance plus the maximum permissible achievement award under section 43.069.

Sec. 4. **TEMPORARY PROVISION.** Any salary increase above the maximum permitted on July 1, 1977, by section 3 which is granted to the chief administrator of any city, county, town, school district, metropolitan or regional agency, or other political subdivision between December 1, 1976 and July 1, 1977 is invalid. A person whose salary which was in effect prior to December 1, 1976, and which is in excess of the amount permitted by section 3 shall not suffer a decrease in salary as a result of this act.

Sec. 5. Minnesota Statutes 1976, Section 43.323, is amended by adding a subdivision to read:

Subd. 3. **RULE SUSPENSION.** The commissioner of personnel shall identify those rules he has promulgated pursuant to chapter 15 which are in conflict with the provisions of a collective bargaining agreement negotiated in accordance with sections 179.61 to 179.77 and notwithstanding the provisions of chapter 15, shall suspend those rules and promulgate emergency rules to be effective for a period not exceeding 180 days

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during which time the commissioner shall repeal, suspend or modify the temporarily suspended rules in accordance with chapter 15.

Sec. 6. Minnesota Statutes 1976, Section 43.09, Subdivision 3, is amended to read:

Subd. 3. **LABOR SERVICE.** All positions involving unskilled labor shall constitute a labor service. The commissioner shall designate the class or classes of positions which shall comprise the labor service and create rules for that service designed to expedite and make more economical the personnel processes in such service. Any ~~appointments which shall be for a total period of not to exceed seven months in any calendar year~~ appointment to the labor service is not subject to the appointment provisions of subdivision 4 and may be made by the appointing authority ~~not subject to~~ without other approval, providing payroll notice of such employment is regularly made to the department of personnel. Employees in the labor service who are employed for a total of six months within a 12 month period shall receive the same civil service status given by chapter 43 to permanent classified employees of the state and shall be known as tenured laborers.

Sec. 7. Minnesota Statutes 1976, Section 43.12, Subdivision 2, is amended to read:

Subd. 2. **SALARY RANGES.** The following procedure will be used in establishing rates of pay for all state employees in the classified civil service whose positions are assigned to classes in the professional salary schedule, which schedule shall be known as salary schedule "A". Classes shall be assigned salary ranges within an area of compensation beginning at a prescribed minimum monthly rate of pay and extending upward by a maximum of ~~30~~ 33 additional salary increments. Salary range assignments for each class of employment in this schedule shall include no more than ten salary steps. Effective July 9, ~~1975~~ 6, 1977, the prescribed minimum monthly rate of pay shall be ~~\$825~~ \$932. The maximum monthly rate of pay shall be ~~\$2,672~~ \$3,394.

Sec. 8. Minnesota Statutes 1976, Section 43.12, Subdivision 3, is amended to read:

Subd. 3. All employees whose rates of pay are established according to salary schedule "A", effective July 9, ~~1975~~ 6, 1977, shall be advanced in salary from their rate of pay and step in salary range immediately preceding that date to the comparable step in the new salary range for their class or to the new minimum rate of pay for their class, whichever rate is greater.

Employees who are paid at a rate which exceeds the maximum rate established for their class prior to July 6, 1977, but whose rate falls within the new range for their class, shall be assigned to the maximum of the new range. In the event the maximum rate established for a classification as of July 6, 1977, is equal to or less than the employee's salary on July 5, 1977, no adjustment shall be made; however, the employee shall suffer no reduction in pay and shall continue at his rate of pay as of July 5, 1977.

Sec. 9. Minnesota Statutes 1976, Section 43.12, Subdivision 5, is amended to read:

Subd. 5. The following procedure shall be used to establish rates of pay for all state
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employees in the classified civil service whose positions are assigned to classes in the maintenance and related trades schedule, which schedule shall be known as salary schedule "B". Classes shall be assigned an orientation and base rate, one consecutive wage step apart. The orientation rate shall be paid during the first six calendar months of service and the base rate shall be paid commencing at the beginning of the pay period nearest the completion of six calendar months of service. In assigning rates of pay to classes of work covered by this schedule, the commissioner shall give primary consideration to the median of rates paid by other public and private employers for similar types of work. Supplementary pay practices shall be evaluated and costs considered in comparing the rates being paid by other employers. The commissioner is authorized to establish a percentage differential based upon full annual employment and tenure where such advantages are not common in employment outside of the state service.

Effective July 9, ~~1975 6, 1977~~, the minimum hourly rate of pay in the salary schedule "B" shall be ~~\$4.59~~ \$4.71. The schedule shall provide for ~~14~~ 19 additional wage steps with a maximum rate of ~~\$7.23~~ \$8.21 per hour.

Notwithstanding any provision of chapter 43 to the contrary, the commissioner is authorized to establish (a) hourly equipment rates to provide appropriate compensation to employees intermittently engaged in operating maintenance equipment, (b) an hourly rate to provide appropriate compensation to employees intermittently assigned to first level highway foreman work, ~~and~~ (c) an eight percent differential rate rounded to the nearest cent for journeyman skilled trade classes assigned to salary schedule B and employed at adult institutions of the department of corrections, ~~and~~ (d) a ten cent per hour differential for skilled trade classes assigned to salary schedule B and employed by the department of administration. The commissioner shall establish regulations and procedures to equitably implement such rates.

Sec. 10. Minnesota Statutes 1976, Section 43.12, Subdivision 6, is amended to read:

Subd. 6. All permanent employees with more than six calendar months of service whose rates of pay are established according to salary schedule "B", effective July 9, ~~1975 6, 1977~~, shall be advanced in salary to the established base rate for their class.

Employees with less than six calendar months of service whose rates of pay are established according to salary schedule "B", effective July 9, ~~1975 6, 1977~~, shall be advanced in salary to the established orientation rate for their class.

Employees who are classified as highway maintenance worker, senior and who are employed by the department of transportation and assigned to the central office and districts 5 and 9 shall, in addition, be granted a one time lump sum payment of \$400.

Employees compensated according to salary schedule "B" whose hourly rate of pay immediately preceding July 9, 1975, exceeds the maximum hourly rate of pay for their class shall be granted a one time lump sum payment of \$300, except for those employees whose adjustment in their current maximum rate of pay would be \$12.25 or less. The amount of the lump sum payment for those employees whose adjustment would be \$12.25 or less shall be equal to the difference between \$300 and the product of the employee's

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monthly adjustment multiplied by 24. This payment shall be made in accordance with procedures established by the commissioner of finance.

Employees who are paid at a rate which exceeds the maximum rate established for their class prior to July 6, 1977, but whose rate falls within the new range for their class, shall be assigned to the maximum of the new range. In the event the maximum rate for a classification as of July 6, 1977, is equal to or less than an employee's salary on July 5, 1977, no adjustment shall be made; however, the employee shall suffer no reduction in pay and shall continue at his rate of pay as of July 5, 1977.

Sec. 11. Minnesota Statutes 1976, Section 43.12, Subdivision 7, is amended to read:

Subd. 7. The following procedure shall be used to establish rates of pay for all state employees in the classified civil service whose positions are assigned to classes in the ~~clerical, technical, general service and related salary schedule,~~ which schedule shall be known as salary schedule "C". Classes shall be assigned salary ranges within an area of compensation beginning at a prescribed monthly rate of pay and extending upward ~~28~~ 34 additional fixed salary increments. Salary range assignments for each class of employment in this schedule shall not include more than ~~seven~~ eight salary steps. Effective July ~~9, 1975~~ 6, 1977, the prescribed minimum monthly rate of pay shall be ~~\$450~~ \$456. The maximum monthly rate of pay shall be ~~\$1,250~~ \$1,409.

Sec. 12. Minnesota Statutes 1976, Section 43.12, Subdivision 8, is amended to read:

Subd. 8. All employees whose rates of pay are established according to salary schedule "C", effective July ~~9, 1975~~ 6, 1977, shall be advanced in salary from their rate of pay and step in salary range immediately preceding that date, to the next step within the salary range for that classification. An employee whose classification is reassigned to a higher salary range shall, in addition, be adjusted to the comparable step in the new salary range for their his class. These step increases shall not affect an employee's eligibility for normal step progression increases provided by section 43.122, subdivision 3.

Employees who are paid at a rate which exceeds the maximum rate established for their class prior to July 6, 1977, but whose rate falls within the new range for their class, shall be assigned to the maximum of the new range. In the event the maximum rate for a classification as of July 6, 1977, is equal to or less than an employee's salary on July 5, 1977, no adjustment shall be made; however, the employee shall suffer no reduction in pay and shall continue at his rate of pay as of July 5, 1977.

Sec. 13. Minnesota Statutes 1976, Section 43.12, is amended by adding a subdivision to read:

Subd. 8a. LABOR SERVICE. The following procedure shall be used to establish rates of pay for all state employees whose positions are assigned to the labor service. The labor service shall consist of four steps. Effective July 6, 1977, the hourly rate of pay for step A shall be \$4.47, for step B \$4.62, for step C \$5.22, and for step D \$5.37.

Tenured laborers who are on the payroll on July 6, 1977, shall be paid at the step
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D rate.

Non-tenured laborers who are on the payroll on July 6, 1977, and who were paid at the base rate on July 5, 1977, shall be paid at the step D rate. Such employees shall continue to be paid at the step D rate in subsequent years provided that their service in the previous calendar year was 800 hours or more.

Non-tenured laborers who are on the payroll on July 6, 1977, and who were paid at the orientation rate on July 5, 1977, shall be paid at the step C rate. Such employees shall advance to step D after completion of 800 hours of work in the second of two consecutive calendar years in which at least 800 hours at step C are worked; provided, however, that an employee whose service in calendar year 1976 was 800 hours or more shall advance to step D upon the completion of 800 hours in calendar year 1977.

For the purpose of this subdivision, service requirements must be fulfilled with the same appointing authority, at the same principal place of employment and performing similar work. Advancement to the next higher step shall be effective at the beginning of the first payroll period following completion of the service requirements.

Non-tenured laborers who are not on the payroll on July 6, 1977 but who have worked 800 hours or more in the 12 months immediately preceding July 6, 1977, and who return to work in the labor service prior to July 1, 1978 with the same appointing authority, at the same principal place of employment and to perform similar work, shall be paid at the rate which they would have received and advanced in pay in the same manner as if they had been on the payroll on July 6, 1977.

Tenured laborers whose employment relationship is severed and non-tenured laborers who in any calendar year fail to meet the service and hour requirements of this subdivision shall be subject to the hiring and advancement provisions of section 43.122, subdivision 5 if they are subsequently reappointed to the labor service.

Sec. 14. Minnesota Statutes 1976, Section 43.12, Subdivision 10, is amended to read:

Subd. 10. **COST OF LIVING ADJUSTMENT.** For each full four-tenths point increase in the consumers price index for urban wage earners and clerical workers for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics for the months of January, 1975 1977, and October, 1975 1977, new series index (1967 100), all monthly rates of pay in the "A" and special teacher salary schedules shall be increased by two-tenths of one percent, rounded to the nearest dollar and all hourly rates of pay in the "A", "B", and "C", special teacher, and labor service salary schedules shall be increased by one cent per hour.

The increase, if any, in wages and salaries generated by this formula shall be effective January 7, 1976 4, 1978, and shall continue in effect until July 7, 1976 5, 1978.

A redetermination of the cost of living allowance shall be made in for April, 1976 1978. For each full four-tenths point increase in the consumer price index for urban wage

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earners and clerical workers for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics for the months of January, ~~1975~~ 1977, through and April, ~~1976~~ 1978, all monthly rates of pay in the "A", and special teacher salary schedules shall be increased by two-tenths of one percent, rounded to the nearest dollar and all hourly rates in the "B", and "C", special teacher, and labor service salary schedules shall be increased by one cent per hour. The increase, if any, in wages and salaries generated by this redetermination shall be effective July 7, ~~1976~~, 5, 1978 and shall continue in effect until January 5, ~~1977~~.

A redetermination of the cost of living allowance shall be made in October, ~~1976~~. For each full four-tenths point increase in the consumer price index for urban wage earner and clerical workers for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics for the months of January, ~~1975~~, through October, ~~1976~~, all monthly rates of pay in the "A" and special teacher salary schedules shall be increased by two-tenths of one percent, rounded to the nearest dollar and all hourly rates in the "B" and "C" salary schedules shall be increased by one cent per hour. The increase, if any, in wages and salaries generated by this redetermination shall be effective January 5, ~~1977~~.

During periods when such cost of living allowance is in effect, it shall be added to the applicable basic hourly and monthly rates of pay of each employee, including those that are above the maximum step of their range, and treated as a part thereof in all calculations involving employees' pay. Cost of living adjustments are not cumulative and allowances paid under an earlier determination shall cease when a re-determination takes effect.

Sec. 15. Minnesota Statutes 1976, Section 43.12, Subdivision 11, is amended to read:

Subd. 11. ~~The commissioner of administration may direct the commissioner of finance to shall~~ transfer to the various departments and agencies the necessary amounts to finance subdivision 10 and section 43.121, subdivision 3. These transfers shall be from such accounts and funds from which each department or agency receives its revenue, including appropriations from the general fund and from any other fund, now or hereafter existing for the payment of salaries and in the same proportion as it pays therefrom the amounts of such salaries. ~~Such sums of money as are necessary for such purposes are hereby appropriated to such departments or agencies from such account and fund in the state treasury. In order to enable the commissioner of finance to maintain proper records covering the appropriations for cost of living adjustments and insurance benefit increases, he may require certification as he deems necessary from any state agency, the Minnesota historical society, or the university of Minnesota of the amounts needed to pay these adjustments and increases.~~ The accounts and funds referred to from which agencies receive appropriations under the terms of this section are hereby declared to be a source of revenue for the purposes of any other law or statutory enactment.

Sec. 16. Minnesota Statutes 1976, Section 43.12, Subdivision 14, is amended to read:

Subd. 14. Except as otherwise provided in this section, for classification
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reassignments effective July 6, 1977, no class will be reassigned to a higher salary range by the commissioner during the ~~1975-1977~~ 1977-1979 biennium.

Sec. 17. Minnesota Statutes 1976, Section 43.12, Subdivision 16, is amended to read:

Subd. 16. Effective July 9, 1975, employees whose positions are assigned to classes in the A, B, C, labor service, and special teachers salary schedules working an assigned shift that begins before 6:00 a.m. or which ends on or after 7:00 p.m. shall receive a shift differential of 15 cents per hour for all hours worked on that shift in addition to their regular rate of pay. Such differential shall be included in all payroll computations for hours worked but shall not apply during periods of paid leave.

Employees working the regular day schedule who are required to work overtime or who are called back to work for special projects shall not be eligible for the shift differential.

Sec. 18. Minnesota Statutes 1976, Section 43.12, Subdivision 17, is amended to read:

Subd. 17. **SEVERANCE PAY.** Effective July 1, ~~1975~~ 1977, any permanent employee who is separated from the state classified civil service by reason of death, mandatory retirement, retirement under a state retirement program after ten years of state employment; ~~or layoff, excluding seasonal layoffs, or who is separated after completing 20 years of state service, or who retires under a state retirement program after completing ten years of state service~~ shall be entitled upon such separation, to pay in an amount equal to ~~30~~ 40 percent; ~~except for community college and state university system faculty employees who shall receive 25 percent of the employee's regular accumulated but unused sick leave balance at the time of separation. Effective July 1, 1976, severance pay shall be computed upon 40 percent, except for community college and system faculty employees and for state university system faculty employees who whose appointment and salary are based upon a nine month academic year shall receive be 30~~ 35 percent of the employee's regular accumulated but unused sick leave balance. The provisions of this subdivision shall apply to unclassified employees in the same manner as they apply to employees in the classified civil service.

Should any employee who has received severance pay be subsequently reappointed to state service, eligibility for future severance pay shall be computed upon the difference between the amount of accumulated but unused sick leave to the employee's credit at the time the employee was separated and the amount of accumulated but unused sick leave balance at the time of the employee's subsequent eligibility for severance pay.

The base for computing the severance pay provided for in this clause shall not exceed ~~800~~ 900 hours except for community college and state university system faculty employees whose base shall not exceed 112 days, nor shall said base include lapsed sick leave hours as defined by departmental rules and regulations.

Such severance pay shall be excluded from retirement deductions and from any

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calculations in retirement benefits and shall be paid over a period not to exceed five years from termination of employment. In the event that a terminated employee dies before all or a portion of the severance pay has been disbursed, that balance due shall be paid to a named beneficiary or, lacking same, to the deceased's estate.

Sec. 19. Minnesota Statutes 1976, Section 43.12, Subdivision 18, is amended to read:

Subd. 18. The commissioner is hereby empowered to establish by rule an injured *on duty compensation plan for certain classes of state employees in hazardous or dangerous classes of employment and for special teachers employed by the departments of corrections and public welfare and by the department of education at the Minnesota School for the Deaf and the Minnesota Braille and Sight Saving School.* Said plan shall not be subject to the limitations contained in section 176.021, subdivision 5.

Sec. 20. Minnesota Statutes 1976, Section 43.121, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding the provisions of this section, the commissioner may assign the classes of employment which require teaching in an established school program in the department of education and institutions of the state under the jurisdiction of the department of public welfare and the department of corrections to salary ranges, which he is hereby authorized to establish. Whenever the commissioner assigns classes of employment which require teaching in an established school program to any salary range which he is authorized to establish by this subdivision, he shall prepare schedules showing the salary ranges for each class, or group of positions in the class of positions assigned by him and he shall also prepare schedules showing entrance salaries and step increases based upon educational attainments and length of satisfactory service. The salary ranges shall include a minimum rate and not more than 12 additional step increases. In assigning ranges of salaries for positions in this category the commissioner shall give consideration to the salary schedules for teachers which are in effect in other units of government of the state. The commissioner is authorized to establish a schedule of payment for assignments to extra-curricular activities which are in addition to the normal teaching schedule.

The basic salary for institution educational administrators and supervisors shall be based upon the employee's qualifications and the appropriate academic level of the special teacher salary schedule. However, the commissioner is authorized to establish a percentage differential to compensate for administrative and supervisory responsibilities. Annual length of satisfactory service salary adjustments shall be awarded beginning with the payroll period nearest the anniversary date of the special teacher's, institution educational supervisor's or institution educational administrator's original or promotional appointment to his present class, unless he is notified in writing by the appointing authority that his work has been of a less than satisfactory level.

Sec. 21. Minnesota Statutes 1976, Section 43.122, Subdivision 3, is amended to read:

Subd. 3. (a) Employees in classes assigned to the "A" salary schedule may receive a **Changes or additions indicated by underline deletions by ~~strikeout~~**

one step salary increase annually, at the beginning of the first full payroll period nearest their anniversary date, to the position rate in their salary range, provided performance is satisfactory as indicated by their appointing authority.

The position rate shall be as follows:

10 step salary range - 6th step

9 step salary range - 5th step

8 step salary range - 5th step

7 step salary range - 4th step

6 step salary range - 4th step

5 step salary range - 4th step

4 step salary range - 3rd step

3 step salary range - 3rd step

Beyond the position rate, employees may receive one step satisfactory performance increases biennially, at the beginning of the first full payroll period nearest their anniversary date, upon the recommendation of their appointing authority, up to and including the maximum rate of the salary range for their class.

No increases authorized by this subdivision shall be granted by the appointing authority until an appropriate employee evaluation program is filed with the commissioner. Authorized increases shall be recommended in the context of performance measured against specific performance standards or objectives.

Appointing authorities shall not recommend increases for those employees in this schedule who have not met, or only marginally attained, performance standards or objectives. Increases withheld may subsequently be granted by the appointing authority upon certification to the commissioner that the employee is achieving performance standards or objectives.

(b) Employees in classes assigned to the "C" salary schedule shall progress through the salary range for their class according to the following procedure:

Employees compensated at the first step in their salary range shall be advanced to the second step at the beginning of the first full payroll period nearest the completion of six calendar months of satisfactory service at the first step. Employees compensated at the second step in their salary range shall be advanced to the third step at the beginning of the first full payroll period nearest the completion of six calendar months of satisfactory service at the second step.

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Employees compensated at or beyond the third step in their salary range shall advance to the next highest rate in their salary range at the beginning of the first full payroll period nearest completion of each subsequent 12 calendar months of satisfactory service until the maximum rate of pay is attained.

Employees compensated at the maximum step in their range or above shall receive no salary adjustments under the provisions of this subdivision.

(c) Appointing authorities may withhold increases authorized in clause (b). Those employees who will be denied an increase because of unsatisfactory service must be notified in writing. Increases withheld may subsequently be granted by the appointing authority upon certification to the commissioner that the employee has achieved a satisfactory level of performance.

Sec. 22. Minnesota Statutes 1976, Section 43.122, is amended by adding a subdivision to read:

Subd. 5. Employees who are hired after July 5, 1977, for positions assigned to the labor service shall be hired at step A. Such employees shall advance to step B after 800 hours of service within a calendar year; to step C after completion of 800 hours in the second of two consecutive calendar years in which at least 800 hours at step B are worked; and to step D after completion of 800 hours in the second of two consecutive calendar years in which at least 800 hours at step C are worked. Advancement to the next higher step shall be effective at the beginning of the first payroll period following completion of the service requirement. Service requirements must be fulfilled with the same appointing authority, at the same principal place of employment, and performing similar work. Tenured laborers whose employment relationship is severed and non-tenured laborers who fail to meet the service and hour requirements for advancement in any calendar year, shall be considered to be new employees for purposes of this subdivision if they are subsequently reappointed to the labor service and shall be reappointed at step A.

Sec. 23. Minnesota Statutes 1976, Section 43.126, Subdivision 1, is amended to read:

43.126 SPECIAL RATES OF PAY. Subdivision 1. Notwithstanding the provisions of sections 43.12 and 43.121 to 43.123, the following salary ranges are established with annual salaries as shown:

Range A	\$23,000	<u>\$29,000</u>	to	\$32,000	<u>\$40,500</u>
Range B	\$28,000	<u>\$35,500</u>	to	\$38,000	<u>\$48,000</u>
Range C	\$30,000	<u>\$40,000</u>	to	\$45,000	<u>\$57,500</u>

Sec. 24. Minnesota Statutes 1976, Section 43.42, is amended to read:

43.42 INSURANCE BENEFITS INTENT. It is the intent of sections 43.42 to 43.49 to provide certain state employees with basic life insurance, basic dental insurance, and basic health benefits coverage, including such basic health benefits coverage as the commissioner may make available from prepaid group practice plans, to be paid for by

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the state and to authorize an eligible state employee to enroll himself, and his dependents in such optional coverages as are made available therefor by the commissioner to be paid for by the employee through payroll deductions. Optional group coverages may include additional life insurance, auto insurance, disability insurance, dental insurance, legal insurance, homeowners insurance, and vision insurance.

Sec. 25. Minnesota Statutes 1976, Section 43.44, Subdivision 1, is amended to read:

43.44 ENROLLMENT OF ELIGIBLE EMPLOYEES. Subdivision 1. Every eligible employee meeting the requirements of subdivision 2 shall, at such time, in such manner, and under such conditions of eligibility as the commissioner may by regulation prescribe, be enrolled in the employee life insurance benefits coverage, the hospital benefits coverage, the dental benefits coverage and the medical benefits coverage. Such regulations shall be within the framework of intent as set forth in section 43.42.

Sec. 26. Minnesota Statutes 1976, Section 43.46, is amended to read:

43.46 CONTRIBUTIONS BY STATE. The total contribution by the state for each state employee under sections 43.42 to 43.49 shall be otherwise prescribed by law and which contribution shall be applied to provide basic hospital benefits, basic medical benefits, basic dental benefits, an annual health evaluation and screening program and basic life insurance of such amounts as may be determined from time to time by the commissioner.

Sec. 27. Minnesota Statutes 1976, Section 43.50, Subdivision 1, is amended to read:

43.50 PAYMENT OF PREMIUMS. Subdivision 1. Each department of the state government shall pay the amounts due for basic life insurance, basic dental insurance, and basic health benefits coverage authorized for eligible state employees as provided by this chapter. Effective July 1, 1977, each department of the state government shall contribute up to \$58 per year toward the cost of the approved annual health evaluation and screening program for each eligible employee who elects to participate. Additionally, and notwithstanding any law to the contrary, effective the first day of the first payroll period commencing on or after July 9, 1975 1, 1977, each department of the state government shall contribute ~~\$20~~ \$45 per month toward the cost of dependent hospital-medical insurance coverage premiums for their eligible employees who have eligible dependents. Effective the first day of the first payroll period commencing on or after July 7, 1976 1, 1978, each department shall ~~contribute \$30 per month~~ pay the full cost for such dependent hospital-medical the coverage and, for all eligible employees carrying dependent dental insurance coverage, shall contribute one-half the difference between single and family dental coverage per month except that no department shall pay an amount in excess of the contribution for dependent hospital-medical and dental coverage in effect on June 30, 1979. To enable employees to receive benefit from this provision, open enrollment periods during the full months of August, 1975 from August 15 through September 30, 1977 and from August 15 through September 30, 1976 1978, are established. During open enrollment periods employees may enroll their dependents in dental coverage and hospital-medical coverage without proof of insurability. Effective January 1, ~~1975~~ 1977, the state contribution of ~~\$40~~ \$30 per month shall apply to eligible

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members of the legislature who have eligible dependents. Effective January 1, ~~1977~~ 1979, the increased benefits provided in this section shall apply to eligible members of the legislature ~~who have and their~~ eligible dependents. Each of the departments shall pay such amounts from accounts and funds from which the department receives its revenues, including appropriations from the general fund and from any other fund, now or hereafter existing for the payment of salaries and in the same proportion as it pays therefrom the amounts of salaries. ~~Such sums of money as are necessary for such purposes are hereby appropriated to the departments from such account and funds in the state treasury.~~ In order to enable the commissioner of finance to maintain proper records covering the appropriations made by pursuant to this section, he may require certifications in connection therewith as he may deem necessary from any state ~~department~~ agency, the Minnesota historical society, or the university of Minnesota whose employees receive benefits pursuant to this chapter. The accounts and funds referred to from which departments receive appropriations under the terms of this section are hereby declared to be a source of revenue for the purposes of any other law or statutory enactment.

Sec. 28. Minnesota Statutes 1976, Chapter 43, is amended by adding a section to read:

[43.51] DEATH BENEFIT FOR RETIRED EMPLOYEES. Employees who retire from state service on or after July 1, 1977, shall be entitled to a \$500 cash death benefit payable to a beneficiary designated by the employee, if, at the time of the employee's death, the employee is receiving an annuity under a state retirement program.

Sec. 29. ~~[299C.041]~~ The commissioner of public safety shall provide that criminal investigators receive a clothing allowance of \$100 per year in lieu of any other clothing allowance pursuant to section 299C.04.

Sec. 30. Notwithstanding any provision of this act or chapter 43 to the contrary, the commissioner shall establish, effective from July 6, 1977 to July 3, 1979, a one percent differential rounded to the nearest dollar for the classes crime laboratory analyst 1, crime laboratory analyst 2, crime laboratory analyst 3, and identification officer and a five percent differential rounded to the nearest dollar for employees assigned to the class chemist and employed in the bureau of criminal apprehension, department of public safety.

Sec. 31. Minnesota Statutes 1976, Section 179.74, Subdivision 5, is amended to read:

Subd. 5. The commissioner of personnel is authorized to and may enter into agreements. The provisions of said agreements which establish wages and economic fringe benefits shall be submitted to the legislature to be accepted, rejected or modified. A state employee whose exclusive representative, as defined by section 179.63, subdivision 6, has not executed an agreement with the state covering wages and economic fringe benefits on or before May 15 of each odd numbered year shall not receive the wage and economic fringe benefit increases provided pursuant to an agreement executed under this subdivision.

Changes or additions indicated by underline deletions by strikeout

Sec. 32. Minnesota Statutes 1976, Section 299D.03, Subdivision 2, is amended to read:

Subd. 2. SALARIES. (1) Each employee other than the chief supervisor, lieutenant colonel, majors, captains, corporals and sergeants hereinafter designated shall be known as patrol officers troopers.

(2) There may be appointed one lieutenant colonel; and such majors, captains, sergeants, corporals, and officers troopers as the commissioner deems necessary to carry out the duties and functions of the highway patrol. Persons in above named positions shall be appointed by law and have such duties as the commissioner may direct and, except for officers troopers, shall be selected from the patrol officers troopers, corporals, sergeants, captains, and majors who shall have had at least five years' experience as either patrol officers troopers, corporals, sergeants, or supervisors.

(3) Commencing July 9 6, ~~1975~~ 1977, the salaries for all members of the highway patrol, except for the chief supervisor shall be as shown in the following table:

		<u>TIME IN RANK</u>					
		<u>TOTAL YEARS OF SERVICE</u>					
	Base Salary	6 Months	1 Year	2 Years	3 Years		
Trooper	\$ 924	958	997	1037	1079		
	<u>\$1075</u>	<u>1117</u>	<u>1163</u>	<u>1209</u>	<u>1257</u>		
	4 thru 6 Years	7 thru 11 Years	12 thru 20 Years	After 20 Years			
Trooper	\$1123	1168		1215	1264		
	<u>\$1308</u>	<u>1359</u>		<u>1413</u>	<u>1470</u>		
		5 thru 11 Years	12 thru 20 Years	After 20 Years			
Trooper I			1168	1215	1264		
			<u>1359</u>	<u>1413</u>	<u>1470</u>		
		10 thru 20 Years	After 20 Years				
Corporal			1215	1264			
			<u>1413</u>	<u>1470</u>			
Staff Sergeant		Years					
	7	8	9	10	11 12 thru 20	after 20	
	\$1240	1265	1291	1317	1345	1372	
	<u>\$1442</u>	<u>1471</u>	<u>1500</u>	<u>1531</u>	<u>1561</u>	<u>1590</u>	
					After 12 Years	After 20 Years	
		1 Year	2 Years	total Service	total Service		
	<u>Salary</u>						

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Captain	\$1500	<u>1550</u>	<u>1600</u>	<u>1650</u>	<u>1700</u>
	<u>\$1720</u>	<u>1778</u>	<u>1835</u>	<u>1892</u>	<u>1945</u>
Major	1725	1775		1825	1875
	<u>\$1979</u>	<u>2035</u>		<u>2093</u>	<u>2150</u>
Lt. Col.	1900	1950		2000	2050
	<u>\$2179</u>	<u>2236</u>		<u>2294</u>	<u>2350</u>

Commencing the first full payroll period after July 1, 1975, the salary rates for all highway patrol officers and sergeants shall be increased by \$15 per month in lieu of receiving any salary differential for working evening and night hours. Employees designated as station sergeants shall receive an additional ~~two~~ three percent above the current rate rounded to the nearest dollar for the duration of the appointment. Employees permanently assigned exclusively to Twin City metropolitan freeway duty shall be designated freeway troopers and shall be compensated \$25 per month above their current salary when so assigned. Salary increases in accordance with the above schedule shall become effective for the payroll period nearest the employee's anniversary date of employment.

In addition to the rates of pay provided above, all employees compensated according to the above salary table shall be paid a cost of living allowance to be determined and redetermined in the following manner:

The difference, if any, between For each full four-tenths point increase in the consumer price index for urban wage earners and clerical workers for Minneapolis-St. Paul, Minnesota (new series index 1967 100) as published for the months July January, 1975 1977, and April October, 1976 1977, by the Bureau of Labor Statistics of the United States Department of Labor shall be computed. For each full four-tenths point increase so computed, two-tenths of one percent rounded to the nearest dollar shall be added to the monthly rate all hourly rates of pay of each trooper, corporal, sergeant, captain, major, and lieutenant colonel. Such cost of living allowance shall be increased by one cent per hour. The increase, if any, in salaries generated by this formula shall become effective the first full payroll period after July 1, 1976 January 4, 1978, and shall continue in effect until the first full payroll period after January 1, 1977 July 5, 1978. A redetermination of the cost of living allowance shall be made in October, 1976, and will involve computation of the difference, if any, between the aforementioned index as published for the base month of July, 1975, and the month of October, 1976 for April, 1978. For each full four-tenths point increase so computed two-tenths of one percent rounded to the nearest dollar shall be added to the monthly rate of pay of each trooper, corporal, sergeant, captain, major and lieutenant colonel as a cost of living allowance. Such cost of living allowance shall become effective the payroll closest to January 1, 1977 in the consumer price index for urban wage earners and clerical workers for Minneapolis-St. Paul, (new series index 1967 100) as published for the months of January, 1977, and April, 1978, by the Bureau of Labor Statistics, all hourly rates of pay shall be increased by one cent per hour. The increase, if any, in salaries generated by this redetermination shall be effective July 5, 1978. For the purpose of this clause, the term "hourly rate of pay" means the monthly salary of a rank set forth herein divided by 174.

During periods when such cost of living allowance is in effect, it shall be added to

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the applicable monthly rates of pay for highway patrol trooper, corporal, sergeant, captain, major and lieutenant colonel, and treated as a part thereof in all calculations involving employees' pay. Cost of living adjustments are not cumulative and allowances paid under an earlier determination shall cease when a redetermination takes effect.

The ~~commissioner of administration~~ may direct the commissioner of finance to shall transfer to the department of public safety the necessary amount to finance the increased cost of the cost of living provisions of this clause. This amount is appropriated from the trunk highway fund to the department of public safety for this purpose.

(4) Upon promotion, the person will be paid at the base salary rate of pay in effect for that rank, and shall subsequently be eligible for the time in rank increases calculated from the effective date of promotion.

(5) Any time in rank increases in salary provided for in the tables in clause (3), shall be effective for the payroll period nearest the employee's anniversary date of employment.

The salary rates for all highway patrol ~~officers~~ troopers, corporals and sergeants as cited in clause (3) shall be deemed to include reimbursement for shift differential, meal and business expenses incurred by highway patrol ~~officers~~ troopers, corporals and sergeants in the performance of their assigned duties in their patrol areas; business expenses include, but are not limited to: uniform costs, home garaging of squad cars and maintenance of home office.

Sec. 33. Minnesota Statutes 1976, Section 299D.03, Subdivision 3, is amended to read:

Subd. 3. **AIR PATROL; SALARY ADJUSTMENT.** The commissioner of public safety ~~may~~ shall increase the salary of any member of the Minnesota highway patrol in an amount not to exceed ~~\$215~~ \$140 per month for operation of fixed wing aircraft and ~~\$290~~ \$175 per month for operation of helicopter during the period in which such member of the patrol is assigned air patrol duty. The commissioner of public safety may appoint, from among the members of the patrol assigned to air patrol duty, a chief pilot who ~~may~~ shall receive ~~\$50~~ \$125 per month in addition to the air patrol duty salary differential permitted by this subdivision, during the period of his assignment as chief pilot.

Sec. 34. Minnesota Statutes 1976, Section 422A.09, is amended by adding a subdivision to read:

Subd. 4. The exempt class shall also consist of persons filling the positions of Minneapolis city coordinator and assistant city coordinator, provided that any such person shall, upon written application to the retirement board, be entitled to become a member of the contributing class of the fund, and after becoming a contributor to the fund be entitled to all benefits conferred upon employees of the contributing class. If a person filling the position of city coordinator or assistant city coordinator does not elect to become a member of the contributing class, the city of Minneapolis may pay to such person, in addition to the salary allowed under any limitations imposed upon salaries by

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any law, an amount equal to what would be the employer's contribution for normal costs to the retirement fund if the employee was a member of the contributing class, provided that such employee agrees that the additional salary shall be deposited by the city in a deferred compensation program.

Sec. 35. **[482.18] REVISOR'S INSTRUCTIONS.** In respect to a collectively bargained contract with the state covering a period beginning on and after July 1, 1979, the revisor of statutes shall provide the chairpersons of the main policy committee in each body of the legislature charged with the responsibility of legislative oversight of state employee contract provisions and the legislative reference library with a copy of the contract showing additions and deletions from contract language in effect for the immediately preceding contract period. Where appropriate, the revisor shall consolidate provisions which are identical from contracts of two or more bargaining units.

Sec. 36. **REPEALER.** Minnesota Statutes 1976, Sections 43.09, Subdivision 7; 43.12, Subdivisions 4 and 9; and 299D.03, Subdivision 3a, are repealed.

Sec. 37. **EFFECTIVE DATE.** Sections 2, 3 and 34 are effective July 1, 1977. Section 4 is effective the day following final enactment. The remaining sections are effective the first day of the first payroll period commencing on or after July 1, 1977.

Approved June 8, 1977.

CHAPTER 453—S.F.No.1416

An act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes, including appropriations for the departments of public welfare, vocational rehabilitation, corrections, corrections ombudsman, health, health related boards, and public assistance programs; amending Minnesota Statutes 1976, Section 144A.61, Subdivision 6; and repealing Minnesota Statutes 1976, Section 261.233.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **STATE GOVERNMENT; WELFARE, CORRECTIONS, HEALTH; APPROPRIATIONS.** The sums set forth in the columns designated "APPROPRIATIONS" are appropriated from the general fund, or any other fund designated, to the agencies and for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1977", "1978", and "1979", wherever used in this act, mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1977, June 30, 1978, or June 30, 1979, respectively.

APPROPRIATIONS	
Available for the Year	
Ending June 30,	
1978	1979

Changes or additions indicated by underline deletions by ~~strikeout~~