

State Elected Officials' Compensation

Salaries for the governor, lieutenant governor, attorney general, state auditor, secretary of state, judges, and legislators are established by state law and by the legislature, depending on the position.

Salaries for constitutional officers

As required by the Minnesota Constitution, salaries for constitutional officers are prescribed by law. Art. V, § 4. Current annual salaries are as follows:

| Officer | Salary | % of Governor's Salary |
|---------------------|-----------|------------------------|
| Governor | \$120,303 | --- |
| Attorney General | \$114,288 | 95% |
| State Auditor | \$102,258 | 85% |
| Secretary of State | \$90,227 | 75% |
| Lieutenant Governor | \$78,197 | 65% |

The most recent salary increases were in January 2003, when a law took effect establishing salaries for constitutional officers as a percentage of the governor's salary. [Laws 2001, 1st spec. sess., ch. 10](#), art. 1, § 2. The most recent salary increase for the governor was 2.5 percent in January 1998.

The governor can veto legislation establishing compensation for constitutional officers because, according to the constitution, the compensation is set "by law."

Salaries for judges

The Minnesota Constitution stipulates that the legislature should establish compensation for judges and that judges' salaries cannot be reduced while they are in office. [Art. VI, § 5](#). The most recent salary increases for judges were 3 percent, and took effect in July 2008 as required under a 2007 law. [Laws 2007, ch. 54](#), art. 1, § 3. Annual salaries for various judges are as follows:

| Official | Salary |
|---------------------------|-----------|
| Supreme Court, chief | \$160,579 |
| Supreme Court, justice | \$145,981 |
| Court of Appeals, chief | \$144,429 |
| Court of Appeals, justice | \$137,552 |
| District Court, chief | \$135,580 |
| District Court, judge | \$129,124 |

The constitutional provisions governing judges have been interpreted to mean that the governor may not veto provisions setting judges' compensation because their compensation is prescribed "by the legislature." *Gardner v. Holm*, 241 Minn. 125, 62 N.W. 2d 52 (1954).

Salaries for legislators

The Minnesota Constitution provides that legislators' compensation is set by law. The annual salary for representatives and senators is \$31,140. The House and the Senate each can designate three leadership positions to receive up to 140 percent of

the compensation of other members of the legislature (this is an additional \$12,456 per year).

The most recent salary increase for legislators was 5 percent in January 1999. The constitution also says that “no increase of compensation shall take effect during the period for which the members of the existing House of Representatives may have been elected.” [Art. IV, § 9](#). Because the constitution says that legislators’ salaries are set “by law,” the governor can veto legislation setting legislators’ compensation.

The compensation council’s role in establishing salaries

The legislature has established a 16-member compensation council to assist it in establishing the compensation of constitutional officers, judges, and legislators. [Minn. Stat. § 15A.082](#). A new compensation council is created in the fall of each even-numbered year; the new council must make its recommendations to the legislature by May 1 of the odd-numbered year.

By law, the council’s recommendations take effect if an appropriation to pay the recommended salaries is enacted after the recommendations are submitted and before their effective date. As a practical matter, when the legislature has increased salaries, it generally has done so either by expressly adopting or modifying compensation council recommendations or by establishing percentages in law without reference to compensation council recommendations.

Insurance benefits and pension plans

Constitutional officers, legislators, and judges all are members of the state employee group insurance plan and receive the same insurance benefits as state employees.

Most legislators (all who were first elected after July 1, 1997, and some elected before then) and all constitutional officers are members of a defined contribution pension plan. Under this plan, the member contributes 5 percent of his or her salary and the state contributes 6 percent. This money is invested, and upon leaving state service, the elected official is eligible to receive whatever money is in the account.

Judges belong to a defined benefit pension plan, in which the benefit is determined by multiplying years of service times a service-credit percentage and applying this percentage to the judge’s average high-five years of salary.

For more information: Contact legislative analyst Mark Shepard at 651-296-5051. For historical information on elected officials’ salaries, see the Legislative Coordinating Commission’s website: www.commissions.leg.state.mn.us/lcer/officialssalaries.htm.

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