

MICHELLE L. FISCHBACH

President of the Senate
Senate District 13
2113 Minnesota Senate Building
95 University Ave. West
St. Paul, MN 55155-1606



Senate

State of Minnesota

January 3, 2018

Amanda Simpson
Director of Operations
Office of Governor Mark Dayton
130 State Capitol
Saint Paul, Minnesota 55155

Dear Ms. Simpson,

I do not intend to accept the salary prescribed for the lieutenant governor. Accordingly, please do not issue any form of payment of the salary to me.

The Minnesota Constitution, article V, sec. 5, provides for the salary of the lieutenant governor to be "prescribed by law." The salary for the lieutenant governor was "set" in Laws 2001, chapter 10, art. 1, sec. 2, subd. 4, at 65% of the governor's salary. Ms. Anderson assumes that "prescribed by law" and "set" mean "required to accept payment." I do not see any authority for that assumption in her email. As I noted in my inquiry, another reasonable interpretation is that the prescribed or set amount is required to be offered to the individual who has assumed the office. The legal obligation for the state to offer the salary does not create a requirement that I accept it.

To ensure that we record our understanding of this matter properly, I am willing to sign a document acknowledging that the prescribed salary has been made available to me, and that I have declined to accept it. I will provide you with a draft of this acknowledgment if necessary.

Thank you,

A handwritten signature in cursive script that reads "Michelle Fischbach".

Michelle Fischbach
State Senator

Cc: The Honorable Mark Dayton, Governor of Minnesota
Kristyn Anderson, Minnesota Management and Budget
Joanna Dornfeld, Chief of Staff, Office of Governor Mark Dayton

Attachment.

