

1                                   **LEGISLATIVE COMPENSATION COMMISSION**

2   **AMENDMENTS**

3   1999 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: Raymond W. Short**

6 Melvin R. Brown

Brent H. Goodfellow

Patrice M. Arent

7 Evan L. Olsen

8 AN ACT RELATING TO THE LEGISLATURE; CHANGING THE METHOD BY WHICH THE  
9 LEGISLATURE ACCEPTS, REJECTS, OR LOWERS THE SALARY RECOMMENDATION  
10 OF THE LEGISLATIVE COMPENSATION COMMISSION; AND AMENDING THE TIMING,  
11 CONTENT, AND DISTRIBUTION OF THE COMMISSION'S REPORT.

12 This act affects sections of Utah Code Annotated 1953 as follows:

13 AMENDS:

14                   **36-2-2**, as last amended by Chapter 95, Laws of Utah 1996

15                   **36-2-3**, as last amended by Chapter 20, Laws of Utah 1995

16                   **36-2-5**, as enacted by Chapter 3, Laws of Utah 1982, Third Special Session

17 *Be it enacted by the Legislature of the state of Utah:*

18                   Section 1. Section **36-2-2** is amended to read:

19                   **36-2-2. Salaries and expenses of members -- Compensation of in-session employees.**

20                   (1) (a) (i) The [~~compensation~~] salary of members of the Legislature is \$100 per day for  
21 each calendar day for annual general sessions through the year 2000.

22                   (ii) Unless rejected or lowered as provided in Section 36-2-3, the salary of members of the  
23 Legislature beginning in the year 2001 and each odd-numbered year thereafter shall be at the  
24 amount recommended by the Legislative Compensation Commission in its report issued in the  
25 previous even-numbered year.

26                   (b) (i) Members of the Legislature shall also receive \$100 per day for each day the  
27 legislator attends veto-override and special sessions and other authorized legislative meetings

28 through the year 2000.

29 (ii) Unless rejected or lowered as provided in Section 36-2-3, the salary of members of the  
30 Legislature for attendance at a veto-override, special session, and other authorized legislative  
31 meetings beginning in the year 2001 and each odd-numbered year thereafter shall be at the amount  
32 recommended by the Legislative Compensation Commission in its report issued in the previous  
33 even-numbered year.

34 (2) (a) (i) The president of the Senate and the speaker of the House of Representatives shall  
35 receive an additional \$1,000 per year through the year 2000.

36 (ii) Unless rejected or lowered as provided in Section 36-2-3, the salary of the president  
37 of the Senate and the speaker of the House of Representative beginning in the year 2001 and each  
38 odd-numbered year thereafter shall be at the amount recommended by the Legislative  
39 Compensation Commission in its report issued in the previous even-numbered year.

40 (b) (i) The majority and minority leaders of each house shall receive an additional \$500  
41 per year through the year 2000.

42 (ii) The salary of the majority and minority h [leaders] LEADERSHIP h of each house  
42a beginning in the year  
43 2001 and each odd-numbered year thereafter shall be at the amount recommended by the  
44 Legislative Compensation Commission in its report issued in the previous even-numbered year.

45 (3) (a) The Legislature shall establish, by joint rule of the Legislature, the expenses of its  
46 members.

- 47 (b) Rules governing expenses shall be based upon:  
48 (i) payment of necessary expenses for attendance during legislative sessions;  
49 (ii) a mileage allowance; and  
50 (iii) reimbursement for other expenses involved in the performance of legislative duties.

51 (4) (a) The compensation of in-session employees of the Legislature shall be fixed by joint  
52 resolution at each session of the Legislature.

53 (b) For necessary work done by the employees of the Legislature after the adjournment of  
54 the session, the labor and services rendered shall be approved and attested by the presiding officer  
55 of the house employing that work.

56 Section 2. Section 36-2-3 is amended to read:

57 **36-2-3. Salaries of members set by Legislature based on recommendations of**  
58 **Legislative Compensation Commission.**

59 ~~[The salary]~~ (1) ~~h~~ (a) ~~h~~ Except as provided in Subsection (2), the salaries of members of  
 59a the  
 60 Legislature shall automatically be set beginning January 1st of each odd-numbered year at [an  
 61 annual general session based upon recommendations of] the amount recommended by the  
 62 Legislative Compensation Commission in the preceding even-numbered year.

62a ~~h~~ (b) **THIS SALARY RECOMMENDATION SHALL BE BASED ON EITHER:**

62b **(i) A DAILY BASIS:**

62c **(A) FOR EACH CALENDAR DAY FOR ANNUAL GENERAL SESSIONS; AND**

62d **(B) FOR EACH DAY A LEGISLATOR ATTENDS VETO-OVERRIDE AND SPECIAL SESSIONS**

62e **AND OTHER AUTHORIZED LEGISLATIVE MEETINGS; OR**

62f **(ii) AN ANNUALIZED SALARY.** ~~h~~

63 (2) (a) The Legislature during the even-numbered annual general session in the year just  
 64 preceding the effective date of any salary change may [accept,] reject, or lower the salary  
 65 recommendation, but may not increase the salary recommendation.

66 (b) If the Legislature does not act as provided in Subsection (2)(a), they have by law  
 67 accepted the Legislative Compensation Commission's recommendations.

68 Section 3. Section **36-2-5** is amended to read:

69 **36-2-5. Duties of Legislative Compensation Commission.**

70 ~~[It is the duty of the]~~ The Legislative Compensation Commission has the following duties:

71 (1) ~~[To]~~ It shall study and formulate recommendations concerning the salary levels for  
 72 Utah state legislators. ~~[Such]~~ The study should be based upon maintaining a citizen Legislature  
 73 in Utah, but compensating members fairly for their service in order that all individuals would have  
 74 an opportunity to serve. Comparisons with salaries of other similar state legislators and other such  
 75 factors should be considered in developing the recommendations. This study does not include a  
 76 review of the appropriate expense level of legislators.

77 (2) ~~[To]~~ The commission shall submit to ~~[the]~~ each member of the Legislature, ~~[during a~~  
 78 ~~general session]~~ by January 2nd of each even-numbered year, recommendations concerning  
 79 changes, if any, which should be made in the salary plan and its administration for state legislators.  
 80 This recommendation shall include a recitation of the provisions of Section 36-2-3.

## Legislative Review Note

as of 1-27-99 10:41 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**H.B. 113**

**01-28-99 12:58 PM**

**Office of Legislative Research and General Counsel**