

Senator Mark B. Madsen proposes the following substitute bill:

COMPENSATION OF LIEUTENANT GOVERNOR

AND OTHER STATE OFFICERS

2005 GENERAL SESSION

STATE OF UTAH

Sponsor: Mark B. Madsen

LONG TITLE

General Description:

This bill increases the salary of the lieutenant governor and increases the salary ranges for several state department heads.

Highlighted Provisions:

This bill:

- ▶ increases the lieutenant governor's salary so that it equals 95% of the governor's salary;
- ▶ provides that the Commissioner of Agriculture and Food receive a vehicle for official and personal use;
- ▶ provides an alternative salary range when the Executive Director of the Department of Health is a licensed physician;
- ▶ provides legislative intent; and
- ▶ increases salary ranges for:
 - the Commissioner of Agriculture and Food;
 - the Commissioner of Insurance;
 - the Commissioner of the Department of Financial Institutions;
 - the Executive Director of the Department of Commerce;
 - the Executive Director of the Department of Community and Economic



26 Development;

- 27 • the Executive Director of the Department of Corrections;
- 28 • the Commissioner of the Department of Public Safety;
- 29 • the Executive Director of the Department of Natural Resources;
- 30 • the Director of the Governor's Office of Planning and Budget;
- 31 • the Executive Director of the Department of Administrative Services; and
- 32 • the Executive Director of the Department of Environmental Quality.

33 **Monies Appropriated in this Bill:**

34 None

35 **Other Special Clauses:**

36 This bill provides retrospective operation to January 3, 2005.

37 **Utah Code Sections Affected:**

38 AMENDS:

39 **67-22-1**, as last amended by Chapter 306, Laws of Utah 2004

40 **67-22-2**, as last amended by Chapters 156 and 306, Laws of Utah 2004

41 **Uncodified Material Affected:**

42 ENACTS UNCODIFIED MATERIAL



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

45 Section 1. Section **67-22-1** is amended to read:

46 **67-22-1. Compensation -- Constitutional offices.**

47 (1) The Legislature fixes salaries for the constitutional offices as follows:

- 48 (a) Governor \$101,600;
- 49 (b) Lieutenant Governor [~~\$79,000~~] 95% of the governor's salary;
- 50 (c) Attorney General \$85,400;
- 51 (d) State Auditor \$81,500; and
- 52 (e) State Treasurer \$79,000.

53 (2) The Legislature fixes benefits for the constitutional offices as follows:

- 54 (a) Governor:
 - 55 (i) a vehicle for official and personal use;
 - 56 (ii) housing;

- 57 (iii) household and security staff;
- 58 (iv) household expenses;
- 59 (v) retirement benefits as provided in Title 49;
- 60 (vi) health insurance;
- 61 (vii) dental insurance;
- 62 (viii) basic life insurance;
- 63 (ix) workers' compensation;
- 64 (x) required employer contribution to Social Security;
- 65 (xi) long-term disability income insurance; and
- 66 (xii) the same additional state paid life insurance available to other noncareer service

67 employees.

- 68 (b) Lieutenant governor, attorney general, state auditor, and state treasurer:

- 69 (i) a vehicle for official and personal use;

- 70 (ii) the option of participating in a state retirement system established by Title 49,

71 Chapter 12, Public Employees' Contributory Retirement Act, or Chapter 13, Public Employees'

72 Noncontributory Retirement Act, or in a deferred compensation plan administered by the State

73 Retirement Office, in accordance with the Internal Revenue Code and its accompanying rules

74 and regulations;

- 75 (iii) health insurance;

- 76 (iv) dental insurance;

- 77 (v) basic life insurance;

- 78 (vi) workers' compensation;

- 79 (vii) required employer contribution to Social Security;

- 80 (viii) long-term disability income insurance; and

- 81 (ix) the same additional state paid life insurance available to other noncareer service

82 employees.

- 83 (c) Each constitutional office shall pay the cost of the additional state-paid life

84 insurance for its constitutional officer from its existing budget.

85 Section 2. Section **67-22-2** is amended to read:

86 **67-22-2. Compensation -- Other state officers.**

87 (1) (a) The governor shall establish salaries for the following state officers within the

88 following salary ranges fixed by the Legislature:

89 State Officer	Salary Range
90 [Commissioner of Agriculture and Food]	[\$65,200 - \$88,400]
91 [Commissioner of Insurance]	[\$65,200 - \$88,400]
92 Commissioner of the Labor Commission	\$65,200 - \$88,400
93 Director, Alcoholic Beverage Control	
94 Commission	\$65,200 - \$88,400
95 [Commissioner, Department of]	
96 [Financial Institutions]	[\$65,200 - \$88,400]
97 Members, Board of Pardons and Parole	\$65,200 - \$88,400
98 [Executive Director, Department]	
99 [of Commerce]	[\$65,200 - \$88,400]
100 Executive Director, Commission on	
101 Criminal and Juvenile Justice	\$65,200 - \$88,400
102 Adjutant General	\$65,200 - \$88,400
103 Chair, Tax Commission	\$70,600 - \$95,200
104 Commissioners, Tax Commission	\$70,600 - \$95,200
105 [Executive Director, Department of]	
106 [Community and Economic]	
107 [Development]	[\$70,600 - \$95,200]
108 Executive Director, Tax Commission	\$70,600 - \$95,200
109 Chair, Public Service Commission	\$70,600 - \$95,200
110 Commissioners, Public Service	
111 Commission	\$70,600 - \$95,200
112 [Executive Director, Department]	
113 [of Corrections]	[\$76,800 - \$103,600]
114 [Commissioner, Department of Public Safety]	[\$76,800 - \$103,600]
115 [Executive Director, Department of]	
116 [Natural Resources]	[\$76,800 - \$103,600]
117 [Director, Governor's Office of Planning]	
118 [and Budget]	[\$76,800 - \$103,600]

119	[Executive Director, Department of]	
120	[Administrative Services]	[\$76,800 - \$103,600]
121	Executive Director, Department of	
122	Human Resource Management	\$76,800 - \$103,600
123	[Executive Director, Department of]	
124	[Environmental Quality]	[\$76,800 - \$103,600]
125	Executive Director, Department of	
126	Workforce Services	\$83,600 - \$112,900
127	Executive Director, Department of	
128	Health, <u>Nonphysician</u>	\$83,600 - \$112,900
129	Executive Director, Department	
130	of Human Services	\$83,600 - \$112,900
131	Executive Director, Department	
132	of Transportation	\$83,600 - \$112,900
133	Chief Information Officer	\$83,600 - \$112,900
134	<u>Commissioner of Agriculture</u>	
135	<u>and Food</u>	<u>\$83,600 - \$112,900</u>
136	<u>Commissioner of Insurance</u>	<u>\$83,600 - \$112,900</u>
137	<u>Commissioner, Department of</u>	
138	<u>Financial Institutions</u>	<u>\$83,600 - \$112,900</u>
139	<u>Executive Director, Department</u>	
140	<u>of Commerce</u>	<u>\$83,600 - \$112,900</u>
141	<u>Executive Director, Department of</u>	
142	<u>Community and Economic</u>	
143	<u>Development</u>	<u>\$83,600 - \$112,900</u>
144	<u>Director, Department of Corrections</u>	<u>\$83,600 - \$112,900</u>
145	<u>Commissioner, Department of</u>	
146	<u>Public Safety</u>	<u>\$83,600 - \$112,900</u>
147	<u>Executive Director, Department of</u>	
148	<u>Natural Resources</u>	<u>\$83,600 - \$112,900</u>
149	<u>Director, Governor's Office of</u>	

150 Planning and Budget \$83,600 - \$112,900

151 Executive Director, Department of

152 Administrative Services \$83,600 - \$112,900

153 Executive Director, Department of

154 Environmental Quality \$83,600 - \$112,900

155 (b) If the executive director of the Department of Health is a licensed physician, the
156 governor shall establish a salary within the highest physician salary range established by the
157 Department of Human Resource Management.

158 (2) (a) The Legislature fixes benefits for the state offices outlined in Subsection (1) as
159 follows:

160 (i) the option of participating in a state retirement system established by Title 49, Utah
161 State Retirement and Insurance Benefit Act, or in a deferred compensation plan administered
162 by the State Retirement Office in accordance with the Internal Revenue Code and its
163 accompanying rules and regulations;

164 (ii) health insurance;

165 (iii) dental insurance;

166 (iv) basic life insurance;

167 (v) unemployment compensation;

168 (vi) workers' compensation;

169 (vii) required employer contribution to Social Security;

170 (viii) long-term disability income insurance;

171 (ix) the same additional state-paid life insurance available to other noncareer service
172 employees;

173 (x) the same severance pay available to other noncareer service employees;

174 (xi) the same sick leave, converted sick leave, educational allowances, and holidays
175 granted to Schedule B state employees, and the same annual leave granted to Schedule B state
176 employees with more than ten years of state service;

177 (xii) the option to convert accumulated sick leave to cash or insurance benefits as
178 provided by law or rule upon resignation or retirement according to the same criteria and
179 procedures applied to Schedule B state employees;

180 (xiii) the option to purchase additional life insurance at group insurance rates according

181 to the same criteria and procedures applied to Schedule B state employees; and
182 (xiv) professional memberships if being a member of the professional organization is a
183 requirement of the position.

184 (b) Each department shall pay the cost of additional state-paid life insurance for its
185 executive director from its existing budget.

186 (3) The Legislature fixes the following additional benefits:

187 (a) for the executive director of the State Tax Commission a vehicle for official and
188 personal use;

189 (b) for the executive director of the Department of Transportation a vehicle for official
190 and personal use;

191 (c) for the executive director of the Department of Natural Resources a vehicle for
192 commute and official use;

193 (d) for the Commissioner of Public Safety:

194 (i) an accidental death insurance policy if POST certified; and

195 (ii) a public safety vehicle for official and personal use;

196 (e) for the executive director of the Department of Corrections:

197 (i) an accidental death insurance policy if POST certified; and

198 (ii) a public safety vehicle for official and personal use;

199 (f) for the Adjutant General a vehicle for official and personal use; [~~and~~]

200 (g) for each member of the Board of Pardons and Parole a vehicle for commute and
201 official use[-]; and

202 (h) for the Commissioner of Agriculture and Food, a vehicle for official and personal
203 use.

204 (4) (a) The governor has the discretion to establish a specific salary for each office
205 listed in Subsection (1), and, within that discretion, may provide salary increases within the
206 range fixed by the Legislature.

207 (b) The governor shall apply the same overtime regulations applicable to other FLSA
208 exempt positions.

209 (c) The governor may develop standards and criteria for reviewing the performance of
210 the state officers listed in Subsection (1).

211 (5) Salaries for other Schedule A employees, as defined in Section 67-19-15, which are

212 not provided for in this chapter, or in Title 67, Chapter 8, Utah Executive and Judicial Salary
213 Act, shall be established as provided in Section 67-19-15.

214 Section 3. **Legislative intent.**

215 It is the intent of the Legislature that the vehicle provided to the Commissioner of
216 Agriculture and Food be funded from within the existing departmental budget.

217 Section 4. **Retrospective operation.**

218 This bill has retrospective operation to January 3, 2005.