

Senator Curtis S. Bramble proposes the following substitute bill:

EXECUTIVE COMPENSATION

2005 FIRST SPECIAL SESSION

STATE OF UTAH

Sponsor: Jeff Alexander

LONG TITLE

General Description:

This bill increases salaries and salary ranges for certain state officers and employees.

Highlighted Provisions:

This bill:

▶ increases salaries for the governor, lieutenant governor, attorney general, state auditor, and state treasurer;

▶ increases salary ranges for certain identified state officers;

▶ enhances 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 Culture;
- the Executive Director of the Department of Corrections;
- the Commissioner of the Department of Public Safety;
- the Executive Director of the Department of Natural Resources;
- the Director of the Governor's Office of Planning and Budget;
- the Executive Director of the Department of Administrative Services; and
- the Executive Director of the Department of Environmental Quality;



- 26 ▶ provides an alternative salary range when the Executive Director of the Department
- 27 of Health is a licensed physician; and
- 28 ▶ makes technical corrections.

29 **Monies Appropriated in this Bill:**

30 None

31 **Other Special Clauses:**

32 This bill provides an effective date.

33 **Utah Code Sections Affected:**

34 AMENDS:

35 **67-22-1 (Effective 05/02/05)**, as last amended by Chapter 276, Laws of Utah 2005

36 **67-22-2 (Superseded 07/01/06)**, as last amended by Chapters 148 and 169, Laws of
37 Utah 2005

38 **67-22-2 (Effective 07/01/06)**, as last amended by Chapters 148, 169 and 181, Laws of
39 Utah 2005



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

42 Section 1. Section **67-22-1 (Effective 05/02/05)** is amended to read:

43 **67-22-1 (Effective 05/02/05). Compensation -- Constitutional offices.**

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

| | |
|--|---|
| 45 (i) Governor | [\$101,600] <u>\$104,100</u> |
| 46 (ii) Lieutenant Governor | [\$79,000] <u>\$81,000</u> |
| 47 [(iii) Attorney General] | [\$85,400] |
| 48 [(iv)] (iii) State Auditor | [\$81,500] <u>\$83,500</u> |
| 49 [(v)] (iv) State Treasurer | [\$79,000] <u>\$81,000</u> |

50 (b) Beginning July 1, 2005, the annual salary of the attorney general shall be 95% of
51 the governor's salary.

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

- 53 (a) Governor:
- 54 (i) a vehicle for official and personal use;
- 55 (ii) housing;
- 56 (iii) household and security staff;

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

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

68 (i) a vehicle for official and personal use;

69 (ii) the option of participating in a state retirement system established by Title 49,
70 Chapter 12, Public Employees' Contributory Retirement Act, or Chapter 13, Public Employees'
71 Noncontributory Retirement Act, or in a deferred compensation plan administered by the State
72 Retirement Office, in accordance with the Internal Revenue Code and its accompanying rules
73 and regulations;

74 (iii) health insurance;

75 (iv) dental insurance;

76 (v) basic life insurance;

77 (vi) workers' compensation;

78 (vii) required employer contribution to Social Security;

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

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

82 (c) Each constitutional office shall pay the cost of the additional state-paid life
83 insurance for its constitutional officer from its existing budget.

84 Section 2. Section **67-22-2 (Superseded 07/01/06)** is amended to read:

85 **67-22-2 (Superseded 07/01/06). Compensation -- Other state officers.**

86 (1) (a) The governor shall establish salaries for the following state officers within the
87 following salary ranges fixed by the Legislature:

| 88 | State Officer | Salary Range |
|-----|---|---|
| 89 | [Commissioner of Agriculture and Food | [\$65,200 - \$88,400] |
| 90 | [Commissioner of Insurance | [\$65,200 - \$88,400] |
| 91 | Commissioner of the Labor Commission | [\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u> |
| 92 | Director, Alcoholic Beverage Control | |
| 93 | Commission | [\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u> |
| 94 | [Commissioner, Department of] | |
| 95 | [Financial Institutions | [\$65,200 - \$88,400] |
| 96 | Members, Board of Pardons and Parole | [\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u> |
| 97 | [Executive Director, Department] | |
| 98 | [of Commerce | [\$65,200 - \$88,400] |
| 99 | Executive Director, Commission on | |
| 100 | Criminal and Juvenile Justice | [\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u> |
| 101 | Adjutant General | [\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u> |
| 102 | Chair, Tax Commission | [\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u> |
| 103 | Commissioners, Tax Commission | [\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u> |
| 104 | [Executive Director, Department of] | |
| 105 | [Community and Culture | [\$70,600 - \$95,200] |
| 106 | Executive Director, Tax Commission | [\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u> |
| 107 | Chair, Public Service Commission | [\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u> |
| 108 | Commissioners, Public Service | |
| 109 | Commission | [\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u> |
| 110 | [Executive Director, Department] | |
| 111 | [of Corrections | [\$76,800 - \$103,600] |
| 112 | [Commissioner, Department of Public Safety | [\$76,800 - \$103,600] |
| 113 | [Executive Director, Department of] | |
| 114 | [Natural Resources | [\$76,800 - \$103,600] |
| 115 | [Director, Governor's Office of Planning] | |
| 116 | [and Budget | [\$76,800 - \$103,600] |
| 117 | [Executive Director, Department of] | |
| 118 | [Administrative Services | [\$76,800 - \$103,600] |

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| 119 | Executive Director, Department of | |
| 120 | Human Resource Management | [\$76,800 - \$103,600] <u>\$78,700 - \$106,200</u> |
| 121 | [Executive Director, Department of] | |
| 122 | [Environmental Quality | \$76,800 - \$103,600] |
| 123 | <u>Director, Governor's Office</u> | |
| 124 | <u>of Economic Development</u> | <u>\$78,700 - \$106,200</u> |
| 125 | Executive Director, Department of | |
| 126 | Workforce Services | [\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u> |
| 127 | Executive Director, Department of | |
| 128 | Health, Nonphysician | [\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u> |
| 129 | Executive Director, Department | |
| 130 | of Human Services | [\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u> |
| 131 | Executive Director, Department | |
| 132 | of Transportation | [\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u> |
| 133 | Executive Director, Department | |
| 134 | of Information Technology | |
| 135 | Services | [\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u> |
| 136 | [Director, Governor's Office] | |
| 137 | [of Economic Development] | [\$76,800 - \$103,600] |
| 138 | <u>Commissioner of Agriculture and Food</u> | <u>\$85,700 - \$115,700</u> |
| 139 | <u>Commissioner of Insurance</u> | <u>\$85,700 - \$115,700</u> |
| 140 | <u>Commissioner, Department</u> | |
| 141 | <u>of Financial Institutions</u> | <u>\$85,700 - \$115,700</u> |
| 142 | <u>Executive Director, Department</u> | |
| 143 | <u>of Commerce</u> | <u>\$85,700 - \$115,700</u> |
| 144 | <u>Executive Director, Department</u> | |
| 145 | <u>of Community and Culture</u> | <u>\$85,700 - \$115,700</u> |
| 146 | <u>Executive Director, Department</u> | |
| 147 | <u>of Corrections</u> | <u>\$85,700 - \$115,700</u> |
| 148 | <u>Commissioner, Department</u> | |
| 149 | <u>of Public Safety</u> | <u>\$85,700 - \$115,700</u> |

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| 150 | <u>Executive Director, Department</u> | |
| 151 | <u>of Natural Resources</u> | <u>\$85,700 - \$115,700</u> |
| 152 | <u>Director, Governor's Office</u> | |
| 153 | <u>of Planning and Budget</u> | <u>\$85,700 - \$115,700</u> |
| 154 | <u>Executive Director, Department</u> | |
| 155 | <u>of Administrative Services</u> | <u>\$85,700 - \$115,700</u> |
| 156 | <u>Executive Director, Department</u> | |
| 157 | <u>of Environmental Quality</u> | <u>\$85,700 - \$115,700</u> |

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

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

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

167 (ii) health insurance;

168 (iii) dental insurance;

169 (iv) basic life insurance;

170 (v) unemployment compensation;

171 (vi) workers' compensation;

172 (vii) required employer contribution to Social Security;

173 (viii) long-term disability income insurance;

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

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

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

180 (xii) the option to convert accumulated sick leave to cash or insurance benefits as

181 provided by law or rule upon resignation or retirement according to the same criteria and
182 procedures applied to Schedule B state employees;

183 (xiii) the option to purchase additional life insurance at group insurance rates according
184 to the same criteria and procedures applied to Schedule B state employees; and

185 (xiv) professional memberships if being a member of the professional organization is a
186 requirement of the position.

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

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

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

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

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

196 (d) for the Commissioner of Public Safety:

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

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

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

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

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

202 (f) for the Adjutant General a vehicle for official and personal use; and

203 (g) for each member of the Board of Pardons and Parole a vehicle for commute and
204 official use.

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

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

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

212 (5) Salaries for other Schedule A employees, as defined in Section 67-19-15, which are
 213 not provided for in this chapter, or in Title 67, Chapter 8, Utah Executive and Judicial Salary
 214 Act, shall be established as provided in Section 67-19-15.

215 Section 3. Section **67-22-2 (Effective 07/01/06)** is amended to read:

216 **67-22-2 (Effective 07/01/06). Compensation -- Other state officers.**

217 (1) (a) The governor shall establish salaries for the following state officers within the
 218 following salary ranges fixed by the Legislature:

| 219 State Officer | Salary Range |
|---|---|
| 220 [Commissioner of Agriculture and Food | \$65,200 - \$88,400] |
| 221 [Commissioner of Insurance | \$65,200 - \$88,400] |
| 222 Commissioner of the Labor Commission | [\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u> |
| 223 Director, Alcoholic Beverage Control | |
| 224 Commission | [\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u> |
| 225 [Commissioner, Department of] | |
| 226 [Financial Institutions | \$65,200 - \$88,400] |
| 227 Members, Board of Pardons and Parole | [\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u> |
| 228 [Executive Director, Department] | |
| 229 [of Commerce | \$65,200 - \$88,400] |
| 230 Executive Director, Commission on | |
| 231 Criminal and Juvenile Justice | [\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u> |
| 232 Adjutant General | [\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u> |
| 233 Chair, Tax Commission | [\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u> |
| 234 Commissioners, Tax Commission | [\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u> |
| 235 [Executive Director, Department of] | |
| 236 [Community and Culture | \$70,600 - \$95,200] |
| 237 Executive Director, Tax Commission | [\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u> |
| 238 Chair, Public Service Commission | [\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u> |
| 239 Commissioners, Public Service | |
| 240 Commission | [\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u> |
| 241 [Executive Director, Department] | |
| 242 [of Corrections | \$76,800 - \$103,600] |

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| 243 | [Commissioner, Department of Public Safety | ————— | \$76,800 - \$103,600] |
| 244 | [Executive Director, Department of] | | |
| 245 | [Natural Resources | ————— | \$76,800 - \$103,600] |
| 246 | [Director, Governor's Office of Planning] | | |
| 247 | [and Budget | ————— | \$76,800 - \$103,600] |
| 248 | [Executive Director, Department of] | | |
| 249 | [Administrative Services | ————— | \$76,800 - \$103,600] |
| 250 | [Executive Director, Department of] | | |
| 251 | [Environmental Quality | ————— | \$76,800 - \$103,600] |
| 252 | <u>Director, Governor's Office</u> | | |
| 253 | <u>of Economic Development</u> | | <u>\$78,700 - \$106,200</u> |
| 254 | Executive Director, Department of | | |
| 255 | Workforce Services | [\$83,600 - \$112,900] | <u>\$85,700 - \$115,700</u> |
| 256 | Executive Director, Department of | | |
| 257 | Health, <u>Nonphysician</u> | [\$83,600 - \$112,900] | <u>\$85,700 - \$115,700</u> |
| 258 | Executive Director, Department | | |
| 259 | of Human Services | [\$83,600 - \$112,900] | <u>\$85,700 - \$115,700</u> |
| 260 | Executive Director, Department | | |
| 261 | of Transportation | [\$83,600 - \$112,900] | <u>\$85,700 - \$115,700</u> |
| 262 | Executive Director, Department | | |
| 263 | of Information Technology | | |
| 264 | Services | [\$83,600 - \$112,900] | <u>\$85,700 - \$115,700</u> |
| 265 | [Director, Governor's Office] | | |
| 266 | [of Economic Development] | | [\$76,800 - \$103,600] |
| 267 | <u>Commissioner of Agriculture and Food</u> | | <u>\$85,700 - \$115,700</u> |
| 268 | <u>Commissioner of Insurance</u> | | <u>\$85,700 - \$115,700</u> |
| 269 | <u>Commissioner, Department</u> | | |
| 270 | <u>of Financial Institutions</u> | | <u>\$85,700 - \$115,700</u> |
| 271 | <u>Executive Director, Department</u> | | |
| 272 | <u>of Commerce</u> | | <u>\$85,700 - \$115,700</u> |
| 273 | <u>Executive Director, Department</u> | | |

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| 274 | <u>of Community and Culture</u> | <u>\$85,700 - \$115,700</u> |
| 275 | <u>Executive Director, Department</u> | |
| 276 | <u>of Corrections</u> | <u>\$85,700 - \$115,700</u> |
| 277 | <u>Commissioner, Department</u> | |
| 278 | <u>of Public Safety</u> | <u>\$85,700 - \$115,700</u> |
| 279 | <u>Executive Director, Department</u> | |
| 280 | <u>of Natural Resources</u> | <u>\$85,700 - \$115,700</u> |
| 281 | <u>Director, Governor's Office</u> | |
| 282 | <u>of Planning and Budget</u> | <u>\$85,700 - \$115,700</u> |
| 283 | <u>Executive Director, Department</u> | |
| 284 | <u>of Administrative Services</u> | <u>\$85,700 - \$115,700</u> |
| 285 | <u>Executive Director, Department</u> | |
| 286 | <u>of Environmental Quality</u> | <u>\$85,700 - \$115,700</u> |

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

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

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

296 (ii) health insurance;

297 (iii) dental insurance;

298 (iv) basic life insurance;

299 (v) unemployment compensation;

300 (vi) workers' compensation;

301 (vii) required employer contribution to Social Security;

302 (viii) long-term disability income insurance;

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

- 305 (x) the same severance pay available to other noncareer service employees;
- 306 (xi) the same sick leave, converted sick leave, educational allowances, and holidays
- 307 granted to Schedule B state employees, and the same annual leave granted to Schedule B state
- 308 employees with more than ten years of state service;
- 309 (xii) the option to convert accumulated sick leave to cash or insurance benefits as
- 310 provided by law or rule upon resignation or retirement according to the same criteria and
- 311 procedures applied to Schedule B state employees;
- 312 (xiii) the option to purchase additional life insurance at group insurance rates according
- 313 to the same criteria and procedures applied to Schedule B state employees; and
- 314 (xiv) professional memberships if being a member of the professional organization is a
- 315 requirement of the position.
- 316 (b) Each department shall pay the cost of additional state-paid life insurance for its
- 317 executive director from its existing budget.
- 318 (3) The Legislature fixes the following additional benefits:
- 319 (a) for the executive director of the State Tax Commission a vehicle for official and
- 320 personal use;
- 321 (b) for the executive director of the Department of Transportation a vehicle for official
- 322 and personal use;
- 323 (c) for the executive director of the Department of Natural Resources a vehicle for
- 324 commute and official use;
- 325 (d) for the Commissioner of Public Safety:
- 326 (i) an accidental death insurance policy if POST certified; and
- 327 (ii) a public safety vehicle for official and personal use;
- 328 (e) for the executive director of the Department of Corrections:
- 329 (i) an accidental death insurance policy if POST certified; and
- 330 (ii) a public safety vehicle for official and personal use;
- 331 (f) for the Adjutant General a vehicle for official and personal use; and
- 332 (g) for each member of the Board of Pardons and Parole a vehicle for commute and
- 333 official use.
- 334 (4) (a) The governor has the discretion to establish a specific salary for each office
- 335 listed in Subsection (1), and, within that discretion, may provide salary increases within the

336 range fixed by the Legislature.

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

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

341 (5) Salaries for other Schedule A employees, as defined in Section 67-19-15, which are
342 not provided for in this chapter, or in Title 67, Chapter 8, Utah Executive and Judicial Salary
343 Act, shall be established as provided in Section 67-19-15.

344 Section 4. **Effective date.**

345 This bill takes effect on July 2, 2005, except that the amendments to Section 67-22-2
346 (Effective 07/01/06) take effect on July 1, 2006.