

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; and
- ▶ makes technical corrections.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill provides an effective date.

Utah Code Sections Affected:

AMENDS:

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

67-22-2 (Superseded 07/01/06), as last amended by Chapters 148 and 169, Laws of Utah 2005

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

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



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

29 **67-22-1 (Effective 05/02/05). Compensation -- Constitutional offices.**

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

31 (i) Governor [\$101,600] \$104,100

32 (ii) Lieutenant Governor [\$79,000] \$81,000

33 [~~iii~~] ~~Attorney General~~ [\$85,400]

34 [~~iv~~] (iii) State Auditor [\$81,500] \$83,500

35 [~~v~~] (iv) State Treasurer [\$79,000] \$81,000

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

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

39 (a) Governor:

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

41 (ii) housing;

42 (iii) household and security staff;

43 (iv) household expenses;

44 (v) retirement benefits as provided in Title 49;

45 (vi) health insurance;

46 (vii) dental insurance;

47 (viii) basic life insurance;

48 (ix) workers' compensation;

49 (x) required employer contribution to Social Security;

50 (xi) long-term disability income insurance; and

51 (xii) the same additional state paid life insurance available to other noncareer service
52 employees.

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

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

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

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

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

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

59 and regulations;
 60 (iii) health insurance;
 61 (iv) dental insurance;
 62 (v) basic life insurance;
 63 (vi) workers' compensation;
 64 (vii) required employer contribution to Social Security;
 65 (viii) long-term disability income insurance; and
 66 (ix) the same additional state paid life insurance available to other noncareer service
 67 employees.

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

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

71 **67-22-2 (Superseded 07/01/06). Compensation -- Other state officers.**

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

74 State Officer	Salary Range
75 Commissioner of Agriculture and Food	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
76 Commissioner of Insurance	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
77 Commissioner of the Labor Commission	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
78 Director, Alcoholic Beverage Control	
79 Commission	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
80 Commissioner, Department of	
81 Financial Institutions	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
82 Members, Board of Pardons and Parole	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
83 Executive Director, Department	
84 of Commerce	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
85 Executive Director, Commission on	
86 Criminal and Juvenile Justice	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
87 Adjutant General	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
88 Chair, Tax Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
89 Commissioners, Tax Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>

90	Executive Director, Department of		
91	Community and Culture	[\$70,600 - \$95,200]	<u>\$72,400 - \$97,600</u>
92	Executive Director, Tax Commission	[\$70,600 - \$95,200]	<u>\$72,400 - \$97,600</u>
93	Chair, Public Service Commission	[\$70,600 - \$95,200]	<u>\$72,400 - \$97,600</u>
94	Commissioners, Public Service		
95	Commission	[\$70,600 - \$95,200]	<u>\$72,400 - \$97,600</u>
96	Executive Director, Department		
97	of Corrections	[\$76,800 - \$103,600]	<u>\$78,700 - \$106,200</u>
98	Commissioner, Department of Public Safety	[\$76,800 - \$103,600]	<u>\$78,700 - \$106,200</u>
99	Executive Director, Department of		
100	Natural Resources	[\$76,800 - \$103,600]	<u>\$78,700 - \$106,200</u>
101	Director, Governor's Office of Planning		
102	and Budget	[\$76,800 - \$103,600]	<u>\$78,700 - \$106,200</u>
103	Executive Director, Department of		
104	Administrative Services	[\$76,800 - \$103,600]	<u>\$78,700 - \$106,200</u>
105	Executive Director, Department of		
106	Human Resource Management	[\$76,800 - \$103,600]	<u>\$78,700 - \$106,200</u>
107	Executive Director, Department of		
108	Environmental Quality	[\$76,800 - \$103,600]	<u>\$78,700 - \$106,200</u>
109	<u>Director, Governor's Office</u>		
110	<u>of Economic Development</u>		<u>\$78,700 - \$106,200</u>
111	Executive Director, Department of		
112	Workforce Services	[\$83,600 - \$112,900]	<u>\$85,700 - \$115,700</u>
113	Executive Director, Department of		
114	Health	[\$83,600 - \$112,900]	<u>\$85,700 - \$115,700</u>
115	Executive Director, Department		
116	of Human Services	[\$83,600 - \$112,900]	<u>\$85,700 - \$115,700</u>
117	Executive Director, Department		
118	of Transportation	[\$83,600 - \$112,900]	<u>\$85,700 - \$115,700</u>
119	Executive Director, Department		
120	of Information Technology		

121 Services [del>\$83,600 - \$112,900] \$85,700 - \$115,700

122 [del>Director, Governor's Office]

123 [del>of Economic Development] [del>\$76,800 - \$103,600]

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

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

130 (ii) health insurance;

131 (iii) dental insurance;

132 (iv) basic life insurance;

133 (v) unemployment compensation;

134 (vi) workers' compensation;

135 (vii) required employer contribution to Social Security;

136 (viii) long-term disability income insurance;

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

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

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

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

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

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

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

- 152 (3) The Legislature fixes the following additional benefits:
- 153 (a) for the executive director of the State Tax Commission a vehicle for official and
- 154 personal use;
- 155 (b) for the executive director of the Department of Transportation a vehicle for official
- 156 and personal use;
- 157 (c) for the executive director of the Department of Natural Resources a vehicle for
- 158 commute and official use;
- 159 (d) for the Commissioner of Public Safety:
- 160 (i) an accidental death insurance policy if POST certified; and
- 161 (ii) a public safety vehicle for official and personal use;
- 162 (e) for the executive director of the Department of Corrections:
- 163 (i) an accidental death insurance policy if POST certified; and
- 164 (ii) a public safety vehicle for official and personal use;
- 165 (f) for the Adjutant General a vehicle for official and personal use; and
- 166 (g) for each member of the Board of Pardons and Parole a vehicle for commute and
- 167 official use.

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

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

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

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

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

179 **67-22-2 (Effective 07/01/06). Compensation -- Other state officers.**

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

182 State Officer	Salary Range
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183	Commissioner of Agriculture and Food	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
184	Commissioner of Insurance	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
185	Commissioner of the Labor Commission	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
186	Director, Alcoholic Beverage Control	
187	Commission	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
188	Commissioner, Department of	
189	Financial Institutions	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
190	Members, Board of Pardons and Parole	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
191	Executive Director, Department	
192	of Commerce	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
193	Executive Director, Commission on	
194	Criminal and Juvenile Justice	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
195	Adjutant General	[\$65,200 - \$88,400] <u>\$66,800 - \$90,600</u>
196	Chair, Tax Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
197	Commissioners, Tax Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
198	Executive Director, Department of	
199	Community and Culture	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
200	Executive Director, Tax Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
201	Chair, Public Service Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
202	Commissioners, Public Service	
203	Commission	[\$70,600 - \$95,200] <u>\$72,400 - \$97,600</u>
204	Executive Director, Department	
205	of Corrections	[\$76,800 - \$103,600] <u>\$78,700 - \$106,200</u>
206	Commissioner, Department of Public Safety	[\$76,800 - \$103,600] <u>\$78,700 - \$106,200</u>
207	Executive Director, Department of	
208	Natural Resources	[\$76,800 - \$103,600] <u>\$78,700 - \$106,200</u>
209	Director, Governor's Office of Planning	
210	and Budget	[\$76,800 - \$103,600] <u>\$78,700 - \$106,200</u>
211	Executive Director, Department of	
212	Administrative Services	[\$76,800 - \$103,600] <u>\$78,700 - \$106,200</u>
213	Executive Director, Department of	

214	Environmental Quality	[\$76,800 - \$103,600] <u>\$78,700 - \$106,200</u>
215	<u>Director, Governor's Office</u>	
216	<u>of Economic Development</u>	<u>\$78,700 - \$106,200</u>
217	Executive Director, Department of	
218	Workforce Services	[\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u>
219	Executive Director, Department of	
220	Health	[\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u>
221	Executive Director, Department	
222	of Human Services	[\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u>
223	Executive Director, Department	
224	of Transportation	[\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u>
225	Executive Director, Department	
226	of Information Technology	
227	Services	[\$83,600 - \$112,900] <u>\$85,700 - \$115,700</u>
228	[Director, Governor's Office]	
229	[of Economic Development]	[\$76,800 - \$103,600]

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

- 232 (i) the option of participating in a state retirement system established by Title 49, Utah
- 233 State Retirement and Insurance Benefit Act, or in a deferred compensation plan administered
- 234 by the State Retirement Office in accordance with the Internal Revenue Code and its
- 235 accompanying rules and regulations;
- 236 (ii) health insurance;
- 237 (iii) dental insurance;
- 238 (iv) basic life insurance;
- 239 (v) unemployment compensation;
- 240 (vi) workers' compensation;
- 241 (vii) required employer contribution to Social Security;
- 242 (viii) long-term disability income insurance;
- 243 (ix) the same additional state-paid life insurance available to other noncareer service
- 244 employees;

- 245 (x) the same severance pay available to other noncareer service employees;
- 246 (xi) the same sick leave, converted sick leave, educational allowances, and holidays
247 granted to Schedule B state employees, and the same annual leave granted to Schedule B state
248 employees with more than ten years of state service;
- 249 (xii) the option to convert accumulated sick leave to cash or insurance benefits as
250 provided by law or rule upon resignation or retirement according to the same criteria and
251 procedures applied to Schedule B state employees;
- 252 (xiii) the option to purchase additional life insurance at group insurance rates according
253 to the same criteria and procedures applied to Schedule B state employees; and
- 254 (xiv) professional memberships if being a member of the professional organization is a
255 requirement of the position.
- 256 (b) Each department shall pay the cost of additional state-paid life insurance for its
257 executive director from its existing budget.
- 258 (3) The Legislature fixes the following additional benefits:
- 259 (a) for the executive director of the State Tax Commission a vehicle for official and
260 personal use;
- 261 (b) for the executive director of the Department of Transportation a vehicle for official
262 and personal use;
- 263 (c) for the executive director of the Department of Natural Resources a vehicle for
264 commute and official use;
- 265 (d) for the Commissioner of Public Safety:
- 266 (i) an accidental death insurance policy if POST certified; and
267 (ii) a public safety vehicle for official and personal use;
- 268 (e) for the executive director of the Department of Corrections:
- 269 (i) an accidental death insurance policy if POST certified; and
270 (ii) a public safety vehicle for official and personal use;
- 271 (f) for the Adjutant General a vehicle for official and personal use; and
- 272 (g) for each member of the Board of Pardons and Parole a vehicle for commute and
273 official use.
- 274 (4) (a) The governor has the discretion to establish a specific salary for each office
275 listed in Subsection (1), and, within that discretion, may provide salary increases within the

276 range fixed by the Legislature.

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

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

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

284 Section 4. **Effective date.**

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

Legislative Review Note

as of 4-18-05 4:21 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel