

1                   **ELECTED OFFICIAL AND JUDICIAL COMPENSATION**

2                                   **COMMISSION AMENDMENTS**

3   2019 GENERAL SESSION

4   STATE OF UTAH

5                                   **Chief Sponsor: Bradley G. Last**

6                                   Senate Sponsor: Jerry W. Stevenson

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8   **LONG TITLE**

9   **General Description:**

10           This bill amends the duties of the Elected Official and Judicial Compensation  
11   Commission.

12   **Highlighted Provisions:**

13           This bill:  
14           ▶ removes the Elected Official and Judicial Compensation Commission's duty to  
15   recommend compensation for the members of the State Board of Education.

16   **Money Appropriated in this Bill:**

17           None

18   **Other Special Clauses:**

19           None

20   **Utah Code Sections Affected:**

21   AMENDS:

22           **67-8-5**, as last amended by Laws of Utah 2018, Chapter 25

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

25           Section 1. Section **67-8-5** is amended to read:

26           **67-8-5. Duties of commission -- Salary recommendations.**

27           (1) The commission shall recommend to the Legislature:

28           (a) salaries for the governor, the lieutenant governor, the attorney general, the state  
29   auditor, and the state treasurer; and

30 (b) salaries for justices of the Supreme Court and judges of the constitutional and  
31 statutory courts of record[ ~~and~~].

32 [~~(c) compensation for members of the State Board of Education.~~]

33 (2) The commission shall:

34 (a) in making recommendations on salaries described in Subsections (1)(a) and (b):

35 (i) make studies and formulate recommendations concerning the wage and salary  
36 classification plan based upon factors such as educational requirements, experience,  
37 responsibility, accountability for funds and staff, comparisons with wages paid in other  
38 comparable public and private employment within this state, and other states similarly situated,  
39 and any other factors generally used in similar comprehensive wage and salary classification  
40 plans so that the plan and its administration reflect current conditions at all times; and

41 (ii) consult and advise with, and make recommendation to, the Department of Human  
42 Resource Management regarding the plan, its administration, and the position of any elected  
43 official and judge covered by the plan;

44 (b) in making recommendations on compensation described in Subsection (1)(c), make  
45 studies and formulate recommendations concerning compensation of members of state boards  
46 of education in other states and other factors the commission determines to be relevant so that  
47 the compensation reflects current conditions at all times;

48 (c) submit to the Executive Appropriations Committee not later than 60 days before  
49 commencement of each annual general session:

50 (i) a report briefly summarizing its activities during the calendar year immediately  
51 preceding the session;

52 (ii) recommendations concerning revisions, modifications, or changes, if any, that  
53 should be made in the plan, its administration, the classification of any elected official or judge  
54 under the plan, or the compensation of members of the State Board of Education; and

55 (iii) specific recommendations regarding the office of governor, lieutenant governor,  
56 attorney general, state auditor, and state treasurer concerning adjustments, if any, that should be  
57 made in the salary or other emoluments of office so that all elected and judicial officials receive

58 equitable and consistent treatment regardless of whether salaries are fixed by the Legislature or  
59 by the Department of Human Resource Management; and

60 (d) conduct a comprehensive review of judicial salary levels and make  
61 recommendations for judicial salaries in a report to the president of the Senate, the speaker of  
62 the House of Representatives, and the governor by November 1, prior to the convening of the  
63 general session of the Legislature in each odd-numbered year.

64 (3) (a) The recommendation under Subsection (2)(d) shall be based upon consultation  
65 with the Judicial Council and upon consideration for the career status of judges. It shall be  
66 based upon comparisons with salaries paid in other states and in comparable public and private  
67 employment within this state.

68 (b) In even-numbered years, the commission shall update its prior report, based upon  
69 the Consumer Price Index and other relevant factors, and shall forward its updated  
70 recommendations as prescribed in this section.

71 (4) The Judicial Council shall cooperate with the commission in providing information  
72 on the judicial branch of government and on the individual levels of court as requested. The  
73 director of personnel from the Administrative Office of the Courts shall provide the salary  
74 comparison data referred to in this section to the legislative fiscal analyst and shall provide  
75 other staff assistance and support as requested by the legislative fiscal analyst.