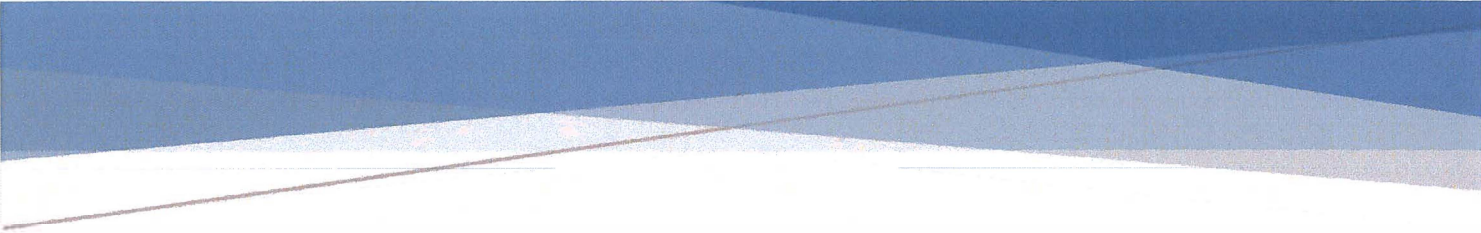




REPORT OF THE UTAH ELECTED OFFICIAL AND JUDICIAL COMPENSATION COMMISSION

2021



To the Honorable Governor Spencer J. Cox, House Speaker Brad Wilson, Senate President Stuart Adams, and members of the Executive Appropriations Committee.

As required by Utah law (Utah Code Ann. §67-8-5), the Elected Official and Judicial Compensation Commission (EJCC) is pleased to submit its 2021 Report on elected official and judicial compensation.

The purpose of this report is to inform both the Executive and Legislative branches on the actions of the EJCC during calendar year 2021 and provide recommendations on compensation for both the Elected Officials and the Judiciary.

The report is divided into two parts –

1. A brief introduction on the commission and a report of all action taken by the commission during calendar year 2021; and
2. Discussion on a Cost of Living Adjustment

The report will outline the following recommendation made by the commission:

Recommendation One: We recommend the Legislature continue to appropriate a cost of living adjustment (COLA) for each Elected Official and the Judiciary equal to that of all state employees.


The members of the EJCC are motivated solely by public service. By law, none of the EJCC members may be employed by the executive or judicial branches of government. Our conclusions and recommendations were made unanimously and are, in our view, in the best interests of the State of Utah.

We appreciate the opportunity to serve the citizens of the State of Utah.

Sincerely,



David Clark
EJCC Chair



Sam Alba
EJCC Vice Chair

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Elected Official and Judicial Compensation Commission Members

<u>Name</u>	<u>Term Expires</u>
David Clark - R (Chair) <i>Appointed by Utah House Speaker Gregory H. Hughes</i>	6/1/2023
Sam Alba - D (Vice Chair) <i>Appointed by the Utah State Bar</i>	7/28/2025
Kevin Van Tassell – R <i>Appointed by Utah Senate President Stuart Adams</i>	6/1/2023
Jeff Herring - R <i>Appointed by the Utah Governor Gary Herbert</i>	7/17/2022
Meghan Holbrook - D <i>Appointed by the Elected Official and Judicial Compensation Commission</i>	9/25/2022
Michele Straube - D <i>Appointed by the Elected Official and Judicial Compensation Commission</i>	6/1/2023

Part One – Introduction and EJCC Action

Introduction

The Elected Official and Judicial Compensation Commission (EJCC, or hereafter referred to as the Commission) is required by statute (UCA §67-8-5) to submit an annual report to the Executive Appropriations Committee (EAC), the president of the Senate, the speaker of the House, and the governor. The Commission is also required to study educational requirements, experience, responsibility, accountability for funds and staff, comparisons of wages paid in other comparable public and private employment within this state, other states similarly situated, and the consumer price index. Additionally, statute requires that the Commission consult with the Department of Human Resource Management and the Judicial Council. The Commission has reviewed all information required by statute and met with each of these bodies in creating this report. All recommendations are made in consideration of current salaries (See Table 1).

Table 1 - Current Elected Official and Judicial Salaries

Elected Officials		
Officer	2022 Salaries	Rules
Governor	\$165,600	Set in Appropriations Act (S.B. 5001 Item 67 Intent Language)
Lieutenant Governor	\$149,040	90% of Governor's Salary (UCA §67-22-1)
Attorney General	\$157,320	95% of Governor's Salary (UCA §67-22-1)
State Auditor	\$149,040	90% of Governor's Salary (UCA §67-22-1)
State Treasurer	\$149,040	90% of Governor's Salary (UCA §67-22-1)

Judicial Salaries		
Judges	2022 Salaries	Rules
District Court Judge	\$175,550	Set in Appropriations Act (S.B. 5001 Item 6 Intent Language)
Juvenile Court Judge	\$175,550	100% of District Court Judge Salary (UCA §67-8-2)
Court of Appeals Judge	\$184,327.50	105% of District Court Judge Salary (UCA §67-8-2)
Justices of the Supreme Court	\$193,105	110% of District Court Judge Salary (UCA §67-8-2)

Commission Action

By statute, the EJCC is required to report on action taken throughout the year. This year, the Commission held four meetings, reviewed statute, rules, and various sources to help make relevant policy recommendations. During the Commission's first meeting commissioners reviewed the results of the previous year's recommendations and discussed the scope of work for the year. The Commission was pleased to find that the Legislature supported their recommendation to appropriate a cost of living adjustment (COLA) for each Elected Official and the Judiciary equal to that of all state employees. The Commission also reviewed the CPI report from the United States Department of Labor.

In the Commission's second meeting, the Commission reviewed a packet of information provided by the Utah Courts detailing salary information and caseload conditions throughout the state.

The packet also contained information regarding the Court's innovations to allow the Courts to clear cases and address the backlog of cases that accumulated during the COVID-19 pandemic conditions.

Later, during the Commission's third meeting, the Commissioners heard presentations from the Department of Human Resource Management, the Administrative Office of the Courts and the Judicial Council. The Commission created its recommendations based on those presentations and discussions which they reviewed and finalized in their fourth and final meeting of 2021.

Part Two – Cost of Living Adjustment

EJCC Recommendation for Judicial and Elected Official Salaries

The 2020 EJCC report to the EAC recommended that the Legislature appropriate a cost of living adjustment (COLA) for each Elected Official and the Judiciary equal to that of all state employees. The Commission recognizes that their recommendation was successful and recommends for another COLA to be appropriated for FY 2022 for each of the Elected Officials and the Judiciary.

Recommendation One: We recommend the Legislature appropriate a cost of living adjustment (COLA) for each Elected Official and the Judiciary equal to that of all state employees.

Conclusion

In conclusion, the Elected Official and Judicial Compensation Commission reports that the Commission was able to conduct valuable work for the state of Utah. It reviewed all information that is statutorily required, but also engaged in serious discussion and contemplation about future compensation issues for both the Judiciary and Utah's Elected Officials. The Commission hopes that you find this report valuable in making the challenging decisions required to run the great State of Utah.

Appendix A – 2020 Recommendation Results

1. **Recommendation One – Elected Officials Compensation (Successful):** The Legislature continue to appropriate a Cost of Living Adjustment for each Elected Official equal to that of all state employees.
 - a. S.B. 8 Item 12
 1. Unver provisions of Section 67-22-1, Utah Code Annotated, the Legislature intends that salaries for Governor be increased by the same percentage as state employees generally. Unless otherwise determined by the Legislature the Governor’s salary for the fiscal year beginning July 1, 2021 and ending June 30, 2022 shall be \$165,600. Other constitutional offices shall be calculated in accordance with the formula set forth in Section 67-22-1.
2. **Recommendation Two – Judicial Compensation (Successful):** The Legislature continue to appropriate a cost of living adjustment for the Judiciary equal to that of all state employees. This recommendation does not include any changes to benefits.
 - a. S.B. 8 Item 7
 1. The Legislature intends that salaries for District Court judges be increased by the same percentage as state employees generally. Unless otherwise determined by the Legislature, the salary for a District Court judge for the fiscal year beginning July 1, 2021 and ending June 30, 2022 shall be \$175,550. The Legislature intends that other judicial salaries shall be calculated in accordance with the formula set forth in UCA Title 67 Chapter 8 Section 2 and rounded to the nearest \$50.

Appendix B – Utah Elected Officials Compensation and Benefits

Median Wage Comparison					
	<i>Governor</i>	<i>Lieutenant governor</i>	<i>Attorney general</i>	<i>Treasurer</i>	<i>Auditor</i>
Utah	\$165,600	\$149,040	\$157,320	\$149,040	\$149,040
15 Western States Only	\$110,707	\$97,070	\$132,825	\$93,360	\$114,713
Population - Within 1 Mil.	\$126,080	\$90,794	\$115,565	\$97,430	\$107,601
All States	\$145,755	\$108,959	\$136,699	\$114,713	\$132,212
Local Counties and Cities	\$135,569	\$151,184	\$165,333	\$114,105	\$119,972
Local Private Companies	\$1,054,771	\$886,739	\$605,050	\$733,005	N/A

Utah Code 67-22-1(2)

The Legislature fixes benefits for the constitutional offices as follows:

(a) governor:

- (i) a vehicle for official and personal use;
- (ii) housing;
- (iii) household and security staff;
- (iv) household expenses;
- (v) retirement benefits as provided in Title 49, Utah State Retirement and Insurance Benefit Act;
- (vi) health insurance;
- (vii) dental insurance;
- (viii) basic life insurance;
- (ix) workers' compensation;
- (x) required employer contribution to Social Security;
- (xi) long-term disability income insurance; and
- (xii) the same additional state paid life insurance available to other noncareer service employees; and

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

- (i) The same as the Governor except housing, household and security staff, household expenses; and
- (ii) the option of participating in a:
 - (A) state retirement system in accordance with Title 49, Utah State Retirement and Insurance Benefit Act;
 - (I) Chapter 12, Public Employees' Contributory Retirement Act;
 - (II) Chapter 13, Public Employees' Noncontributory Retirement Act; or
 - (III) Chapter 22, New Public Employees' Tier II Contributory Retirement Act; or
 - (B) deferred compensation plan administered by the State Retirement Office, in accordance with the Internal Revenue Code and its accompanying rules and regulations;