

EXECUTIVE COMPENSATION AMENDMENTS

2005 GENERAL SESSION

STATE OF UTAH

Sponsor: Jeff Alexander

LONG TITLE

General Description:

This bill increases salaries, salary ranges, and benefits for constitutional officers and certain other state officers.

Highlighted Provisions:

This bill:

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

§→ provides that the Commissioner of Agriculture and Food receive a vehicle for official and personal use; ←§

- ▶ increases salary ranges for certain identified state officers; and
- ▶ makes technical corrections.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect July 2, 2005.

This bill provides coordination clauses.

Utah Code Sections Affected:

AMENDS:

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

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

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

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



28 **67-22-1. Compensation -- Constitutional offices.**

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

30 (a) Governor [~~\$101,600~~] \$106,200;

31 (b) Lieutenant Governor [~~\$79,000~~] 95% of the governor's salary;

32 (c) Attorney General [~~\$85,400~~] \$95,600;

33 (d) State Auditor [~~\$81,500~~] \$85,000; and

34 (e) State Treasurer [~~\$79,000~~] \$85,000.

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

36 (a) Governor:

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

38 (ii) housing;

39 (iii) household and security staff;

40 (iv) household expenses;

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

42 (vi) health insurance;

43 (vii) dental insurance;

44 (viii) basic life insurance;

45 (ix) workers' compensation;

46 (x) required employer contribution to Social Security;

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

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

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

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

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

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

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

55 Retirement Office, in accordance with the Internal Revenue Code and its accompanying rules
56 and regulations;

57 (iii) health insurance;

58 (iv) dental insurance;

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

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

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

68 **67-22-2. Compensation -- Other state officers.**

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

71 State Officer	Salary Range
72 Commissioner of Agriculture and Food	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>
73 Commissioner of Insurance	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>
74 Commissioner of the Labor Commission	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>
75 Director, Alcoholic Beverage Control	
76 Commission	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>
77 Commissioner, Department of	
78 Financial Institutions	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>
79 Members, Board of Pardons and Parole	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>
80 Executive Director, Department	
81 of Commerce	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u> ← Ŝ
82 Executive Director, Commission on	
83 Criminal and Juvenile Justice	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>
84 Adjutant General	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>
85 Chair, Tax Commission	[\$70,600 - \$95,200] <u>\$73,800 - \$99,500</u>
86 Commissioners, Tax Commission	[\$70,600 - \$95,200] <u>\$73,800 - \$99,500</u>
87 Executive Director, Department of	
88 Community and Economic	
89 Development	[\$70,600 - \$95,200] <u>\$73,800 - \$99,500</u>

90	Executive Director, Tax Commission	[\$70,600 - \$95,200] <u>\$73,800 - \$99,500</u>
91	Chair, Public Service Commission	[\$70,600 - \$95,200] <u>\$73,800 - \$99,500</u>
92	Commissioners, Public Service	
93	Commission	[\$70,600 - \$95,200] <u>\$73,800 - \$99,500</u>
94	Executive Director, Department	
95	of Corrections	[\$76,800 - \$103,600] <u>\$80,300 - \$108,300</u>
96	Commissioner, Department of Public Safety	[\$76,800 - \$103,600] <u>\$80,300 - \$108,300</u>
97	Executive Director, Department of	
98	Natural Resources	[\$76,800 - \$103,600] <u>\$80,300 - \$108,300</u>
99	Director, Governor's Office of Planning	
100	and Budget	[\$76,800 - \$103,600] <u>\$80,300 - \$108,300</u>
101	Executive Director, Department of	
102	Administrative Services	[\$76,800 - \$103,600] <u>\$80,300 - \$108,300</u>
103	Executive Director, Department of	
104	Human Resource Management	[\$76,800 - \$103,600] <u>\$80,300 - \$108,300</u>
105	Executive Director, Department of	
106	Environmental Quality	[\$76,800 - \$103,600] <u>\$80,300 - \$108,300</u>
107	Executive Director, Department of	
108	Workforce Services	[\$83,600 - \$112,900] <u>\$87,400 - \$118,000</u>
109	Executive Director, Department of	
110	Health, <u>Nonphysician</u>	[\$83,600 - \$112,900] <u>\$87,400 - \$118,000</u>
111	Executive Director, Department	
112	of Human Services	[\$83,600 - \$112,900] <u>\$87,400 - \$118,000</u>
113	Executive Director, Department	
114	of Transportation	[\$83,600 - \$112,900] <u>\$87,400 - \$118,000</u>
115	Chief Information Officer	[\$83,600 - \$112,900] <u>\$87,400 - \$118,000</u>

115a **Ŝ→ Executive Director, Department of Commerce \$87,400 - \$118,000 ←Ŝ**

116 (b) If the executive director of the Department of Health is a physician, the governor
 117 shall establish a salary within the highest physician salary range established by the Department
 118 of Human Resource Management.

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

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

125 (ii) health insurance;

126 (iii) dental insurance;

127 (iv) basic life insurance;

128 (v) unemployment compensation;

129 (vi) workers' compensation;

130 (vii) required employer contribution to Social Security;

131 (viii) long-term disability income insurance;

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

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

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

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

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

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

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

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

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

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

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

154 (d) for the Commissioner of Public Safety:

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

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

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

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

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

160 (f) for the Adjutant General a vehicle for official and personal use; ~~§~~ → [and] ← ~~§~~

161 (g) for each member of the Board of Pardons and Parole a vehicle for commute and
162 official use ~~§~~ → ; and

162a **(h) for the Commissioner of Agriculture and Food, a vehicle for official and personal use** ← ~~§~~ .

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

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

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

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

173 **Section 3. Effective date.**

174 This bill takes effect July 2, 2005.

175 **Section 4. Coordinating H.B. 288 with H.B. 109.**

176 If this H.B. 288 and H.B. 109, Information Technology Governance Amendments, both
177 pass, it is the intent of the Legislature that the Office of Legislative Research and General
178 Counsel, in preparing the Utah Code database shall, in the list of titles in Subsection
179 67-22-2(1)(a) delete "Chief Information Officer" and insert "Executive Director, Department of
180 Information Technology Services" as provided in H. B. 109 and attach the salary range
181 established in this bill for the Chief Information Officer to the position of Executive Director,
182 Department of Information Technology Services.

183 ~~Ĥ→ [Section 5. Coordinating H.B. 288 with H.B. 128.~~
 184 ~~—— If this H.B. 288 and H.B. 128, Compensation of Executive Officers, both pass it is the~~
 185 ~~intent of the Legislature that the amendments to Sections 67-22-1 and 67-22-2 in this H.B. 288~~
 186 ~~supersede any amendments to those sections contained in H.B. 128, Compensation of~~
 187 ~~Executive Officers.] ←Ĥ~~

188 Section ~~Ĥ→~~ [6] ~~5~~ ←Ĥ . Coordinating H.B. 288 with H.B. 318.

189 If this H.B. 288 and H.B. 318, Community and Economic Development Restructuring,
 190 both pass, it is the intent of the Legislature that the Office of Legislative Research and General
 191 Counsel, in preparing the Utah Code database for publication:

192 (1) increase the salary range provided in H. B. 318 for "Executive Director,
 193 Department of Community and Culture" to "\$73,800-\$99,500" to correspond to salary ranges
 194 established in this bill; and

195 (2) increase the salary range provided in H. B. 318 for "Director, Governor's Office of
 196 Economic Development" to "\$80,300 - \$108,300" to correspond to salary ranges established in
 197 this bill.

Legislative Review Note
 as of 2-28-05 3:20 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