

Senator Mark B. Madsen proposes the following substitute bill:

COMPENSATION OF LIEUTENANT GOVERNOR

AND OTHER STATE OFFICERS

2005 GENERAL SESSION

STATE OF UTAH

Sponsor: Mark B. Madsen

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;
- ▶ increases salary ranges for certain identified state officers;
- ▶ provides that the Commissioner of Agriculture and Food receive a vehicle for official and personal use; 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:



26 67-22-1, as last amended by Chapter 306, Laws of Utah 2004

27 67-22-2, as last amended by Chapters 156 and 306, Laws of Utah 2004



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

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

31 **67-22-1. Compensation -- Constitutional offices.**

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

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

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

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

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

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

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** is amended to read:

71 **67-22-2. Compensation -- Other state officers.**

72 (1) (a) 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>\$68,100 - \$92,400</u>
76 Commissioner of Insurance	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>
77 Commissioner of the Labor Commission	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>
78 Director, Alcoholic Beverage Control	
79 Commission	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>
80 Commissioner, Department of	
81 Financial Institutions	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>
82 Members, Board of Pardons and Parole	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>
83 Executive Director, Department	
84 of Commerce	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>
85 Executive Director, Commission on	
86 Criminal and Juvenile Justice	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>
87 Adjutant General	[\$65,200 - \$88,400] <u>\$68,100 - \$92,400</u>

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

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

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

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

128 (ii) health insurance;

129 (iii) dental insurance;

130 (iv) basic life insurance;

131 (v) unemployment compensation;

132 (vi) workers' compensation;

133 (vii) required employer contribution to Social Security;

134 (viii) long-term disability income insurance;

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

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

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

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

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

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

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

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

179 This bill takes effect July 2, 2005.

180 Section 4. **Coordinating S.B. 231 with H.B. 109.**

181 If this S.B. 231 and H.B. 109, Information Technology Governance Amendments, both
182 pass, it is the intent of the Legislature that the Office of Legislative Research and General
183 Counsel, in preparing the Utah Code database shall, in the list of titles in Subsection
184 67-22-2(1)(a) delete "Chief Information Officer" and insert "Executive Director, Department of
185 Information Technology Services" as provided in H. B. 109 and attach the salary range
186 established in this bill for the Chief Information Officer to the position of Executive Director,
187 Department of Information Technology Services.

188 **Section 5. Coordinating S.B. 231 with H.B. 128.**

189 If this S.B. 231 and H.B. 128, Compensation of Executive Officers, both pass it is the
190 intent of the Legislature that the amendments to Sections 67-22-1 and 67-22-2 in this S.B. 231
191 supersede any amendments to those sections contained in H.B. 128, Compensation of
192 Executive Officers.

193 **Section 6. Coordinating S.B. 231 with H.B. 318.**

194 If this S.B. 231 and H.B. 318, Community and Economic Development Restructuring,
195 both pass, it is the intent of the Legislature that the Office of Legislative Research and General
196 Counsel, in preparing the Utah Code database for publication:

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

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