

1                                   **STATE EXECUTIVE COMPENSATION -**

2                                                           **DEPARTMENT OF HEALTH**

3                                                                                   2006 GENERAL SESSION

4                                                                                                           STATE OF UTAH

5                                                                                   **Chief Sponsor: Peter C. Knudson**

6                                                                                                           House Sponsor: Jeff Alexander

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8   **LONG TITLE**

9   **General Description:**

10           This bill amends state officer compensation.

11   **Highlighted Provisions:**

12           This bill:

13           ▶ permits the governor to establish a salary for the executive director of the  
14 Department of Health that distinguishes between a physician or nonphysician  
15 executive director.

16   **Monies Appropriated in this Bill:**

17           None

18   **Other Special Clauses:**

19           This bill provides an effective date.

20   **Utah Code Sections Affected:**

21   AMENDS:

22           **67-22-2 (Superseded 07/01/06)**, as last amended by Chapter 8, Laws of Utah 2005,  
23 First Special Session

24           **67-22-2 (Effective 07/01/06)**, as last amended by Chapter 8, Laws of Utah 2005, First  
25 Special Session

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

28           Section 1. Section **67-22-2 (Superseded 07/01/06)** is amended to read:

29           **67-22-2 (Superseded 07/01/06). Compensation -- Other state officers.**

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

32 State Officer	Salary Range
33 Commissioner of Agriculture and Food	\$66,800 - \$90,600
34 Commissioner of Insurance	\$66,800 - \$90,600
35 Commissioner of the Labor Commission	\$66,800 - \$90,600
36 Director, Alcoholic Beverage Control	
37 Commission	\$66,800 - \$90,600
38 Commissioner, Department of	
39 Financial Institutions	\$66,800 - \$90,600
40 Members, Board of Pardons and Parole	\$66,800 - \$90,600
41 Executive Director, Department	
42 of Commerce	\$66,800 - \$90,600
43 Executive Director, Commission on	
44 Criminal and Juvenile Justice	\$66,800 - \$90,600
45 Adjutant General	\$66,800 - \$90,600
46 Chair, Tax Commission	\$72,400 - \$97,600
47 Commissioners, Tax Commission	\$72,400 - \$97,600
48 Executive Director, Department of	
49 Community and Culture	\$72,400 - \$97,600
50 Executive Director, Tax Commission	\$72,400 - \$97,600
51 Chair, Public Service Commission	\$72,400 - \$97,600
52 Commissioners, Public Service	
53 Commission	\$72,400 - \$97,600
54 Executive Director, Department	
55 of Corrections	\$78,700 - \$106,200
56 Commissioner, Department of Public Safety	\$78,700 - \$106,200
57 Executive Director, Department of	

58	Natural Resources	\$78,700 - \$106,200
59	Director, Governor's Office of Planning	
60	and Budget	\$78,700 - \$106,200
61	Executive Director, Department of	
62	Administrative Services	\$78,700 - \$106,200
63	Executive Director, Department of	
64	Human Resource Management	\$78,700 - \$106,200
65	Executive Director, Department of	
66	Environmental Quality	\$78,700 - \$106,200
67	Director, Governor's Office	
68	of Economic Development	\$78,700 - \$106,200
69	Executive Director, Department of	
70	Workforce Services	\$85,700 - \$115,700
71	Executive Director, Department of	
72	Health, <u>Nonphysician</u>	\$85,700 - \$115,700
73	Executive Director, Department	
74	of Human Services	\$85,700 - \$115,700
75	Executive Director, Department	
76	of Transportation	\$85,700 - \$115,700
77	Executive Director, Department	
78	of Information Technology	
79	Services	\$85,700 - \$115,700

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

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

85 (i) the option of participating in a state retirement system established by Title 49, Utah

86 State Retirement and Insurance Benefit Act, or in a deferred compensation plan administered  
87 by the State Retirement Office in accordance with the Internal Revenue Code and its  
88 accompanying rules and regulations;

89 (ii) health insurance;

90 (iii) dental insurance;

91 (iv) basic life insurance;

92 (v) unemployment compensation;

93 (vi) workers' compensation;

94 (vii) required employer contribution to Social Security;

95 (viii) long-term disability income insurance;

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

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

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

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

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

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

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

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

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

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

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

118 (d) for the Commissioner of Public Safety:

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

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

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

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

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

124 (f) for the Adjutant General a vehicle for official and personal use; and

125 (g) for each member of the Board of Pardons and Parole a vehicle for commute and  
126 official use.

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

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

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

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

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

138 **67-22-2 (Effective 07/01/06). Compensation -- Other state officers.**

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

141 State Officer Salary Range

**S.B. 178****Enrolled Copy**

142	Commissioner of Agriculture and Food	\$66,800 - \$90,600
143	Commissioner of Insurance	\$66,800 - \$90,600
144	Commissioner of the Labor Commission	\$66,800 - \$90,600
145	Director, Alcoholic Beverage Control	
146	Commission	\$66,800 - \$90,600
147	Commissioner, Department of	
148	Financial Institutions	\$66,800 - \$90,600
149	Members, Board of Pardons and Parole	\$66,800 - \$90,600
150	Executive Director, Department	
151	of Commerce	\$66,800 - \$90,600
152	Executive Director, Commission on	
153	Criminal and Juvenile Justice	\$66,800 - \$90,600
154	Adjutant General	\$66,800 - \$90,600
155	Chair, Tax Commission	\$72,400 - \$97,600
156	Commissioners, Tax Commission	\$72,400 - \$97,600
157	Executive Director, Department of	
158	Community and Culture	\$72,400 - \$97,600
159	Executive Director, Tax Commission	\$72,400 - \$97,600
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161	Commissioners, Public Service	
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171	Administrative Services	\$78,700 - \$106,200
172	Executive Director, Department of	
173	Environmental Quality	\$78,700 - \$106,200
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175	of Economic Development	\$78,700 - \$106,200
176	Executive Director, Department of	
177	Workforce Services	\$85,700 - \$115,700
178	Executive Director, Department of	
179	Health, <u>Nonphysician</u>	\$85,700 - \$115,700
180	Executive Director, Department	
181	of Human Services	\$85,700 - \$115,700
182	Executive Director, Department	
183	of Transportation	\$85,700 - \$115,700
184	Executive Director, Department	
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188 shall establish a salary within the highest physician salary range established by the Department  
189 of Human Resource Management.

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191 follows:

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193 State Retirement and Insurance Benefit Act, or in a deferred compensation plan administered  
194 by the State Retirement Office in accordance with the Internal Revenue Code and its  
195 accompanying rules and regulations;

196 (ii) health insurance;

197 (iii) dental insurance;

- 198 (iv) basic life insurance;
- 199 (v) unemployment compensation;
- 200 (vi) workers' compensation;
- 201 (vii) required employer contribution to Social Security;
- 202 (viii) long-term disability income insurance;
- 203 (ix) the same additional state-paid life insurance available to other noncareer service
- 204 employees;
- 205 (x) the same severance pay available to other noncareer service employees;
- 206 (xi) the same sick leave, converted sick leave, educational allowances, and holidays
- 207 granted to Schedule B state employees, and the same annual leave granted to Schedule B state
- 208 employees with more than ten years of state service;
- 209 (xii) the option to convert accumulated sick leave to cash or insurance benefits as
- 210 provided by law or rule upon resignation or retirement according to the same criteria and
- 211 procedures applied to Schedule B state employees;
- 212 (xiii) the option to purchase additional life insurance at group insurance rates according
- 213 to the same criteria and procedures applied to Schedule B state employees; and
- 214 (xiv) professional memberships if being a member of the professional organization is a
- 215 requirement of the position.
- 216 (b) Each department shall pay the cost of additional state-paid life insurance for its
- 217 executive director from its existing budget.
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- 220 personal use;
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- 222 and personal use;
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- 224 commute and official use;
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- 233 official use.

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

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

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

244 **Section 3. Effective date.**

245 If approved by two-thirds of all the members elected to each house, this bill takes effect  
246 upon approval by the governor, or the day following the constitutional time limit of Utah  
247 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,  
248 the date of veto override, except that the amendments to Section 67-22-2 (Effective 07/01/06)  
249 take effect on July 1, 2006.