

1                                   **EXECUTIVE COMPENSATION AMENDMENTS**

2   2006 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Lyle W. Hillyard**

5                                   House Sponsor: Ron Bigelow

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7 **LONG TITLE**

8 **General Description:**

9           This bill increases the salaries for state constitutional officers and other state officers.

10 **Highlighted Provisions:**

11           This bill:

- 12           ▶ increases the salary for the governor, lieutenant governor, attorney general, state  
13 auditor, and state treasurer;
- 14           ▶ increases the salary ranges for certain state officers; and
- 15           ▶ makes technical corrections.

16 **Monies Appropriated in this Bill:**

17           None

18 **Other Special Clauses:**

19           This bill takes effect on July 1, 2006.

20           Coordinates this bill with H.B. 115 by substantively and technically merging the  
21 amendments.

22           Coordinates this bill with H.B. 269 by substantively and technically merging the  
23 amendments.

24           Coordinates this bill with S.B. 75 by substantively and technically merging the  
25 amendments.

26           Coordinates this bill with S.B. 217 by substantively and technically merging the  
27 amendments.



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **67-22-1**, as last amended by Chapter 8, Laws of Utah 2005, First Special Session

31 **67-22-2 (Effective 07/01/06)**, as last amended by Chapter 8, Laws of Utah 2005, First

32 Special Session



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

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

36 **67-22-1. Compensation -- Constitutional offices.**

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

- 38 (i) governor ~~[\$104,100]~~ \$107,200
- 39 (ii) lieutenant governor ~~[\$81,000]~~ \$83,400
- 40 (iii) state auditor ~~[\$83,500]~~ \$86,000
- 41 (iv) state treasurer ~~[\$81,000]~~ \$83,400

42 (b) [~~Beginning July 1, 2005, the~~] The annual salary of the attorney general [~~shall be~~] is  
43 95% of the governor's salary.

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

45 (a) governor:

- 46 (i) a vehicle for official and personal use;
- 47 (ii) housing;
- 48 (iii) household and security staff;
- 49 (iv) household expenses;
- 50 (v) retirement benefits as provided in Title 49;
- 51 (vi) health insurance;
- 52 (vii) dental insurance;
- 53 (viii) basic life insurance;
- 54 (ix) workers' compensation;
- 55 (x) required employer contribution to Social Security;
- 56 (xi) long-term disability income insurance; and
- 57 (xii) the same additional state paid life insurance available to other noncareer service  
58 employees.

- 59 (b) Lieutenant governor, attorney general, state auditor, and state treasurer:
- 60 (i) a vehicle for official and personal use;
- 61 (ii) the option of participating in a state retirement system established by Title 49,
- 62 Chapter 12, Public Employees' Contributory Retirement Act, or Chapter 13, Public Employees'
- 63 Noncontributory Retirement Act, or in a deferred compensation plan administered by the State
- 64 Retirement Office, in accordance with the Internal Revenue Code and its accompanying rules
- 65 and regulations;
- 66 (iii) health insurance;
- 67 (iv) dental insurance;
- 68 (v) basic life insurance;
- 69 (vi) workers' compensation;
- 70 (vii) required employer contribution to Social Security;
- 71 (viii) long-term disability income insurance; and
- 72 (ix) the same additional state paid life insurance available to other noncareer service
- 73 employees.

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

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

77 **67-22-2 (Effective 07/01/06). Compensation -- Other state officers.**

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

80 State Officer	Salary Range
81 Commissioner of Agriculture and Food	<del>[\$66,800 - \$90,600]</del> <u>\$68,800 - \$93,300</u>
82 Commissioner of Insurance	<del>[\$66,800 - \$90,600]</del> <u>\$68,800 - \$93,300</u>
83 Commissioner of the Labor Commission	<del>[\$66,800 - \$90,600]</del> <u>\$68,800 - \$93,300</u>
84 Director, Alcoholic Beverage Control	
85 Commission	<del>[\$66,800 - \$90,600]</del> <u>\$68,800 - \$93,300</u>
86 Commissioner, Department of	
87 Financial Institutions	<del>[\$66,800 - \$90,600]</del> <u>\$68,800 - \$93,300</u>
88 Members, Board of Pardons and Parole	<del>[\$66,800 - \$90,600]</del> <u>\$68,800 - \$93,300</u>
89 Executive Director, Department	

90	of Commerce	<del>[\$66,800 - \$90,600]</del> <u>\$68,800 - \$93,300</u>
91	Executive Director, Commission on	
92	Criminal and Juvenile Justice	<del>[\$66,800 - \$90,600]</del> <u>\$68,800 - \$93,300</u>
93	Adjutant General	<del>[\$66,800 - \$90,600]</del> <u>\$68,800 - \$93,300</u>
94	Chair, Tax Commission	<del>[\$72,400 - \$97,600]</del> <u>\$74,600 - \$100,500</u>
95	Commissioners, Tax Commission	<del>[\$72,400 - \$97,600]</del> <u>\$74,600 - \$100,500</u>
96	Executive Director, Department of	
97	Community and Culture	<del>[\$72,400 - \$97,600]</del> <u>\$74,600 - \$100,500</u>
98	Executive Director, Tax Commission	<del>[\$72,400 - \$97,600]</del> <u>\$74,600 - \$100,500</u>
99	Chair, Public Service Commission	<del>[\$72,400 - \$97,600]</del> <u>\$74,600 - \$100,500</u>
100	Commissioners, Public Service	
101	Commission	<del>[\$72,400 - \$97,600]</del> <u>\$74,600 - \$100,500</u>
102	Executive Director, Department	
103	of Corrections	<del>[\$78,700 - \$106,200]</del> <u>\$81,100 - \$109,400</u>
104	Commissioner, Department of Public Safety	<del>[\$78,700 - \$106,200]</del> <u>\$81,100 - \$109,400</u>
105	Executive Director, Department of	
106	Natural Resources	<del>[\$78,700 - \$106,200]</del> <u>\$81,100 - \$109,400</u>
107	Director, Governor's Office of Planning	
108	and Budget	<del>[\$78,700 - \$106,200]</del> <u>\$81,100 - \$109,400</u>
109	Executive Director, Department of	
110	Administrative Services	<del>[\$78,700 - \$106,200]</del> <u>\$81,100 - \$109,400</u>
111	Executive Director, Department of	
112	Environmental Quality	<del>[\$78,700 - \$106,200]</del> <u>\$81,100 - \$109,400</u>
113	Director, Governor's Office	
114	of Economic Development	<del>[\$78,700 - \$106,200]</del> <u>\$81,100 - \$109,400</u>
115	Executive Director, Department of	
116	Workforce Services	<del>[\$85,700 - \$115,700]</del> <u>\$88,300 - \$119,200</u>
117	Executive Director, Department of	
118	Health	<del>[\$85,700 - \$115,700]</del> <u>\$88,300 - \$119,200</u>
119	Executive Director, Department	
120	of Human Services	<del>[\$85,700 - \$115,700]</del> <u>\$88,300 - \$119,200</u>

121 Executive Director, Department  
122 of Transportation [~~\$85,700 - \$115,700~~] \$88,300 - \$119,200

123 Executive Director, Department  
124 of Information Technology  
125 Services [~~\$85,700 - \$115,700~~] \$88,300 - \$119,200

126 (2) (a) The Legislature fixes benefits for the state [~~offices~~] officers outlined in  
127 Subsection (1) as follows:

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

132 (ii) health insurance;

133 (iii) dental insurance;

134 (iv) basic life insurance;

135 (v) unemployment compensation;

136 (vi) workers' compensation;

137 (vii) required employer contribution to Social Security;

138 (viii) long-term disability income insurance;

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

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

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

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

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

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

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

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

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

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

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

161 (d) for the Commissioner of Public Safety:

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

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

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

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

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

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

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

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

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

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

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

180 Section 3. **Effective date.**

181 This bill takes effect on July 1, 2006.

182 Section 4. **Coordinating S.B. 2 with H. B. 115 -- Substantively and technically**

183 **merging the amendments.**

184 If this S.B. 2 and H.B. 115, Salary of the Lieutenant Governor, both pass, it is the intent  
 185 of the Legislature that the Office of Legislative Research and General Counsel, in preparing the  
 186 Utah Code database for publication, modify Subsection 67-22-1(1) as amended by these bills to  
 187 read as follows:

188 "(1) [(a)] The Legislature fixes salaries for the constitutional offices as follows:  
 189 [(i)] (a) governor: [\$104,100] \$107,200;  
 190 [(ii)] (b) lieutenant governor: [\$81,000] 95% of the governor's salary  
 191 beginning July 1, 2006;  
 192 (c) attorney general: 95% of the governor's salary;  
 193 [(iii)] (d) state auditor: [\$83,500] \$86,000; and  
 194 [(iv)] (e) state treasurer: [\$81,000] \$83,400.

195 **Section 5. Coordinating S.B. 2 with H. B. 269 -- Substantively and technically**  
 196 **merging the amendments.**

197 If this S.B. 2 and H.B. 269, Human Resource Management Amendments, both pass, it  
 198 is the intent of the Legislature that the Office of Legislative Research and General Counsel, in  
 199 preparing the Utah Code database for publication, modify Subsection 67-22-2(1) (Effective  
 200 07/01/06) as amended by these bills to include the "Executive Director, Department of Human  
 201 Resource Management" in the list after "Executive Director, Department of Administrative  
 202 Services" at a salary range of "\$81,100 - \$109,400."

203 **Section 6. Coordinating S.B. 2 with S. B. 75 -- Substantively and technically**  
 204 **merging the amendments.**

205 If this S.B. 2 and S.B. 75, U STAR Initiative, both pass, it is the intent of the  
 206 Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah  
 207 Code database for publication, modify Subsection 67-22-2(1) (Effective 07/01/06) as amended  
 208 by these bills to include "Executive Director, Utah Science Technology and Research  
 209 Governing Authority" in the list after "Director, Governor's Office of Economic Development"  
 210 at a salary range of "\$81,100 - \$109,400."

211 **Section 7. Coordinating S.B. 2 with S. B. 217 -- Substantively and technically**  
 212 **merging the amendments.**

213 If this S.B. 2 and S.B. 217, School and Institutional Trust Lands Amendments, both

214 pass, it is the intent of the Legislature that the Office of Legislative Research and General  
215 Counsel, in preparing the Utah Code database for publication, modify Subsection 67-22-2(1)  
216 (Effective 07/01/06) as amended by these bills to include "Director, School and Institutional  
217 Trust Lands Administration" to the list after "Director, Governor's Office of Economic  
218 Development" at a salary range of "\$81,100 - \$109,400."

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**Legislative Review Note**

**as of 2-28-06 7:47 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**



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**Fiscal Note**  
**Bill Number SB0002**

**Executive Compensation Amendments**

*01-Mar-06*

*11:24 AM*

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**State Impact**

Passage of this bill will increase the state constitutional officers and other state officers compensation by 3 percent. Funding and other provisions for this adjustment have been included in the compensation package for FY 2007.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**