

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

7

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22 **67-22-2 (Superseded 07/01/06)**, as last amended by Chapter 8, Laws of Utah 2005,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

26

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 Section **67-22-2 (Superseded 07/01/06)** is amended to read:

29 **67-22-2 (Superseded 07/01/06).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.**

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 140 following salary ranges fixed by the Legislature:

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240 the state officers listed in Subsection (1).

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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.

Legislative Review Note
as of 1-24-06 3:30 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