

Senator Lyle W. Hillyard proposes the following substitute bill:

LEGISLATOR SALARY AMENDMENTS

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David Litvack

Senate Sponsor: Lyle W. Hillyard

6	Cosponsors:	Craig A. Frank	Merlynn T. Newbold
7	Sheryl L. Allen	Gage Froerer	Michael E. Noel
8	Johnny Anderson	Kevin S. Garn	Curtis Oda
9	Roger E. Barrus	Francis D. Gibson	Patrick Painter
10	Trisha S. Beck	James R. Gowans	Marie H. Poulson
11	Ron Bigelow	Richard A. Greenwood	Kraig Powell
12	Jim Bird	Keith Grover	Paul Ray
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14	Laura Black	Neal B. Hendrickson	Stephen E. Sandstrom
15	Rebecca Chavez-Houck	Gregory H. Hughes	F. Jay Seegmiller
16	David Clark	Fred R Hunsaker	Jennifer M. Seelig
17	Bradley M. Daw	Eric K. Hutchings	Evan J. Vickers
18	Brad L. Dee	Don L. Ipson	C. Brent Wallis
19	Susan Duckworth	Christine A. Johnson	Christine F. Watkins
20	James A. Dunnigan	Brian S. King	R. Curt Webb
21	Rebecca P. Edwards	Bradley G. Last	Mark A. Wheatley
22	Ben C. Ferry	Rebecca D. Lockhart	Ryan D. Wilcox
23	Janice M. Fisher	Steven R. Mascaró	Larry B. Wiley
24	Julie Fisher	Ronda Rudd Menlove	Bill Wright
25	Lorie D. Fowlke	Carol Spackman Moss	



LONG TITLE

General Description:

This bill modifies provisions in the legislative title of the Utah Code that govern legislators' daily pay.

Highlighted Provisions:



- 32 This bill:
- 33 ▶ unless certain contingencies occur, maintains legislators' daily pay at \$117 through
- 34 the 2011 calendar year, for:
- 35 • annual general sessions;
 - 36 • veto-override sessions;
 - 37 • special sessions; and
 - 38 • authorized legislative meetings;
- 39 ▶ authorizes the Legislative Compensation Commission to issue more than one report
- 40 in an even-numbered year;
- 41 ▶ clarifies the factors that the commission may consider, recommend, and include in
- 42 its report; and
- 43 ▶ makes technical changes.

44 **Monies Appropriated in this Bill:**

45 None

46 **Other Special Clauses:**

47 None

48 **Utah Code Sections Affected:**

49 AMENDS:

50 **36-2-2**, as last amended by Laws of Utah 1999, Chapter 379

51 **36-2-3**, as last amended by Laws of Utah 2009, Chapter 305

52 **36-2-5**, as last amended by Laws of Utah 1999, Chapter 379



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

55 Section 1. Section **36-2-2** is amended to read:

56 **36-2-2. Salaries and expenses of members -- Compensation of in-session**
57 **employees.**

58 [~~(1)(a)(i) The salary of members of the Legislature is \$100 per day for each calendar~~
59 ~~day for annual general sessions through the year 2000.]~~

60 [(ii)] (1)(a) Unless rejected or lowered as provided in Section 36-2-3, [~~the salary of~~
61 ~~members of the Legislature]~~ beginning in [~~the year]~~ 2001 and in each odd-numbered year
62 [~~thereafter shall be at]~~ after that year, members of the Legislature shall receive a salary equal to

63 the amount recommended by the Legislative Compensation Commission in [its] the last report
 64 issued by the commission in the previous even-numbered year.

65 ~~[(b) (i) Members of the Legislature shall also receive \$100 per day for each day the
 66 legislator attends veto-override and special sessions and other authorized legislative meetings
 67 through the year 2000.]~~

68 ~~[(ii) (b) Unless rejected or lowered as provided in Section 36-2-3, [the salary of]
 69 beginning in 2001 and in each odd-numbered year after that year, members of the Legislature
 70 shall receive a salary for attendance at a veto-override, special session, and other authorized
 71 legislative meetings [beginning in the year 2001 and each odd-numbered year thereafter shall
 72 ~~be at] equal to the amount recommended by the Legislative Compensation Commission in [its]
 73 the last report issued by the commission in the previous even-numbered year.~~~~

74 ~~[(2) (a) (i) The president of the Senate and the speaker of the House of Representatives
 75 shall receive an additional \$1,000 per year through the year 2000.]~~

76 ~~[(ii) (2) (a) Unless rejected or lowered as provided in Section 36-2-3, [the salary of the
 77 president of the Senate and the speaker of the House of Representatives] beginning in [the
 78 year] 2001 and in each odd-numbered year [thereafter shall be at] after that year, the president
 79 of the Senate and the speaker of the House of Representatives shall receive a salary equal to the
 80 amount recommended by the Legislative Compensation Commission in [its] the last report
 81 issued by the commission in the previous even-numbered year.~~

82 ~~[(b) (i) The majority and minority leaders of each house shall receive an additional
 83 \$500 per year through the year 2000.]~~

84 ~~[(ii) The salary of the majority and minority leadership of each house beginning in the
 85 year]~~

86 ~~(b) Beginning in 2001 and in each odd-numbered year [thereafter shall be at] after that
 87 year, the majority and minority leadership of each house shall receive a salary equal to the
 88 amount recommended by the Legislative Compensation Commission in [its] the last report
 89 issued by the commission in the previous even-numbered year.~~

90 (3) ~~(a)~~ The Legislature shall:

91 ~~(a)~~ establish, by joint rule of the Legislature, the expenses of its members[-]; and

92 ~~(b) [Rules] ensure that the rules~~ governing expenses ~~[shall be]~~ are based upon:

93 (i) payment of necessary expenses for attendance during legislative sessions;

94 (ii) a mileage allowance; and
95 (iii) reimbursement for other expenses involved in the performance of legislative
96 duties.

97 (4) (a) The Legislature shall establish the compensation of in-session employees [~~of the~~
98 ~~Legislature shall be fixed~~] by joint resolution at each session of the Legislature.

99 (b) For necessary work done by [~~the~~] in-session employees of the Legislature after the
100 adjournment of [~~the~~] a session, [~~the labor and services rendered shall be approved and attested~~
101 ~~by~~] the presiding officer of the house employing that work shall approve payment for the work.

102 Section 2. Section **36-2-3** is amended to read:

103 **36-2-3. Salaries of members set by Legislature based on recommendations of**
104 **Legislative Compensation Commission.**

105 (1) (a) Except as provided in Subsections (2) [~~and~~], (3), or (4), the salaries of members
106 of the Legislature shall automatically be set beginning January 1st of each odd-numbered year
107 at the amount recommended by the Legislative Compensation Commission in the last report
108 issued by the commission in the preceding even-numbered year.

109 (b) This salary recommendation shall be based on either:

110 (i) a daily basis:

111 (A) for each calendar day for annual general sessions; and

112 (B) for each day a legislator attends veto-override and special sessions and other
113 authorized legislative meetings; or

114 (ii) an annualized salary.

115 (c) In preparing its report, the commission may recommend salary amounts that:

116 (i) take into account the amounts received by legislators for legislative expenses; and

117 (ii) provide alternative salary amounts based upon the occurrence of various
118 contingencies.

119 (2) (a) [~~The Legislature during~~] During an even-numbered annual general session or
120 special session in the year immediately preceding the effective date of any salary change, the
121 Legislature may reject or [~~lower~~] decrease the salary recommendation, but may not increase the
122 salary recommendation.

123 (b) If the Legislature does not act as provided in Subsection (2)(a), they have by law
124 accepted the Legislative Compensation Commission's recommendations contained in the last

125 report issued by the commission in the preceding even-numbered year.

126 (3) [~~Notwithstanding~~] Unless the commission issues a revised report after March 11,
 127 2010, and notwithstanding Subsection (2), the salary for a member of the Legislature through
 128 calendar year [~~2010~~] 2011 is \$117 per day for each calendar day that the legislator attends:

- 129 (a) the annual general session;
 130 (b) a veto-override session;
 131 (c) a special session; or
 132 (d) an authorized legislative meeting.

133 (4) If the last report issued by the commission in an even-numbered year recommends a
 134 salary contingent upon certain action being taken by the Legislature, that contingent legislative
 135 salary:

- 136 (a) takes effect on the day after the day that the contingent action is taken by the
 137 Legislature; and
 138 (b) supersedes any other salary in effect as of January 1.

139 Section 3. Section **36-2-5** is amended to read:

140 **36-2-5. Duties of Legislative Compensation Commission.**

141 (1) The Legislative Compensation Commission [~~has the following duties~~] shall:

142 [~~(1) It shall~~] (a) study and formulate recommendations concerning the salary levels for
 143 Utah state legislators [~~-. The study should be based~~];

144 (b) base the study and recommendations upon maintaining a citizen Legislature in
 145 Utah, but compensating members fairly for their service in order that all individuals would
 146 have an opportunity to serve [~~-. Comparisons with~~];

147 (c) in developing recommendations, consider the salaries of other similar state
 148 legislators and other such factors [~~should be considered in developing the recommendations.~~

149 ~~This study does not include a review of the appropriate expense level of legislators.];~~ and

150 [~~(2) The commission shall~~] (d) submit to each member of the Legislature, by January
 151 2nd of each even-numbered year, recommendations;

152 (i) concerning changes, if any, which should be made in the salary plan and its
 153 administration for state legislators [~~-. This recommendation shall~~]; and

154 (ii) include a recitation of the provisions of Section 36-2-3.

155 (2) The Legislative Compensation Commission may issue reports subsequent to

156 January 2 of an even-numbered year containing revised salary recommendations, including
157 salary recommendations contingent upon certain action being taken by the Legislature.

158 (3) As provided in Subsection 36-2-3(1)(c), in formulating its recommendations, the
159 commission may take into account the amounts received by legislators for legislative expenses,
160 but may not review the propriety of, or recommend amounts for, legislative expenses.

H.B. 287 1st Sub. (Buff) - Legislator Salary Amendments

Fiscal Note

2010 General Session
State of Utah

State Impact

General Fund savings to the Legislature will be \$74,300 in FY 2011 and \$10,200 in FY 2012, contingent upon certain actions by the Legislature and Legislative Compensation Commission.

	<u>FY 2010 Approp.</u>	<u>FY 2011 Approp.</u>	<u>FY 2012 Approp.</u>	<u>FY 2010 Revenue</u>	<u>FY 2011 Revenue</u>	<u>FY 2012 Revenue</u>
General Fund, One-Time	\$0	(\$74,300)	(\$10,200)	\$0	\$0	\$0
Total	\$0	(\$74,300)	(\$10,200)	\$0	\$0	\$0

Individual, Business and/or Local Impact

Legislators will continue to receive a 10% salary reduction through calendar year 2011, contingent upon certain actions by the Legislature and Legislative Compensation Commission. Enactment of this bill likely will not result in direct, measurable costs and/or benefits for other individuals, businesses, or local governments.
