

Representative Craig Hall proposes the following substitute bill:

BOARD OF EDUCATION COMPENSATION AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Aaron Osmond

House Sponsor: Craig Hall

LONG TITLE

General Description:

This bill amends provisions related to the compensation of members of the State Board of Education.

Highlighted Provisions:

This bill:

- ▶ provides that the Legislature shall set the compensation of members of the State Board of Education annually in an appropriations act;
- ▶ addresses the compensation of members of the State Board of Education until the Legislature sets that compensation in an appropriations act;
- ▶ requires the Legislature to consider recommendations, if any, on the compensation of members of the State Board of Education made by the Elected Official and Judicial Compensation Commission;
- ▶ amends the powers and duties of the Elected Official and Judicial Compensation Commission to include making recommendations on compensation of members of the State Board of Education; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None



26 **Other Special Clauses:**

27 None

28 **Utah Code Sections Affected:**

29 AMENDS:

30 [53A-1-202](#), as last amended by Laws of Utah 2010, Chapter 286

31 [67-8-5](#), as last amended by Laws of Utah 2007, Chapter 34



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

34 Section 1. Section [53A-1-202](#) is amended to read:

35 **[53A-1-202. Compensation for members of the State Board of Education --](#)**
36 **Insurance -- Per diem and expenses.**

37 ~~[(1) Each member of the State Board of Education shall receive \$3,000 per year,~~
38 ~~payable monthly, as compensation for services.]~~

39 (1) (a) The Legislature shall set the compensation of members of the State Board of
40 Education annually in an appropriations act.

41 (b) Until the Legislature sets the compensation of members of the State Board of
42 Education in an appropriations act, each member of the State Board of Education shall receive
43 compensation of \$3,000 per year.

44 (c) Compensation of members of the State Board of Education is payable monthly.

45 (d) In setting the compensation of members of the State Board of Education, the
46 Legislature shall consider the recommendations, if any, the Elected Official and Judicial
47 Compensation Commission makes in accordance with Section [67-8-5](#).

48 (2) A board member may participate in any group insurance plan provided to
49 employees of the State Office of Education as part of their compensation on the same basis as
50 required for employee participation.

51 (3) In addition to the provisions of Subsections (1) and (2), a board member may
52 receive per diem and travel expenses in accordance with:

53 (a) Section [63A-3-106](#);

54 (b) Section [63A-3-107](#); and

55 (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
56 [63A-3-107](#).

57 Section 2. Section **67-8-5** is amended to read:

58 **67-8-5. Duties of commission -- Salary recommendations.**

59 (1) The commission shall recommend to the Legislature [~~salaries for~~]:

60 (a) salaries for the governor, the lieutenant governor, the attorney general, the state
61 auditor, and the state treasurer; [~~and~~]

62 (b) salaries for justices of the Supreme Court and judges of the constitutional and
63 statutory courts of record[~~;~~]; and

64 (c) compensation for members of the State Board of Education.

65 (2) The commission shall:

66 (a) in making recommendations on salaries described in Subsections (1)(a) and (b):

67 (i) make studies and formulate recommendations concerning the wage and salary
68 classification plan based upon factors such as educational requirements, experience,
69 responsibility, accountability for funds and staff, comparisons with wages paid in other
70 comparable public and private employment within this state, and other states similarly situated,
71 and any other factors generally used in similar comprehensive wage and salary classification
72 plans so that the plan and its administration reflect current conditions at all times; and

73 [~~(b)~~] (ii) consult and advise with, and make recommendation to, the Department of
74 Human Resource Management regarding the plan, its administration, and the position of any
75 elected official and judge covered by the plan;

76 (b) in making recommendations on compensation described in Subsection (1)(c), make
77 studies and formulate recommendations concerning compensation of members of state boards
78 of education in other states and other factors the commission determines to be relevant so that
79 the compensation reflects current conditions at all times;

80 (c) submit to the Executive Appropriations Committee not later than 60 days before
81 commencement of each annual general session:

82 (i) a report briefly summarizing its activities during the calendar year immediately
83 preceding the session;

84 (ii) recommendations concerning revisions, modifications, or changes, if any, [~~which~~
85 that should be made in the plan, its administration, [~~or in~~] the classification of any [~~officer~~
86 elected official or judge under the plan, or the compensation of members of the State Board of
87 Education; and

88 (iii) specific recommendations regarding the office of governor, lieutenant governor,
89 attorney general, state auditor, and state treasurer concerning adjustments, if any, that should be
90 made in the salary or other emoluments of office so that all elected and judicial officials receive
91 equitable and consistent treatment regardless of whether salaries are fixed by the Legislature or
92 by the Department of Human Resource Management; and

93 (d) conduct a comprehensive review of judicial salary levels and make
94 recommendations for judicial salaries in a report to the president of the Senate, the speaker of
95 the House of Representatives, and the governor by November 1, prior to the convening of the
96 general session of the Legislature in each odd-numbered year.

97 (3) (a) The recommendation under Subsection (2)(d) shall be based upon consultation
98 with the Judicial Council and upon consideration for the career status of judges. It shall be
99 based upon comparisons with salaries paid in other states and in comparable public and private
100 employment within this state.

101 (b) In even-numbered years, the commission shall update its prior report, based upon
102 the Consumer Price Index and other relevant factors, and shall forward its updated
103 recommendations as prescribed in this section.

104 (4) The Judicial Council shall cooperate with the commission in providing information
105 on the judicial branch of government and on the individual levels of court as requested. The
106 director of personnel from the Office of the Court Administrator shall provide the salary
107 comparison data referred to in this section to the legislative fiscal analyst and shall provide
108 other staff assistance and support as requested by the legislative fiscal analyst.