

STATE SCHOOL BOARD AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Francis D. Gibson

Senate Sponsor: Deidre M. Henderson

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 compensation of members of the State Board of Education shall be the same as, and set through the same process as, compensation of members of the Legislature with certain exceptions; and
- ▶ makes technical and conforming corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

36-2-3, as last amended by Laws of Utah 2010, Chapter 133

53A-1-202, as last amended by Laws of Utah 2015, Chapter 289

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

Section 1. Section **36-2-3** is amended to read:



28 **36-2-3. Salaries of members set by Legislature and State Board of Education**
 29 **based on recommendations of Legislative Compensation Commission.**

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

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

35 (i) a daily basis:

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

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

39 (ii) an annualized salary.

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

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

42 (ii) provide alternative salary amounts based upon the occurrence of various
 43 contingencies.

44 (2) (a) During an even-numbered annual general session or special session in the year
 45 immediately preceding the effective date of any salary change, the Legislature may reject or
 46 decrease the salary recommendation, but may not increase the salary recommendation.

47 (b) If the Legislature does not act as provided in Subsection (2)(a), they have by law
 48 accepted the Legislative Compensation Commission's recommendations contained in the last
 49 report issued by the commission in the preceding even-numbered year.

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

53 ~~[(a) the annual general session;]~~

54 ~~[(b) a veto-override session;]~~

55 ~~[(c) a special session; or]~~

56 ~~[(d) an authorized legislative meeting.]~~

57 ~~[(4)]~~ (3) If the last report issued by the commission in an even-numbered year
 58 recommends a salary contingent upon certain action being taken by the Legislature, that

59 contingent legislative salary:

60 (a) takes effect on the day after the day that the contingent action is taken by the
61 Legislature; and

62 (b) supersedes any other salary in effect as of January 1.

63 (4) (a) The salary for a member of the State Board of Education shall be:

64 (i) the same as the salary for a member of the Legislature; and

65 (ii) except as provided in Subsection (4)(b), set in accordance with this section and
66 Subsection 36-2-2(1).

67 (b) For purposes of setting the salary for a member of the State Board of Education:

68 (i) a calendar day for the annual general session described in Subsection (1)(b)(i)(A) is
69 interpreted as a calendar day of:

70 (A) a meeting of the State Board of Education; and

71 (B) any other meeting authorized by the State Board of Education; and

72 (ii) unless the Legislative Compensation Commission issues a revised report on or after

73 July 1, 2016, the salary for a member of the State Board of Education through calendar year

74 2016 is \$273 per day for each calendar day that a member attends a meeting described in

75 Subsection (4)(b)(i)(A) or (B).

76 Section 2. Section 53A-1-202 is amended to read:

77 **53A-1-202. Compensation for members of the State Board of Education --**

78 **Insurance -- Per diem and expenses.**

79 ~~[(1) (a) The Legislature shall set the compensation of members of the State Board of~~
80 ~~Education annually in an appropriations act.]~~

81 ~~[(b) Until the Legislature sets the compensation of members of the State Board of~~
82 ~~Education in an appropriations act, each member of the State Board of Education shall receive~~
83 ~~compensation of \$3,000 per year.]~~

84 ~~[(c) Compensation of members of the State Board of Education is payable monthly.]~~

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

88 (1) The salary for a member of the State Board of Education is set in accordance with
89 Section 36-2-3.

90 (2) Compensation for a member of the State Board of Education is payable monthly.
91 ~~[(2)]~~ (3) A ~~[board]~~ State Board of Education member may participate in any group
92 insurance plan provided to employees of the State Office of Education as part of ~~[their]~~ the
93 State Board of Education member's compensation on the same basis as required for employee
94 participation.
95 ~~[(3)]~~ (4) In addition to the provisions of Subsections (1) and ~~[(2)]~~ (3), a ~~[board]~~ State
96 Board of Education member may receive per diem and travel expenses in accordance with:
97 (a) Section [63A-3-106](#);
98 (b) Section [63A-3-107](#); and
99 (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
100 [63A-3-107](#).
101 Section 3. **Effective date.**
102 This bill takes effect on July 1, 2016.

Legislative Review Note
Office of Legislative Research and General Counsel