

1 **DEPARTMENT OF VETERANS AND MILITARY AFFAIRS**

2 **AMENDMENTS**

3 2020 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Todd Weiler**

6 House Sponsor: Paul Ray

7

LONG TITLE

8 **General Description:**

9 This bill modifies provisions relating to state officers.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ provides a vehicle for commute and official use for the executive director of the
13 Department of Veterans and Military Affairs.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **67-22-2**, as last amended by Laws of Utah 2018, Chapter 39

21

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

22 Section 1. Section **67-22-2** is amended to read:

23 **67-22-2. Compensation -- Other state officers.**

24 (1) As used in this section:

25 (a) "Appointed executive" means the:



- 28 (i) commissioner of the Department of Agriculture and Food;
- 29 (ii) commissioner of the Insurance Department;
- 30 (iii) commissioner of the Labor Commission;
- 31 (iv) director, Department of Alcoholic Beverage Control;
- 32 (v) commissioner of the Department of Financial Institutions;
- 33 (vi) executive director, Department of Commerce;
- 34 (vii) executive director, Commission on Criminal and Juvenile Justice;
- 35 (viii) adjutant general;
- 36 (ix) executive director, Department of Heritage and Arts;
- 37 (x) executive director, Department of Corrections;
- 38 (xi) commissioner, Department of Public Safety;
- 39 (xii) executive director, Department of Natural Resources;
- 40 (xiii) executive director, Governor's Office of Management and Budget;
- 41 (xiv) executive director, Department of Administrative Services;
- 42 (xv) executive director, Department of Human Resource Management;
- 43 (xvi) executive director, Department of Environmental Quality;
- 44 (xvii) director, Governor's Office of Economic Development;
- 45 (xviii) executive director, Utah Science Technology and Research Governing
- 46 Authority;
- 47 (xix) executive director, Department of Workforce Services;
- 48 (xx) executive director, Department of Health, Nonphysician;
- 49 (xxi) executive director, Department of Human Services;
- 50 (xxii) executive director, Department of Transportation;
- 51 (xxiii) executive director, Department of Technology Services; and
- 52 (xxiv) executive director, Department of Veterans and Military Affairs.
- 53 (b) "Board or commission executive" means:
- 54 (i) members, Board of Pardons and Parole;
- 55 (ii) chair, State Tax Commission;
- 56 (iii) commissioners, State Tax Commission;
- 57 (iv) executive director, State Tax Commission;
- 58 (v) chair, Public Service Commission; and

59 (vi) commissioners, Public Service Commission.

60 (c) "Deputy" means the person who acts as the appointed executive's second in
61 command as determined by the Department of Human Resource Management.

62 (2) (a) The executive director of the Department of Human Resource Management
63 shall:

64 (i) before October 31 of each year, recommend to the governor a compensation plan for
65 the appointed executives and the board or commission executives; and

66 (ii) base those recommendations on market salary studies conducted by the Department
67 of Human Resource Management.

68 (b) (i) The Department of Human Resource Management shall determine the salary
69 range for the appointed executives by:

70 (A) identifying the salary range assigned to the appointed executive's deputy;

71 (B) designating the lowest minimum salary from those deputies' salary ranges as the
72 minimum salary for the appointed executives' salary range; and

73 (C) designating 105% of the highest maximum salary range from those deputies' salary
74 ranges as the maximum salary for the appointed executives' salary range.

75 (ii) If the deputy is a medical doctor, the Department of Human Resource Management
76 may not consider that deputy's salary range in designating the salary range for appointed
77 executives.

78 (c) (i) Except as provided in Subsection (2)(c)(ii), in establishing the salary ranges for
79 board or commission executives, the Department of Human Resource Management shall set
80 the maximum salary in the salary range for each of those positions at 90% of the salary for
81 district judges as established in the annual appropriation act under Section 67-8-2.

82 (ii) In establishing the salary ranges for an individual described in Subsection (1)(b)(ii)
83 or (iii), the Department of Human Resource Management shall set the maximum salary in the
84 salary range for each of those positions at 100% of the salary for district judges as established
85 in the annual appropriation act under Section 67-8-2.

86 (3) (a) (i) Except as provided in Subsection (3)(a)(ii), the governor shall establish a
87 specific salary for each appointed executive within the range established under Subsection
88 (2)(b).

89 (ii) If the executive director of the Department of Health is a physician, the governor

90 shall establish a salary within the highest physician salary range established by the Department
91 of Human Resource Management.

92 (iii) The governor may provide salary increases for appointed executives within the
93 range established by Subsection (2)(b) and identified in Subsection (3)(a)(ii).

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

96 (c) The governor may develop standards and criteria for reviewing the appointed
97 executives.

98 (4) Salaries for other Schedule A employees, as defined in Section 67-19-15, that are
99 not provided for in this chapter, or in Title 67, Chapter 8, Utah Elected Official and Judicial
100 Salary Act, shall be established as provided in Section 67-19-15.

101 (5) (a) The Legislature fixes benefits for the appointed executives and the board or
102 commission executives as follows:

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

107 (ii) health insurance;

108 (iii) dental insurance;

109 (iv) basic life insurance;

110 (v) unemployment compensation;

111 (vi) workers' compensation;

112 (vii) required employer contribution to Social Security;

113 (viii) long-term disability income insurance;

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

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

117 (xi) the same leave, holidays, and allowances granted to Schedule B state employees as
118 follows:

119 (A) sick leave;

120 (B) converted sick leave if accrued prior to January 1, 2014;

- 121 (C) educational allowances;
- 122 (D) holidays; and
- 123 (E) annual leave except that annual leave shall be accrued at the maximum rate
124 provided to Schedule B state employees;
- 125 (xii) the option to convert accumulated sick leave to cash or insurance benefits as
126 provided by law or rule upon resignation or retirement according to the same criteria and
127 procedures applied to Schedule B state employees;
- 128 (xiii) the option to purchase additional life insurance at group insurance rates according
129 to the same criteria and procedures applied to Schedule B state employees; and
- 130 (xiv) professional memberships if being a member of the professional organization is a
131 requirement of the position.
- 132 (b) Each department shall pay the cost of additional state-paid life insurance for its
133 executive director from its existing budget.
- 134 (6) The Legislature fixes the following additional benefits:
- 135 (a) for the executive director of the State Tax Commission a vehicle for official and
136 personal use;
- 137 (b) for the executive director of the Department of Transportation a vehicle for official
138 and personal use;
- 139 (c) for the executive director of the Department of Natural Resources a vehicle for
140 commute and official use;
- 141 (d) for the commissioner of Public Safety:
- 142 (i) an accidental death insurance policy if POST certified; and
143 (ii) a public safety vehicle for official and personal use;
- 144 (e) for the executive director of the Department of Corrections:
- 145 (i) an accidental death insurance policy if POST certified; and
146 (ii) a public safety vehicle for official and personal use;
- 147 (f) for the adjutant general a vehicle for official and personal use; [~~and~~]
- 148 (g) for each member of the Board of Pardons and Parole a vehicle for commute and
149 official use[-]; and
- 150 (h) for the executive director of the Department of Veterans and Military Affairs a
151 vehicle for commute and official use.