

H.780

Introduced by Committee on Government Operations

Date:

Subject: Pay act; state employees; salaries; cost-of-living adjustments;
appropriations

Statement of purpose: This bill proposes to: 1) authorize the restoration of the salaries of exempt employees in the executive branch who had a reduction in salary taken in 2009 or 2010; 2) authorize cost-of-living adjustments to exempt employees in the executive branch; 3) adjust the compensation for certain state employees; and 4) make appropriations for compensation of employees in the executive, judicial, and legislative branches.

An act relating to compensation for certain state employees

It is hereby enacted by the General Assembly of the State of Vermont:

* * * Exempt Employees in the Executive Branch * * *

Sec. 1. RESTORATION OF SALARY

(a) The amount equal to the three-percent reduction in salaries taken on July 1, 2010 by exempt employees in the executive branch who earned less than \$60,000.00 annually may be restored to those salaries in fiscal year 2013.

1 (b) The amount equal to the five-percent reduction in salaries taken on
2 January 1, 2009 by exempt employees in the executive branch who earned
3 \$60,000.00 or more annually may be restored to those salaries in
4 fiscal year 2013.

5 (c) If the secretary of administration determines that the salary of an
6 exempt employee in the executive branch who earns less than \$60,000.00
7 annually and was hired or promoted after July 1, 2010 reflects a three-percent
8 reduction in pay, the secretary may restore the amount equal to the
9 three-percent reduction to that salary in fiscal year 2013.

10 (d) If the secretary of administration determines that the salary of an
11 exempt employee in the executive branch who earns \$60,000.00 or more
12 annually and was hired or promoted after January 1, 2009 reflects a
13 five-percent reduction in pay, the secretary may restore the amount equal to the
14 five-percent reduction to that salary in fiscal year 2013.

15 Sec. 2. COST-OF-LIVING ADJUSTMENTS

16 (a) Exempt employees in the executive branch earning less than \$60,000.00
17 annually may receive a cost-of-living adjustment in fiscal year 2013 of two
18 percent.

19 (b) Exempt employees in the executive branch earning \$60,000.00 or more
20 annually may or may not receive a cost-of-living adjustment in fiscal year
21 2013.

(c) Exempt employees in the executive branch may receive a cost-of-living adjustment in fiscal year 2014.

Sec. 3. RATE OF ADJUSTMENT

For purposes of determining annual salary adjustments, special salary increases, and bonuses under 32 V.S.A. §§ 1003(b) and 1020(b), the “total rate of adjustment available to classified employees under the collective bargaining agreement” shall be deemed to be 2.85 percent in fiscal year 2013 and 3.7 percent in fiscal year 2014.

* * * Veterans Home * * *

Sec. 4. 32 V.S.A. § 1003(b)(1) is amended to read:

(1) Heads of the following departments, offices and agencies:

	<u>Base</u>	<u>Base</u>
	<u>Salary</u>	<u>Salary</u>
	<u>as of</u>	<u>as of</u>
	<u>July 8,</u>	<u>July 1,</u>
	<u>2007</u>	<u>2012</u>
(A) Administration	\$90,745	<u>\$90,745</u>
(B) Agriculture, food and markets	90,745	<u>90,745</u>
(C) Banking, insurance, securities, and health care administration	84,834	<u>84,834</u>
(D) Buildings and general services	84,834	<u>84,834</u>

1	(E) Children and families	84,834	<u>84,834</u>
2	(F) Commerce and community development	90,745	<u>90,745</u>
3	(G) Corrections	84,834	<u>84,834</u>
4	(H) Defender general	76,953	<u>76,953</u>
5	(I) Disabilities, aging, and independent living	84,834	<u>84,834</u>
6	(J) Economic development	76,953	<u>76,953</u>
7	(K) Education	84,834	<u>84,834</u>
8	(L) Environmental conservation	84,834	<u>84,834</u>
9	(M) Finance and management	84,834	<u>84,834</u>
10	(N) Fish and wildlife	76,953	<u>76,953</u>
11	(O) Forests, parks and recreation	76,953	<u>76,953</u>
12	(P) Health	84,834	<u>84,834</u>
13	(Q) Housing and community affairs	76,953	<u>76,953</u>
14	(R) Human resources	84,834	<u>84,834</u>
15	(S) Human services	90,745	<u>90,745</u>
16	(T) Information and innovation	84,834	<u>84,834</u>
17	(U) Labor	84,834	<u>84,834</u>
18	(V) Libraries	76,953	<u>76,953</u>
19	(W) Liquor control	76,953	<u>76,953</u>
20	(X) Lottery	76,953	<u>76,953</u>
21	(Y) Mental Health	84,834	<u>84,834</u>

1	(Z) Military	84,834	<u>84,834</u>
2	(AA) Motor vehicles	76,953	<u>76,953</u>
3	(BB) Natural resources	90,745	<u>90,745</u>
4	(CC) Natural resources board chairperson	76,953	<u>76,953</u>
5	(DD) Public Safety	84,834	<u>84,834</u>
6	(EE) Public service	84,834	<u>84,834</u>
7	(FF) Taxes	84,834	<u>84,834</u>
8	(GG) Tourism and marketing	76,953	<u>76,953</u>
9	(HH) Transportation	90,745	<u>90,745</u>
10	(II) Vermont health access	84,834	<u>84,834</u>
11	(JJ) Veterans home	76,953	<u>84,834</u>

12 * * * Judicial Branch * * *

13 Sec. 5. 32 V.S.A. § 1003(c) is amended to read:

14 (c) The annual salaries of the officers of the judicial branch named below
15 shall be as follows:

16		Annual	<u>Annual</u>	<u>Annual</u>
17		Salary	<u>Salary</u>	<u>Salary</u>
18		as of	<u>as of</u>	<u>as of</u>
19		July 8,	<u>July 1,</u>	<u>July 14,</u>
20		2007	<u>2012</u>	<u>2013</u>
21	(1) Chief justice of supreme court	\$135,421	<u>\$139,280</u>	<u>\$144,434</u>

1	(2) Each associate justice	129,245	<u>132,928</u>	<u>137,847</u>
2	(3) Administrative judge	129,245	<u>132,928</u>	<u>137,847</u>
3	(4) Each superior judge	122,867	<u>126,387</u>	<u>131,063</u>
4	(5) Each district judge	122,867	<u>[Repealed.]</u>	
5	(6) Each magistrate	92,641	<u>95,281</u>	<u>98,807</u>
6	(7) Each judicial bureau hearing			
7	officer	92,641	<u>95,281</u>	<u>98,807</u>

8 Sec. 6. 32 V.S.A. § 1141 is amended to read:

9 § 1141. ASSISTANT JUDGES

10 (a)(1) The compensation of each assistant judge of the superior court shall
11 be ~~\$142.04~~ \$146.09 a day as of ~~July 8, 2007~~, July 1, 2012 and \$151.49 a day as
12 of July 14, 2013 for time spent in the performance of official duties and
13 necessary expenses as allowed to classified state employees. Compensation
14 under this section shall be based on a two-hour minimum and hourly thereafter.

15 * * *

16 Sec. 7. 32 V.S.A. § 1142 is amended to read:

17 § 1142. PROBATE JUDGES

18 (a) The annual salaries of the probate judges in the several probate districts,
19 which shall be paid by the state in lieu of all fees or other compensation, shall
20 be as follows:

1			<u>Annual</u>	<u>Annual</u>
2			<u>Salary</u>	<u>Salary</u>
3			<u>as of</u>	<u>as of</u>
4			<u>July 1,</u>	<u>July 14,</u>
5			<u>2012</u>	<u>2013</u>
6	(1) Addison	\$48,439	<u>\$49,820</u>	<u>\$51,663</u>
7	(2) Bennington	61,235	<u>62,980</u>	<u>65,310</u>
8	(3) Caledonia	42,956	<u>44,180</u>	<u>45,815</u>
9	(4) Chittenden	91,395	<u>94,000</u>	<u>97,478</u>
10	(5) Essex	12,000	<u>12,342</u>	<u>13,206</u>
11	(6) Franklin	48,439	<u>49,820</u>	<u>51,663</u>
12	(7) Grand Isle	12,000	<u>12,342</u>	<u>13,206</u>
13	(8) Lamoille	33,816	<u>34,780</u>	<u>36,067</u>
14	(9) Orange	40,214	<u>41,220</u>	<u>42,746</u>
15	(10) Orleans	39,300	<u>40,420</u>	<u>41,916</u>
16	(11) Rutland	86,825	<u>89,300</u>	<u>92,604</u>
17	(12) Washington	66,718	<u>68,619</u>	<u>71,158</u>
18	(13) Windham	53,923	<u>55,460</u>	<u>57,512</u>
19	(14) Windsor	73,116	<u>75,200</u>	<u>77,982</u>
20		* * *		

* * * Sheriffs * * *

Sec. 8. 32 V.S.A. § 1182 is amended to read:

§ 1182. SHERIFFS

(a) The annual salaries of the sheriffs of all counties except Chittenden shall be ~~\$65,812.00~~ \$67,688.00 as of ~~July 8, 2007~~ July 1, 2012 and \$70,192.00 as of July 14, 2013. The annual salary of the sheriff of Chittenden County shall be ~~\$69,646.00~~ \$71,631.00 as of ~~July 8, 2007~~ July 1, 2012 and \$74,281.00 as of July 14, 2013.

(b) Compensation under subsection (a) of this section shall be reduced by 10 percent for any sheriff who has not completed the full-time training requirements under 20 V.S.A. § 2358.

* * * State's Attorneys * * *

Sec. 9. 32 V.S.A. § 1183 is amended to read:

§ 1183. STATE'S ATTORNEYS

(a) The annual salaries of state's attorneys shall be:

	Annual	<u>Annual</u>	<u>Annual</u>
	Salary	<u>Salary</u>	<u>Salary</u>
	as of	<u>as of</u>	<u>as of</u>
	July 8,	<u>July 1,</u>	<u>July 14,</u>
	2007	<u>2012</u>	<u>2013</u>
(1) Addison County	\$89,020	<u>\$91,557</u>	<u>\$94,945</u>

1	(2) Bennington County	89,020	<u>91,557</u>	<u>94,945</u>
2	(3) Caledonia County	89,020	<u>91,557</u>	<u>94,945</u>
3	(4) Chittenden County	93,069	<u>95,721</u>	<u>99,263</u>
4	(5) Essex County	66,766	<u>68,669</u>	<u>71,210</u>
5	(6) Franklin County	89,020	<u>91,557</u>	<u>94,945</u>
6	(7) Grand Isle County	66,766	<u>68,669</u>	<u>71,210</u>
7	(8) Lamoille County	89,020	<u>91,557</u>	<u>94,945</u>
8	(9) Orange County	89,020	<u>91,557</u>	<u>94,945</u>
9	(10) Orleans County	89,020	<u>91,557</u>	<u>94,945</u>
10	(11) Rutland County	89,020	<u>91,557</u>	<u>94,945</u>
11	(12) Washington County	89,020	<u>91,557</u>	<u>94,945</u>
12	(13) Windham County	89,020	<u>91,557</u>	<u>94,945</u>
13	(14) Windsor County	89,020	<u>91,557</u>	<u>94,945</u>

14 (b) In settlement of their accounts the commissioner of finance and
15 management shall allow the state's attorneys the expense of printing briefs in
16 cases in which the state's attorney has represented the state and their necessary
17 and actual expenses under the rules and regulations pertaining to classified
18 state employees.

* * * Appropriations * * *

Sec. 10. PAY ACT APPROPRIATIONS

(a) Executive Branch. The two-year agreements between the state of Vermont and the Vermont State Employees' Association for the defender general, nonmanagement, supervisory, and corrections bargaining units for the period of July 1, 2012 through June 30, 2014; the collective bargaining agreement with the Vermont Troopers' Association for the period of July 1, 2012 through June 30, 2013; and salary increases for exempt employees in the executive branch shall be funded as follows:

(1) Fiscal Year 2013.

(A) General Fund. The amount of \$9,161,031.00 is appropriated from the general fund to the secretary of administration for distribution to departments to fund the fiscal year 2013 collective bargaining agreements and the requirements of this act.

(B) Transportation Fund. The amount of \$3,400,000.00 is appropriated from the transportation fund to the secretary of administration for distribution to the agency of transportation and the department of public safety to fund the fiscal year 2013 collective bargaining agreements and the requirements of this act.

(C) Other funds. The administration shall provide additional spending authority to departments through the existing process of excess

1 receipts to fund the fiscal year 2013 collective bargaining agreements and the
2 requirements of this act. The estimated amounts are \$16,089,096.00 from
3 special fund, federal, and other sources.

4 (D) With due regard to the possible availability of other funds, for
5 fiscal year 2013, the secretary of administration may transfer from the various
6 appropriations and various funds and from the receipts of the liquor control
7 board such sums as the secretary may determine to be necessary to carry out
8 the purposes of this act to the various agencies supported by state funds.

9 (2) Fiscal Year 2014.

10 (A) General Fund. The amount of \$7,171,193.00 is appropriated
11 from the general fund to the secretary of administration for distribution to
12 departments to fund the fiscal year 2014 collective bargaining agreements and
13 the requirements of this act.

14 (B) Transportation Fund. The amount of \$2,200,000.00 is
15 appropriated from the transportation fund to the secretary of administration for
16 distribution to the agency of transportation and the department of public safety
17 to fund the fiscal year 2014 collective bargaining agreements and the
18 requirements of this act.

19 (C) Other funds. The administration shall provide additional
20 spending authority to departments through the existing process of excess
21 receipts to fund the fiscal year 2014 collective bargaining agreements and the

1 requirements of this act. The estimated amounts are \$11,591,844.00 from
2 special fund, federal, and other sources.

3 (D) With due regard to the possible availability of other funds, for
4 fiscal year 2014, the secretary of administration may transfer from the various
5 appropriations and various funds and from the receipts of the liquor control
6 board such sums as the secretary may determine to be necessary to carry out
7 the purposes of this act to the various agencies supported by state funds.

8 (3) The appropriations authorized by this subsection shall include
9 sufficient funding to ensure administration of exempt pay plans authorized
10 under 32 V.S.A. § 1020(c).

11 (b) Judicial Branch.

12 (1) The chief justice of the supreme court may extend the provisions of
13 the judiciary's collective bargaining agreement to judiciary employees who are
14 not covered by that agreement.

15 (2) The two-year agreements between the state of Vermont and the
16 Vermont State Employees' Association for the judicial bargaining unit for the
17 period of July 1, 2012 through June 30, 2014 and salary increases for exempt
18 employees during the same fiscal years shall be funded as follows:

19 (A) Fiscal Year 2013; General Fund. The amount of \$1,720,000.00
20 is appropriated from the general fund to the judiciary to fund the fiscal year
21 2013 collective bargaining agreement and the requirements of this act.

1 (B) Fiscal Year 2014; General Fund. The amount of \$893,972 is
2 appropriated from the general fund to the judiciary to fund the fiscal year 2014
3 collective bargaining agreement and the requirements of this act.

4 (c) Legislative Branch. For the period of July 1, 2012 through June 30,
5 2014, compensation for legislative staff shall be funded as follows:

6 (1) Fiscal Year 2013. The amount of \$225,000.00 is appropriated from
7 the general fund to the legislative branch.

8 (2) Fiscal Year 2014. The amount of \$180,000.00 is appropriated from
9 the general fund to the legislative branch.

10 Sec. 11. EFFECTIVE DATE

11 This act shall take effect on passage.