

1 H.780

2 Introduced by Committee on Government Operations

3 Date:

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

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

12 An act relating to compensation for certain state employees

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

14 \* \* \* Exempt Employees in the Executive Branch \* \* \*

15 Sec. 1. RESTORATION OF SALARY

16 (a) The amount equal to the three-percent reduction in salaries taken on  
17 July 1, 2010 by exempt employees in the executive branch who earned less  
18 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.

### Sec. 3. RATE OF ADJUSTMENT

\* \* \* Veterans Home \* \* \*

(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,<br>and health care administration | 84,834         | <u>84,834</u>   |
| (D) Buildings and general services                                    | 84,834         | 84,834          |

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

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

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

\* \* \*

\* \* \* 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:

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

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

*Sec. 10. PAY ACT FUNDING*

*The compensation provided in this act shall be funded by appropriations*  
*made in H.781 of the 2011–2012 session of the general assembly in Sec.*  
*B.1200 for fiscal year 2013 and in Sec. BB.1200 for fiscal year 2014.*

10        Sec. 11. EFFECTIVE DATE

11                This act shall take effect on passage.