

H.888

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. COST-OF-LIVING ADJUSTMENTS

Exempt employees in the Executive Branch may receive cost-of-living increases not to exceed 3.7 percent in fiscal year 2017 and not to exceed 3.95 percent in fiscal year 2018.

Sec. 2. 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 3.7 percent in fiscal year 2017 and 3.95 percent in fiscal year 2018.

Sec. 3. 32 V.S.A. § 1003 is amended to read:

§ 1003. STATE OFFICERS

(a) Each elective officer of the Executive Department is entitled to an annual salary as follows:

Annual	Annual	<u>Annual</u>	<u>Annual</u>
Salary	Salary	<u>Salary</u>	<u>Salary</u>
as of	as of	<u>as of</u>	<u>as of</u>

	July 13,	July 12,	<u>July 10,</u>	<u>July 09,</u>
	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Governor	\$155,019	\$160,135	\$166,060	\$172,619
Lieutenant Governor	65,803	67,975	70,490	73,274
Secretary of State	98,296	101,540	105,297	109,456
State Treasurer	98,296	101,540	105,297	109,456
Auditor of Accounts	98,296	101,540	105,297	109,456
Attorney General	117,674	121,557	126,055	131,034

(b) The Governor may appoint each officer of the Executive Branch listed in this subsection at a starting salary ranging from the base salary stated for that position to a salary which does not exceed the maximum salary unless otherwise authorized by this subsection. The maximum salary for each appointive officer shall be 50 percent above the base salary. Annually, the Governor may grant to each of those officers an annual salary adjustment subject to the maximum salary. The annual salary adjustment granted to officers under this subsection shall not exceed the average of the total rate of adjustment available to classified employees under the collective bargaining agreement then in effect. In addition to the annual salary adjustment specified in this subsection, the Governor may grant a special salary increase subject to the maximum salary, or a bonus, to any officer listed in this subsection whose job duties have significantly increased, or whose contributions to the State in

the preceding year are deemed especially significant. Special salary increases or bonuses granted to any individual shall not exceed the average of the total rate of adjustment available to classified employees under the collective bargaining agreement then in effect.

(1) Heads of the following Departments and Agencies:

	<u>Base</u>	<u>Base</u>	<u>Base</u>	<u>Base</u>
	<u>Salary</u>	<u>Salary</u>	<u>Salary</u>	<u>Salary</u>
	<u>as of</u>	<u>as of</u>	<u>as of</u>	<u>as of</u>
	<u>July 13,</u>	<u>July 12,</u>	<u>July 10,</u>	<u>July 09,</u>
	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
(A) Administration	\$93,740	\$96,833	\$100,416	\$104,382
(B) Agriculture,				
Food and Markets	93,740	96,833	100,416	104,382
(C) Financial Regulation	87,634	90,525	93,874	97,582
(D) Buildings and General				
Services	87,634	90,525	93,874	97,582
(E) Children and Families	87,634	90,525	93,874	97,582
(F) Commerce and Community				
Development	93,740	96,833	100,416	104,382
(G) Corrections	87,634	90,525	93,874	97,582
(H) Defender General	87,634	90,525	93,874	97,582

(I) Disabilities, Aging, and				
Independent Living	87,634	90,525	<u>93,874</u>	<u>97,582</u>
(J) Economic Development	79,492	82,116	<u>85,154</u>	<u>88,518</u>
(K) Education	93,740	96,833	<u>100,416</u>	<u>104,382</u>
(L) Environmental				
Conservation	87,634	90,525	<u>93,874</u>	<u>97,582</u>
(M) Finance and				
Management	87,634	90,525	<u>93,874</u>	<u>97,582</u>
(N) Fish and Wildlife	79,492	82,116	<u>85,154</u>	<u>88,518</u>
(O) Forests, Parks and				
Recreation	79,492	82,116	<u>85,154</u>	<u>88,518</u>
(P) Health	87,634	90,525	<u>93,874</u>	<u>97,582</u>
(Q) Housing and Community				
Development	79,492	82,116	<u>85,154</u>	<u>88,518</u>
(R) Human Resources	87,634	90,525	<u>93,874</u>	<u>97,582</u>
(S) Human Services	93,740	96,833	<u>100,416</u>	<u>104,382</u>
(T) Information and				
Innovation	87,634	90,525	<u>93,874</u>	<u>97,582</u>
(U) Labor	87,634	90,525	<u>93,874</u>	<u>97,582</u>
(V) Libraries	79,492	82,116	<u>85,154</u>	<u>88,518</u>
(W) Liquor Control	79,492	82,116	<u>85,154</u>	<u>88,518</u>

(X) Lottery	79,492	82,116	<u>85,154</u>	<u>88,518</u>
(Y) Mental Health	87,634	90,525	<u>93,874</u>	<u>97,582</u>
(Z) Military	87,634	90,525	<u>93,874</u>	<u>97,582</u>
(AA) Motor Vehicles	79,492	82,116	<u>85,154</u>	<u>88,518</u>
(BB) Natural Resources	93,740	96,833	<u>100,416</u>	<u>104,382</u>
(CC) Natural Resources Board				
Chairperson	79,492	82,116	<u>85,154</u>	<u>88,518</u>
(DD) Public Safety	87,634	90,525	<u>93,874</u>	<u>97,582</u>
(EE) Public Service	87,634	90,525	<u>93,874</u>	<u>97,582</u>
(FF) Taxes	87,634	90,525	<u>93,874</u>	<u>97,582</u>
(GG) Tourism and				
Marketing	79,492	82,116	<u>85,154</u>	<u>88,518</u>
(HH) Transportation	93,740	96,833	<u>100,416</u>	<u>104,382</u>
(II) Vermont Health Access	87,634	90,525	<u>93,874</u>	<u>97,582</u>
(JJ) Veterans' Home	87,634	90,525	<u>93,874</u>	<u>97,582</u>

(2) The Secretary of Administration may include the Director of the Office of Professional Regulation in any pay plans ~~which~~ that may be established under the authority of subsection 1020(c) of this title, provided the minimum hiring rate does not fall below a base salary, as of ~~July 13, 2014, of \$67,392.00~~ July 10, 2016, of \$72,192.00 and as of ~~July 12, 2015, of \$69,616.00~~ July 09, 2017, of \$75,044.00.

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* * * Judicial Branch * * *

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

(c) The officers of the Judicial Branch named below shall be entitled to annual salaries as follows:

	Annual	Annual	<u>Annual</u>	<u>Annual</u>
	Salary	Salary	<u>Salary</u>	<u>Salary</u>
	as of	as of	<u>as of</u>	<u>as of</u>
	July 13,	July 12,	<u>July 10,</u>	<u>July 09,</u>
	2014	2015	<u>2016</u>	<u>2017</u>
(1) Chief Justice of Supreme Court	\$149,200	\$154,124	<u>\$159,827</u>	<u>\$166,140</u>
(2) Each Associate Justice	142,396	147,095	<u>152,538</u>	<u>158,563</u>
(3) Administrative judge	142,396	147,095	<u>152,538</u>	<u>158,563</u>
(4) Each Superior judge	135,369	139,837	<u>145,011</u>	<u>150,739</u>
(5) [Repealed.]				
(6) Each magistrate	102,068	105,436	<u>109,337</u>	<u>113,656</u>
(7) Each Judicial Bureau hearing officer	102,068	105,436	<u>109,337</u>	<u>113,656</u>

Sec. 5. 32 V.S.A. § 1141 is amended to read:

§ 1141. ASSISTANT JUDGES

(a)(1) Each assistant judge of the Superior Court shall be entitled to receive compensation in the amount of ~~\$156.49 a day as of July 13, 2014 and \$161.65 a day as of July 12, 2015~~ \$167.63 a day as of July 10, 2016 and \$174.25 a day as of July 09, 2017 for time spent in the performance of official duties and necessary expenses as allowed to classified State employees. Compensation under this section shall be based on a two-hour minimum and hourly thereafter.

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Sec. 6. 32 V.S.A. § 1142 is amended to read:

§ 1142. PROBATE JUDGES

(a) The Probate judges in the several Probate Districts shall be entitled to receive the following annual salaries, which shall be paid by the State in lieu of all fees or other compensation:

	Annual	Annual	<u>Annual</u>	<u>Annual</u>
	Salary	Salary	<u>Salary</u>	<u>Salary</u>
	as of	as of	<u>as of</u>	<u>as of</u>
	July 13,	July 12,	<u>July 10,</u>	<u>July 09,</u>
	2014	2015	<u>2016</u>	<u>2017</u>
(1) Addison	\$53,368	\$55,129	<u>\$57,169</u>	<u>\$59,427</u>
(2) Bennington	67,465	69,692	<u>72,271</u>	<u>75,126</u>

(3) Caledonia	47,327	48,889	<u>50,698</u>	<u>52,701</u>
(4) Chittenden	112,590	116,305	<u>120,608</u>	<u>125,372</u>
(5) Essex	13,221	13,658	<u>14,163</u>	<u>14,722</u>
(6) Franklin	53,368	55,129	<u>57,169</u>	<u>59,427</u>
(7) Grand Isle	13,221	13,658	<u>14,163</u>	<u>14,722</u>
(8) Lamoille	37,257	38,487	<u>39,911</u>	<u>41,487</u>
(9) Orange	44,305	45,767	<u>47,460</u>	<u>49,335</u>
(10) Orleans	43,299	44,728	<u>46,383</u>	<u>48,215</u>
(11) Rutland	95,660	98,817	<u>102,473</u>	<u>106,521</u>
(12) Washington	73,506	75,932	<u>78,741</u>	<u>81,851</u>
(13) Windham	59,410	61,370	<u>63,641</u>	<u>66,155</u>
(14) Windsor	80,555	83,214	<u>86,293</u>	<u>89,702</u>

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* * * Sheriffs * * *

Sec. 7. 32 V.S.A. § 1182 is amended to read:

§ 1182. SHERIFFS

(a) The sheriffs of all counties except Chittenden shall be entitled to receive salaries in the amount of ~~\$72,508.00 as of July 13, 2014 and \$74,901.00 as of July 12, 2015~~ \$77,672.00 as of July 10, 2016 and \$80,740.00 as of July 09, 2017. The Sheriff of Chittenden County shall be entitled to an annual salary in the amount of ~~\$76,732.00 as of July 13, 2014 and \$79,264.00 as of~~

~~July 12, 2015~~ \$82,197.00 as of July 10, 2016 and \$85,444.00 as of
July 09, 2017.

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* * * State's Attorneys * * *

Sec. 8. 32 V.S.A. § 1183 is amended to read:

§ 1183. STATE'S ATTORNEYS

(a) The State's Attorneys shall be entitled to receive annual salaries as follows:

	Annual Salary as of July 13, 2014	Annual Salary as of July 12, 2015	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>July 10,</u> <u>2016</u>	<u>Annual</u> <u>Salary</u> <u>as of</u> <u>July 09,</u> <u>2017</u>
(1) Addison County	\$98,078	\$101,315	<u>\$105,064</u>	<u>\$109,214</u>
(2) Bennington County	98,078	101,315	<u>105,064</u>	<u>109,214</u>
(3) Caledonia County	98,078	101,315	<u>105,064</u>	<u>109,214</u>
(4) Chittenden County	102,539	105,922	<u>109,841</u>	<u>114,180</u>
(5) Essex County	73,560	75,987	<u>78,799</u>	<u>81,912</u>
(6) Franklin County	98,078	101,315	<u>105,064</u>	<u>109,214</u>
(7) Grand Isle County	73,560	75,987	<u>78,799</u>	<u>81,912</u>
(8) Lamoille County	98,078	101,315	<u>105,064</u>	<u>109,214</u>

(9) Orange County	98,078	401,315	<u>105,064</u>	<u>109,214</u>
(10) Orleans County	98,078	401,315	<u>105,064</u>	<u>109,214</u>
(11) Rutland County	98,078	401,315	<u>105,064</u>	<u>109,214</u>
(12) Washington County	98,078	401,315	<u>105,064</u>	<u>109,214</u>
(13) Windham County	98,078	401,315	<u>105,064</u>	<u>109,214</u>
(14) Windsor County	98,078	401,315	<u>105,064</u>	<u>109,214</u>

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* * * Appropriations * * *

Sec. 9. 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 July 1, 2016 through June 30, 2018; the collective bargaining agreement with the Vermont Troopers' Association for the period of July 1, 2016 through June 30, 2018; and salary increases for employees in the Executive Branch not covered by the bargaining agreements shall be funded as follows:

(1) Fiscal Year 2017.

(A) General Fund. The amount of \$8,319,893.00 is appropriated from the General Fund to the Secretary of Administration for distribution to departments to fund the fiscal year 2017 collective bargaining agreements and the requirements of this act. The Secretary of Administration shall find

\$200,000.00 in General Fund savings by reducing overtime payments within the Executive Branch to offset the cost of this Pay Act.

(B) Transportation Fund. The amount of \$1,850,000.00 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 2017 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 receipts to fund the fiscal year 2017 collective bargaining agreements and the requirements of this act. The estimated amounts are \$13,309,670.00 from special fund, federal, and other sources.

(D) With due regard to the possible availability of other funds, for fiscal year 2017, the Secretary of Administration may transfer from the various appropriations and various funds and from the receipts of the Liquor Control Board such sums as the Secretary may determine to be necessary to carry out the purposes of this act to the various agencies supported by State funds.

(2) Fiscal Year 2018.

(A) General Fund. The amount of \$10,119,579.00 is appropriated from the General Fund to the Secretary of Administration for distribution to

departments to fund the fiscal year 2018 collective bargaining agreements and the requirements of this act.

(B) Transportation Fund. The amount of \$1,850,000.00 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 2018 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 receipts to fund the fiscal year 2018 collective bargaining agreements and the requirements of this act. The estimated amounts are \$16,122,510.00 from special fund, federal, and other sources.

(D) With due regard to the possible availability of other funds, for fiscal year 2018, the Secretary of Administration may transfer from the various appropriations and various funds and from the receipts of the Liquor Control Board such sums as the Secretary may determine to be necessary to carry out the purposes of this act to the various agencies supported by State funds.

(3) This section shall include sufficient funding to ensure administration of exempt pay plans authorized by 32 V.S.A. § 1020(c).

(b) Judicial Branch.

(1) The Chief Justice of the Vermont Supreme Court may extend the provisions of the Judiciary's collective bargaining agreement to Judiciary employees who are not covered by the bargaining agreement.

(2) The two-year agreements between the State of Vermont and the Vermont State Employees' Association for the judicial bargaining unit for the period July 1, 2016 through June 30, 2018 and salary increases for employees in the Judicial Branch not covered by the bargaining agreements shall be funded as follows:

(A) Fiscal Year 2017. The amount of \$938,216.00 is appropriated from the General Fund to the Judiciary to fund the fiscal year 2017 collective bargaining agreement and the requirements of this act.

(B) Fiscal Year 2018. The amount of \$1,125,224.00 is appropriated from the General Fund to the Judiciary to fund the fiscal year 2018 collective bargaining agreement and the requirements of this act.

(c) Legislative Branch. For the period July 1, 2016 through June 30, 2018, the Legislature shall be funded as follows:

(1) Fiscal Year 2017. The amount of \$239,000.00 is appropriated from the General Fund to the Legislative Branch.

(2) Fiscal Year 2018. The amount of \$266,000.00 is appropriated from the General Fund to the Legislative Branch.

* * * Administration; Optimization of Workforce * * *

Sec. 10. ADMINISTRATION; REPORT; STREAMLINING OF
GOVERNMENT FUNCTIONS

Annually, on or before January 15, 2017 until January 15, 2021, the Secretary of Administration shall report to the House and Senate Committees on Government Operations and on Appropriations regarding the identification of programs or functions within the Executive Branch through which the use of results-based accountability analysis and process analysis techniques such as LEAN may lead to streamlining, reduction in scope, or discontinuance of those programs or functions.

Sec. 10a. ADMINISTRATION; REPORT; ELIMINATING SENIOR LEVEL
POSITIONS; USE OF PERMANENT EMPLOYEES

Annually, on or before January 15, 2017 until January 15, 2021, the Secretary of Administration shall report to the House and Senate Committees on Government Operations and on Appropriations regarding:

(1) senior level positions in the Executive Branch, including managerial and supervisory positions, that do not have direct service responsibility and which may be eliminated as a result of the process described in Sec. 10 of this act; and

(2) any recommendations regarding State functions that should be performed using permanent State employees, rather than with temporary employees or through contracting.

* * * Effective Date * * *

Sec. 11. EFFECTIVE DATE

This act shall take effect on July 1, 2016.