

FIRST REGULAR SESSION

SENATE BILL NO. 404

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GOODE.

Read 1st time February 3, 1999, and 1,000 copies ordered printed.

S1610.031

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 105.005, 105.950 and 217.660, RSMo 1994, and section 217.665, RSMo Supp. 1998, relating to compensation of certain state employees, and to enact in lieu thereof five new sections relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 105.005, 105.950 and 217.660, RSMo 1994, and section 217.665, RSMo Supp. 1998, are repealed and five new sections enacted in lieu thereof, to be known as sections 105.005, 105.950, 105.952, 217.660 and 217.665, to read as follows:

105.005. 1. [As used in this section the term "personal income of Missouri" shall mean the total income received by persons in Missouri from all sources, as defined and officially reported by the United States Department of Commerce, or its successor agency.

2.] The salary set by [any section of this act] **sections 21.140, 26.010, 27.010, 28.010, 29.010, 30.010, 105.950, 138.230, 138.235, 138.236, 138.440, 138.445, 217.025, 217.665, 286.005, 286.006, 287.615, 287.616, 386.150, 386.190, 595.036, 621.015, 621.017 and 621.055, RSMo,** shall be adjusted on July first of each year [in the same proportion as the percentage increase in personal income of Missouri in the preceding calendar year. In addition the salary set by section 21.140, RSMo, shall be adjusted on July 1, 1985, in the same proportion as the percentage increase in personal income of Missouri in the period January 1, 1983, to December 31, 1983. The adjustment provided by this section] **and the adjustment** shall not be less than zero.

[3.] **2.** The salary adjustment provided by this section shall not be effective in any amount in excess of the salary adjustment for the executive department contained in the pay plan applicable to other state employees at a similar salary level for that fiscal year. The salary

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

adjustments provided by this section shall not be effective unless appropriations necessary to fund the adjustments are approved by the general assembly and the governor. Each salary adjustment to be approved pursuant to this section shall be stated in a separate line item of the pertinent appropriation bill.

[4.] **3.** Each salary adjustment approved pursuant to this section shall be added to the compensation otherwise provided by law for each office, including prior salary adjustments made [under] **pursuant to** this section, and the sum of these amounts shall be the statutory salary of the office for all purposes. Each such statutory salary shall be included in the pertinent appropriation bill in the same manner as any other personal service appropriation involving a statutory salary.

[5.] **4.** The office of administration shall maintain a compensation schedule for each fiscal year indicating the [highest] statutory salary **or salary range** paid for each office subject to this section[,] **and** the salary adjustment contained in the pay plan applicable to other state employees generally[, and the percentage increase in personal income of Missouri in the preceding calendar year]. The schedule required by this subsection shall be open for public inspection during the normal business hours of the office of administration and shall be included annually in the Missouri Register and an appendix to the Revised Statutes of Missouri. For each office for which a salary adjustment is approved pursuant to this section, the revisor of statutes shall place a revisor's note following each section providing compensation for the office referencing the reader to the compensation appendix.

105.950. 1. **Until June 30, 2000**, the commissioner of administration and the director of the department of revenue shall each receive an annual salary of sixty-five thousand dollars. The director of the department of social services shall receive an annual salary of sixty thousand dollars. The directors of the departments of agriculture; economic development; corrections; labor and industrial relations; natural resources; and public safety shall each receive an annual salary of fifty-seven thousand five hundred dollars.

2. On and after July 1, 2000, the salary of the directors of the above departments shall be set by the governor within the limits of the salary ranges established in subsection 3 of this section and the appropriation for that purpose. Salary ranges for department directors and members of the board shall be set by the personnel advisory board after considering the results of a study periodically performed or administered by the office of administration. Such salary ranges shall be published yearly in an appendix to the revised statutes of Missouri.

[2.] **3.** Each of the above salaries shall be increased by any salary adjustment provided pursuant to the provisions of section 105.005.

105.952. Any increase in statutorily set salary, other than the adjustment provided for in section 105.005, shall take effect on July 1 of the year following the date

of enactment unless a specific line item appropriation to fund the increase has been made prior to that date.

217.660. 1. The chairman of the board of probation and parole shall be the director of the division.

2. In addition to the compensation as a member of the board, [the] **any chairman whose term of office began before August 28, 1999**, shall receive three thousand eight hundred seventy-five dollars per year for duties as chairman.

217.665. 1. Beginning August 28, 1996, the board of probation and parole shall consist of seven members appointed by the governor by and with the advice and consent of the senate.

2. Beginning August 28, 1996, members of the board shall be persons of recognized integrity and honor, known to possess education and ability in decision making through career experience and other qualifications for the successful performance of their official duties. Not more than four members of the board shall be of the same political party.

3. At the expiration of the term of each member and of each succeeding member, the governor shall appoint a successor who shall hold office for a term of six years and until his successor has been appointed and qualified. Members may be appointed to succeed themselves.

4. Vacancies occurring in the office of any member shall be filled by appointment by the governor for the unexpired term.

5. The governor shall designate one member of the board as chairman. The chairman shall be the director of the division and shall have charge of the division's operations, funds and expenditures. The chairman shall designate by order of record another member to act as chairman in the event of absence or sickness of the chairman, and during such time the member so appointed by the chairman shall possess all powers of the chairman.

6. Members of the board shall devote full time to the duties of their office and before taking office shall subscribe to an oath or affirmation to support the Constitution of the United States and the Constitution of the State of Missouri. The oath shall be signed in the office of the secretary of state.

7. The annual compensation for each member of the board **whose term commenced before August 28, 1999** shall be forty-five thousand dollars plus any salary adjustment provided pursuant to section 105.005, RSMo. **Salaries for board members whose terms commence after August 27, 1999 shall be set as provided in section 105.950; provided, however, that the compensation of a board member shall not be increased during the member's term of office, except as provided in section 105.005. In addition to any other compensation provided by law**, the members shall be entitled to reimbursement for necessary travel and other expenses incurred.

[8. Each member of the board serving on August 28, 1995, shall prepare and submit to the governor a report on suggested changes in laws dealing with probation and parole. Such report

shall be submitted annually by each member until the expiration of the term that he is serving on August 28, 1995.

9. For the performance of the duties imposed under the provisions of subsection 8 of this section, each member shall receive a sum that, when added to the other compensation paid to the member prior to August 28, 1995, will equal the compensation specified in subsection 7 of this section.]

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