

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

H

2

HOUSE BILL 1514
Committee Substitute Favorable 7/2/92

Short Title: State Employee Benefits.

(Public)

Sponsors:

Referred to:

June 2, 1992

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THE PROVISIONS OF THE STATE BUDGET FOR THE
3 1991-93 FISCAL BIENNIUM BY ADJUSTING SALARIES AND BENEFITS OF
4 STATE EMPLOYEES AND RETIREES UNDER VARIOUS RETIREMENT
5 SYSTEMS.
6 The General Assembly of North Carolina enacts:
7 Section 1. If House Bill 1340, 1991 Session is ratified, then the sections of
8 that act with the following titles are repealed:
9 **PROVIDE A RAISE TO ALL STATE EMPLOYEES**
10 **INTRODUCTION**
11 **APPROPRIATIONS** (except for subsections (c), (d), and (e))
12 **GOVERNOR'S SALARY INCREASE**
13 **COUNCIL OF STATE/SALARY INCREASE**
14 **NONELECTED DEPARTMENT HEAD/SALARY INCREASES**
15 **LEGISLATORS/SALARY AND EXPENSES INCREASE**
16 **GENERAL ASSEMBLY PRINCIPAL CLERKS/SALARY INCREASES**
17 **SERGEANT-AT-ARMS AND READING CLERKS/SALARY INCREASES**
18 **LEGISLATIVE EMPLOYEES/SALARY INCREASES**
19 **JUDICIAL BRANCH OFFICIALS/SALARY INCREASE**
20 **CLERKS OF COURT/SALARY INCREASE**
21 **ASSISTANT AND DEPUTY CLERKS OF COURT/SALARY INCREASE**
22 **MAGISTRATES/SALARY INCREASE**
23 **COMMUNITY COLLEGES PERSONNEL/SALARY INCREASES**

1 **HIGHER EDUCATION PERSONNEL/SALARY INCREASES**
 2 **MOST STATE EMPLOYEES/SALARY INCREASES/1992-93**
 3 **CERTAIN EXECUTIVE BRANCH OFFICIALS/SALARY INCREASES**
 4 **PUBLIC SCHOOL PERSONNEL/SALARY INCREASES**
 5 **ALL STATE-SUPPORTED PERSONNEL/SALARY INCREASES**
 6 **INCREASE RETIREMENT ALLOWANCES**

7
8

9 **SALARY-RELATED CONTRIBUTIONS/EMPLOYERS**

10 Sec. 1.1. Section 188(c) of Chapter 689 of the 1991 Session Laws, as
 11 rewritten by Section 5 of Chapter 812, Session Laws of 1991, reads as rewritten:

12 "(c) Effective July 1, 1992, the State's employer contribution rates budgeted for
 13 retirement and related benefits as a percentage of covered salaries for the 1992-93 fiscal
 14 year are (i) ~~ten and ninety three hundredths percent (10.93%)~~ ten and eighty-three
 15 hundredths percent (10.83%) - Teachers and State Employees; (ii) ~~fifteen and ninety-~~
 16 ~~three hundredths percent (15.93%)~~ fifteen and eighty-three hundredths percent (15.83%)
 17 - State Law Enforcement Officers; (iii) eight and sixty-six hundredths percent (8.66%) -
 18 University Employees' Optional Retirement Program; (iv) twenty-six and three
 19 hundredths percent (26.03%) - Consolidated Judicial Retirement System; and (v) thirty-
 20 two and thirty hundredths percent (32.30%) - Legislative Retirement System. Each of
 21 the foregoing contribution rates includes two percent (2%) for hospital and medical
 22 benefits. The rate for State Law Enforcement Officers includes five percent (5%) for
 23 the Supplemental Retirement Income Plan. The rates for Teachers and State
 24 Employees, State Law Enforcement Officers, and for the University Employees'
 25 Optional Retirement Program includes forty-two hundredths percent (0.42%) for the
 26 Disability Income Plan."
 27

28 **CURRENT OPERATIONS/GENERAL FUND**

29 Sec. 1.2. In order to reflect a reduction in the employer contribution rate in
 30 Section 1.1 of this act, appropriations from the General Fund of the State as outlined in
 31 H.B. 1340, 1991 Session, for the maintenance of the State departments, institutions, and
 32 agencies, are adjusted as enumerated for fiscal year ending June 30, 1993, according to
 33 the following schedule:

34

<u>Current Operations-General Fund</u>	<u>1992-93</u>
36	
37 General Assembly	\$
38 (5,822)	
39	
40 Judicial	Department
41	(1
42 03,940)	
43	
44 Department of the Governor	

1 Department of Insurance
 2 of (7,
 3 954)
 4
 5 Department of Environment, Health, and
 6 Natural Resources
 7 (7
 8 8,736)
 9
 10 Office of Administrative Hearings
 11 (1,
 12 311)
 13
 14 Administrative Rules Review Commission
 15 (1
 16 54)
 17
 18 Department of Human Resources
 19 01. Alcohol Drug Abuse Treatment Center -
 20 Black Mountain (2,631)
 21 02. Alcohol Drug Abuse Treatment Center -
 22 Butner(2,347)
 23 03. Alcohol Drug Abuse Treatment Center -
 24 Greenville (2,169)
 25 04. N.C. Special Care Center (918)
 26 05. Black Mountain Center (2,643)
 27 06. DHR - Secretary (15,755)
 28 07. Division of Aging (258)
 29 08. Schools for the Deaf and
 30 Hard of Hearing (13,058)
 31 09. Social Services (5,590)
 32 10. Medical Assistance (52,530)
 33 12. Division of Services for the
 34 Blind (5,139)
 35 13. Division of Mental Health,
 36 Developmental Disabilities, and
 37 Substance Abuse Services (6,470)
 38 14. Dorothea Dix Hospital (30,354)
 39 15. Broughton Hospital (29,882)
 40 16. Cherry Hospital (26,291)
 41 17. John Umstead Hospital (26,639)
 42 18. Western Carolina Center (2,397)
 43 19. O'Berry Center (503)
 44 20. Murdoch Center (9,368)

1	21.	Caswell Center (6,505)		
2	22.	Division of Facility Services (6,674)		
3	23.	Division of Vocational		
4		Rehabilitation Services (6,705)		
5	24.	Division of Youth Services (21,201)		
6				
7		Total Department of		
8		Human		Resources
9				(2
10		76,027)		
11				
12		Department	of	Correction
13				(2
14		92,751)		
15				
16		Department of Economic and Community		
17		Development		
18	01.	Economic and Community		
19		Development (11,363)		
20				
21		Department	of	Revenue
22				(3
23		3,692)		
24				
25		Department	of	Cultural
26				Resources
27		4,362)		(1
28				
29		Department of Crime Control		
30	and		Public	Safety
31				(1
32		3,727)		
33				
34		University of North Carolina - Board		
35		of Governors		
36	01.	General Administration (10,361)		
37	04.	University of North Carolina		
38		at Chapel Hill		
39	a.	Academic Affairs (90,161)		
40	b.	Health Affairs (40,027)		
41	c.	Area Health Education		
42		Centers(18,468)		
43	05.	North Carolina State University		
44		at Raleigh		

- 1 a. Academic Affairs (93,750)
- 2 b. Agricultural Research
- 3 Service (27,639)
- 4 c. Agricultural Extension
- 5 Service (19,723)
- 6 06. University of North Carolina at
- 7 Greensboro (34,465)
- 8 07. University of North Carolina at
- 9 Charlotte (31,061)
- 10 08. University of North Carolina at
- 11 Asheville (14,166)
- 12 09. University of North Carolina at
- 13 Wilmington (26,804)
- 14 10. East Carolina University
- 15 a. Academic Affairs (40,505)
- 16 b. Division of Health Affairs (5,822)
- 17 11. North Carolina Agricultural and
- 18 Technical State University (25,730)
- 19 12. Western Carolina University (22,249)
- 20 13. Appalachian State University (30,381)
- 21 14. Pembroke State University (9,821)
- 22 15. Winston-Salem State University (11,775)
- 23 16. Elizabeth City State
- 24 University (9,942)
- 25 17. Fayetteville State University (13,346)
- 26 18. North Carolina Central
- 27 University (21,332)
- 28 19. North Carolina School of the
- 29 Arts (5,278)
- 30 20. North Carolina School of
- 31 Science and Mathematics (4,085)
- 32 21. UNC Hospitals at Chapel Hill (17,730)

33
 34 Total University of North
 35 Carolina - Board of Governors
 36 (6
 37 24,621)

38
 39 Department of Community
 40 Colleges (3
 41
 42 03,010)

43

1 State Board of Elections
 2 (1
 3 95)
 4

5 GRAND TOTAL CURRENT OPERATIONS –
 6 GENERAL
 7
 8 4,291,463)
 9

FUND
 (\$

10 AVAILABILITY

11 Sec. 1.3. (a) The sum of five million dollars (\$5,000,000) of the estimated June
 12 30, 1992, credit balance shall be used to support the three million seven hundred sixty-
 13 five thousand five hundred ninety-one dollars (\$3,765,591) appropriated to the
 14 Department of Correction in House Bill 1340, 1991 Session, for supporting the
 15 underbudgeted line-item requirements for 1991-92, and to support one million two
 16 hundred fifty thousand dollars (\$1,250,000) of the funds appropriated to the State
 17 Controller in House Bill 1340, 1991 Session, for the purpose of continuing the
 18 accounting system changeover. This action provides five million dollars (\$5,000,000)
 19 in recurring availability to support the General Fund appropriations in this act.

20 (b) In addition to the payments from the Department of Transportation's
 21 Equipment Fund to the Highway Fund in Section 66 of Chapter 689 of the 1991 Session
 22 Laws, as it may have been amended by House Bill 1340, 1991 Session, an additional
 23 one million one thousand dollars (\$1,001,000) is transferred.
 24

25 PROVIDE A RAISE TO ALL STATE EMPLOYEES

27 INTRODUCTION

28 Sec. 2. Since the 1965-66 fiscal year, only two of the pay raises granted by
 29 the General Assembly to State employees have included a lump-sum amount for each
 30 State employee. By consistently giving State employees percentage pay increases
 31 instead of lump-sum increases, the General Assembly has created an enormous
 32 discrepancy between the upper and lower end of the State employee salary schedule.
 33 State employees at the lower end of the salary schedule are experiencing great financial
 34 difficulties because of the condition of the economy and the cost-of-living. A lump-sum
 35 salary increase will, on a percentage basis, benefit most the employees at the lower end
 36 of the salary schedule and will slightly reduce the percentage gap between the upper and
 37 lower ends of the salary schedule.
 38

39 APPROPRIATIONS

40 Sec. 3. (a) There is appropriated from the General Fund the sum of nine
 41 million two hundred ninety-four thousand four hundred eighty-four dollars (\$9,294,484)
 42 to a Reserve for Salary Increases for the 1992-93 fiscal year to provide raises for State
 43 employees and school personnel other than teachers as provided in this act in an amount
 44 equivalent to three-tenths per cent (.3%) of payroll.

(b) There is appropriated from the Highway Fund the sum of one million one thousand dollars (\$1,001,000) to a Reserve for Salary Increases for the 1992-93 fiscal year to provide raises for State employees as provided in this act in an amount equivalent to three-tenths per cent (.3%) of payroll.

GOVERNOR'S SALARY INCREASE

Sec. 4. (a) G.S. 147-11(a) reads as rewritten:

"(a) The salary of the Governor shall be ~~one hundred twenty-three thousand three hundred dollars (\$123,300)~~ one hundred twenty-three thousand nine hundred dollars (\$123,900) annually, payable monthly."

(b) Effective January 1, 1993, G.S. 147-11(a) as rewritten by subsection (a) of this section reads as rewritten:

"(a) The salary of the Governor shall be ~~one hundred twenty-three thousand nine hundred dollars (\$123,900)~~ ninety-two thousand sixteen dollars (\$92,016) annually, payable monthly."

COUNCIL OF STATE/SALARY INCREASE

Sec. 5. The annual salaries for members of the Council of State, payable monthly, for the 1992-93 fiscal year are:

<u>Council of State</u>	<u>1992-93</u>
Lieutenant Governor	\$75,852
Attorney General	75,852
Secretary of State	75,852
State Treasurer	75,852
State Auditor	75,852
Superintendent of Public Instruction	75,852
Agriculture Commissioner	75,852
Insurance Commissioner	75,852
Labor Commissioner	75,852.

NONELECTED DEPARTMENT HEAD/SALARY INCREASES

Sec. 6. In accordance with G.S. 143B-9, the maximum annual salaries, payable monthly, for the nonelected heads of the principal State departments for the 1992-93 fiscal year are:

<u>Nonelected Department Heads</u>	<u>1992-93</u>
Secretary of Administration	\$75,852
Secretary of Correction	75,852
Secretary of Crime Control and Public Safety	75,852
Secretary of Cultural Resources	75,852
Secretary of Economic and Community Development	75,852
Secretary of Environment, Health, and Natural Resources	75,852

1	Secretary of Human Resources	75,852
2	Secretary of Revenue	75,852
3	Secretary of Transportation	75,852.

4

5 **LEGISLATORS/SALARY AND EXPENSES INCREASE**6 Sec. 7. Effective upon convening of the 1993 Regular Session of the General
7 Assembly, G.S. 120-3 reads as rewritten:8 **"§ 120-3. Pay of members and officers of the General Assembly.**

9 (a) The Speaker of the House shall be paid an annual salary of ~~thirty-five~~
10 ~~thousand one hundred dollars (\$35,100)~~, thirty-five thousand seven hundred dollars
11 (\$35,700), payable monthly, and an expense allowance of one thousand three hundred
12 twenty dollars (\$1,320) per month. The President Pro Tempore of the Senate shall be
13 paid an annual salary of ~~thirty-five thousand one hundred dollars (\$35,100)~~, thirty-five
14 thousand seven hundred dollars (\$35,700), payable monthly, and an expense allowance
15 of one thousand three hundred twenty dollars (\$1,320) per month. The Speaker Pro
16 Tempore of the House shall be paid an annual salary of ~~nineteen thousand seven~~
17 ~~hundred seventy-six dollars (\$19,776)~~, twenty thousand three hundred seventy-six
18 dollars (\$20,376), payable monthly, and an expense allowance of seven hundred eighty
19 dollars (\$780.00) per month; and the Deputy President Pro Tempore of the Senate shall
20 be paid an annual salary of ~~nineteen thousand seven hundred seventy-six dollars~~
21 ~~(\$19,776)~~, twenty thousand three hundred seventy-six dollars (\$20,376), payable
22 monthly, and an expense allowance of seven hundred eighty dollars (\$780.00) per
23 month. The majority and minority leaders in the House and the majority and minority
24 leaders in the Senate shall be paid an annual salary of ~~fifteen thousand three hundred~~
25 ~~ninety-six dollars (\$15,396)~~, fifteen thousand nine hundred ninety-six dollars (\$15,996),
26 payable monthly, and an expense allowance of six hundred twenty-two dollars
27 (\$622.00) per month.

28 (b) Every other member of the General Assembly shall receive increases in
29 annual salary only to the extent of and in the amounts equal to the average increases
30 received by employees of the State, effective upon convening of the next Regular
31 Session of the General Assembly after enactment of these increased amounts.
32 Accordingly, upon convening of the ~~1991-1993~~ Regular Session of the General
33 Assembly, every other member of the General Assembly shall be paid an annual salary
34 of ~~twelve thousand five hundred four dollars (\$12,504)~~, thirteen thousand one hundred
35 four dollars (\$13,104), payable monthly, and an expense allowance of five hundred
36 twenty-two dollars (\$522.00) per month.

37 (c) The salary and expense allowances provided in this section are in addition to
38 any per diem compensation and any subsistence and travel allowance authorized by any
39 other law with respect to any regular or extra session of the General Assembly, and
40 service on any State board, agency, commission, standing committee and study
41 commission."
42

43 **GENERAL ASSEMBLY PRINCIPAL CLERKS/SALARY INCREASES**

44 Sec. 8. G.S. 120-37(c) reads as rewritten:

"(c) The principal clerks shall be full-time officers. Each principal clerk shall be entitled to other benefits available to permanent legislative employees and shall be paid an annual salary of ~~forty three thousand five hundred forty eight dollars (\$43,548) from July 1, 1989 through June 30, 1990, and an annual salary of forty six thousand one hundred sixty four dollars (\$46,164) on and after July 1, 1990,~~ forty six thousand seven hundred sixty four dollars (\$46,764), payable monthly. The Legislative Services Commission shall review the salary of the principal clerks prior to submission of the proposed operating budget of the General Assembly to the Governor and Advisory Budget Commission and shall make appropriate recommendations for changes in those salaries. Any changes enacted by the General Assembly shall be by amendment to this paragraph."

SERGEANT-AT-ARMS AND READING CLERKS/SALARY INCREASES

Sec. 9. G.S. 120-37(b) reads as rewritten:

"(b) The sergeant-at-arms and the reading clerk in each house shall be paid a salary of ~~one hundred ninety seven dollars (\$197.00) per week from July 1, 1989 through June 30, 1990, and two hundred nine dollars (\$209.00) per week on and after July 1, 1990,~~ two hundred twenty-one dollars (\$221.00) per week, plus subsistence at the same daily rate provided for members of the General Assembly, plus mileage at the rate provided for members of the General Assembly for one round trip only from their homes to Raleigh and return. The sergeants-at-arms shall serve during sessions of the General Assembly and at such time prior to the convening of, and subsequent to adjournment or recess of, sessions as may be authorized by the Legislative Services Commission. The reading clerks shall serve during sessions only."

LEGISLATIVE EMPLOYEES/SALARY INCREASES

Sec. 10. The Legislative Administrative Officer may increase the salaries of nonelected employees of the General Assembly in effect for fiscal year 1991-92 by fifty dollars (\$50.00) per month. Nothing in this act limits any of the provisions of G.S. 120-32.

JUDICIAL BRANCH OFFICIALS/SALARY INCREASE

Sec. 11. (a) The annual salaries, payable monthly, for specified judicial branch officials for fiscal year 1992-93 are:

<u>Judicial Branch Officials</u>	<u>1992-93</u>
Chief Justice, Supreme Court	\$92,016
Associate Justice, Supreme Court	90,132
Chief Judge, Court of Appeals	87,264
Judge, Court of Appeals	85,368
Judge, Senior Regular Resident Superior Court	78,336
Judge, Superior Court	75,852
Chief Judge, District Court	66,996

1	Judge, District Court	64,464
2	District Attorney	70,632
3	Assistant District Attorney - an	
4	average of	45,900
5	Administrative Officer of the Courts	78,336
6	Assistant Administrative Officer	
7	of the Courts	63,960
8	Public Defender	70,632
9	Assistant Public Defender - an	
10	average of	45,900.

11 If an acting senior regular resident superior court judge is appointed under the
12 provisions of G.S. 7A-41, he shall receive the salary for Judge, Senior Regular Resident,
13 Superior Court, until his temporary appointment is vacated, and the judge he replaces
14 shall receive the salary indicated for Judge, Superior Court.

15 The district attorney or public defender of a judicial district, with the approval
16 of the Administrative Officer of the Courts, shall set the salaries of assistant district
17 attorneys or assistant public defenders, respectively, in that district such that the average
18 salaries of assistant district attorneys or assistant public defenders in that district do not
19 exceed forty-five thousand nine hundred dollars (\$45,900), and the minimum salary of
20 any assistant district attorney or assistant public defender is at least twenty-three
21 thousand four hundred seventy-two dollars (\$23,472) effective July 1, 1992.

22 (b) The salaries in effect for fiscal year 1991-92 for permanent, full-time
23 employees of the Judicial Department, except for those whose salaries are itemized in
24 this act, shall be increased by fifty dollars (\$50.00) per month commencing July 1,
25 1992.

26 (c) The salaries in effect for fiscal year 1991-92 for all permanent, part-time
27 employees of the Judicial Department shall be increased on and after July 1, 1992, by
28 pro rata amounts of the fifty dollars (\$50.00) per month.

29

30 **CLERKS OF SUPERIOR COURT SALARY DETERMINATION/INCREASE**

31 Sec. 12. G.S. 7A-101 reads as rewritten:

32 **"§ 7A-101. Compensation.**

33 (a) The clerk of superior court is a full-time employee of the State and shall
34 receive an annual salary, payable in equal monthly installments, ~~based on the population~~
35 ~~of the county, as determined by the population projections of the Office of State Budget~~
36 ~~and Management for the year preceding the first year of each biennial budget, based on~~
37 the population of the county as determined in subsection (a1) of this section, according
38 to the following schedule:

39	Population	Annual Salary		
40	Less than 99,999 100,000	\$ 44,256	46,920	\$47,520
41	100,000 to 199,999	50,016	53,028	<u>53,628</u>
42	200,000 and above	57,072	60,504	<u>61,104.</u>

43

1 When a county changes from one population group to another, the salary of the clerk
2 shall be ~~changed~~ changed, on July 1 of the fiscal year for which the change is reported,
3 to the salary appropriate for the new population group on July 1 of the first year of each
4 biennial budget group, except that the salary of an incumbent clerk shall not be
5 decreased by any change in population group during his continuance in office.

6 (a1) For purposes of subsection (a) of this section, the population of a county for
7 any fiscal year shall be the population for the beginning of that fiscal year as reported by
8 the Office of State Planning to the Administrative Office of the Courts prior to the
9 beginning of that fiscal year.

10 (b) The clerk shall receive no fees or commission by virtue of his office. The
11 salary set forth in this section is the clerk's sole official compensation, but if, on June
12 30, 1975, the salary of a particular clerk, by reason of previous but no longer authorized
13 merit increments, is higher than that set forth in the table, that higher salary shall not be
14 reduced during his continuance in office.

15 (c) In lieu of merit and other increment raises paid to regular State employees, a
16 clerk of superior court shall receive as longevity pay an amount equal to four and eight-
17 tenths percent (4.8%) of the annual salary set forth in the Budget Appropriation Act
18 payable monthly after five years of service, nine and six-tenths percent (9.6%) after 10
19 years of service, fourteen and four-tenths percent (14.4%) after 15 years of service, and
20 nineteen and two-tenths percent (19.2%) after 20 years of service. Service shall mean
21 service in the elective position of clerk of superior court, as an assistant clerk of court
22 and as a supervisor of clerks of superior court with the Administrative Office of the
23 Courts and shall not include service as a deputy or acting clerk. Service shall also mean
24 service as a justice or judge of the General Court of Justice or as a district attorney."
25

26 ASSISTANT AND DEPUTY CLERKS OF COURT/SALARY INCREASE

27 Sec. 13. G.S. 7A-102(c) reads as rewritten:

28 "(c) Notwithstanding the provisions of subsection (a), the Administrative Officer
29 of the Courts shall establish an incremental salary plan for assistant clerks and for
30 deputy clerks based on a series of salary steps corresponding to the steps contained in
31 the Salary Plan for State Employees adopted by the Office of State Personnel, subject to
32 a minimum and a maximum annual salary as set forth below. On and after July 1, 1985,
33 each assistant clerk and each deputy clerk shall be eligible for an annual step increase in
34 his salary plan based on satisfactory job performance as determined by each clerk.
35 Notwithstanding the foregoing, if an assistant or deputy clerk's years of service in the
36 office of superior court clerk would warrant an annual salary greater than the salary first
37 established under this section, that assistant or deputy clerk shall be eligible on and after
38 July 1, 1984, for an annual step increase in his salary plan. Furthermore, on and after
39 July 1, 1985, that assistant or deputy clerk shall be eligible for an increase of two steps
40 in his salary plan, and shall remain eligible for a two-step increase each year as
41 recommended by each clerk until that assistant or deputy clerk's annual salary
42 corresponds to his number of years of service. Any person covered by this subsection
43 who would not receive a step increase in fiscal year 1992-93 because that person is at
44 the top of the salary range as it existed for fiscal year 1990-91 shall receive a salary

1 increase to the maximum annual salary provided for fiscal year 1992-93 by subsection
2 (c1) of this section.

3 (c1) A full-time assistant clerk or a full-time deputy clerk shall be paid an annual
4 salary subject to the following minimum and maximum rates:

5 Assistant Clerks Annual Salary

6 Minimum ~~\$19,536~~ ~~20,712~~ \$20,712
7 Maximum ~~32,772~~ ~~34,740~~ 35,340

8

9 Deputy Clerks Annual Salary

10 Minimum ~~\$15,312~~ ~~16,236~~ \$16,236
11 Maximum ~~25,128~~ ~~26,640~~ 27,240."

12

13 MAGISTRATES/SALARY INCREASE

14 Sec. 14. G.S. 7A-171.1(a)(1) reads as rewritten:

15 "(1) A full-time magistrate, so designated by the Administrative Officer of
16 the Courts, shall be paid the annual salary indicated in the table below
17 according to the number of years he has served as a magistrate. The
18 salary steps shall take effect on the anniversary of the date the
19 magistrate was originally appointed:
20

21 TABLE OF SALARIES OF FULL-TIME MAGISTRATES

22	23	24	25	26
	Number of Prior Years of Service		Annual Salary	
25	93			
26	Less than 1	\$15,600	\$16,536	<u>\$17,136</u>
27	1 or more but less than 3	16,416	17,412	<u>18,012</u>
28	3 or more but less than 5	18,084	19,176	<u>19,776</u>
29	5 or more but less than 7	19,920	21,120	<u>21,720</u>
30	7 or more but less than 9	21,972	23,292	<u>23,892</u>
31	9 or more but less than 11	24,204	25,656	<u>26,256</u>
32	11 or more	26,628	28,236	<u>28,836.</u>

33 A 'Full-time magistrate' is a magistrate who is assigned to work an
34 average of not less than 40 hours a week during his term of office.

35 Notwithstanding any other provision of this subdivision, a full-time
36 magistrate, who was serving as a magistrate on December 31, 1978,
37 and who was receiving an annual salary in excess of that which would
38 ordinarily be allowed under the provisions of this subdivision, shall
39 not have the salary, which he was receiving reduced during any
40 subsequent term as a full-time magistrate. That magistrate's salary
41 shall be fixed at the salary level from the table above which is nearest
42 and higher than the latest annual salary he was receiving on December
43 31, 1978, and, thereafter, shall advance in accordance with the
44 schedule in the table above."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

COMMUNITY COLLEGES PERSONNEL/SALARY INCREASES

Sec. 15. The Director of the Budget may transfer from the Reserve for Salary Increases provided in Section 3 of this act and Section 3 of House Bill 1340, 1991 Session, for fiscal year 1992-93 funds necessary to provide a salary increase of fifty dollars (\$50.00) per month, including funds for the employer's retirement and social security contributions, commencing July 1, 1992, for all permanent full-time community college institutional personnel supported by State funds. All permanent part-time community college institutional personnel supported by State funds shall receive pro rata amounts of the fifty dollars (\$50.00) per month. These funds may not be used for any purpose other than for the salary increases and necessary employer contributions provided by this section.

HIGHER EDUCATION PERSONNEL/SALARY INCREASES

Sec. 16. The Director of the Budget may transfer from the Reserve for Salary Increases provided in Section 3 of this act and Section 3 of House Bill 1340, 1991 Session, for fiscal year 1992-93 funds necessary to provide a salary increase of fifty dollars (\$50.00) per month, including funds for the employer's retirement and social security contributions commencing July 1, 1992, for each full-time employee of The University of North Carolina, as well as each full-time employee of the North Carolina School of Science and Mathematics, supported by State funds and whose salaries are exempt from the State Personnel Act; provided that the Board of Governors of The University of North Carolina may allocate the funds it receives for the salary increment for its employees in positions exempt from the State Personnel Act according to rules adopted by the Board of Governors. All part-time employees of The University of North Carolina, as well as all part-time employees of the North Carolina School of Science and Mathematics, supported by State funds and whose salaries are exempt from the State Personnel Act shall receive a pro rata amount of the fifty dollars (\$50.00) per month; provided that the Board of Governors of The University of North Carolina may allocate the funds it receives for the salary increment for its employees in positions exempt from the State Personnel Act according to rules adopted by the Board of Governors.

MOST STATE EMPLOYEES/SALARY INCREASES/1992-93

Sec. 17. (a) The salaries in effect for fiscal year 1991-92 for all permanent full-time State employees whose salaries are set in accordance with the State Personnel Act and who are paid from the General Fund or the Highway Fund shall be increased, on and after July 1, 1992, unless otherwise provided by this act, by fifty dollars (\$50.00) per month.

(b) Except as otherwise provided in this act, the fiscal year 1991-92 salaries for permanent full-time State officials and persons in exempt positions that are recommended by the Governor or the Governor and the Advisory Budget Commission and set by the General Assembly shall be increased by fifty dollars (\$50.00) per month, commencing July 1, 1992.

(c) The salaries in effect for fiscal year 1991-92 for all permanent part-time State employees shall be increased on and after July 1, 1992, by pro rata amounts of the fifty dollars (\$50.00) per month salary increase provided for permanent full-time employees covered under subsection (a) of this section.

(d) The Director of the Budget may allocate out of special operating funds or from other sources of the employing agency, except tax revenues, sufficient funds to allow a salary increase, on and after July 1, 1992, in accordance with subsections (a), (b), or (c) of this section, including funds for the employer's retirement and social security contributions, for the permanent full-time and part-time employees of the agency, provided the employing agency elects to make available the necessary funds.

(e) Within regular Executive Budget Act procedures as limited by this act, all State agencies and departments may increase on an equitable basis the rate of pay of temporary and permanent hourly State employees, subject to availability of funds in the particular agency or department, by pro rata amounts of the fifty dollars (\$50.00) per month salary increase provided for permanent full-time employees covered by the provisions of subsection (a) of this section commencing July 1, 1992.

(f) The provisions of this section do not apply to employees whose salaries are determined in accordance with G.S. 20-187.3(a), except for those employees who would not receive a salary increment for the 1992-93 fiscal year under G.S. 20-187.3(a) because they are at the top of their salary range.

CERTAIN EXECUTIVE BRANCH OFFICIALS/SALARY INCREASES

Sec. 18. (a) The annual salaries, payable monthly, for the 1992-93 fiscal year for the following executive branch officials are:

<u>Executive Branch Officials</u>	<u>Annual Salary</u> <u>1992-93</u>
Chairman, Alcoholic Beverage Control Commission	\$73,008
State Controller	118,020
Commissioner of Motor Vehicles	73,008
Commissioner of Banks	73,008
Chairman, Employment Security Commission	73,008
State Personnel Director	75,852
Chairman, Parole Commission	66,672
Members of the Parole Commission	61,560
Chairman, Industrial Commission	65,604
Members of the Industrial Commission	64,008
Executive Director, Agency for Public Telecommunications	61,560
General Manager, Ports Railway Commission	55,596
Director, Museum of Art	74,808
Executive Director, Wildlife Resources	

1	Commission	63,024
2	Executive Director, North Carolina	
3	Housing Finance Agency	90,336
4	Executive Director, North Carolina	
5	Agricultural Finance Authority	71,064
6	Director, Office of Administrative	
7	Hearings 64,464.	

8 (b) Any person carrying on the functions of a position listed in subsection (a)
9 of this section shall be paid only the salary set out in that subsection, and the mere
10 classification of the position to be some other position does not allow the salary of that
11 position to be set in some other manner.

12 13 **PUBLIC SCHOOL PERSONNEL/SALARY INCREASES**

14 Sec. 19. (a) Superintendents, Assistant Superintendents, Associate
15 Superintendents, Supervisors, Directors, Coordinators, Evaluators, Program
16 Administrators, Principals, and Assistant Principals. The Director of the Budget may
17 transfer from the Reserve for Salary Increases provided in Section 3 of this act and
18 Section 3 of House Bill 1340, 1991 Session, for fiscal year 1992-93 funds necessary to
19 provide a salary increase of fifty dollars (\$50.00) per month, including funds for the
20 employer's retirement and social security contributions, commencing July 1, 1992, for
21 all superintendents, assistant superintendents, associate superintendents, supervisors,
22 directors, coordinators, evaluators, program administrators, principals, and assistant
23 principals whose salaries are supported from the State's General Fund. These funds
24 may not be used for any purpose other than for the salary increase and necessary
25 employer contributions provided by this subsection.

26 (b) Noncertified Employees. The Director of the Budget may transfer from the
27 Reserve for Salary Increases provided in Section 3 of this act and Section 3 of House
28 Bill 1340, 1991 Session, for fiscal year 1992-93 funds necessary to provide a salary
29 increase of fifty dollars (\$50.00) per month, including funds for the employer's
30 retirement and social security contributions, commencing July 1, 1992, for all
31 noncertified public school employees, except school bus drivers, whose salaries are
32 supported from the State's General Fund. These funds may not be used for any purpose
33 other than for the salary increases and necessary employer contributions provided by
34 this subsection.

35 (c) Bus Drivers. The fiscal year 1991-92 pay rates adopted by local boards of
36 education for school bus drivers shall be increased by at least two and thirty-hundredths
37 percent (2.30%), on and after July 1, 1992, to the extent that such rates of pay are
38 supported by the allocation of State funds from the State Board of Education. Local
39 boards of education shall increase the rates of pay for all school bus drivers who were
40 employed during fiscal year 1991-92 and who continue their employment for fiscal year
41 1992-93 by at least two and thirty-hundredths percent (2.30%), on and after July 1,
42 1992. The Director of the Budget may transfer from the salary increase reserve fund
43 created in Section 3 of this act and Section 3 of House Bill 1340, 1991 Session, for
44 fiscal year 1992-93 funds necessary to provide the salary increases for school bus

1 drivers whose salaries are supported from the State's General Fund in accordance with
2 the provisions of this subsection.

3 4 **ALL STATE-SUPPORTED PERSONNEL/SALARY INCREASES**

5 Sec. 20. (a) Salaries for positions that are funded partially from the General
6 Fund or Highway Fund and partially from sources other than the General Fund or
7 Highway Fund shall be increased from the General Fund or Highway Fund
8 appropriation only to the extent of the proportionate part of the salaries paid from the
9 General Fund or Highway Fund.

10 (b) The granting of the salary increases under this act does not affect the status of
11 eligibility for salary increments for which employees may be eligible unless otherwise
12 required by this act.

13 (c) The salary increases provided in this Part to be effective July 1, 1992, do not
14 apply to persons separated from State service due to resignation, dismissal, reduction in
15 force, death, or retirement, whose last workday is prior to July 1, 1992, or to employees
16 involved in written disciplinary procedures.

17 Payroll checks issued to employees after July 1, 1992, which represent
18 payment for services provided prior to July 1, 1992, shall not be eligible for salary
19 increases provided for in this act. This subsection shall apply to all employees, subject
20 to or exempt from the State Personnel Act, paid from State funds, including public
21 schools, community colleges, and The University of North Carolina.

22 (d) Notwithstanding the provisions of Section 19.1 of Chapter 1137 of the 1979
23 Session Laws as amended by Chapter 1053 of the 1981 Session Laws, G.S. 115C-
24 12(9)a., 115C-12(16), 126-7, or any other provision of law other than G.S. 20-187.3(a)
25 and G.S. 7A-102(c), no employee or officer of the public school system shall receive an
26 automatic increment, and no State employee or officer shall receive a merit increment,
27 during the 1992-93 fiscal year, except as otherwise permitted by this act.

28 (e) The Director of the Budget shall transfer from the Reserve for Salary
29 Increases provided in Section 3 of this act and Section 3 of House Bill 1340, 1991
30 Session, for fiscal year 1992-93 all funds necessary for the salary increases provided by
31 this act, including funds for the employer's retirement and social security contributions.

32 (f) Nothing in this act authorizes the transfer of funds from the General Fund
33 to the Highway Fund for salary increases.

34 35 **INCREASE RETIREMENT ALLOWANCES**

36 Sec. 21. (a) G.S. 128-27 is amended by adding a new subsection to read:

37 "(kk) From and after July 1, 1992, the retirement allowance to or on account of
38 beneficiaries whose retirement commenced on or before July 1, 1991, shall be increased
39 by one and eight-tenths percent (1.8%) of the allowance payable on July 1, 1991, in
40 accordance with G.S. 128-27(k). Furthermore, from and after July 1, 1992, the
41 retirement allowance to or on account of beneficiaries whose retirement commenced
42 after July 1, 1991, but before June 30, 1992, shall be increased by a prorated amount of
43 one and eight-tenths percent (1.8%) of the allowance payable as determined by the

1 Board of Trustees based upon the number of months that a retirement allowance was
2 paid between July 1, 1991, and June 30, 1992."

3 (b) G.S. 135-5 is amended by adding a new subsection to read:

4 "(uu) From and after July 1, 1992, the retirement allowance to or on account of
5 beneficiaries whose retirement commenced on or before July 1, 1991, shall be increased
6 by one and eight-tenths percent (1.8%) of the allowance payable on July 1, 1991, in
7 accordance with G.S. 135-5(o). Furthermore, from and after July 1, 1992, the
8 retirement allowance to or on account of beneficiaries whose retirement commenced
9 after July 1, 1991, but before June 30, 1992, shall be increased by a prorated amount of
10 one and eight-tenths percent (1.8%) of the allowance payable as determined by the
11 Board of Trustees based upon the number of months that a retirement allowance was
12 paid between July 1, 1991, and June 30, 1992."

13 (c) G.S. 135-65 is amended by adding a new subsection to read:

14 "(m) From and after July 1, 1992, the retirement allowance to or on account of
15 beneficiaries whose retirement commenced on or before July 1, 1991, shall be increased
16 by one and eight-tenths percent (1.8%) of the allowance payable on July 1, 1991.
17 Furthermore, from and after July 1, 1992, the retirement allowance to or on account of
18 beneficiaries whose retirement commenced after July 1, 1991, but before June 30, 1992,
19 shall be increased by a prorated amount of one and eight-tenths percent (1.8%) of the
20 allowance payable as determined by the Board of Trustees based upon the number of
21 months that a retirement allowance was paid between July 1, 1991, and June 30, 1992."

22 (d) G.S. 120-4.22A is amended by adding a new subsection to read:

23 "(g) In accordance with subsection (a) of this section, from and after July 1, 1992,
24 the retirement allowance to or on account of beneficiaries whose retirement commenced
25 on or before January 1, 1992, shall be increased by one and eight-tenths percent (1.8%)
26 of the allowance payable on July 1, 1992. Furthermore, from and after July 1, 1992, the
27 retirement allowance to or on account of beneficiaries whose retirement commenced
28 after January 1, 1992, but before June 30, 1992, shall be increased by a prorated amount
29 of one and eight-tenths percent (1.8%) of the allowance payable as determined by the
30 Board of Trustees based upon the number of months that a retirement allowance was
31 paid between January 1, 1992, and June 30, 1992."

32 Sec. 22. This act becomes effective July 1, 1992.