
VIRGINIA STATE BUDGET

1998 Session

Budget Bill - HB29 (Chapter 889)

Bill Order » Part 4: General Provisions » Item 4-6.01

Item 4-6.01

§ 4-6.01 EMPLOYEE COMPENSATION

a. The compensation of all kinds and from all sources of each appointee of the Governor and of each officer and employee in the Executive Department who enters the service of the Commonwealth or who is promoted to a vacant position shall be fixed at such rate as shall be approved by the Governor in writing or as is in accordance with rules and regulations established by the Governor. No increase shall be made in such compensation except with the Governor's written approval first obtained or in accordance with the rules and regulations established by the Governor. In all cases where any appointee, officer or employee is employed or promoted to fill a vacancy in a position for which a salary is specified by this act, the Governor may fix the salary of such officer or employee at a lower rate or amount within the respective level than is specified. In those instances where a position is created by an act of the General Assembly but not specified by this act, the Governor may fix the salary of such position in accordance with the provisions of this subsection.

b. Annual salaries of persons appointed to positions listed below shall be paid in the amounts shown.

	July 1, 1996 to November 30, 1996	December 1, 1996 to November 24, 1997	November 25, 1997 to June 30, 1998
Secretary of Administration	\$104,096	\$108,624	\$112,969
Secretary of Commerce and Trade	\$104,096	\$108,624	\$112,969
<i>Secretary of the Commonwealth</i>	<i>\$104,096</i>	<i>\$108,624</i>	<i>\$112,969</i>
Secretary of Education	\$104,096	\$108,624	\$112,969
Secretary of Finance	\$104,096	\$108,624	\$112,969
Secretary of Health and Human Resources	\$104,096	\$108,624	\$112,969
Secretary of Natural Resources	\$104,096	\$108,624	\$112,969
Secretary of Public Safety	\$104,096	\$108,624	\$112,969
Secretary of Transportation	\$104,096	\$108,624	\$112,969

c.1.a) Annual salaries of persons appointed to positions listed in subdivision c.6. hereof shall be paid in the amounts shown for the current biennium, unless changed in accordance with conditions stated in subdivisions c.2. through c.5. hereof.

b) The starting salary of a new appointee shall not exceed the midpoint of the range, except where the midpoint salary is less than a ten percent increase from an appointee's pre-appointment compensation. In such cases, an appointee's starting salary may be set at a rate which is ten percent higher than the pre-appointment compensation, provided that the maximum of the range is not exceeded.

c) Nothing in subdivision c.1. shall be interpreted to supersede the provisions of § 4-6.01 e, f, g, h, i, j, k, l, and m of

this act.

2.a) The Governor may decrease the annual salary for incumbents of positions listed in subdivision c.6. below at any rate between the minimum and the maximum of the respective salary range in accordance with an assessment of performance and service to the Commonwealth.

b)1) The appointing or governing authority may grant performance bonuses of 0-5 percent for positions whose salaries are listed in §§ 1-1 through 1-9, 1-131 and 1-132, and 4-6.01 b., c., and d. of this act, based on an annual assessment of performance, in accordance with policies and procedures established by such appointing or governing authority. Such performance bonuses shall be over and above the salaries listed in this act, and shall not become part of the base rate of pay.

2) The appointing or governing authority shall report performance bonuses which are granted to executive branch employees to the Department of Personnel and Training for retention in its records.

c) The Director, Department of the State Internal Auditor, shall be deemed to be included, effective July 1, 1987, in the performance appraisal system as established pursuant to § 4-6.01 c.1. of Chapter 643, 1986 Acts of Assembly, with any salary increase resulting therefrom applied to his salary as established in the state classified system. Such salary increase shall be in lieu of any proficiency increase for which he may be eligible in the classified system.

3. From the effective date of the Executive Pay Plan set forth in Chapter 601, Acts of Assembly of 1981, all incumbents holding positions listed in this § 4-6.01 shall be eligible for all fringe benefits provided to full-time classified state employees and, notwithstanding any provision to the contrary, the annual salary paid pursuant to this § 4-6.01 shall be included as creditable compensation for the calculation of such benefits.

4.a) With the prior annual written approval of the Governor, the Board of Commissioners of the Virginia Port Authority may supplement the salaries of its Executive Director and its Senior Managing Director of Marketing Services from nonstate funds provided by any nonstock, nonprofit corporation which is authorized by the Virginia Port Authority to operate port facilities of the Commonwealth under its jurisdiction. In approving such supplements, the Governor should be guided by criteria which provide a reasonable limit on the total additional income of the Executive Director and the Senior Managing Director of Marketing Services. The criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable ports of other states.

b) The Board of Commissioners of the Virginia Port Authority may supplement the salaries of its marketing staff in accordance with Item 525, paragraph B, of this act.

5. With the prior annual written approval of the Governor, the Board of Trustees of the Virginia Museum of Fine Arts, The Science Museum of Virginia, and The Library Board may supplement the salary of the Director of each agency and State Librarian from nonstate funds. In approving a supplement, the Governor shall be guided by criteria which provide a reasonable limit on the total additional income of the Director or State Librarian. The criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable museums and libraries of other states.

6. The following salaries shall be paid for the current biennium in the amounts shown; however, the Governor may increase such salaries to an amount not to exceed the maximum specified for the applicable level. All salary changes shall be subject to subdivisions c.2 through c.5 above.

	1996-97	1997-98
Level I Range	\$76,636-\$121,163	\$79,701-\$126,010

Midpoint	\$98,899	\$102,855	
	July 1, 1996	December 1, 1996	November 25, 1997
	to	to	to
	November 30, 1996	November 24, 1997	June 30, 1998
Commissioner, Department of Motor Vehicles	\$94,777	\$98,900	\$102,856
Commissioner, Department of Social Services	\$94,777	\$98,900	\$102,856
Commissioner of Mental Health, Mental Retardation and Substance Abuse Services	\$94,777	\$98,900	\$102,856
Commonwealth Transportation Commissioner	\$96,187	\$100,371	\$104,386
Director, Council on Information Management	\$94,777	\$98,900	\$102,856
Director, Department of Corrections	\$100,369	\$104,735	\$108,924
Director, Department of Environmental Quality	\$94,777	\$98,900	\$102,856
Director, Department of Information Technology	\$94,777	\$98,900	\$102,856
Director, Department of Medical Assistance Services	\$101,000	\$105,393	\$109,609
Director, Department of Planning and Budget	\$94,777	\$98,900	\$102,856
State Health Commissioner	\$113,558	\$118,478 \$118,498	\$123,217 \$123,238
State Tax Commissioner	\$94,777	\$98,900	\$102,856
Superintendent of Public Instruction	\$119,250	\$121,163	\$126,010
Superintendent of State Police	\$99,323	\$103,644	\$107,790

	1996-97	1997-98
Level II Range	\$66,640-\$105,360	\$69,306-\$109,574
Midpoint	\$86,000	\$89,440

	July 1, 1996	December 1, 1996	November 25, 1997
	to	to	to
	November 30, 1996	November 24, 1997	June 30, 1998
Alcoholic Beverage Control Commissioners (two)	\$69,003	\$72,005	\$74,885

Chairman, Alcoholic Beverage Control Board	\$80,504	\$84,006	\$87,366
Commissioner, Department of Agriculture and Consumer Services	\$73,185	\$76,368	\$79,423
Commissioner, Virginia Employment Commission	\$94,778	\$98,901	\$102,857
Director, Department of Business Assistance	\$78,396	\$81,806	\$85,078
Director, Department of General Services	\$82,416	\$86,001	\$89,441
Director, Department of Mines, Minerals and Energy	\$95,036	\$99,170	\$103,137
Director, Department of Personnel and Training	\$82,416	\$86,001	\$89,441
Director, Department of Juvenile Justice	\$82,416	\$86,001	\$89,441
Executive Director, Motor Vehicle Dealer Board	\$92,025	\$96,028	\$99,869
Executive Director, Virginia Port Authority	\$96,501	\$100,699	\$104,727
Executive Secretary, Charitable Gaming Commission	\$76,688	\$80,024	\$83,225
State Comptroller	\$94,240	\$98,339	\$102,273
State Treasurer	\$89,783	\$93,689	\$97,437

	1996-97	1997-98
Level III Range	\$57,948-\$91,619	\$60,266-\$95,284
Midpoint	\$74,783	\$77,775

	July 1, 1996 to November 30, 1996	December 1, 1996 to November 24, 1997	November 25, 1997 to June 30, 1998
Adjutant General Chairman, Virginia Parole Board	\$71,666	\$74,783	\$77,774
Board Members (four), Virginia Parole Board	\$71,666	\$74,783	\$77,774
Commissioner, and Department of Labor Industry Commissioner, Department of Rehabilitative Services	\$85,679	\$89,406	\$92,982
Commissioner, Marine Resources Commission	\$69,659	\$84,000	\$85,680
Coordinator, Department of Emergency Services	\$70,984	\$74,072	\$77,035
Director, Department of Aviation	\$73,485	\$76,682	\$79,749
Director, Department of Conservation and Recreation	\$80,606	\$84,112	\$87,476
Director, Department of Criminal Justice Services	\$83,641	\$87,279	\$90,770

Director, Department of Historic Resources	\$71,666	\$74,783	\$77,774
Director, Department of Housing and Community Development	\$80,677	\$84,186	\$87,553
Director, Department of Rail and Public Transportation	\$87,800	\$91,619	\$95,284
Director, The Science Museum of Virginia	\$83,016	\$86,627	\$90,092
Director, Virginia Liaison Office	\$71,666	\$74,783	\$77,774
Director, Virginia Museum of Fine Arts	\$86,035	\$89,777	\$93,368
Director, Virginia Museum of Natural History	\$71,666	\$74,783	\$77,774
Executive Director, Chesapeake Bay Local Assistance Department Executive Director, Department of Game and Inland Fisheries	\$74,783	\$78,036	\$81,157
	\$85,335	\$89,047	\$92,609
Executive Director, Jamestown-Yorktown Foundation	\$83,016	\$86,627	\$90,092
Executive Secretary, Virginia Racing Commission	\$69,248	\$72,260	\$75,150
State Forester, Department of Forestry	\$76,322	\$79,642	\$82,828
State Librarian	\$76,024	\$87,264	\$89,009
Superintendent, Department of Correctional Education	\$87,800	\$91,619	\$95,284

	1996-97	1997-98
Level IV Range	\$50,391-\$79,677	\$52,407-\$82,864
Midpoint	\$65,029	\$67,635

	July 1, 1996 to November 30, 1996	December 1, 1996 to November 24, 1997	November 25, 1997 to June 30, 1998
Administrator, Commonwealth's Attorneys' Services Council	\$68,419	\$71,395	\$74,251
Administrator, Milk Commission	\$62,318	\$65,029	\$67,630
Commissioner, Department for the Aging	\$62,318	\$65,029	\$67,630
Commissioner, Virginia Department for the Visually Handicapped Director, Department of Professional and Occupational Regulation	\$68,800	\$71,793	\$74,665
	\$67,077	\$69,995	\$72,795
Director, Department of Employee Relations Counselors	\$71,094	\$74,187	\$80,000

Director, Department of Health Professions	\$74,754	\$78,006	\$81,126
Director, Department of Minority Business			
Enterprise	\$62,318	\$65,029	\$67,630
Executive Director, Commission on Local Government	\$72,669	\$75,830	\$81,260
Executive Director, Governor's Employment and Training Department	\$71,666	\$74,783	\$77,774
Human Rights Human Director, Council on Rights	\$62,318	\$65,029	\$67,630
Secretary of the Commonwealth	\$76,346	\$79,667	\$82,854
Secretary, State Board of Elections	\$62,318	\$65,029	\$67,630

	1996-97	1997-98
Level V Range	\$43,818-\$69,347	\$5,571-\$72,121
Midpoint	\$56,582	\$58,845

	July 1, 1996 to November 30, 1996	December 1, 1996 to November 24, 1997	November 25, 1997 to June 30, 1998
Director, Department for Rights of Virginians with Disabilities	\$57,506	\$60,008	\$62,408
Director, Department of Veteran's Affairs	\$58,548	\$61,095	\$63,539
Director, Gunston Hall	\$47,114	\$49,163	\$51,130
Director, Virginia Department for the Deaf and Hard-of-Hearing	\$55,444	\$57,866	\$60,181
Executive Director, Department of Fire Programs	\$54,224	\$56,583 \$69,775	\$58,846 \$72,121
Executive Director, Frontier Culture Museum of Virginia	\$58,485	\$61,029 \$70,000	\$63,470 \$72,121
Executive Director, Virginia Commission for the Arts	\$55,983	\$58,418	\$60,755
Executive Secretary, Virginia Veterans Care Center Board of Trustees Chairman of Board	\$54,660	\$57,038	\$59,320
Chairman of Board Chairman, Compensation Board	\$14,951	\$15,601	\$16,225

7. Annual salaries of the directors of the independent agencies, as listed in this paragraph, shall be paid in the amounts shown. All salary changes shall be subject to subdivisions c.1., c.2, and c.3. above.

1996-97

1997-98

Independent Range	\$66,640-\$105,360	\$69,306-\$109,574	
Midpoint	\$86,000	\$89,440	
	July 1, 1996	December 1, 1996	November 25, 1997
	to	to	to
	November 30, 1996	November 24, 1997	June 30, 1998
Director, State Lottery Department	\$98,984	\$103,290	\$107,422
Director, Virginia Retirement System	\$100,358	\$104,724	\$108,913

d.1.a) Annual salaries of the presidents of the senior institutions of higher education, the President of Richard Bland College, the Chancellor of Clinch Valley College, the Superintendent of the Virginia Military Institute, the Director of the State Council of Higher Education, the Director of the Southwest Virginia Higher Education Center and the Chancellor of Community Colleges, as listed in this paragraph, shall be paid in the amounts shown.

b) The annual salaries of the presidents of the community colleges shall be fixed by the State Board for Community Colleges within a salary structure approved by the Governor, notwithstanding the rates shown herein.

2.a) The board of visitors of each institution of higher education may supplement the salary of its president from private gifts, endowment funds, or income from endowments and gifts. Supplements paid from other than the cited sources prior to June 30, 1997, may continue to be paid. In approving a supplement, the board of visitors should be guided by criteria which provide a reasonable limit on the total additional income of a president. The criteria should include a consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services. The board of visitors shall report approved supplements to the Department of Personnel and Training for retention in its records.

b) The State Council of Higher Education may supplement the salary of the Director from any available appropriations of the Council. In approving a supplement, the State Council for Higher Education should be guided by criteria which provide a reasonable limit on the total additional income of the Director. The criteria should include consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services.

c) The State Board for Community Colleges may supplement the salary of the Chancellor from any available appropriations of the Virginia Community College System. In approving a supplement, the State Board for Community Colleges should be guided by criteria which provide a reasonable limit on the total additional income of the Chancellor. The criteria should include consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services.

July 1, 1996	December 1, 1996	November 25, 1997
to	to	to
November 30, 1996	November 24, 1997	June 30, 1998

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

Director, State Council of Higher Education for Virginia	\$113,800	\$126,560	\$129,091
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SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER

Director, Southwest Virginia Higher Education Center	\$56,100	\$58,540	\$60,882
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VIRGINIA COMMUNITY COLLEGE SYSTEM

Chancellor of Community Colleges	\$112,982	\$117,897	\$122,613
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SENIOR COLLEGE PRESIDENTS' SALARIES

Chancellor, Clinch Valley College	\$88,813	\$92,676	\$96,383
President, Christopher Newport University	\$90,355	\$94,285	\$98,056
President, College of William and Mary	\$107,134	\$111,794	\$116,266
President, George Mason University	\$107,567	\$112,246	\$116,736
President, James Madison University	\$99,393	\$103,717	\$107,866
President, Longwood College	\$94,660	\$98,778	\$102,729
President, Mary Washington College	\$94,661	\$98,778	\$102,729
President, Norfolk State University	\$97,026	\$101,247	\$105,297
President, Old Dominion University	\$107,565	\$112,244	\$116,734
President, Radford University	\$97,025	\$101,247	\$105,297
President, Richard Bland College	\$83,830	\$87,477	\$90,976
President, University of Virginia	\$118,975	\$124,150	\$129,116
President, Virginia Commonwealth University	\$118,975	\$124,150	\$129,116
President, Virginia Polytechnic Institute and State University	\$118,975	\$124,150	\$129,116
President, Virginia State University	\$97,026	\$101,247	\$105,297
Superintendent, Virginia Military Institute	\$96,947	\$101,164	\$105,211

COMMUNITY COLLEGE PRESIDENTS' SALARIES

President, Blue Ridge Community College	\$77,847	\$81,233	\$84,482
President, Central Virginia Community College	\$82,590	\$86,183	\$89,630
President, Dabney S. Lancaster Community College	\$77,847	\$81,233	\$84,482
President, Danville Community College	\$82,590	\$86,183	\$89,630
President, Eastern Shore Community College	\$75,580	\$78,868	\$82,023
President, Germanna Community College	\$85,066	\$88,766	\$92,317
President, J. Sargeant Reynolds Community College	\$110,993	\$115,821	\$120,454
President, John Tyler Community College	\$92,954	\$96,997	\$100,877
President, Lord Fairfax Community College	\$92,954	\$96,997	\$100,877
President, Mountain Empire Community College	\$82,590	\$86,183	\$89,630
President, New River Community College	\$92,954	\$96,997	\$100,877
President, Northern Virginia Community College	\$121,284	\$126,560	\$131,622
President, Patrick Henry Community College	\$85,066	\$88,766	\$92,317
President, Paul D. Camp Community College	\$77,847	\$81,233	\$84,482
President, Piedmont Virginia Community College	\$87,617	\$91,428	\$95,085
President, Community Rappahannock College	\$82,589	\$86,182	\$89,629

President, Southside Virginia Community College	\$92,954	\$96,997	\$100,877
President, Southwest Virginia Community College	\$101,574	\$105,992	\$110,232
President, Thomas Nelson Community College	\$92,954	\$96,997	\$100,877
President, Tidewater Community College	\$104,621	\$109,172	\$113,539
President, Virginia Highlands Community College	\$77,847	\$81,233	\$84,482
President, Virginia Western Community College	\$101,574	\$105,992	\$110,232
President, Wytheville Community College	\$85,066	\$88,766	\$92,317

e. Salaries for newly employed or promoted employees shall be established consistent with the compensation and classification plans established by the Governor.

f. The provisions of this section, requiring prior written approval of the Governor relative to compensation, shall apply also to any system of incentive award payments which may be adopted and implemented by the Governor. The cost of implementing any such system shall be paid from any funds appropriated to the affected agencies.

g. No lump sum appropriation for personal service shall be regarded as advisory or suggestive of individual salary rates or of salary schedules to be fixed under law by the Governor payable from the lump sum appropriation.

h. Subject to approval by the Governor of a plan for a statewide employee meritorious service awards program, as provided for in § 2.1-114.5.12, Code of Virginia, the costs for such awards shall be paid from any operating funds appropriated to the affected agencies.

i. The General Assembly hereby affirms and ratifies the Governor's existing authority and the established practice of this body to provide for pay differentials or to supplement base rates of pay for employees in specific job classifications in particular geographic and/or functional areas where, in the Governor's discretion, they are needed for the purpose of maintaining salaries which enable the Commonwealth to maintain a competitive position in the relevant labor market.

j.1. If at any time the Administrator of the Commonwealth's Attorneys' Services Council serves on the faculty of a state-supported institution of higher education, the faculty appointment must be approved by the Council. Such institution shall pay one-half of the salary listed in § 4-6.01 c.6. of this act. Further, such institution may provide compensation in addition to that listed in § 4-6.01 c.6; provided, however, that such additional compensation must be approved by the Council.

2. If the Administrator ceases to be a member of the faculty of a state-supported institution of higher education, the total salary listed in § 4-6.01 c.6 shall be paid from the Council's appropriation.

k. Except as otherwise provided for in this paragraph, increases in the level of compensation for any job class contained in the compensation and classification plans approved by the Governor shall be effective on the first day of July of the next fiscal year if: 1) the agency certifies to the Secretary of Finance that funds are available within the agency's appropriation, or 2) such funds are appropriated by the General Assembly. If at any time the Secretary of Administration shall certify that such change in the level of compensation for a job class is of an emergency nature and the Secretary of Finance shall certify that funds are available, such change in compensation may be effective on a date agreed upon by these two Secretaries. The Secretary of Administration shall provide a monthly report of all such changes in accordance with § 4-8.00, Reporting Requirements.

l. Full-time employees of the Commonwealth, including faculty members of state institutions of higher education, who are appointed on or after January 13, 1990, to a state-level board, council, commission or similar collegial body set forth in §§ 2.1-20.4, 9-275 and 14.1-48.1, Code of Virginia, or in paragraphs in this subsection, shall not receive any compensation for their services as members or chairmen except for reimbursement of reasonable and necessary expenses.

m.1. Notwithstanding any other provision of law, the board of visitors or other governing body of any public institution of higher education is authorized to establish age and service eligibility criteria for faculty participating in voluntary early retirement incentive plans for their respective institutions pursuant to § 23-9.2:3.1.B and the cash payment offered under such compensation plans pursuant to § 23-9.2:3.1.D, Code of Virginia. The total cost in any fiscal year for any compensation plan established under § 23-9.2:3.1.D, Code of Virginia, shall be set forth by the governing body in the compensation plan for approval by the Governor and review for legal sufficiency by the Office of the Attorney General.

2. Notwithstanding any other provision of law, employees holding full-time, academic-year classified positions at public institutions of higher education shall be considered "state employees" as defined in § 51.1-101, Code of Virginia and shall be considered for medical/hospitalization, retirement service credit, and other benefits on the same basis as those individuals appointed to full-time, 12-month classified positions.

n. Notwithstanding the Rules for the Administration of the Virginia Personnel Act, payment to employees with five or more years of continuous service who either terminate or retire from service shall be paid in one sum for twenty-five percent of their sick leave balance provided, however, that the total amount paid for sick leave shall not exceed \$5,000 and the remaining seventy-five percent of their sick leave shall lapse.