

Independent Citizens Commission

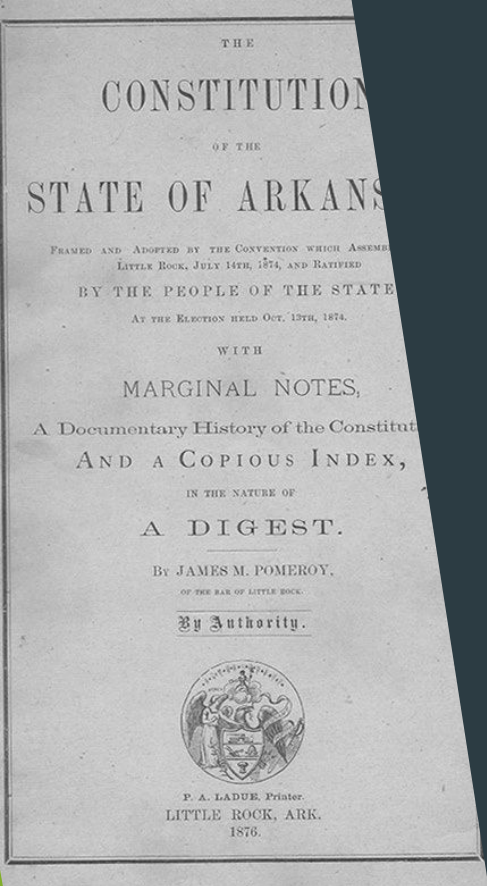
Constitutional Requirements, Historical Overview, and Salary Review by Position

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Section 1: Constitutional Requirements





ICC Creation and Mandate

- ▶ Created by Constitutional Amendment approved in 2014 (Art. 19, Sec. 31);
- ▶ The Commission has the constitutional duty to review and adjust the salaries of the following positions:
 - ▶ Governor, Lieutenant Governor, Attorney General, Secretary of State, Treasurer of State, Auditor of State, and Commissioner of State Lands (Constitutional Officers); (Ark. Const. Art. 19, Sec. 31 (d)(1)-(7)).
 - ▶ Members of the General Assembly; (Ark. Const. Art. 19, Sec. 31 (d)(8))
 - ▶ The Chief Justice and Justices of the Supreme Court, The Chief Judge and Judges of the Court of Appeals, Circuit Court Judges, and District Court Judges; and, (Ark. Const. Art. 19, Sec. 31 (d)(9)-(14)).
 - ▶ Prosecuting Attorneys (added by amendment in 2015). (Ark. Const. Art. 19, Sec. 31 (d)(15)) .
- ▶ The Commission is also tasked with making recommendations for *per diem*, expense reimbursement, and milage reimbursement for the General Assembly. (Ark. Const. Art. 19, Sec. 31 (j)).





ICC Mandate - Constitutional Limitations

- ▶ When considering whether to adjust a salary for a position listed above, the Commission shall include in its considerations the overall economic conditions of the state of Arkansas at the time. (Ark. Const. Art. 19, Sec. 31(e)(5)) (emphasis added).
- ▶ Amendment 94 requires that the salaries of circuit court judges be uniform throughout the state. (Ark. Const. Art. 19, Sec. 31(g)(1)) (emphasis added).
- ▶ The Commission may not diminish the salaries for the position of Chief Justice and Justices of the Supreme Court, the Chief Judge and Judges of the Court of Appeals, circuit court judges, and district court judges. Other positions can be diminished. (Ark. Const. Art. 19, Sec. 31 (g)(2)(A)&(B)) (emphasis added).
- ▶ Salary revisions may not exceed 15%. (Ark. Const. Art. 19, Sec. 31 (g)(3)(A)) (emphasis added).
- ▶ If the Commission proposes to adjust a salary, the Commission shall provide notice to the public of the proposed salary adjustment, make available to the public any data reviewed by the Commission and used to determine the adjustment, and afford the public a reasonable opportunity to provide public comment on the proposed salary adjustment. Upon satisfying the public notice requirements, the Commission may file any final salary adjustments with the Auditor of State. The adjustment to a salary shall be effective (10) days after it is filed with the Auditor of State. (Ark. Const. Art. 19, Sec. 31 (e)(2)(A)).

Section 2: Historical Overview



ICC History - First Meetings and Initial Review

- ▶ The Independent Citizens Commission held its first meeting on December 18, 2014 at the Arkansas State Capital.
- ▶ The Commission convened over a dozen times in those first months to address and fulfill the constitutional duties of providing the initial review, recommendations, and adjustments.
- ▶ That Commission published a comprehensive report of their work and findings (included in your handout).
- ▶ All data reviewed by the first Commission remains available on the Commission's website: www.citizenscommission.ar.gov.



Items Reviewed in Initial ICC Report for Salary Determinations



QUALIFICATION AND SKILL
NECESSARY FOR EACH OFFICE



THE OVERALL LEVEL OF
RESPONSIBILITY IMPLICIT IN
EACH OFFICE



THE TOTAL COMPENSATION OF
EACH POSITION INCLUDING
BENEFITS OTHER THAN SALARIES



TRAVEL AND NECESSARY OUT-
OF-OFFICE EXPENSES REQUIRED
FOR EACH OFFICE



ANY PER DIEM, MILEAGE,
AND EXPENSES RECEIVED BY
THOSE OFFICIALS



ANY OTHER FACTORS THE COMMISSION
CONSIDERED TO BE REASONABLE AND
APPROPRIATE TO THEIR CHARGE



THE OVERALL PUBLIC INTEREST
OF THE CITIZENS OF ARKANSAS



SALARIES IN COMPARATOR
STATES



Section 3: Historical Salary Revisions by ICC



ICC History - Salary Revisions since Inception

► Arkansas Legislature/General Assembly (last reviewed in 2023)

	pre-2015	3/16/2015	6/27/2017	5/15/2018	1/22/2020	11/18/2020	10/1/2021
Gen. Assembly	\$15,869	\$39,400	\$40,188	\$41,393.64	\$42,428.48	\$43,064.91	\$44,356.86
Speaker	\$17,771	\$45,000	\$45,900	\$47,277	\$48,458.93	\$49,185.81	\$50,661.38
Pro Temp	\$17,771	\$45,000	\$45,900	\$47,277	\$48,458.93	\$49,185.81	\$50,661.38



ICC History Salary Revisions

- ▶ General Assembly - 12% annualized increase (2015-2024)
- ▶ 1.4% annualized increase if ICC's initial 2015 adjustment is removed



ICC History - Salary Revisions since Inception

► Executive Officers (last reviewed in 2023)

	pre-2015	3/16/2015	6/27/2017	5/15/2018	1/22/2020	11/18/2020	10/1/2021	6/16/2023
Governor	\$87,759	\$141,000	\$143,820	\$148,134.60	\$151,837.96	\$154,115.53	\$158,739	\$163,501.71
Lt. Gov	\$42,315	\$42,315	\$42,315	\$43,584.45	\$44,674.06	\$45,344.17	\$46,704.50	\$48,105.64
Atty. Gen.	\$73,132	\$130,000	\$132,600	\$136,578	\$139,992.45	\$142,092.34	\$146,355.11	\$150,745.76
Sec. of State	\$54,848	\$90,000	\$91,800	\$94,554	\$96,917.85	\$98,371.62	\$101,322.77	\$104,362.45
Treasurer	\$54,848	\$85,000	\$86,700	\$89,301	\$91,553.53	\$92,906.53	\$95,693.73	\$98,564.54
Auditor	\$54,848	\$85,000	\$86,700	\$89,301	\$91,553.53	\$92,906.53	\$95,693.73	\$98,564.54
Land Comm.	\$54,848	\$85,000	\$86,700	\$89,301	\$91,553.53	\$92,906.53	\$95,693.73	\$98,564.54





ICC History Salary Revisions



Governor	7.1% annualized increase (2015-2024)
	1.8% annualized increase if ICC's initial 2015 adjustment is removed
Lt. Governor	1.4% annualized increase (2015-2024)
	1.6% annualized increase if ICC's initial 2015 adjustment is removed
Atty. Gen.	8.3% annualized increase (2015-2024)
	1.8% annualized increase if ICC's initial 2015 adjustment is removed
Sec. of State	7.4% annualized increase (2015-2024)
	1.8% annualized increase if ICC's initial 2015 adjustment is removed
Treasurer	6.7% annualized increase (2015-2024)
Auditor	
Land Commissioner	1.8% annualized increase if ICC's initial 2015 adjustment is removed





ICC History Salary Revisions

Supreme Court

- 3.4% annualized increase (2015-2024)
- 2.5% annualized increase if ICC's initial 2015 adjustment is removed

Court of Appeal

- 3.7% annualized increase (2015-2024)
- 2.5% annualized increase if ICC's initial 2015 adjustment is removed

Circuit Courts

- 3.6% annualized increase (2015-2024)
- 2.3% annualized increase if ICC's initial 2015 adjustment is removed

District Courts

- 3.3% annualized increase (2015-2024)
- 2.3% annualized increase if ICC's initial 2015 adjustment is removed

Prosecutors

- 4.5% annualized increase (2015-2024)
- 2.3% annualized increase if ICC's initial 2015 adjustment is removed

Section 4:
Arkansas State Employee
Salary Increases
(FY24-FY25)





Arkansas Exec. State Employee Raises (FY24-FY25)

- ▶ June 2023
 - ▶ Gov. Sanders authorizes:
 - ▶ 0% market adjustment pay increase authorized for all executive branch agency salaries;
 - ▶ 4.5% base salary increase for “highly effective.” - 18% of exec. branch state employees were eligible;
 - ▶ 5% base salary increase for “role models” - 6% of exec. branch state employees were eligible;
- ▶ There were 22,000 (approx.) exec. branch state employees in 2023; 16,720 (approx.) individuals received no pay increase.
- ▶ If all eligible employees received the maximum amount authorized, the mean exec. branch state employee pay increased by 1.1% going into FYE24. The median increase was 0%.



Arkansas Exec. State Employee Raises (FY24-FY25)

- ▶ June 2024
 - ▶ Gov. Sanders authorizes:
 - ▶ 3% market adjustment pay increase authorized for all executive branch agency salaries;
 - ▶ 1% base salary increase for “met expectations” - 51% of exec. branch employees were eligible;
 - ▶ 3% base salary increase for “exceeds expectations” - 25% of exec. branch employees were eligible;
- ▶ There were approximately 22,473 exec. branch state employees in 2024. The slight majority (approx. 11,461 individuals) were eligible to receive a 4% pay increase. Approximately 5,394 received the minimum market adjustment of 3%, While approximately 5,618 were eligible to receive the maximum 6% pay increase.
- ▶ If all eligible employees received the maximum amount authorized, the mean exec. branch state employee pay increased by 4.23% going into FYE25. The median increase was 4%.

Arkansas Exec. State Employee Raises (FY24-FY25)

- ▶ FYE24-FYE25 exec. branch state employees' mean base pay was authorized to increase by approximately:
 - ▶ 5.3% total, or
 - ▶ 2.6% per annum.
- ▶ FYE24-FYE25 exec. branch state employees' median base pay increase authorization was approximately:
 - ▶ 4% total, or
 - ▶ 2% per annum



Section 5:
Elected Official Salaries,
Comparators, and Job Duties



Salary Comparisons with Other States: Potentially Limited Value

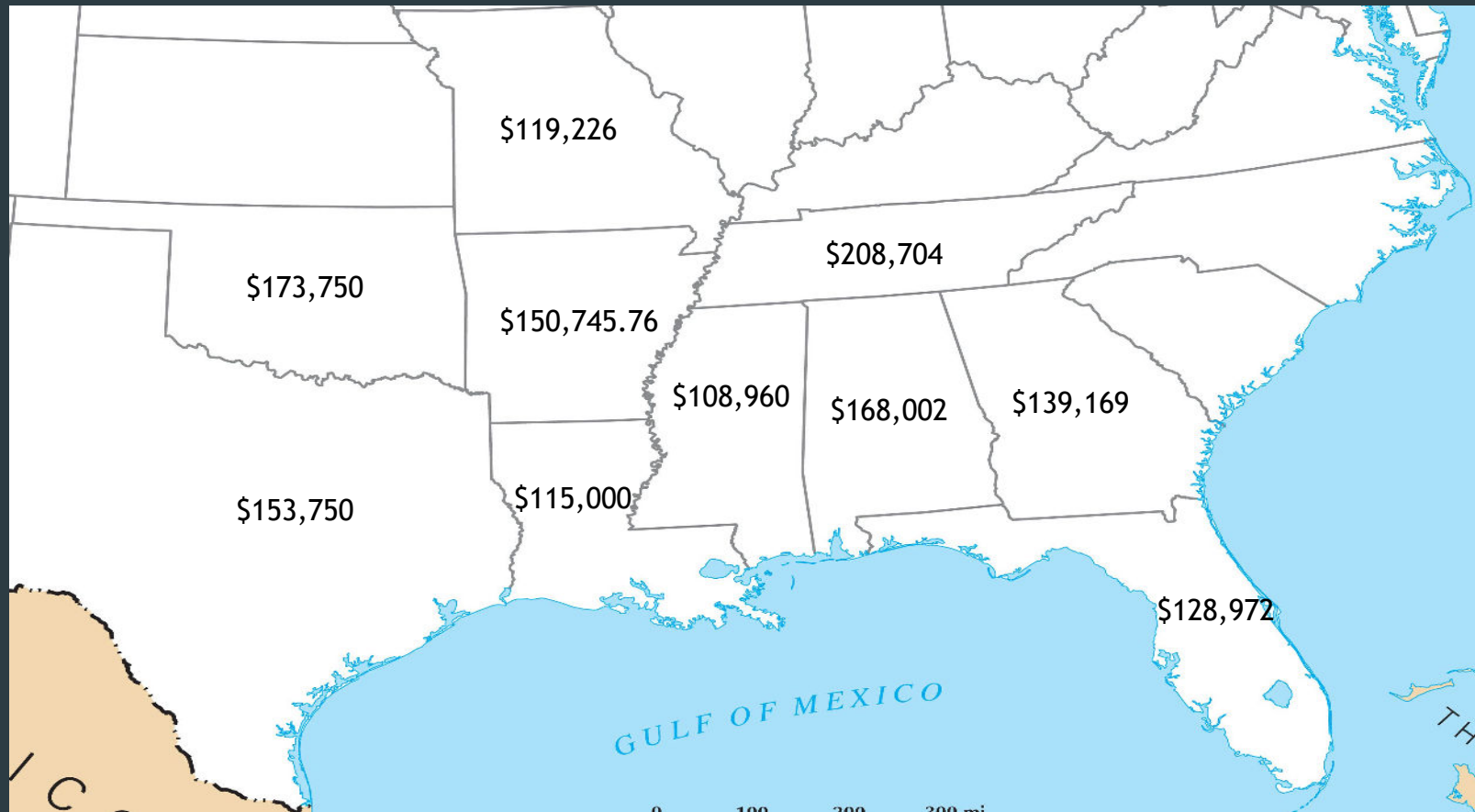
Excluding judicial positions, it is difficult to create state-to-state comparisons for many of Arkansas' elected positions.

Each state has significant differences in powers, duties, and limitations for comparably named positions.

Salary Comparisons with Other States (Governors)



Salary Comparisons with Other States (Attorneys General)



Salary Comparisons with Other States (Secretaries of State)



Governor



Executive Powers

- Chief Executive
- Ensures state laws are executed and enforced
- Chief administrator for state government

Legislative Powers

- Power to call special sessions
- Veto authority



Budget Powers

- Responsible for preparing state budget and submitting budget to legislature



Appointment Powers

- Heads of all state departments
- Members of various board and commissions
- Judicial and Executive branch vacancies



Emergency Powers

- Responds to emergencies and disasters



Pardoning Powers

- Grants pardons and commutations



Commander in Chief (Arkansas National Guard)



Diplomatic representative for Arkansas at national level

Lieutenant Governor

Part-Time Position;

Presides over Senate with tie-breaking vote;

Serves as acting governor when governor is out of state;

First in line of succession for governorship.

Attorney General

- ▶ The powers and duties of the Attorney General include:
 - ▶ Represents “all state officials, departments, institutions, and agencies” in legal matters.
 - ▶ Initiates “civil lawsuits under all state and federal environmental protection statutes.”
 - ▶ “Maintain[ing] and defend[ing] the interests of the state in matters before the United States Supreme Court and all other federal courts.”
 - ▶ Provides formal legal opinions upon request to: the Governor, other heads of executive departments, prosecuting attorneys, members of the General Assembly, state board and commissions, and county boards of election commissioners.
 - ▶ Provides legal advice upon request to State entities regarding the purchase of property.
- ▶ The Attorney General is tasked with civil enforcement of the Arkansas Deceptive Trade Practices Act. In this capacity, the Attorney General protects the interests of Arkansas consumers against a wide variety of deceptive and predatory trade practices. Ark. Code Ann. § 4-88-101 *et seq.*
- ▶ The Attorney General represents the state and ratepayers in utility matters before the Public Service Commission. Ark. Code Ann. § 23-4-301 *et seq.*
- ▶ The Attorney General is authorized to investigate and bring cases regarding abuse, exploitation or neglect of nursing home residents and fraud against the Medicaid Program. Ark. Code Ann. § 5-55-101 *et seq.*
- ▶ The Attorney General regularly defends state entities in litigation, represents the state’s interests in criminal appeals, and engages in complex multi-state litigation to vindicate the interests of Arkansans.
- ▶ Manages an office of 174 full-time employees, including 76 attorney professionals earning salaries between \$84,000.18 and \$199,999.90.

The image shows the Arkansas State Capitol building, a large, classical-style structure with a prominent dome and columns. In the foreground, there are vibrant pink and orange flowers. The background is a clear blue sky.

Secretary of State

Chief Election Officer for the state

- Maintains the state's election records.
- Assist county officials with conducting federal, state, and district elections. This team
- Ensures compliance with all state and federal laws such as the National Voter Registration Act and the Help America Vote Act.
- Oversees training on the state's electronic voting systems
- works with federal and state authorities on cybersecurity to ensure safe elections.

Business and Commercial Services

- Business entity filings and annual reports
- Records trademarks, files notary/eNotary public certifications, authentication of documents and apostilles, and records Uniform Commercial Code filings

Capitol Facilities

- preserving and protecting the Capitol building, as well as the surrounding buildings, grounds, and monuments.
- Building maintenance and custodial services for the State Capitol's 287,000 square feet.
- Capitol Facilities staff maintain the lawns, plant beds, parking lots, walkways, and monuments around the Capitol's 25 acres.

Arkansas Capitol Police

- 30 sworn personnel and 3 staff

State Board of Election Commissioners (Chair)

Capitol Arts and Grounds Commission (Chair)

Capitol Zoning District Commission (*ex officio* member)

INA Board (*ex officio* member)

Treasurer of State

- ▶ State's Banker
 - ▶ ~\$70M daily in deposits from various local, state, and federal sources and credits those deposits to the proper accounts;
 - ▶ Processes 2000-3000 checks and reconciles 3000+ accounts, daily;
- ▶ Oversees state's investment portfolio of ~\$11B;
- ▶ 12 Departments: Investments, Investment Accounting and Compliance, Legal, Local Government Services, Receiving and Warrants, Cash Management, Public Engagement, Information Technology, Governmental Affairs, Public Information, 529/ABLE, Financial Education and HR;
- ▶ 35 Full time employees with salaries ranging from \$41,612.06 to \$142,372.67;
- ▶ Boards and Committees:
 - ▶ State Board of Finance;
 - ▶ Arkansas Teacher's Retirement;
 - ▶ Arkansas Public Employees Retirement;
 - ▶ Arkansas Development and Finance Authority;
 - ▶ Arkansas Highway Retirement;
 - ▶ Arkansas Rural Endowment Board;
 - ▶ Arkansas 529 Board;
 - ▶ Arkansas ABLE Committee;
 - ▶ Arkansas Financial Education Commission.



Auditor of State

- ▶ State's Accountant;
- ▶ Originally created as a Check/Balance to the State Treasury;
- ▶ Granted executive branch audit authority;
- ▶ The Auditor's office issues all state warrants (Arkansas Government's version of a check) for payments made by any office/instrumentality of the state of Arkansas:
 - ▶ Includes Paper and Electronic warrants.
- ▶ Payroll Officer for all state elected officials;
- ▶ Administrator for Arkansas's Unclaimed Property Program ("Great Arkansas Treasure Hunt");
- ▶ Ex Officio Member of:
 - ▶ State Board of Finance;
 - ▶ APERS;
 - ▶ Arkansas Teachers' Retirement System;
 - ▶ Arkansas 911 Board.
- ▶ Provides staff for the ICC;
- ▶ Manages an office of 30 full-time employees earning salaries between \$32,450.08 and \$154,624.91.



Land Commissioner

- Research, notifications, and collection of payment on delinquent property taxes;
- Conducts public auctions of tax delinquent properties and online auctions of unsold properties;
- Processing applications by former property owners to receive excess proceeds from the sale of delinquent properties;
- Upholding public trust responsibilities and maintaining submerged lands in the navigable waterways of Arkansas;
- Serves as a leasing agent for natural resources on state lands;
- Processes requests for patent information and applications for emerged land deeds; and
- Serves as custodian of Arkansas' original land records.



General Assembly

- ▶ Bicameral body: 35 Senators and 100 House members;
- ▶ Part-time position;
- ▶ Regular Session in odd-numbered years, Fiscal Session in even-numbered years;
 - ▶ Sessions last 60 days unless extended;
- ▶ Governor can call special sessions;
- ▶ Responsible for making and amending laws;
- ▶ House members serve two-year terms, Senators serve four-year terms.

Any Questions?