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- Delaware Bar Association Committee on Judicial Compensation, Report to the Delaware Compensation Commission, December 5, 2016,
- Letter dated December 8, 2016 from Judge James R. Hanby, Sr., President Delaware Magistrates Associations.
- Letter dated December 22, 2016 from Drewry N. Fennell, Governor Markell's Chief of Staff.

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INTRODUCTION

Creation of Commission

In July 1984, Governor duPont approved a law (29 Del. C. Sections 3301- 3304) creating the Delaware Compensation Commission. Emerging from the difficult financial times of the 70's, the establishment of the Commission was one of many reforms implemented to set Delaware on a future non-partisan course of setting policies and salaries for the cabinet, legislature, and judiciary in such a way as to remove political considerations while attracting top talent to State government.

In January 1985, the first Commission submitted its recommendations as required under the statute, and the recommendations became effective on February 1, 1985. In December 1988, in accordance with the statute, the 1989 Commission submitted its report and recommendations, which became effective on February 1, 1989.

In January 1993, the 1993 Commission submitted its report and recommendations. By joint resolution, the General Assembly rejected the report of the 1993 Commission. In April 1993, the General Assembly passed legislation adjusting salaries for members of the Judiciary, General Assembly, other Elected Officials, and the Cabinet.

In January 1997, the 1997 Commission submitted its report and recommendations, which became effective February 1, 1997. Likewise, in January 2001, the 2001 Commission submitted its report and recommendations, which became effective February 1, 2001. In January 2005, the 2005 Commission submitted its report and recommendations, which became effective February 1, 2005. In January 2009, the 2009 Commission submitted its report and recommendations, which became effective July 1, 2009. Due to comments received from the public hearing and based on the economic condition of the State's budget and the national economic climate, the 2009 Commission did not recommend salary increases for any of the positions covered by this report. The effective date of the Commissions' reports was changed from February 1 to July 1 in the Fiscal Year 2009 Budget Act Epilogue, Section 35. The 2013 Commission submitted its report and

recommendations in January 2013, however per House Joint Resolution No. 2, the General Assembly voted to reject the report.

The report of this Commission, referred to as the 2017 Commission, has the force and effect of law as of the first day of July following submission (July 1, 2017) unless the General Assembly, by joint resolution, rejects the report in its entirety within 30 days following commencement of its 2017 session.

Members

The 2017 Commission consisted of six members and was chaired by Michael Ratchford, appointed by the Speaker of the House. Other members included Linda K. McCloskey, appointed by the President Pro Tempore of the Senate; Terence Murphy, Chair of the Delaware Business Roundtable; Harold E. Stafford, appointed by the Governor; and Donald Puglisi, appointed by the Governor. Brian Maxwell, Director of the Office of Management and Budget, served as an Ex-Officio and non-voting member. Meaghan Brennan, Director of Budget Development, Planning and Administration, attended for Mr. Maxwell.

Authorization

Under its enabling statute, the Commission was authorized to study the "remuneration" of key office holders within the Executive, Judicial, and Legislative branches of state government. It was also authorized to issue a report no later than January 10, 2017, establishing "remuneration" for these public officials.

Meetings and Hearings

The 2017 Commission met on November 16, 2016, November 29, 2016, December 12, 2016, December 22, 2016, January 4, 2017, and on January 9, 2017. In addition, the 2017 Commission held a public comment session on December 12, 2016 in Dover, Delaware. The following individuals spoke during this session and submitted written comments: Chief Justice Leo Strine, Jr., Supreme Court; Michael Houghton, Esq. and Michael Arrington, Esq., co-chairs of the Delaware Bar Association's Committee on Judicial Compensation;

and Judge James Hanby, Sr., President of the Delaware Magistrates Association. On December 22, 2016, Governor Markell's Chief of Staff, Drewry Nash Fennell, submitted a letter to the Commission with recommendations concerning the salaries of cabinet officials.

The 2017 Commission members were provided with information showing a historical view of salaries, budgets, positions, and general salary increases from Fiscal Year 2005 to the present, along with current organizational charts, and agency descriptions.

Willis Towers Watson was engaged as a consultant to the 2017 Commission, providing and interpreting salary survey data requested by the 2017 Commission. Theresa Lynch, Consulting Director, was the team lead for the consultant.

Further, the reports of the 2009 and 2013 Commissions, and both verbal and written remarks received from the December 12, 2016 public comment meeting, were reviewed and considered. Based on the information received and the 2017 Commission members' own deliberations and experience, the 2017 Commission submits unanimously the following findings and determinations.

Attracting and Retaining Talent

The 2017 Commission, as was the case with the previous Commissions, believes strongly that the quality of State government depends largely on its ability to attract and retain highly talented individuals to lead its various programs and activities. While no member of the 2017 Commission argued that government salaries should parallel those in the private sector, the 2017 Commission concluded that reasonable compensation, set by an impartial body such as the Commission, would play an important role in attracting and retaining top talent.

This is particularly the case for Delaware government leadership positions since many services are offered statewide in Delaware that are either not offered by other government entities or that are offered in other states at a local level. We have a nationally respected, fair, high quality, and efficient court system, a responsive state legislature, and a dedicated and effective Executive Branch of state government. The individuals who agree to represent the people in those positions, in order to attract and retain the best, are entitled to earn competitive and appropriate wages.

Past Commissions' Recommendations

It is believed that the determinations of the 1985, 1989, 1997, 2001, and 2005 Commissions, which were accepted by the state legislature, improved considerably the compensation for most of the positions that this report evaluates. Delaware is most fortunate to be able to continue to attract highly qualified individuals to the three branches of government. The Compensation Commission was created in 1984, in large part, to remove deliberations on executive level salaries from the political arena.

After rejecting the 1993 Commission report, the General Assembly passed legislation providing 4% increases for members of the Judiciary, 3% for members of the General Assembly and other Elected Officials, and an average of 4.1% increases for members of the Cabinet. The legislation also increased legislative supplements for members of the General Assembly by 3%.

Due to the economic condition of the State's budget and the national economic climate, the 2009 Commission did not recommend any salary increase for any of the positions covered by the Commission.

Unlike the scenario in 1993, after rejecting the 2013 Commission report, no further salary adjustments were provided by the General Assembly to the positions covered by the Delaware Compensation Commission. All positions have received the same general salary increases given to other State employees. The exception to this rule is the Governor, whose position is restricted, by law, from receiving these increases.

Through the work of the Commission and the Legislature, much progress has been made in providing more appropriate compensation to those within the Commission's jurisdiction. This Commission is of the firm view that its role is and should be a periodic review to assure that the salaries of the affected positions are appropriate and competitive in view of events and developments over the previous four years. The Commission's role is to analyze the positions, not the people currently in those positions. Decisions on the appropriate level of remuneration for a position are a reflection of the Commission's view of the value and responsibility of that position, not a performance assessment of the individual currently

serving in that position. In order to maintain further appropriate compensation, it is essential that regular general salary increases made for other State employees also continue to be extended to all of those covered by this report.

Compensation Comparisons with Other States

The 1989, 1993, and 1997 Commissions compared Delaware salaries for the offices under review with the states of New Jersey, Pennsylvania, Maryland, Virginia, New York, North Carolina, and Massachusetts. Although there is no requirement to do so, the 2013 Commission also decided to look at the seven state comparisons as one of their references. Because of its concern as to the significant demographic differences between some of the States in this comparative group of states, the 2001 Commission felt it appropriate to examine other states of comparable size. Consequently, the 2001 Commission identified and considered salary data from three states with similar budgets (Rhode Island, New Hampshire, and Vermont), as additional references. We want to emphasize, however, that throughout our deliberations and in this report we were not constrained by rigid comparisons, as statewide comparisons can be difficult because of the numerous differences among the states. The 2013 Commission also considered salary survey data from local entities in Delaware, Maryland, and Pennsylvania. The 2017 Commission considered salary survey data from all of the entities referenced above as well as (for the judiciary) the states of Georgia, California, Florida and Illinois due to the similarity of their judicial structure for adjudicating corporate law. When considering the salary survey data from other states, as suggested by Willis Towers Watson in their recommendations, this Commission considered differences in the State's job responsibilities compared to the survey states as well as the impact of the job on the State's revenues, and significant organizational changes impacting the scope of a job. The salary recommendations of the 2017 Commission reflect these factors.

Unique Circumstances Affecting the Work of the 2017 Commission

As the 2017 Commission began its deliberations, the Commission noted that while the emergency situation impacting the national, state, and local economic climate faced by the 2009 Commission had improved somewhat, recovery has been slow, and revenues forecasted less than anticipated. The 2017 Commission considered a variety of courses of action in an effort to balance their strong commitment to maintain competitive and fair

salaries to attract and retain the highest caliber of top state management officials. The salaries under consideration by the 2017 Commission have not been increased since 2005 other than the general salary increases provided to most State employees. The recommendations of this Commission reflect the effect of that twelve-year gap. Most of the salaries are recommended in a phased in approach with consideration of the projected budget deficits.

The salary increases in this report are to be effective July 1 of the Fiscal Year in which they are recommended on Table A.

Conceptual Framework for Analysis

Before beginning its deliberations on specific salary recommendations, the 2017 Commission discussed compensation for State executives and agreed upon the following principles:

1. Decisions should be data driven, open, and transparent.
2. In determining salary increases, market data, median salaries, and internal equity need to be considered as well as differences in job responsibilities among the survey states and the State of Delaware, the impact of a job on the State's revenues, and significant organizational changes impacting the scope of a job.
3. Executive Branch tiers should be collapsed into fewer tiers.
4. Executive Branch tier placement should consider changes in FTEs, budgets, responsibility, risk, re-organizations, impact on State revenues, and span of control since 2005.
5. Some phasing-in of salary increases should be considered due to economic realities.
6. Although the State's financial climate is a factor, the primary emphasis is the need for salaries to be kept competitive to recruit and retain top talent.
7. The Governor should continue to have some flexibility in making salary offers to cabinet secretaries.
8. Judicial salaries need to be reviewed with an emphasis on attracting a diverse applicant pool and an appropriate benchmark needs to be identified.
9. The concept of a supplement for administrative duties continues to be valid for leadership positions within the Legislature.

10. Consideration should be given to all public comments.

11. Since the 2009 Commission did not recommend any salary increases due to the national financial crisis, and the report issued by the 2013 Commission was rejected by the General Assembly, other than general salary increases provided to most State employees, the salaries under consideration by the 2017 Commission have not been increased since 2005.

12. General salary increases provided to other State employees have been and should continue to be applied to all the positions covered by this report with the exception of the Governor who by law cannot receive a mid-term salary increase or decrease.

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EXECUTIVE BRANCH

The 2017 Commission concludes that the salaries for the Executive Branch should be as established in Table A. The recommended tiers for the various offices within the Executive Branch are a reflection of each office's level of responsibility and authority. The 2017 Commission also took into consideration the comparisons of Delaware salaries with comparable positions in other states and local governments in Delaware, Maryland, and Pennsylvania, the general salary increases that have been provided to state officials, the recommendations from public comments and those provided by Governor Markell's Chief of Staff, Drewry Fennell in a letter to the Commission concerning compensation for executive branch leadership.

Governor

Delaware's Constitution prohibits the Governor from receiving any salary increases or decreases during the period for which he or she shall have been elected (Article III§7.) Therefore, under the State's Constitution, the 2017 Commission's recommendations will have no impact on the salary of the 2017 Governor-Elect.

However, going forward, the 2017 Commission supports the salary policy adopted by the 2005 Commission, that the Governor's salary should be set 10% above the highest paid member of the Cabinet.

As continues to be the case, under the Delaware Constitution, the Governor is prohibited from receiving any salary increase during an elected term. The 2005 Commission, in its report of January 2005 proposed a salary that was 10% above the highest base salary ($155,450) paid to an Executive Branch official (agency heads of the Department of Technology & Information and Department of Education), effective when the Governor took office in 2009 which resulted in a salary of $171,000. That Commission also recommended that prior to January 18, 2005, the General Assembly entertain legislation to increase the salary of the incoming Governor to $165,702 (10% above $150,638, the recommended salary for the highest paid Executive Branch official).

Cabinet

Cabinet members currently receive salaries that fall into four tiers. The salaries were clustered into those four tiers by prior Commissions based upon a combination of factors including the size of the agency as measured by budget and personnel employed, and the impact of the agency on the citizens and economy of the State. The 2017 Commission recognizes the advantages of such a tiered pay scale and believes that, in general, all cabinet members should be placed in an appropriate tier, however we believe that the number of tiers should be decreased. The 2013 Commission also gave consideration to other factors such as risk, 24/7 operations, and major organizational changes. In addition, the 2013 Commission recommended a two-tier system.

After reviewing the impact of the agencies on the citizens (safety, security, social services, Affordable Care Act, families, juvenile justice, transportation) and economy of the State (revenues generated, jobs created, and businesses attracted to the state) as well as the events of the last eight years, the size of the agencies as measured by budget and personnel employed, current revenue projections, salaries paid to comparable positions in the surrounding states, public comments, the fact that as a small state Delaware is a direct service provider, and the recommendations concerning executive branch compensation from Governor Jack Markell's office, the 2017 Commission recommends the changes that follow:

Change the number of tiers from the current four to three. The Commission recommends the following tier structure:

Tier 1:

Chief Information Officer
Secretary of Education
Secretary of Health & Social Services

Tier 2:

Director, Office of Management & Budget
Commissioner of Correction
Secretary of Finance
Secretary of Transportation
Secretary of State
Director, Delaware Economic & Development Office

Tier 3:

Secretary of Services for Children, Youth & Their Families
Secretary of Safety & Homeland Security
Secretary of Natural Resources & Environmental Control
Adjutant General
Secretary of Agriculture
Secretary of Labor
Director, Delaware State Housing Authority

The rationale for the above tier groupings is based upon the following:

- The Department of Health and Social Services - implementing Affordable Care Act reforms, administering the State's largest department of over 4,100 employees in 12 divisions, including the Delaware Psychiatric Center, two long-term care facilities, and the Stockley Center for developmentally-disabled persons, with a total budget exceeding $2 billion, and overseeing a significant information technology implementation.

- Department of State - the Division of Corporations generates almost one-third of the State's revenues and additionally, legal-related businesses bring in tens of millions of dollars in addition to state and local taxes; administration of the State's Veteran's Home (171 positions), and the addition of 76 positions in Professional Regulation, the Public Service Commission, the Public Advocate, the Merit Employees Relations Board, the Public Employment Relations Board, and the Public Integrity Commission from the disbanded Department of Administrative Services.

- Department of Transportation – overall transit redesign; focus on customer service and innovation; project prioritization; focus on performance management; greenways planning and development; right of way section restructuring; internal restructuring of tolls administration and Transportation Solutions; expanded DMV customer service enhancements; implemented electronic plan submittals; and continued emphasis on multi-modal forms of transportation.

- Department of Services for Children, Youth and Their Families - serving at-risk children and families; administering 24/7 crisis operations, suicide prevention programs, child abuse intervention, and five secure-care youth facilities; the fourth largest department by positions; and overseeing the development and implementation of an integrated, department-wide, client-based information system.

- The 2017 Commission agrees with the Governor's recommendation of a 3 tier structure and supports salary flexibility in the third tier.
- To achieve the recommended structure, salary increases are phased in over several years.

- As did recent Commissions, the 2017 Commission believes that Governors should have some flexibility to set the salaries of cabinet officials to ensure the recruitment and retention of talented people. The 2005 Commission report provided the Governor the flexibility to pay cabinet officials a salary that is within a range of 5% below to 5% above the recommended salary of the position. To provide the Governor increased flexibility, effective July 1, 2017, for new hires or appointments only, this Commission endorses the recommendations from Governor Markell's office, that the Governor be able to pay cabinet officials a salary that is within a range of 10% below to 10% above the recommended salary for the position, provided that the maximum of the range does not exceed the 20% cap required by law. All positions should continue to receive regular general salary increases approved by the legislature for other State employees. Please see Table A for the salary recommendations of the 2017 Commission.
- While not under the purview of Delaware Compensation Commission, the 2017 Commission spoke briefly about the merits of a defined contribution plan for Cabinet officials considering the recent changes made to pension plan vesting requirements.

Other Elected Officials

In recognition of the varied boards and commissions upon which these elected officials sit coupled with the individual responsibilities of their respective offices, the 2017 Commission recommends salary changes for the Lieutenant Governor, the Attorney General, the State Auditor, the State Treasurer, and the Insurance Commissioner that are consistent with changes recommended for other elected officials in this report. Please see Table A.

JUDICIAL BRANCH

The 2017 Commission concludes that the salaries of the Judicial Branch should be as listed in Table A.

Impact of the Judiciary on Delaware

The 2017 Commission recognizes that Delaware has gained a national and increasingly international reputation for its outstanding courts and highly qualified Judiciary. The Delaware Judiciary adjudicates sensitive issues faced by Delaware citizens in their daily lives and renders decisions of major importance that affect corporate governance, stockholders' rights, and the business marketplace in the United States and around the world. Therefore, recruiting and retaining outstanding, diverse, and high caliber judges is essential to the quality of life and economic well-being of the people of Delaware. Further, 20% to 30% of the State's revenues can be attributed to Delaware's renowned legal system and Judiciary, in addition to the key role played by the Secretary of State's Office.

Judicial Salaries

In addition to the stature and reputation of Delaware's Judiciary, the 2017 Commission considered the thoughtful approach explained in the December 12, 2016 presentation of Chief Justice Leo Strine, Jr., using the salaries of federal judges as benchmarks, along with the recommendations of the Delaware State Bar Association's Committee on Judicial Compensation report also presented to the Commission on December 12, 2016 which favors using as benchmarks those states which compete with Delaware as commercial litigation jurisdictions, namely New York, Illinois, California, and Pennsylvania, and the presentation of the same date of the Delaware Magistrate's Association, by Judge James R. Hanby, Sr.

The 2017 Commission spent a considerable amount of time reviewing and discussing the appropriate benchmark to use for setting judicial salaries: the salaries of federal court judges, the salaries of judges in states which also have renowned commercial litigation courts, State median salary survey data for the judiciary, as well as the relationship of Delaware's courts to each other. It is the recommendation of this Commission that the salaries of federal judges

be used as an initial benchmark for setting the salaries of Delaware's judges due to the prestige of Delaware's courts not only nationally but internationally and the role our courts play in the economy of the state. Delaware's court system is well-known for being expeditious and equitable and having the highest level of integrity and well-thought out defensible decisions.

To achieve salary parity with federal benchmarks, this Commission recommends the phasing in of salary increases over several years. Please see Table A for our recommendations.

The 2017 Commission believes its recommendations are fair and reasonable based on the information and the data it examined and the significance of recognizing the hierarchy within Delaware's Judiciary.

LEGISLATIVE BRANCH

The 2017 Commission recommends the salaries and expense allowances of the Legislative Branch be as established in Table A and that supplements be updated as a percentage of base pay as recommended by the 2005 Commission whenever a change in base salary occurs. The 2017 Commission recommends these adjustments in recognition of the enormous amount of time spent working with constituents, serving on committees which have significant impact upon the citizens of the State, as well as holding key leadership positions within the caucuses of their respective parties within the Legislative Branch. This recommendation is consistent with the salary treatment given to other Elected Officials.

It is recommended that legislative salaries continue to be subject to the same general percentage pay increases that may be approved for other state employees.

Expense Allowances

The 2017 Commission recommends Expense Allowances for the General Assembly be set at $8,000 per year.

TABLE A
RECOMMENDATIONS
(Salary increases below are effective July 1 of the Fiscal Year in which they are recommended)

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	Current	FY 2018		FY 2019		FY 2020		FY 2021
GOVERNOR *	$171,000	$171,000		$171,000		$171,000		$171,000
LEGISLATURE								
Base Salary	$45,291	$46,197		$46,197		$46,197		$46,197
Speaker of the House	$19,893	$23,098		$23,098		$23,098		$23,098
Pres Pro Temp of Senate	$19,893	$23,098		$23,098		$23,098		$23,098
House/Senate Majority Leader	$12,376	$14,851		$14,851		$14,851		$14,851
House/Senate Minority Leader	$12,376	$14,851		$14,851		$14,851		$14,851
House/Senate Majority Whip	$7,794	$9,239		$9,239		$9,239		$9,239
House/Senate Minority Whip	$7,794	$9,239		$9,239		$9,239		$9,239
Chair and Vice-Chair Joint Finance Committee	$11,459	$13,751		$13,751		$13,751		$13,751
Members of Joint Finance Committee	$9,626	$11,549		$11,549		$11,549		$11,549
Chair and Vice-Chair of Capital Improvement Program Committee	$4,578	$5,494		$5,494		$5,494		$5,494
Members of Capital Improvement Committee	$3,852	$4,622		$4,622		$4,622		$4,622
Chair and Vice Chair of Joint Sunset Committee	$4,578	$5,494		$5,494		$5,494		$5,494
Members of Joint Sunset Committee	$3,852	$4,620		$4,620		$4,620		$4,620
Expense Allowance	$7,334	$8,000		$8,000		$8,000		$8,000
OTHER STATE ELECTED OFFICIALS								
Attorney General	$147,893	$150,851		$150,851		$150,851		$150,851
Chief Defender (appointed)	$142,769	$145,624		$145,624		$145,624		$145,624
State Treasurer	$115,582	$117,894		$117,894		$117,894		$117,894
State Auditor	$110,667	$112,880		$112,880		$112,880		$112,880
Insurance Commissioner	$110,667	$112,880		$112,880		$112,880		$112,880
Lieutenant Governor	$80,239	$84,404		$84,404		$84,404		$84,404

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CABINET	Current	FY 2018		FY 2019		FY 2020		FY 2021
Tier 1								
Education	$ 163,055	$163,055		$163,055		$163,055		$163,055
Chief Information Officer	$ 163,055	$163,055		$163,055		$163,055		$163,055
Health & Social Services**	$ 150,088	$156,092		$163,055		$163,055		$163,055
Tier 2								
Office of Management & Budget	$ 150,088	$150,088		$150,088		$150,088		$150,088
Corrections	$ 150,088	$150,088		$150,088		$150,088		$150,088
Finance	$ 150,088	$150,088		$150,088		$150,088		$150,088
State	$ 130,011	$136,382		$143,064		$150,088		$150,088
Delaware Economic & Development Office	$ 130,011	$136,382		$143,064		$150,088		$150,088
Transportation	$ 140,572	$145,492		$150,088		$150,088		$150,088
	Current	FY 2018		FY 2019		FY 2020		FY 2021
Tier 3								
Services for Children, Youth & Their Families	$ 135,240	$ 140,572		$ 140,572		$ 140,572		$ 140,572
Safety & Homeland Security	$ 135,240	$ 135,240		$ 135,240		$ 135,240		$ 135,240
Natural Resources & Environmental Control	$ 130,011	$ 130,011		$ 130,011		$ 130,011		$ 130,011
Adjutant General	$ 124,156	$ 124,156		$ 124,156		$ 124,156		$ 124,156
Agriculture	$ 121,333	$ 124,156		$ 124,156		$ 124,156		$ 124,156
Labor	$ 121,333	$ 124,156		$ 124,156		$ 124,156		$ 124,156
Delaware State Housing Authority	$ 121,333	$ 124,156		$ 124,156		$ 124,156		$ 124,156

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JUDICIARY	Current	FY 2018	FY 2019	FY 2020	FY2021
Chief Justice Supreme Court	$ 204,148	$212,314	$219,745	$226,708	$226,708
Supreme Court Justices	$ 195,245	$203,055	$210,162	$215,400	$215,400
Chancellor -- Court of Chancery	$ 194,738	$202,528	$209,616	$214,900	$214,900
President Judge Superior Court	$ 194,738	$202,528	$209,616	$214,900	$214,900
Vice Chancellor -- Court of Chancery	$ 183,444	$190,782	$197,459	$203,100	$203,100
Associate Judge -- Superior Court	$ 183,444	$190,782	$197,459	$203,100	$203,100
Chief Judge -- Family Court	$ 194,738	$202,528	$209,616	$214,900	$214,900
Associate Judge -- Family Court	$ 183,444	$190,782	$197,459	$203,100	$203,100
Chief Judge -- Court of Common Pleas	$ 192,541	$198,317	$203,378	$203,378	$203,378
Associate Judge -- Court of Common Pleas	$ 177,066	$182,378	$186,852	$186,852	$186,852
Justice of the Peace 3rd term	$ 79,507	$81,892	$83,955	$83,955	$83,955
Justice of the Peace 2nd term	$ 77,101	$79,414	$81,353	$81,353	$81,353
Justice of the Peace 1st term	$ 74,488	$76,723	$78,506	$78,506	$78,506
Chief Magistrate	$ 127,816	$ 133,823	$140,113	$146,698	$153,379
Commissioners - Superior Court	$ 113,452	$ 119,011	$124,843	$130,775	$130,775
Commissioners - Family Court	$ 113,452	$ 119,011	$124,843	$130,775	$130,775
Commissioners - Court of Common Pleas	$ 109,516	$ 114,554	$119,823	$125,282	$125,282

NOTES:
1. Effective 7/1/17, for cabinet new hires/appointments only, the Governor may offer a salary 10% above/below recommended salary, provided that the maximum of the range does not exceed the 20% cap required by law. Prior to 7/1/17, this flexibility is at 5% above or below FY 17 line item salary.
2. Per Delaware Code, Title 29, Section 33, recommended salaries may not exceed 20%.
3. All positions are eligible for any general salary increases. It is the intent of this Commission that general salary increases would be applied to recommended salaries.

* per Delaware Constitution Article III, §7, the Governor's salary shall be neither increased nor diminished during the period for which he or she shall have been elected.

** If the Secretary of Health and Social Services holds a State Medical License, the salary listed in Section 10 (a) of the FY Budget Act shall be increased by $12,000. Additionally, if the Secretary of Health and Social Services is a Board-Certified Physician, a $3,000 supplement shall be added to the annual salary listed in Section 10 (a) of the Budget Act.

SUMMARY

The 2017 Commission recognizes that it is not feasible to compensate our public officials at levels commensurate with those paid to individuals of similar experience and ability in the private sector. To a great extent, people who choose public service typically do so for reasons other than the salary. As stated by the 1985 Commission, "It is important, however, that compensation be provided to avoid unreasonable sacrifice by these public servants." The 2017 Commission feels strongly that the recommendations presented in this report reflect this tenet tempered by decreasing revenue projections for the next two fiscal years. The 2017 Commission sincerely hopes that when economic conditions significantly improve, the salaries of the positions covered by this report, in addition to the salaries of other state employees, can be increased by more substantial amounts.

While the Compensation Commission is charged by statute to examine and make salary recommendations on a quadrennial basis, the 2017 Commission also recognizes that market forces affect certain positions and the Governor and General Assembly should remain aware of the need to address these forces as appropriate.

Quality performance requires quality people with reasonable compensation. As a result of our fact-finding, analysis, deliberations, and judgment, the 2017 Commission is of the unanimous opinion that the remuneration and levels found in Table A of this report, and incorporated in this report by this reference, should take effect on July 1 of the Fiscal Year indicated. Furthermore, to maintain appropriate compensation, it is essential that regular general salary increases authorized for other State employees continue to be extended to all of those covered by this report.

If any provision of this Report or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Report which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.

ACKNOWLEDGEMENTS

The Commission wishes to thank Brian Maxwell and Brenda Lakeman and their staff, Meaghan Brennan, Lisa Allison, Abbey Feierstein, and Brenda Wyatt for their assistance in preparing background information, briefing materials, drafting reports, and staff support for the Commission's meetings and to thank Theresa Lynch and her team at Willis Towers Watson for her assistance in providing and interpreting salary survey data.