

TITLE 59
PUBLIC OFFICERS IN GENERAL

CHAPTER 5
SALARIES OF OFFICERS

59-501. SALARIES OF STATE ELECTIVE OFFICERS -- REGULAR PAYMENT -- TRAVELING EXPENSES -- FEES PROPERTY OF STATE. (1) Commencing on the first Monday in January 2018, until the first Monday in January 2019, the governor shall receive for his services compensation of \$126,302 per annum; and each officer named in this subsection shall receive the following compensation for their services:

Lieutenant governor, thirty-five percent (35%) of the governor's compensation as provided for in this subsection, per annum;

Secretary of state, eighty-five percent (85%) of the governor's compensation as provided for in this subsection, per annum;

State controller, eighty-five percent (85%) of the governor's compensation as provided for in this subsection, per annum; said compensation to be audited by the legislative council;

State treasurer, eighty-five percent (85%) of the governor's compensation as provided for in this subsection, per annum; and

State superintendent of public instruction, eighty-five percent (85%) of the governor's compensation as provided for in this subsection, per annum.

(2) Until the first Monday of January 2019, the attorney general's salary shall match that of a district judge as provided in section [59-502](#), Idaho Code.

(3) The elected officers named in this subsection shall receive the following compensation for their services:

(a) Commencing on the first Monday in January 2019 until the first Monday in January 2023, the governor shall receive compensation of \$138,302 per annum;

(b) The lieutenant governor shall receive thirty-five percent (35%) of the governor's compensation per annum, as provided in this subsection;

(c) The secretary of state, state treasurer and state superintendent of public instruction shall each receive eighty-five percent (85%) of the governor's compensation per annum, as provided in this subsection;

(d) Commencing on the first Monday in January 2019 until the first Monday in January 2023, the attorney general shall receive compensation of \$134,000 per annum. Thereafter, the attorney general shall receive ninety percent (90%) of the governor's compensation per annum; and

(e) The state controller shall receive eighty-five percent (85%) of the governor's compensation per annum, as provided in this subsection; said compensation to be audited by the legislative council.

(4) Such compensation shall be paid on regular pay periods as due out of the state treasury and shall be in full for all services by said officers respectively rendered in any official capacity or employment whatever during their respective terms of office; but no increase in the rate of compensation shall be made during the terms of such officers; provided however, that the actual and necessary expenses of the governor, lieutenant governor, secretary of state, attorney general, state controller, state treasurer, and superintendent of public instruction, while traveling within the state or between points within the state in the performance of official duties, shall

be allowed and paid by the state; not, however, exceeding such sum as shall be appropriated for such purpose.

(5) Actual and necessary subsistence expenses of the governor while traveling in connection with the performance of official duties are hereby expressly exempted from the provisions of sections [67-2007](#) and [67-2008](#), Idaho Code. (Standard Travel Pay and Allowance Act of 1949).

(6) No officer named in this section shall receive, for the performance of any official duty, any fee for his own use, but all fees fixed by law for the performance of any official duty shall be collected in advance and deposited with the state treasurer to the credit of the state.

[(59-501) 1907, ch. 465, sec. 1; compiled and reen. R.C., sec. 274; compiled and reen. C.L., sec. 274; C.S., sec. 405; am. 1927, ch. 117, sec. 1, p. 117; am. 1927, ch. 249, sec. 1, p. 412; am. 1929, ch. 30, sec. 1, p. 32; I.C.A., sec. 57-501; am. 1933, ch. 180, sec. 1, p. 334; am. 1941, ch. 70, sec. 1, p. 134; am. 1945, ch. 131, sec. 1, p. 199; am. 1949, ch. 241, sec. 1, p. 490; am. 1953, ch. 216, sec. 1, p. 330; am. 1955, ch. 69, sec. 1, p. 135; am. 1957, ch. 316, sec. 1, p. 674; am. 1961, ch. 326, sec. 1, p. 618; am. 1965, ch. 244, sec. 1, p. 596; am. 1970, ch. 263, sec. 1, p. 698; am. 1974, ch. 250, sec. 1, p. 1644; am. 1977, ch. 178, sec. 2, p. 460, am. 1978, ch. 101, sec. 1, p. 202; am. 1979, ch. 28, sec. 1, p. 44; am. 1982, ch. 303, sec. 1, p. 764; am. 1986, ch. 272, sec. 1, p. 695; am. 1989, ch. 251, sec. 1, p. 600; am. 1993, ch. 327, sec. 27, p. 1219; am. 1994, ch. 180, sec. 128, p. 505; am. 1994, ch. 435, sec. 1, p. 1399; am. 1998, ch. 399, sec. 1, p. 1248; am. 2002, ch. 340, sec. 1, p. 957; am. 2006, ch. 431, sec. 1, p. 1318; am. 2010, ch. 264, sec. 1, p. 666; am. 2014, ch. 356, sec. 1, p. 883; am. 2018, ch. 269, sec. 1, p. 643.]

59-502. SALARIES OF JUDGES. (1) Commencing on July 1, 2021, the salary of the justices of the supreme court shall be one hundred sixty thousand four hundred dollars (\$160,400) per annum.

(2) Commencing on July 1, 2018, judges of the court of appeals shall receive an annual salary in an amount of ten thousand dollars (\$10,000) less than the annual salary of a supreme court justice.

(3) Commencing on July 1, 2017, district judges shall receive an annual salary in an amount of six thousand dollars (\$6,000) less than the annual salary of a judge of the court of appeals.

(4) Commencing on July 1, 2017, magistrate judges shall receive an annual salary in an amount of twelve thousand dollars (\$12,000) less than the annual salary of a district judge.

(5) Salaries shall be paid on regular pay periods not less frequently than monthly as determined by order of the supreme court as due out of the state treasury, but no justice of the supreme court or judge of the district court or magistrate shall be paid his salary, or any part thereof, unless he shall first take and subscribe an oath that there is not in his hands any matter in controversy not decided by him, which has been finally submitted for his consideration and determination thirty (30) days prior to his taking and subscribing said oath.

[59-502, added 1907, sec. 2, p. 465; reen. R.C. & C.L., sec. 275; C.S., sec. 406; am. 1921, ch. 23, sec. 1, p. 31; I.C.A., sec. 57-502; am. 1945, ch. 77, sec. 1, p. 120; am. 1949, ch. 252, sec. 1, p. 510; am. 1953, ch. 145, sec. 1, p. 234; am. 1957, ch. 315, sec. 1, p. 673; am. 1959, ch. 188, sec. 1, p. 418; am. 1961, ch. 180, sec. 1, p. 275; am. 1963, ch. 275, sec.

1, p. 709; am. 1965, ch. 303, sec. 1, p. 804; am. 1967, ch. 426, sec. 1, p. 1243; am. 1970, ch. 194, sec. 1, p. 562; am. 1973, ch. 4, sec. 1, p. 9; am. 1974, ch. 138, sec. 1, p. 1342; am. 1976, ch. 343, sec. 1, p. 1145; am. 1977, ch. 178, sec. 3, p. 461; am. 1978, ch. 101, sec. 2, p. 203; am. 1980, ch. 252, sec. 1, p. 664; am. 1982, ch. 360, sec. 1, p. 911; am. 1985, ch. 29, sec. 8, p. 57; am. 1988, ch. 23, sec. 2, p. 27; am. 1990, ch. 39, sec. 2, p. 61; am. 1993, ch. 217, sec. 2, p. 682; am. 1996, ch. 257, sec. 2, p. 844; am. 1998, ch. 93, sec. 2, p. 339; am. 1999, ch. 250, sec. 2, p. 650; am. 2000, ch. 386, sec. 2, p. 1258; am. 2001, ch. 309, sec. 2, p. 1115; am. 2004, ch. 306, sec. 2, p. 855; am. 2005, ch. 399, sec. 4, p. 1361; am. 2006, ch. 369, sec. 1, p. 1107; am. 2007, ch. 81, sec. 1, p. 219; am. 2008, ch. 220, sec. 1, p. 680; am. 2012, ch. 329, sec. 1, p. 910; am. 2014, ch. 291, sec. 6, p. 736; am. 2016, ch. 371, sec. 1, p. 1087; am. 2017, ch. 168, sec. 4, p. 392; am. 2018, ch. 255, sec. 1, p. 605; am. 2019, ch. 253, sec. 1, p. 761; am. 2020, ch. 165, sec. 1, p. 484; am. 2021, ch. 154, sec. 1, p. 430.]

59-503. TIME OF PAYMENT OF SALARIES. (1) The salaries of all state and district officers and employees whose salaries are paid monthly from the state treasury, shall be paid on or before the tenth day of the month following the month for which the salary is due, out of any money in the treasury not otherwise appropriated.

(2) From and after June 30, 1973, the state controller may prescribe pay periods different from a monthly pay period, except that any such program shall insure that payment is made on or before the end of the pay period following the end of the pay period for which salaries are due. The programs prescribed by the state controller need not be uniform between or among agencies and departments.

[(59-503) 1890-1891, p. 204, sec. 1; reen. 1899, p. 142, sec. 1; reen. R.C. & C.L., sec. 276; C.S., sec. 407; am. 1921, ch. 23, sec. 2, p. 31; am. 1929, ch. 15, sec. 1, p. 15; I.C.A., sec. 57-503; am. 1963, ch. 133, sec. 1, p. 385; am. 1972, ch. 406, sec. 1, p. 1191; am. 1976, ch. 217, sec. 1, p. 789; am. 1994, ch. 180, sec. 129, p. 505.]

59-504. SALARY WHEN TITLE TO OFFICE CONTESTED. When the title of the incumbent of any office in this state is contested by proceedings instituted in any court for that purpose, no warrant can thereafter be drawn or paid for any part of his salary until such proceedings have been finally determined.

[(59-504) R.S., sec. 380; am. R.C., sec. 277; reen. C.L., sec. 277; C.S., sec. 408; I.C.A., sec. 57-504.]

59-505. SALARY WHEN TITLE TO OFFICE CONTESTED -- CERTIFICATE OF PENDING SUIT. As soon as such proceedings are instituted, the clerk of the court in which they are pending must certify the facts to the officers, whose duty it would otherwise be to draw such warrant or pay such salary.

[(59-505) R.S., sec. 381; reen. R.C. & C.L., sec. 278; C.S., sec. 409; I.C.A., sec. 57-505.]

59-506. SALARY SUSPENDED DURING FAILURE TO REPORT FOR MONEYS COLLECTED. Any officer, or deputy, failing to report in the form prescribed by the state controller for all public moneys collected by him on behalf of the

state, shall not be allowed any salary or compensation during the period of such failure.

[(59-506) 1913, ch. 42, sec. 7, p. 146; compiled and reen. C.L., sec. 278a; C.S., sec. 410; I.C.A., sec. 57-506; am. 1994, ch. 180, sec. 130, p. 506.]

59-508. SALARIES FOR APPOINTIVE DEPARTMENT HEADS AND OTHER ADMINISTRATIVE OFFICERS. The salaries of the appointive department heads, division administrators or other administrative officers not otherwise provided for by law, shall be fixed by the officer or authority making such appointment within the limits of appropriations made therefor by the legislature.

[59-508, added 1957, ch. 317, sec. 1, p. 676; am. 1959, ch. 289, sec. 1, p. 601; am. 1963, ch. 279, sec. 1, p. 714; am. 1967, ch. 237, sec. 1, p. 696; am. 1967, ch. 315, sec. 28, p. 906; am. 1974, ch. 22, sec. 58, p. 592.]

59-509. HONORARIUMS OR COMPENSATION FOR MEMBERS OF BOARDS, COMMISSIONS AND COUNCILS. The members of part-time boards, commissions or councils shall receive for each day spent in the actual performance of duties, an honorarium, compensation, or expenses, as provided in the following schedule:

(a) Members shall serve without honorarium, compensation, or expense reimbursement of any kind.

(b) Members shall serve without honorarium or compensation of any kind, but shall be reimbursed for actual and necessary expenses, subject to the limits provided in section [67-2008](#), Idaho Code.

(c) Members shall serve without honorarium or compensation of any kind, but shall be reimbursed for actual and necessary expenses, without being subject to the limits provided in section [67-2008](#), Idaho Code.

(d) Members shall receive the sum of fifteen dollars (\$15.00) per day, and shall be reimbursed for actual and necessary expenses, subject to the limits provided in section [67-2008](#), Idaho Code.

(e) Members shall receive the sum of twenty dollars (\$20.00) per day, and shall be reimbursed for actual and necessary expenses, subject to the limits provided in section [67-2008](#), Idaho Code.

(f) Members shall receive the sum of twenty-five dollars (\$25.00) per day, and shall be reimbursed for actual and necessary expenses, subject to the limits provided in section [67-2008](#), Idaho Code.

(g) Members shall receive the sum of thirty-five dollars (\$35.00) per day, and shall be reimbursed for actual and necessary expenses, subject to the limits provided in section [67-2008](#), Idaho Code.

(h) Members shall receive the sum of fifty dollars (\$50.00) per day, and shall be reimbursed for actual and necessary expenses, subject to the limits provided in section [67-2008](#), Idaho Code.

(i) Members shall receive the sum of seventy-five dollars (\$75.00) per day, and shall be reimbursed for actual and necessary expenses, subject to the limits provided in section [67-2008](#), Idaho Code.

(j) Members shall receive an honorarium in the sum of fifteen dollars (\$15.00) per day, and shall be reimbursed for actual and necessary expenses, subject to the limits provided in section [67-2008](#), Idaho Code, unless otherwise provided by statute. Payment of an honorarium as provided in this subsection shall not be considered salary as defined in section [59-1302](#)(31), Idaho Code.

(k) Members shall receive an honorarium in the sum of twenty dollars (\$20.00) per day, and shall be reimbursed for actual and necessary expenses, subject to the limits provided in section [67-2008](#), Idaho Code. Payment of an honorarium as provided in this subsection shall not be considered salary as defined in section [59-1302](#) (31), Idaho Code.

(l) Members shall receive an honorarium in the sum of twenty-five dollars (\$25.00) per day, and shall be reimbursed for actual and necessary expenses, subject to the limits provided in section [67-2008](#), Idaho Code. Payment of an honorarium as provided in this subsection shall not be considered salary as defined in section [59-1302](#) (31), Idaho Code.

(m) Members shall receive an honorarium in the sum of thirty-five dollars (\$35.00) per day, and shall be reimbursed for actual and necessary expenses, subject to the limits provided in section [67-2008](#), Idaho Code. Payment of an honorarium as provided in this subsection shall not be considered salary as defined in section [59-1302](#) (31), Idaho Code.

(n) Members shall receive an honorarium in the sum of fifty dollars (\$50.00) per day, and shall be reimbursed for actual and necessary expenses, subject to the limits provided in section [67-2008](#), Idaho Code. Payment of an honorarium as provided in this subsection shall not be considered salary as defined in section [59-1302](#) (31), Idaho Code.

(o) Members shall receive an honorarium in the sum of seventy-five dollars (\$75.00) per day, and shall be reimbursed for actual and necessary expenses, subject to the limits provided in section [67-2008](#), Idaho Code. Payment of an honorarium as provided in this subsection shall not be considered salary as defined in section [59-1302](#) (31), Idaho Code.

(p) Members shall receive an honorarium in the sum of one hundred dollars (\$100) per day, and shall be reimbursed for actual and necessary expenses, subject to the limits provided in section [67-2008](#), Idaho Code. Payment of an honorarium as provided in this subsection shall not be considered salary as defined in section [59-1302](#) (31), Idaho Code.

(q) Members shall receive the sum of one hundred dollars (\$100) per day, and shall be reimbursed for actual and necessary expenses, subject to the limits provided in section [67-2008](#), Idaho Code.

[59-509, added 1980, ch. 247, sec. 1, p. 583; am. 1996, ch. 66, sec. 1, p. 199; am. 1997, ch. 320, sec. 2, p. 946; am. 2006, ch. 269, sec. 1, p. 838; am. 2008, ch. 80, sec. 2, p. 208.]

59-511. OFFICERS TO DEVOTE ENTIRE TIME TO OFFICIAL DUTIES -- EXCEPTIONS. Each executive and administrative officer shall devote his entire time to the duties of his office and shall hold no other office or position of profit: provided, that an elective or appointive state officer may be appointed to any office herein created, in which event he shall receive no salary other than by virtue of his elective office, or in the case of an appointive state officer, he shall receive no salary other than by virtue of the appointive office held by him at the time of his appointment to an additional office.

[59-511, added 1974, ch. 22, sec. 59, p. 592.]

59-512. COMPENSATION FOR PUBLIC SERVICE. No employee in the several departments, employed at a fixed compensation, shall be paid for any extra service performed by such employee in the ordinary course of his employment, unless expressly authorized by law.

Whenever the public interest may be served thereby, an employee of any department, with the written approval of the employing director, may be permitted to accept additional employment by the same, or another department, in any educational program conducted under the supervision of the state board of education or the board of regents of the University of Idaho, when such additional employment is not in the ordinary course of the employment of such employee and will be performed in addition to, and beyond the hours of service required in the ordinary course of employment. The written approval of the employing director shall be filed with the secretary of the state board of examiners together with a statement that such additional employment is not in the course of the employee's employment, and will be performed in addition to the statutory hours of employment.

[59-512, added S.L. 1974, ch. 22, sec. 60, p. 592.]

59-513. DEFERRED COMPENSATION PROGRAMS FOR EMPLOYEES OF STATE OR POLITICAL SUBDIVISIONS. The state of Idaho, the state board of education for those employees eligible for participation in the optional retirement programs created in sections [33-107A](#) and [33-107B](#), Idaho Code, and any county, city, or political subdivision of the state acting through its governing body, is hereby authorized to contract with an employee to defer all or a portion of that employee's income, and may subsequently with the consent of the employee, invest such deferred income in a funding medium for the purpose of funding a deferred compensation program for the employee.

The state board of examiners shall supervise and regulate the deferred compensation program for state employees, and may adopt rules to implement such a program; provided however, that the state board of education shall supervise and regulate any deferred compensation program it establishes and may adopt rules to implement such a program.

The governing body of any county, city, or political subdivision of the state, shall supervise and regulate the deferred compensation program for its employees.

In no event shall the amount of income an employee elects to defer exceed the total annual salary, or compensation under the existing salary schedule or classification plan applicable to such employee in such year. Any income deferred under such a plan shall continue to be included as regular compensation for the purpose of computing the retirement contributions and pension benefits earned by any employee, but any sum so deferred shall not be included in the computation of any income taxes withheld on behalf of any such employee.

Coverage of an employee under a deferred compensation plan under this section shall not render such employee ineligible for simultaneous membership and participation in the pension systems for public employees which are otherwise provided for.

For the purposes of this section the state controller is authorized to make such deductions from salary for any employee of the state who has authorized such deductions in writing, and the state board of examiners may designate administrative agents for the state of Idaho to execute all necessary agreements pertaining to the deferred compensation program.

For the purposes of this section, the term "employee" includes elected or appointed officials.

[59-513, added 1977, ch. 195, sec. 2, p. 529; am. 1994, ch. 180, sec. 131, p. 506; am. 2003, ch. 305, sec. 1, p. 840.]

59-514. PUBLICATION OF CONTRACTEE, AMOUNT AND PURPOSE OF PERSONAL SERVICE CONTRACTS -- DEFINITION. (1) The state of Idaho, and all taxing entities within the state of Idaho, shall publish within fifteen (15) days of entering into any personal service contract, the parties, amount and a one (1) sentence purpose of all such personal service contracts over ten thousand dollars (\$10,000) annual payment, regardless of whether the moneys for such contract are derived from state taxes, local taxes, federal funds, or a combination of such funds; however, when such contracts are entered into with a county, the publication requirements provided in this section are satisfied when the required information is included in the next published monthly statement pursuant to the provisions of section [31-819](#), Idaho Code. The publication shall be in a newspaper of general circulation within the geographical area wherein such personal service is to be performed.

(2) "Personal service" means performance for remuneration by an individual on a specified contractual basis of specialized professional or consultive expertise germane to administration, maintenance or conduct of governmental activities which require intellectual or sophisticated and varied services, dependent upon facilities, invention, imagination or a specific talent which the state or the taxing entity itself cannot provide or accomplish.

[59-514, added 1982, ch. 241, sec. 1, p. 627; am. 2009, ch. 193, sec. 1, p. 627.]

CHAPTER 6
REPORTS OF STATE OFFICERS -- [REPEALED]