



# Jan. 12<sup>th</sup> Brief: DAS Administrative Rules

CAPITAL FACILITIES AND GOVERNMENT OPERATIONS

## SUMMARY

The Division of Administrative Rules establishes procedures for administrative rulemaking, records administrative rules, and makes administrative rules available to the public. The division publishes the *Utah State Bulletin* bi-monthly, which contains rules proposed by state agencies; and the *Utah Administrative Code*, which is the state's version of the Code of Federal Regulations.

The division also administers the Utah Administrative Rulemaking Act and ensures state agencies comply with filing, publication and hearing procedures. To accomplish these mandates, the division provides training to agency rule writers and administrators, performs individual consultations, publishes a periodic newsletter, and distributes the *Rulewriting Manual for Utah*. The division provides regular notices to agencies of rules due for five-year review or rules about to expire.

## ISSUES AND RECOMMENDATIONS

### Prior Budget Increases

During the 2008 General Session the Legislature appropriated \$15,000 to finalize a replacement of the eRules system that allows electronic filing of administrative rules.

### FY 2009 Budget Reductions

During the 2008 Special Session the Legislature reduced the Administrative Rules budget by \$12,300 ongoing General Fund. The ongoing reductions will primarily reduce eRules software maintenance.

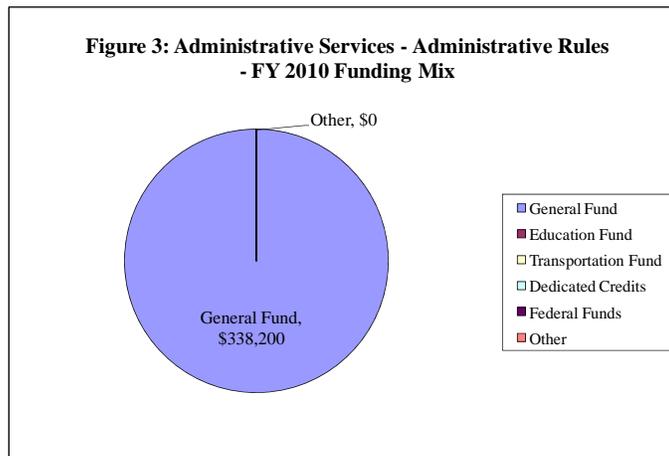
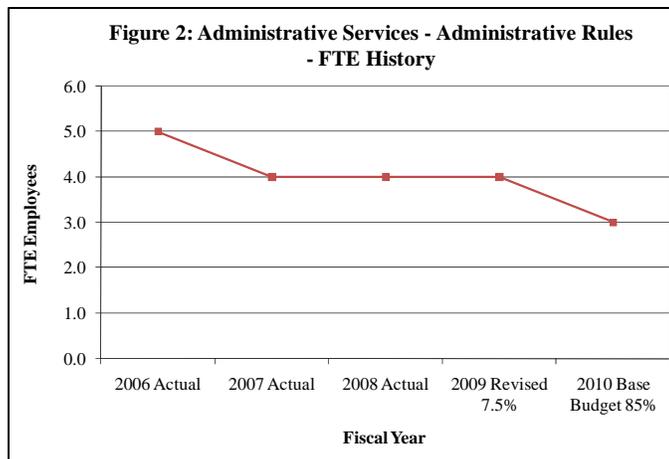
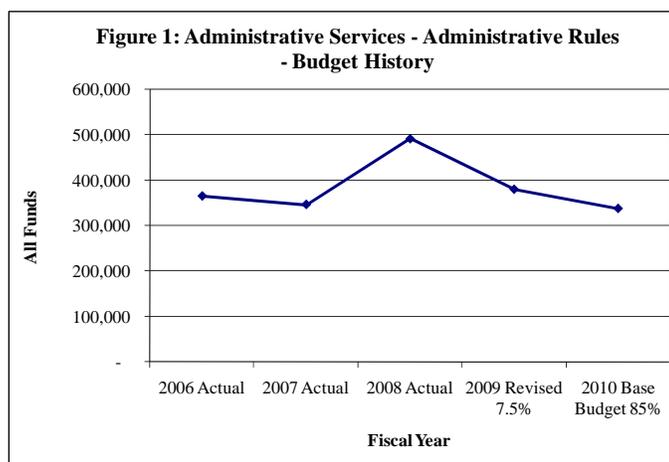
### FY 2009 Additional 7.5% Budget Reductions

The Analyst recommends a one-time reduction of \$29,800 General Fund including: \$3,800 in current expenses and travel, and \$26,000 in data processing expenses including eRules maintenance.

### FY 2010 Base Budget Reduction of 15%

The Analyst recommends ongoing budget reductions of \$59,700 General Fund in the following order:

1. \$15,100 from current expenses and travel
2. \$17,300 from data processing expenses
3. \$27,300 from personnel (a 1.0 FTE reduction)



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Such reductions may affect the ability of Rules to catch agency mistakes and publish the *Utah State Bulletin* on time.

**LEGISLATIVE ACTION**

The Analyst recommends the Legislature consider adopting:

1. A FY 2009 one-time 7.5% reduction of \$29,800 from the General Fund
2. A FY 2010 ongoing 15% base budget reduction of \$59,700 from the General Fund

**BUDGET DETAIL TABLE**

Administrative Services - Administrative Rules								
Sources of Finance	FY 2007 Actual	FY 2008 Actual	FY 2009 Approp	7.5% Reduction	FY 2009 Revised	FY 2010 Base	15% Reduction	FY 2010 Revised
General Fund	338,800	374,700	397,900	0	397,900	397,900	(59,700)	338,200
General Fund, One-time	23,000	0	0	(29,800)	(29,800)	0	0	0
Beginning Nonlapsing	43,500	129,900	12,400	0	12,400	0	0	0
Beginning Nonlapsing - Retireme	71,500	0	0	0	0	0	0	0
Closing Nonlapsing	(129,900)	(12,400)	0	0	0	0	0	0
<b>Total</b>	<b>346,900</b>	<b>492,200</b>	<b>410,300</b>	<b>(29,800)</b>	<b>380,500</b>	<b>397,900</b>	<b>(59,700)</b>	<b>338,200</b>
<b>Programs</b>								
DAR Administration	346,900	492,200	410,300	(29,800)	380,500	397,900	(59,700)	338,200
	346,900	492,200	410,300	(29,800)	380,500	397,900	(59,700)	338,200
<b>Categories of Expenditure</b>								
Personal Services	295,000	302,300	310,400	0	310,400	322,100	(27,300)	294,800
In-State Travel	0	100	0	0	0	0	0	0
Out of State Travel	3,500	3,900	4,500	(3,000)	1,500	4,200	(4,200)	0
Current Expense	18,900	20,000	20,100	(800)	19,300	20,100	(10,900)	9,200
DP Current Expense	29,500	165,900	75,300	(26,000)	49,300	51,500	(17,300)	34,200
	346,900	492,200	410,300	(29,800)	380,500	397,900	(59,700)	338,200
<b>Other Data</b>								
Budgeted FTE	4.00	4.00	4.00	0.00	4.00	4.00	(1.00)	3.00
Actual FTE	3.95	3.84	0.00	0.00	0.00	0.00	0.00	0.00