



DAS ADMINISTRATIVE RULES

INFRASTRUCTURE AND GENERAL GOVERNMENT APPROPRIATIONS SUBCOMMITTEE

BUDGET BRIEF

SUMMARY

The Division of Administrative Rules establishes procedures for administrative rulemaking, records administrative rules, and makes administrative rules available to the public.

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 compiles proposed and emergency rules in the Utah State Bulletin, codifies effective rules in the Utah Administrative Code, makes rules available from its website, provides training to agency rule writers and administrators, performs individual consultations, publishes a periodic newsletter, and distributes the Rule Writing 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

Continuity of Operations

eRules is a web-enabled filing and publishing system that allows Rules to review and publish all state agency rules with only four FTE. The eRules budget is \$17,700 less than it was in 2008 when it originally received maintenance funding. The Division requests \$10,500 ongoing General Fund. The division maintains roughly 2,000 effective rules and cumulative growth in the number of effective rules since FY 2002 has grown 15 percent. The Division believes that additional funding is needed to adjust to new technologies such as the use of browsers like Google Chrome or Apple Safari.

Figure 1: Administrative Services - Administrative Rules - Budget History

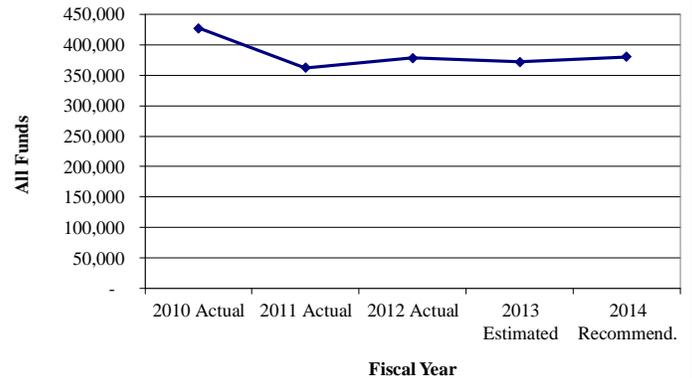


Figure 2: Administrative Services - Administrative Rules - FTE History

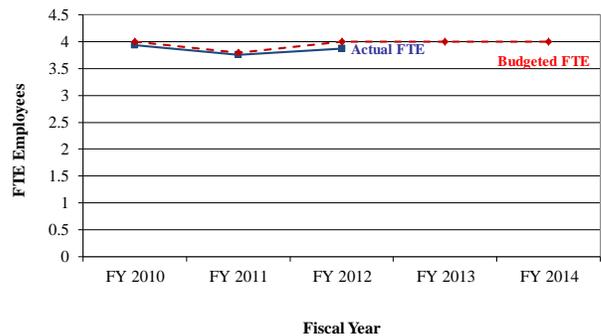
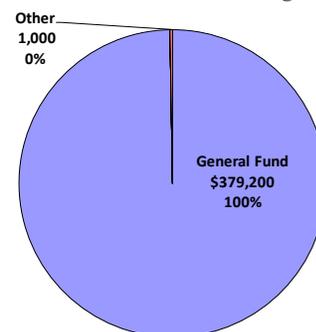


Figure 3: Administrative Services - Administrative Rules - FY 2014 Funding Mix



ACCOUNTABILITY DETAIL

Average Time to Update the Administrative Code to the Internet

Timely availability of the Utah Administrative Code (UAC) plays a critical role in how Utah's regulatory system works. Public access to administrative rules increases the likelihood of compliance. The division works to have the UAC available on the web by the tenth of the month. Anything after the tenth of the month is considered late. In FY 2009 and 2010 almost all of the Division's resources were focused on successful implementation of a new eRules application, which resulted in an increase in the average time the Utah Administrative Code was published to the internet (Figure 4).

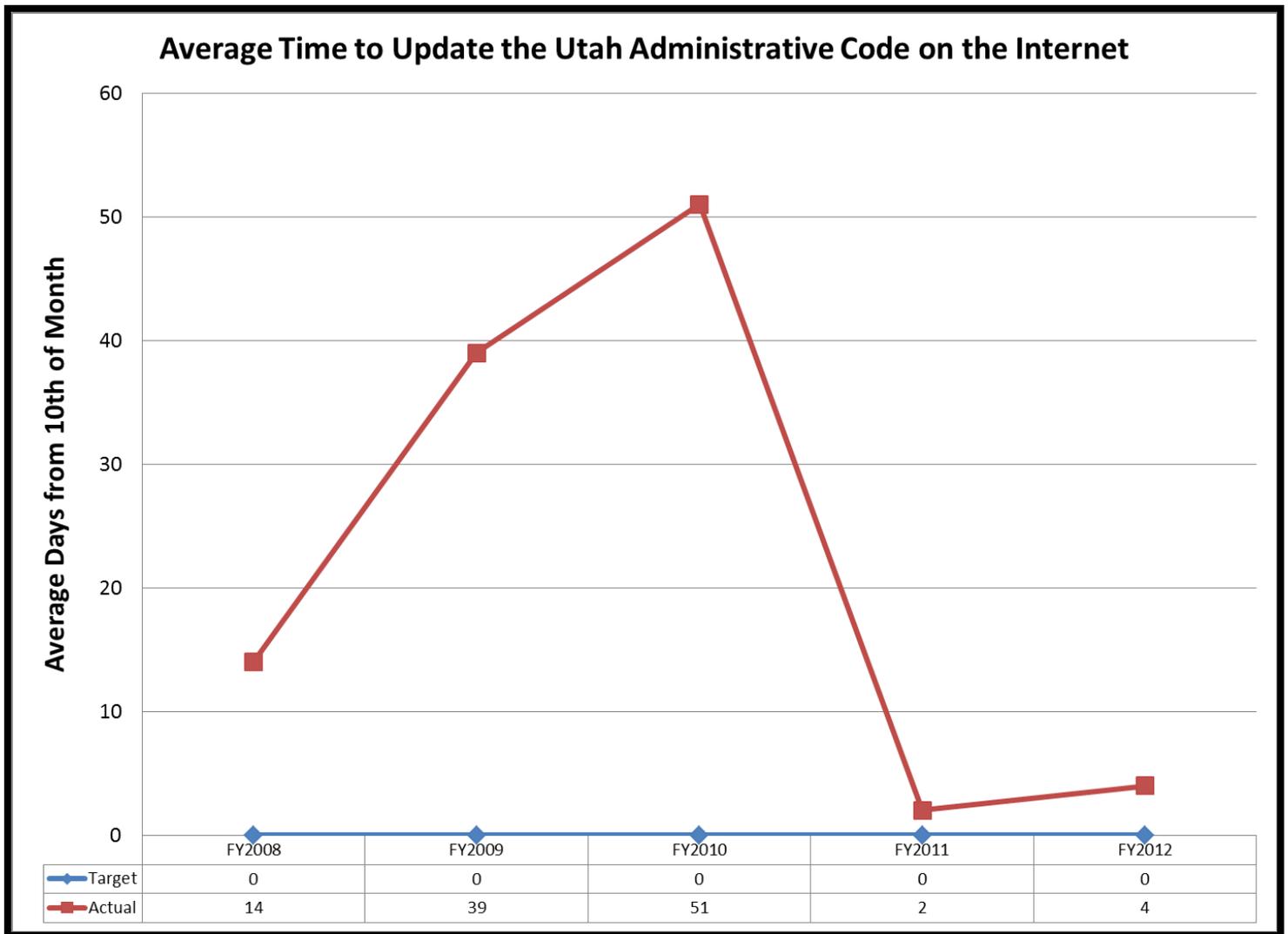


Figure 4

BUDGET DETAIL

Intra-department Transfer of Funds

The department has found ongoing savings of \$200,000 in the Purchasing Program. The department requested some of these ongoing funds be transferred to the Division of Administrative Rules (DAR) for eRules maintenance and contingency. The governor supported this request with the recommendation for this activity in the following amount:

1. \$10,500 to Rules for eRules maintenance and contingency.

Nonlapsing Authority

UCA 63G-3-402(5) gives nonlapsing authority for funds appropriated or collected for the division’s publications.

LEGISLATIVE ACTION

The Analyst recommends the Legislature approve:

1. A total base appropriation of \$380,200 for the Division of Administrative Rules.
2. The intra-department transfer of ongoing General Funds from Purchasing as found in the following table:

DAS DAR - FY 2014	Budgeted FTE	Ongoing General Fund
eRules maintenance and contingency	0.0	\$10,500
Totals	0.0	\$10,500

BUDGET DETAIL TABLE

Administrative Services - Administrative Rules						
Sources of Finance	FY 2012 Actual	FY 2013 Appropriated	Changes	FY 2013 Revised	Changes	FY 2014* Recommended
General Fund	359,100	368,700	0	368,700	10,500	379,200
Beginning Nonlapsing	23,500	0	4,200	4,200	(3,200)	1,000
Closing Nonlapsing	(4,200)	0	(1,000)	(1,000)	1,000	0
Total	\$378,400	\$368,700	\$3,200	\$371,900	\$8,300	\$380,200
Programs						
DAR Administration	378,400	368,700	3,200	371,900	8,300	380,200
Total	\$378,400	\$368,700	\$3,200	\$371,900	\$8,300	\$380,200
Categories of Expenditure						
Personnel Services	322,700	334,300	(1,400)	332,900	0	332,900
Current Expense	6,500	6,600	0	6,600	11,100	17,700
DP Current Expense	49,200	27,800	4,600	32,400	(2,800)	29,600
Total	\$378,400	\$368,700	\$3,200	\$371,900	\$8,300	\$380,200
Other Data						
Budgeted FTE	4	4	0	4	0	4
Actual FTE	4	0	0	0	0	0

*Does not include amounts in excess of subcommittee's state fund allocation that may be recommended by the Fiscal Analyst.