



CONSERVATION COMMISSION, UPDATE

NATURAL RESOURCES, AGRICULTURE, & ENVIRONMENTAL QUALITY APPROPRIATIONS SUBCOMMITTEE
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ISSUE BRIEF

The purpose of this brief is to provide information about the Conservation Commission and the hiring of Utah Association of Conservation Districts (UACD) employees, in preparation for the Commissioner of Agriculture's report required by S.B. 202, *Conservation Commission Employees*, from the 2015 General Session. The legislation states:

(5)(b) The commissioner shall report to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee by no later than that subcommittee's November 2015 interim meeting regarding the study required by Subsection (5)(a).

(5)(a) For purposes of the report required by Subsection (5)(b), the commissioner shall study the organizational structure of the employees described in Subsection (3).

(3) If ... the commission employs an individual who was formerly an employee of a conservation district or the Utah Association of Conservation Districts, the Department of Human Resource Management shall:

- (a) recognize the employee's employment service credit from the conservation district or association in determining leave accrual in the employee's new position within the state; and*
- (b) set the initial wage rate for the employee at the level that the employee was receiving as an employee of the conservation district or association.*

A Legislative Audit ([A Performance Audit of the Governance of Conservation Districts](#)) released in 2014 recommended changes in how the state manages the 38 Conservation Districts. Later that year, the Department of Agriculture and Food organized a two-day workshop to address the issues identified by the auditors. Participants included: land owners, federal personnel, agency staff, conservation district personnel, legislators, and staff from the Legislature and Governor's offices.

It was decided to no longer contract for conservation efforts through UACD, a nonprofit organization, but to hire the UACD staff, and use the department's Conservation Commission to manage them.

The 2015 Legislature also passed S.B. 202, mandating that if the department hired UACD employees, to set the initial wage of the new employee at the same rate as when they were employed by UACD. The Legislature also appropriated an additional \$882,000 from the General Fund (\$100,000 ongoing and \$782,000 one-time) for FY 2016 in order to hire/transfer most of the UACD employees.

Why would the Legislature have to appropriate more money (about twice as much) to hire the same employees to do the same work?

In the initial discussions, it was presumed that the transfer of the 35 UACD employees to the department will be cost neutral, since the Legislature had already appropriated ongoing funding (about \$1 million) to the department for a contract with UACD for the services of these same employees. However, the ongoing funding was not sufficient mainly because in the last couple of years:

1. The Department of Agriculture and Food has used part of the funding from the UACD contract to start a pilot program (pilots are temporary by definition) and hired three FTEs (ongoing commitment).
2. UACD, using financial reserves (one-time funding), had given significant compensation increases to much of its staff (ongoing commitment). S.B. 202 guaranteed that those hired by the state will keep the same salary. However, neither the audit nor the legislation required that the department hire all or any of the UACD employees.

The department has been in the process of hiring and training UACD staff since the start of FY 2016. Leadership has reported that several of the newly-hired employees have already left their employment with the state for various reasons. It is anticipated that this transition will take some time and efforts. The fact that the additional funding appropriated for this transfer is mostly one-time, will bring the issue back before the Legislature during the 2016 General Session.