

**Effective 5/10/2016**

**63A-1-114 Rate committee -- Membership -- Duties.**

- (1)
  - (a) There is created a rate committee, which shall consist of the executive directors of seven state agencies that use services and pay rates to one of the department internal service funds, or their designee, appointed by the governor for a two-year term.
  - (b)
    - (i) Of the seven state agencies represented on the rate committee under Subsection (1)(a), only one of the following may be represented on the committee, if at all, at any one time:
      - (A) the Governor's Office of Management and Budget;
      - (B) the Division of Finance; or
      - (C) the Department of Technology Services.
    - (ii) The department may not have a representative on the rate committee.
  - (c)
    - (i) The committee shall elect a chair from its members.
    - (ii) Members of the committee who are state government employees and who do not receive salary, per diem, or expenses from their agency for their service on the committee shall receive no compensation, benefits, per diem, or expenses for the members' service on the committee.
  - (d) The Department of Administrative Services shall provide staff services to the committee.
- (2)
  - (a) A division described in Section 63A-1-109 that manages an internal service fund shall submit to the committee a proposed rate and fee schedule for services rendered by the division to an executive branch entity or an entity that subscribes to services rendered by the division.
  - (b) The committee shall:
    - (i) conduct meetings in accordance with Title 52, Chapter 4, Open and Public Meetings Act;
    - (ii) meet at least once each calendar year to:
      - (A) discuss the service performance of each internal service fund;
      - (B) review the proposed rate and fee schedules;
      - (C) at the rate committee's discretion, approve, increase, or decrease the rate and fee schedules described in Subsection (2)(b)(ii)(B); and
      - (D) discuss any prior or potential adjustments to the service level received by state agencies that pay rates to an internal service fund;
    - (iii) recommend a proposed rate and fee schedule for each internal service fund to:
      - (A) the Governor's Office of Management and Budget; and
      - (B) each legislative appropriations subcommittee that, in accordance with Section 63J-1-410, approves the internal service fund agency's rates, fees, and budget; and
    - (iv) review and approve, increase or decrease an interim rate, fee, or amount when an internal service fund agency begins a new service or introduces a new product between annual general sessions of the Legislature.
  - (c) The committee may in accordance with Subsection 63J-1-410(4), decrease a rate, fee, or amount that has been approved by the Legislature.

Amended by Chapter 287, 2016 General Session