

Superseded 5/10/2016

67-19-11 Use of department facilities -- Field office facilities cost allocation -- Funding for department.

- (1)
 - (a) All officers and employees of the state and its political subdivisions shall allow the department to use public buildings under their control, and furnish heat, light, and furniture, for any examination, training, hearing, or investigation authorized by this chapter.
 - (b) The cost of the department's use of facilities shall be paid by the agency housing a field office staff.
- (2) The executive director shall:
 - (a) prepare an annual budget request for the department;
 - (b) submit the budget request to the governor and the Legislature; and
 - (c) before charging a fee for services provided by the department's internal service fund to an executive branch agency, the executive director shall:
 - (i) submit the proposed rates, fees, and cost analysis to the Rate Committee established under Subsection (3); and
 - (ii) obtain the approval of the Legislature as required under Section 63J-1-410.
- (3)
 - (a) There is created a Rate Committee which shall consist of:
 - (i) the executive director of the Governor's Office of Management and Budget, or a designee;
 - (ii) the executive directors of three 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;
 - (iii) the director of the Division of Finance, or a designee;
 - (iv) the executive director of the Department of Human Resource Management, or a designee; and
 - (v) the attorney general or designee.
 - (b)
 - (i) The committee shall elect a chair from its members, except that the chair may not be from an agency that receives payment of a rate set by the committee.
 - (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.
 - (c) The Department of Human Resource Management shall provide staff services to the committee.
- (4)
 - (a) The department shall submit to the committee a proposed rate and fee schedule for:
 - (i) human resource management services rendered; and
 - (ii) costs incurred by the Office of the Attorney General in defending the state in a grievance under review by the Career Service Review Office.
 - (b) The committee shall:
 - (i) conduct meetings in accordance with Title 52, Chapter 4, Open and Public Meetings Act;
 - (ii) review the proposed rate and fee schedules and may approve, increase, or decrease the rate and fee;
 - (iii) recommend a proposed rate and fee schedule for the internal service fund to:
 - (A) the Governor's Office of Management and Budget; and

- (B) the legislative appropriations subcommittees that, in accordance with Section 63J-1-410, approve the internal service fund rates, fees, and budget; and
- (iv) review and approve, increase or decrease an interim rate, fee, or amount when the department 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.