

Effective 5/10/2016

67-19-11 Use of department facilities -- Field office facilities cost allocation -- Rate committee.

- (1)
 - (a) An agency or a political subdivision of the state shall allow the department to use public buildings under the agency's or the political subdivision's control, and furnish heat, light, and furniture, for any examination, training, hearing, or investigation authorized by this chapter.
 - (b) An agency or political subdivision that allows the department to use a public building under Subsection (1)(a) shall pay the cost of the department's use of the public building.
- (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:
 - (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 that 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 executive agencies represented on the rate committee under Subsection (3)(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;
 - (C) the Department of Administrative Services; or
 - (D) the Department of Technology Services.
 - (ii) The department may not have a representative on the rate committee.
 - (c)
 - (i) The rate committee shall elect a chair from the rate committee's members.
 - (ii) Each member of the rate committee who is a state government employee and who does not receive salary, per diem, or expenses from the member's agency for the member's service on the rate committee shall receive no compensation, benefits, per diem, or expenses for the member's service on the rate committee.
 - (d) The department shall provide staff services to the rate committee.
- (4)
 - (a) The department shall submit to the rate 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 rate 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 (4)(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 the 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 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.

Amended by Chapter 228, 2016 General Session

Amended by Chapter 287, 2016 General Session

Amended by Chapter 287, 2016 General Session, (Coordination Clause)