

**79-3-204 Personnel of survey -- Employment -- Restrictions -- Salaries and benefits.**

- (1) The director, after consultation with the board and approval by the executive director, shall select, employ, or contract for qualified individuals and services required to carry out the provisions of this chapter within the authorized programs and within the allocated and budgeted funds.
- (2)
  - (a) Persons retained on a contract basis act in the capacity of independent contractors and are not subject to the Utah State Personnel Management Act.
  - (b) Each contract written for the services described in Subsection (1) shall include the information in this Subsection (2).
- (3)
  - (a) An employee of the survey may not:
    - (i) have an interest in lands within the state that creates a conflict of interest harmful to the goals and objectives of the survey; or
    - (ii) obtain financial gain by reason of information obtained through work as an employee of the survey.
  - (b) The board shall resolve questions regarding potential conflicts and financial gain.
  - (c) For permanent employees, the restriction in Subsection (3)(a) is terminated at the end of a two-year period following termination of service or, with respect to information which is confidential and not a public record, for however long the information is classified as confidential and not a public record, whichever period of time is longer.
  - (d) The time periods established in Subsection (3)(c), which can be modified only after publication of the data, apply to contractors or consultants employed on special problems.
- (4)
  - (a) A survey employee may not engage in outside or private work which is or can be in conflict with the operations, goals, and objectives of the survey.
  - (b) The board shall resolve issues regarding outside or private work by a survey employee.
- (5) Survey personnel are paid in accordance with state salary schedules and are subject to state benefit and retirement programs.

Renumbered and Amended by Chapter 344, 2009 General Session