

HB0280S01 compared with HB0280

~~{deleted text}~~ shows text that was in HB0280 but was deleted in HB0280S01.

inserted text shows text that was not in HB0280 but was inserted into HB0280S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Representative Wayne A. Harper proposes the following substitute bill:

STATE AGENCY REALIGNMENT

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates an advisory council in the Governor's Programs Code to study and make recommendations on the consolidation of state agencies to achieve efficiencies in state government.

Highlighted Provisions:

This bill:

- ▶ establishes the Advisory Council on Optimizing and Streamlining State Government;
- ▶ establishes the membership of the advisory council;
- ▶ specifies the duties of the advisory council, which include the study of consolidating state agencies, executive directors of state agencies, and functions of state agencies to achieve efficiencies in services of state government; and

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- ▶ requires reports to the governor and the Legislature.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63I-2-263, as last amended by Laws of Utah 2010, Chapter 224

ENACTS:

63M-12-101, Utah Code Annotated 1953

63M-12-201, Utah Code Annotated 1953

63M-12-202, Utah Code Annotated 1953

63M-12-203, Utah Code Annotated 1953

63M-12-204, Utah Code Annotated 1953

63M-12-301, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **63I-2-263** is amended to read:

63I-2-263. Repeal dates, Title 63A to Title 63M.

(1) Subsection 63G-1-401(5) is repealed on May 10, 2011.

(2) Title 63M, Chapter 12, Advisory Council on Optimizing and Streamlining State Government Act, is repealed January 1, 2012.

Section 2. Section **63M-12-101** is enacted to read:

**CHAPTER 12. ADVISORY COUNCIL ON OPTIMIZING AND
STREAMLINING STATE GOVERNMENT ACT**

Part 1. General Provisions

63M-12-101. Title.

This chapter is known as the "Advisory Council on Optimizing and Streamlining State Government Act."

Section 3. Section **63M-12-201** is enacted to read:

Part 2. Commission Members

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63M-12-201. Creation -- Purpose.

(1) There is established the Advisory Council on Optimizing and Streamlining State Government.

(2) (a) The ~~governor's office~~ Governor's Office of Planning and Budget shall provide administrative support for the advisory council.

(b) The executive directors of the departments of state government shall provide information to, and services requested by, the advisory council.

Section 4. Section **63M-12-202** is enacted to read:

63M-12-202. Members -- Appointment -- Terms -- Vacancies -- Expenses.

(1) The advisory council shall consist of up to 18 members as follows:

(a) 16 members to be appointed by the governor as follows:

(i) representatives from stakeholders who receive services from state agencies or are regulated by state agencies;

(ii) leaders in the business community; and

(iii) no more than two executive directors of state departments; and

(b) (i) one member from the Senate appointed by the president of the Senate; and

(ii) one member of the House of Representatives appointed by the speaker of the House of Representatives.

(2) When a vacancy occurs in the membership for any reason, the replacement shall be appointed by the governor for the remainder of the unexpired term.

(3) A member may not receive compensation or benefits for the member's service ~~;~~ but may receive per diem and travel expenses in accordance with:

~~— (a) Section 63A-3-106;~~

~~— (b) Section 63A-3-107; and~~

~~— (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.~~

Section 5. Section **63M-12-203** is enacted to read:

63M-12-203. Qualifications of members.

(1) Members appointed to the advisory council shall have the following qualifications:

(a) a demonstrated record of leadership and involvement; and

(b) a willingness to make a commitment to the furtherance of the purposes of the

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advisory council.

(2) The advisory council may make recommendations to the governor concerning appointment of members.

Section 6. Section **63M-12-204** is enacted to read:

63M-12-204. Election of chair -- Meetings.

~~{Advisory}~~ The governor shall appoint a chair, and the council members ~~{ shall elect a chair, and}~~ may appoint other officers from its membership. The advisory council shall meet in regular meetings and may meet at special meetings at the request of the chair or the governor. The advisory council may form subcommittees and involve stake-holders, industry leaders, and others as it determines is appropriate.

Section 7. Section **63M-12-301** is enacted to read:

Part 3. Duties

63M-12-301. Duties.

The advisory council shall:

~~{~~ (1) confer with state agencies and advise the governor concerning ways to create efficiencies in state government in accordance with this section;

~~——~~ (2) conduct studies or fact-finding hearings to develop recommendations for obtaining efficiencies in state government and streamlining the organization of state agencies and departments;

~~{~~ (~~3~~1) consider the consolidation of the departments of state government to:

(a) reduce administrative costs associated with running multiple departments of state government;

(b) incorporate management and best business models for a number of cabinet-level members who report to the governor;

(c) streamline services of state departments in a manner that is in the best interest of the state;

(d) improve the efficiency of government; and

(e) reduce the cost of government;

~~{4}~~ in accordance with the consolidation plan in Subsection (5); 2) consider the advantages and disadvantages on consolidating departments, agencies or offices;

(3) consider the implementation of department consolidation and internal

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organizational changes necessary to complete the re-alignment of responsibilities if a consolidation of departments is recommended, including identifying employees and functions that would transfer to a consolidated department, and the organization of offices, boards, and divisions within a consolidated department:

~~(5) consider the following plans for consolidation:~~

~~— (a) the creation of the Administrative Services Department, to include:~~

~~— (i) human resources;~~

~~— (ii) technology services;~~

~~— (iii) administrative services;~~

~~— (iv) boards and commissions; and~~

~~— (v) cultural services;~~

~~— (b) the creation of a Department of Agriculture, Environment and Natural Resources, to include:~~

~~— (i) agriculture;~~

~~— (ii) natural resources;~~

~~— (iii) environmental quality; and~~

~~— (iv) the State Energy Office;~~

~~— (c) the creation of the Business and Economic Development Department, to include:~~

~~— (i) the Governor's Office of Economic Development;~~

~~— (ii) USTAR;~~

~~— (iii) commerce;~~

~~— (iv) labor; and~~

~~— (v) insurance;~~

~~— (d) the creation of the Education Department, to include:~~

~~— (i) public education;~~

~~— (ii) applied technology; and~~

~~— (iii) higher education;~~

~~— (e) the creation of the Department of Health and Human Services, to include:~~

~~— (i) human services;~~

~~— (ii) workforce services; and~~

~~— (iii) health;~~

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~~(f) the creation of the Department of Public Safety to include:~~
~~(i) public safety;~~
~~(ii) corrections; and~~
~~(iii) the Board of Pardons and Parole;~~
~~(g) the creation of the Department of Military Affairs, to include:~~
~~(i) the Utah National Guard; and~~
~~(ii) the Department of Veterans' Affairs;~~
~~(h) the Department of Tax and Financial Institutions, to include:~~
~~(i) the State Tax Commission; and~~
~~(ii) financial institutions;~~
~~(i) the Transportation Department to include transportation services and infrastructure within the state; and~~
~~(j) other consolidations or reorganizations;~~ 4) in accordance with Subsection (3), consider plans and options for reorganization and consolidation of state agencies; and
~~(6);~~ government, with input from stake holders, legislators, the business community, proposals considered during the Legislature's 2011 General Session, and the 2010 Governor's Commission on Optimizing Government; and
(5) (a) provide a report to the governor on or before October 19, 2011; and
(b) report to the Legislature's Government Operations Interim Committee;
~~(a) } on or before October 19, 2011; and~~
(b) } c) report to the Legislative Management Committee on or before December 15,
2011.

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Legislative Review Note

~~as of 2-16-11 2:20 PM~~

~~Office of Legislative Research and General Counsel}~~