

**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: Stuart C. Reid

---

**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
- ▶ requires reports to the governor and the Legislature.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**



26 AMENDS:

27 **63I-2-263**, as last amended by Laws of Utah 2010, Chapter 224

28 ENACTS:

29 **63M-12-101**, Utah Code Annotated 1953

30 **63M-12-201**, Utah Code Annotated 1953

31 **63M-12-202**, Utah Code Annotated 1953

32 **63M-12-203**, Utah Code Annotated 1953

33 **63M-12-204**, Utah Code Annotated 1953

34 **63M-12-301**, Utah Code Annotated 1953



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

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

38 **63I-2-263. Repeal dates, Title 63A to Title 63M.**

39 (1) Subsection 63G-1-401(5) is repealed on May 10, 2011.

40 (2) Title 63M, Chapter 12, Advisory Council on Optimizing and Streamlining State

41 Government Act, is repealed January 1, 2012.

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

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

45 **Part 1. General Provisions**

46 **63M-12-101. Title.**

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

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

50 **Part 2. Commission Members**

51 **63M-12-201. Creation -- Purpose.**

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

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

56 (b) The executive directors of the departments of state government shall provide

57 information to, and services requested by, the advisory council.

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

59 **63M-12-202. Members -- Appointment -- Terms -- Vacancies -- Expenses.**

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

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

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

64 (ii) leaders in the business community; and

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

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

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

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

71 (3) A member may not receive compensation or benefits for the member's service.

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

73 **63M-12-203. Qualifications of members.**

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

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

76 (b) a willingness to make a commitment to the furtherance of the purposes of the  
77 advisory council.

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

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

81 **63M-12-204. Election of chair -- Meetings.**

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

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

Part 3. Duties

63M-12-301. Duties.

The advisory council shall:

(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;

(2) consider the advantages and disadvantages on consolidating departments, agencies or offices;

(3) consider the implementation of department consolidation and internal 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;

(4) in accordance with Subsection (3), consider plans and options for reorganization and consolidation of state 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 on or before October 19, 2011; and

(c) report to the Legislative Management Committee on or before December 15, 2011.

# FISCAL NOTE

H.B. 280 1st Sub. (Buff)

SHORT TITLE: **State Agency Realignment**

SPONSOR: **Harper, W.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.