

**34A-1-201 Commissioner -- Appointment -- Removal -- Compensation -- Qualifications -- Responsibilities -- Reports.**

- (1)
  - (a) The chief administrative officer of the commission is the commissioner, who shall be appointed by the governor with the consent of the Senate.
  - (b) The commissioner shall serve at the pleasure of the governor.
  - (c) The commissioner shall receive a salary established by the governor within the salary range fixed by the Legislature in Title 67, Chapter 22, State Officer Compensation.
  - (d) The commissioner shall be experienced in administration, management, and coordination of complex organizations.
- (2)
  - (a) The commissioner shall serve full-time.
  - (b)
    - (i) Except as provided in Subsection (2)(b)(ii), the commissioner may not:
      - (A) hold any other office of this state, another state, or the federal government except in an ex officio capacity; or
      - (B) serve on any committee of any political party.
    - (ii) Notwithstanding Subsection (2)(b)(i), the commissioner may:
      - (A) hold a nominal position or title if it is required by law as a condition for the state participating in an appropriation or allotment of any money, property, or service that may be made or allotted for the commission; or
      - (B) serve as the chief administrative officer of any division, office, or bureau that is established within the commission.
    - (iii) If the commissioner holds a position as permitted under Subsection (2)(b)(ii), the commissioner may not be paid any additional compensation for holding the position.
- (3) Before beginning the duties as a commissioner, an appointed commissioner shall take and subscribe the constitutional oath of office and file the oath with the Division of Archives.
- (4) The commissioner shall:
  - (a) administer and supervise the commission in compliance with Title 67, Chapter 19, Utah State Personnel Management Act;
  - (b) approve the proposed budget of each division and the Appeals Board;
  - (c) approve all applications for federal grants or assistance in support of any commission program; and
  - (d) fulfill such other duties as assigned by the Legislature or as assigned by the governor that are not inconsistent with this title or Title 34, Labor in General.
- (5)
  - (a) The commissioner shall report annually to the Legislature and the governor concerning the operations of the commission and the programs that the commission administers.
  - (b) If federal law requires that a report to the governor or Legislature be given concerning the commission or a program administered by the commission, the commissioner or the commissioner's designee shall make that report.

Amended by Chapter 336, 2011 General Session