

REPORTING OF VACANT STATE POSITIONS

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Robert M. Muhlestein

AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES; REQUIRING THE DEPARTMENT OF HUMAN RESOURCE MANAGEMENT TO ANNUALLY PROVIDE CERTAIN INFORMATION RELATING TO VACANT STATE POSITIONS TO THE GOVERNOR'S OFFICE OF PLANNING AND BUDGET AND TO THE OFFICE OF THE LEGISLATIVE FISCAL ANALYST.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

67-19-6, as last amended by Chapter 135, Laws of Utah 1995

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

Section 1. Section **67-19-6** is amended to read:

67-19-6. Responsibilities of director.

(1) The director shall:

(a) develop, implement, and administer a statewide program of personnel management for state employees that will:

- (i) aid in the efficient execution of public policy;
- (ii) foster careers in public service for qualified employees; and
- (iii) render assistance to state agencies in performing their missions;

(b) perform those functions necessary to implement this chapter unless otherwise assigned or prohibited;

(c) perform duties assigned by the governor or statute;

(d) adopt rules for personnel management according to the procedures of Title 63, Chapter 46a, Utah Administrative Rulemaking Act;

(e) establish and maintain a management information system that will furnish the governor, the Legislature, and agencies with current information on authorized positions, payroll, and related matters concerning state personnel;

- (f) in cooperation with other agencies, conduct research and planning activities to:
 - (i) determine and prepare for future state personnel needs;
 - (ii) develop methods for improving public personnel management; and
 - (iii) propose needed policy changes to the governor;
 - (g) study the character, causes, and extent of discrimination in state employment and develop plans for its elimination through programs consistent with federal and state laws governing equal employment opportunity and affirmative action in employment;
 - (h) when requested by counties, municipalities, and other political subdivisions of the state, provide technical service and advice on personnel management at a charge determined by the director;
 - (i) establish compensation policies and procedures for early voluntary retirement;
 - (j) confer with the heads of other agencies about human resource policies and procedures;
- [and]
- (k) submit an annual report to the governor and the Legislature[-]; and
 - (l) (i) identify all employee positions in each agency that have been vacant for more than 90 days as of August 1 of each year; and
 - (ii) by no later than September 1, of each year, provide a report of all employee positions in each agency identified in Subsection (1)(l)(i) to:
 - (A) the Governor's Office of Planning and Budget; and
 - (B) the Office of the Legislative Fiscal Analyst.
 - (2) (a) After consultation with the governor and the heads of other agencies, the director shall establish and coordinate statewide training programs.
 - (b) The programs developed under this Subsection (2) shall have application to more than one agency.
 - (c) The department may not establish training programs that train employees to perform highly specialized or technical jobs and tasks.
 - (3) (a) (i) The department may collect fees for training as authorized by this Subsection (3).
 - (ii) Training funded from General Fund appropriations shall be treated as a separate program

within the department budget.

(iii) All money received from fees under this section will be accounted for by the department as a separate user driven training program.

(iv) The user training program includes the costs of developing, procuring, and presenting training and development programs, and other associated costs for these programs.

(b) (i) Funds remaining at the end of the fiscal year in the user training program are nonlapsing.

(ii) Each year, as part of the appropriations process, the Legislature shall review the amount of nonlapsing funds remaining at the end of the fiscal year and may, by statute, require the department to lapse a portion of the funds.