

**DEPARTMENT OF HUMAN RESOURCE
MANAGEMENT - REPORT OF FUNDED
VACANT POSITIONS**

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Leonard M. Blackham

This act modifies the State Officers and Employees code to require the director of the Department of Human Resource Management to develop a procedure by which state agencies will identify funded vacant positions, and report all funded employee positions in each state agency that have been vacant for 180 consecutive days during the 18-month period prior to July 1 of each year. The act also makes technical revisions.

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

AMENDS:

67-19-6, as last amended by Chapter 271, Laws of Utah 1999

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



28 46a, Utah Administrative Rulemaking Act;

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

32 (f) in cooperation with other agencies, conduct research and planning activities to:

33 (i) determine and prepare for future state personnel needs;

34 (ii) develop methods for improving public personnel management; and

35 (iii) propose needed policy changes to the governor;

36 (g) study the character, causes, and extent of discrimination in state employment and
37 develop plans for its elimination through programs consistent with federal and state laws
38 governing equal employment opportunity and affirmative action in employment;

39 (h) when requested by counties, municipalities, and other political subdivisions of the
40 state, provide technical service and advice on personnel management at a charge determined by
41 the director;

42 (i) establish compensation policies and procedures for early voluntary retirement;

43 (j) confer with the heads of other agencies about human resource policies and procedures;

44 (k) submit an annual report to the governor and the Legislature; and

45 (l) (i) develop a procedure by which each agency will:

46 (A) identify funded vacant positions; and

47 (B) report those funded vacant positions to the department;

48 (ii) identify all funded employee positions in each agency that have been vacant for more
49 than [90 days as of August 1] 180 consecutive days during the 18-month period prior to July 1 of
50 each year; and

51 [(ii)] (iii) by no later than September 1 [;] of each year, provide a report of all funded
52 employee positions in each agency identified in [Subsection] Subsections (1)(l)(i) and (ii) to:

53 (A) the Governor's Office of Planning and Budget; and

54 (B) the Office of the Legislative Fiscal Analyst.

55 (2) (a) After consultation with the governor and the heads of other agencies, the director
56 shall establish and coordinate statewide training programs.

57 (b) The programs developed under this Subsection (2) shall have application to more than
58 one agency.

59 (c) The department may not establish training programs that train employees to perform
60 highly specialized or technical jobs and tasks.

61 (3) (a) (i) The department may collect fees for training as authorized by this Subsection
62 (3).

63 (ii) Training funded from General Fund appropriations shall be treated as a separate
64 program within the department budget.

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

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

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

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

Legislative Review Note
as of 1-31-02 11:54 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel