

1 **INTERNAL SERVICE FUND RATE**

2 **COMMITTEE AMENDMENTS**

3 2009 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: John L. Valentine**

6 House Sponsor: Craig A. Frank

7

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies member provisions for the Rate Committees with the Department of
11 Administrative Services and the Department of Human Resource Management.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ specifies that the chair of the rate committee within the Department of
15 Administrative Services may not be from an agency that receives payment of a rate
16 set by the committee;

17 ▶ specifies that the chair of the rate committee within the Department of Human
18 Resource Management may not be from an agency that receives payment of a rate
19 set by the committee; and

20 ▶ makes technical changes.

21 **Monies Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 None

25 **Utah Code Sections Affected:**

26 AMENDS:

27 **63A-1-114**, as last amended by Laws of Utah 2008, Chapter 382

28 **67-19-11**, as last amended by Laws of Utah 2008, Chapter 382

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

31 Section 1. Section **63A-1-114** is amended to read:

32 **63A-1-114. Rate Committee -- Membership -- Duties.**

33 (1) (a) There is created a Rate Committee which shall consist of:

34 (i) the director of the Governor's Office of Planning and Budget, or a designee;

35 (ii) the executive directors of three state agencies that use services and pay rates to one
36 of the department internal service funds, or their designee, appointed by the governor for a
37 two-year term;

38 (iii) the executive director of the Department of Administrative Services, or a
39 designee;

40 (iv) the director of the Division of Finance, or a designee; and

41 (v) the chief information officer.

42 (b) (i) The committee shall elect a chair from its members, except that the chair may
43 not be from an agency that receives payment of a rate set by the committee.

44 (ii) Members of the committee who are state government employees and who do not
45 receive salary, per diem, or expenses from their agency for their service on the committee shall
46 receive no compensation, benefits, per diem, or expenses for the members' service on the
47 committee.

48 (c) The Department of Administrative Services shall provide staff services to the
49 committee.

50 (2) (a) The internal service funds managed by the following divisions shall submit to
51 the committee a proposed rate and fee schedule for services rendered by the divisions to an
52 executive branch entity or an entity that subscribes to services rendered by the division, the:

53 (i) Division of Facilities Construction and Management;

54 (ii) Division of Fleet Operations;

55 (iii) Division of Purchasing and General Services; and

56 (iv) Division of Risk Management.

57 (b) The committee shall:

- 58 (i) conduct meetings in accordance with Title 52, Chapter 4, Open and Public
- 59 Meetings Act;
- 60 (ii) review the proposed rate and fee schedules and may approve, increase, or decrease
- 61 the rate and fee;
- 62 (iii) recommend a proposed rate and fee schedule for each internal service fund to:
- 63 (A) the Governor's Office of Planning and Budget; and
- 64 (B) the legislative appropriations subcommittees that, in accordance with Section
- 65 63J-1-306, approve the internal service fund agency's rates, fees, and budget; and
- 66 (iv) review and approve, increase or decrease an interim rate, fee, or amount when an
- 67 internal service fund agency begins a new service or introduces a new product between annual
- 68 general sessions of the Legislature.
- 69 (c) The committee may in accordance with Subsection 63J-1-306(4) decrease a rate,
- 70 fee, or amount that has been approved by the Legislature.

71 Section 2. Section **67-19-11** is amended to read:

72 **67-19-11. Use of department facilities -- Field office facilities cost allocation --**
73 **Funding for department.**

- 74 (1) (a) All officers and employees of the state and its political subdivisions shall allow
- 75 the department to use public buildings under their control, and furnish heat, light, and
- 76 furniture, for any examination, hearing, or investigation authorized by this chapter.
- 77 (b) The cost of the department's use of facilities shall be paid by the agency housing a
- 78 field office staff.
- 79 (2) The executive director shall:
 - 80 (a) prepare an annual budget request for the department;
 - 81 (b) submit the budget request to the governor and the Legislature; and
 - 82 (c) except for fiscal year 2007, before charging a fee for services provided by the
 - 83 department's internal service fund to an executive branch agency, the executive director shall:
 - 84 (i) submit the proposed rates, fees, and cost analysis to the Rate Committee
 - 85 established under Subsection (3); and

86 (ii) obtain the approval of the Legislature as required under Section 63J-1-306.

87 (3) (a) There is created a Rate Committee which shall consist of:

88 (i) the director of the Governor's Office of Planning and Budget, or a designee;

89 (ii) the executive directors of three state agencies that use services and pay rates to one
90 of the department internal service funds, or their designee, appointed by the governor for a
91 two-year term;

92 (iii) the director of the Division of Finance, or a designee; and

93 (iv) the executive director of the Department of Human Resource Management, or a
94 designee.

95 (b) (i) The committee shall elect a chair from its members, except that the chair may
96 not be from an agency that receives payment of a rate set by the committee.

97 (ii) Members of the committee who are state government employees and who do not
98 receive salary, per diem, or expenses from their agency for their service on the committee shall
99 receive no compensation, benefits, per diem, or expenses for the members' service on the
100 committee.

101 (c) The Department of Human Resource Management shall provide staff services to
102 the committee.

103 (4) (a) The department shall submit to the committee a proposed rate and fee schedule
104 for services rendered.

105 (b) The committee shall:

106 (i) conduct meetings in accordance with Title 52, Chapter 4, Open and Public
107 Meetings Act;

108 (ii) review the proposed rate and fee schedules and may approve, increase, or decrease
109 the rate and fee;

110 (iii) recommend a proposed rate and fee schedule for the internal service fund to:

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

112 (B) the legislative appropriations subcommittees that, in accordance with Section
113 63J-1-306, approve the internal service fund rates, fees, and budget; and

114 (iv) review and approve, increase or decrease an interim rate, fee, or amount when the
115 department begins a new service or introduces a new product between annual general sessions
116 of the Legislature.

117 (c) The committee may in accordance with Subsection 63J-1-306(4) decrease a rate,
118 fee, or amount that has been approved by the Legislature.