



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
P.O. BOX 145030 • SALT LAKE CITY, UTAH 84114-5030 • (801) 538-1029

February 26, 2009

Mr. Speaker:

The Transportation Committee reports a favorable recommendation on **1st Sub. H.B. 370, DISABLED PARKING VIOLATION AMENDMENTS**, by Representative S. Mascaro, with the following amendments:

1. *Page 1, Line 12:*

12 This bill:

= ► **provides and amends definitions;**

2. *Page 2, Lines 28 through 29:*

28 AMENDS:

29 41-1a-414, as last amended by Laws of Utah 2003, Chapter 1

= **67-19-3, as last amended by Laws of Utah 2006, Chapter 139**

3. *Page 3, Line 61:*

61 for a person with a disability shall be fined not less than \$175.

= **Section 2. Section 67-19-3 is amended to read:**

67-19-3. Definitions.

As used in this chapter:

(1) "Agency" means any department or unit of Utah state government with authority to employ personnel.

= **(2) "Alternative State Application Program (ASAP)" means a program that allows hiring officials to appoint a qualified person with a disability to a career service position after successfully completing an appropriate on-the-job examination period without going through the competitive process.**

~~{(2)}~~ **(3)** "Career service" means positions under Schedule B as defined in Section 67-19-15.

~~{(3)}~~ **(4)** "Career service employee" means an employee who has successfully completed a probationary period of service in a position covered by the career service.

Bill Number



HB0370S01

Action Class



H

Action Code



HCRAMD

~~{(4)}~~ (5) "Career service status" means status granted to employees :
(a) who successfully complete probationary periods for competitive career service
positions ~~{(5)}~~ ; or
(b) who are appointed to a position through the Alternative State Application
Program (ASAP).

~~{(5)}~~ (6) "Classified service" means those positions subject to the
classification and compensation provisions of Section 67-19-12.

~~{(6)}~~ (7) "Controlled substance" means controlled substance as defined in
Section 58-37-2.

~~{(7)}~~ (8) (a) "Demotion" means a disciplinary action resulting in a
reduction of an employee's current actual wage.

(b) "Demotion" does not mean:

(i) a nondisciplinary movement of an employee to another position without a
reduction in the current actual wage; or

(ii) a reclassification of an employee's position under the provisions of Subsection
67-19-12(3) and rules made by the department.

~~{(8)}~~ (9) "Department" means the Department of Human Resource
Management.

~~{(9)}~~ (10) "Disability" means a physical or mental disability as defined and
protected under the Americans with Disabilities Act, 42 U.S.C. Section 12101 et seq.

~~{(10)}~~ (11) "Employee" means any individual in a paid status covered by
the career service or classified service provisions of this chapter.

~~{(11)}~~ (12) "Examining instruments" means written or other types of
proficiency tests.

~~{(12)}~~ (13) "Executive director," except where otherwise specified, means
the executive director of the Department of Human Resource Management.

~~{(13)}~~ (14) "Human resource function" means those duties and
responsibilities specified:

(a) under Section 67-19-6;

(b) under rules of the department; and

(c) under other state or federal statute.

~~{(14)}~~ (15) "Market comparability adjustment" means a salary range
adjustment determined necessary through a market survey of salary ranges of a reasonable
cross section of comparable benchmark positions in private and public employment.



~~{(15)}~~ (16) "Probationary employee" means an employee serving a probationary period in a career service position but who does not have career service status.

~~{(16)}~~ (17) "Probationary period" means that period of time determined by the department that an employee serves in a career service position as part of the hiring process before career service status is granted to the employee.

~~{(17)}~~ (18) "Probationary status" means the status of an employee between the employee's hiring and the granting of career service status.

~~{(18)}~~ (19) "Temporary employee" means career service exempt employees on schedule AJ, AI, or AL under Section 67-19-15.

~~{(19)}~~ (20) "Total compensation" means salaries and wages, bonuses, paid leave, group insurance plans, retirement, and all other benefits offered to state employees as inducements to work for the state.

Renumber remaining sections accordingly.

Respectfully,

Bradley M. Daw
Committee Chair

Voting: 8-3-3

3 HB0370.HC1.WPD 2/26/09 9:57 am lelder/LGE SCH/LGE

Bill Number



HB0370S01

Action Class



H

Action Code



HCRAMD