

**Representative Wayne A. Harper** proposes the following substitute bill:

**RESTRUCTURING OF THE DEPARTMENT OF COMMUNITY  
AND CULTURE**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Wayne A. Harper**

Senate Sponsor: Stuart C. Reid

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**LONG TITLE**

**General Description:**

This bill provides a mechanism for the restructuring of the Department of Community and Culture and distributes and transitions certain of its powers, duties, functions, and programs to other governmental departments and agencies.

**Highlighted Provisions:**

This bill:

- ▶ provides a mechanism for the restructuring of the Department of Community and Culture and the transitioning of certain powers, duties, functions, and programs;
- ▶ moves the Utah Science Center Authority, the Heber Valley Historic Railroad Authority, and the Utah State Railroad Museum Authority to Title 63H, Independent State Entities;
- ▶ moves the Bond Volume Cap Allocation program to the Governor's Office of Economic Development; and
- ▶ makes certain technical changes.

**Money Appropriated in this Bill:**

**§→ [—None] This bill appropriates as an ongoing appropriation subject to future budget constraints, \$104,400 from the General Fund for fiscal year 2011-12 to the Department of Community and Culture to offset the loss of funds by the department related to the shifting of the Bond Volume Cap Allocation program to the Governor's Office of Economic Development. ←§**

**Other Special Clauses:**



2165 Issue Bond Account that may be allocated only to manufacturing projects.

2166 (b) From July 1 to August 15, the board shall set aside at least 50% of the Pool  
2167 Account that may be allocated only to manufacturing projects.

2168 Section 52. Section **63M-1-2906**, which is renumbered from Section 9-4-506 is  
2169 renumbered and amended to read:

2170 ~~[9-4-506]~~. **63M-1-2906. Allotment accounts.**

2171 (1) There are created the following allotment accounts:

2172 (a) the Single Family Housing Account, for which eligible issuing authorities are those  
2173 authorized under the code and state statute to issue qualified mortgage bonds under Section 143  
2174 of the code;

2175 (b) the Student Loan Account, for which eligible issuing authorities are those  
2176 authorized under the code and state statute to issue qualified student loan bonds under Section  
2177 144(b) of the code;

2178 (c) the Small Issue Bond Account, for which eligible issuing authorities are those  
2179 authorized under the code and state statute to issue:

2180 (i) qualified small issue bonds under Section 144(a) of the code; ~~§~~→ [or] ←~~§~~

2181 (ii) qualified exempt facility bonds for qualified residential rental projects under  
2182 Section 142(d) of the code; ~~§~~→ or

2182a **(iii) qualified redevelopment bonds under Section 144(c) of the code;** ←~~§~~

2183 (d) the Exempt Facilities Account, for which eligible issuing authorities are those  
2184 authorized under the code and state statute to issue ~~§~~→ any ←~~§~~ bonds requiring an allocation of  
2184a volume cap

2185 other than for purposes described in Subsections (1)(a), (b), or (c);

2186 (e) the Pool Account, for which eligible issuing authorities are those authorized under  
2187 the code and state statute to issue ~~§~~→ any ←~~§~~ bonds requiring an allocation of volume cap; and

2188 (f) the Carryforward Account, for which eligible issuing authorities are those with  
2189 projects or programs qualifying under Section 146(f) of the code.

2190 (2) (a) The volume cap shall be distributed to the various allotment accounts on  
2191 January 1 of each year on the following basis:

2192 (i) 42% to the Single Family Housing Account;

2193 (ii) 33% to the Student Loan Account;

2194 (iii) 1% to the Exempt Facilities Account; and

2195 (iv) 24% to the Small Issue Bond Account.

2351 (ii) representatives of the arts, libraries, history, and museums;

2352 (iii) Indian tribal leaders;

2353 (iv) communities and individuals served by the department; and

2354 (v) business and community leaders.

2355 (c) The director or the director's designee shall conduct a study of various options for  
2356 assessing or restructuring the department and its divisions, including:

2357 (i) retaining or moving the Division of Housing and Community Development or its  
2358 major components; and

2359 (ii) retaining or moving the Divisions of Arts and Museums, State History, and  
2360 Libraries.

2361 (d) The director or the director's designee may request assistance from agencies  
2362 identified as recipients of restructuring, and request assistance, support, and involvement from  
2363 local government, private business, and other affected parties in conducting the assessment,  
2364 restructuring, and dispersion.

2365 (5) (a) It is the further intent of the Legislature that the interim director shall prepare  
2366 and present a report regarding the assessment, restructuring, and dispersion to:

2367 (i) the governor by August 31, 2011;

2368 (ii) the Legislature's Workforce Services and Community and Economic Development  
2369 Interim Committee by October 19, 2011; and

2370 (iii) the Legislative Management Committee by December 15, 2011.

2371 (b) The report shall include any anticipated cost savings, stakeholder  
2372 recommendations, and statutory or rule changes required to implement restructuring and  
2373 transitioning.

2373a **§→ Section 58. Appropriation.**

2373b **As an ongoing appropriation subject to future budget constraints, there is appropriated**  
2373c **from the General Fund for fiscal year 2011-12, \$104,400 to the Department of Community and**  
2373d **Culture to offset the loss of funds by the department related to the shifting of the Bond Volume**  
2373e **Allocation Cap program to the Governor's Office of Economic Development.**

2373f **To Governor's Office of Economic Development - Business Development**  
2373g **From General Fund (\$104,400)**

2373h **Schedule of Programs**

2373i **Business Growth (\$104,000)**

2373j **To Department of Community and Culture - Housing and Community Development**

2373k **From General Fund \$104,000**

2373l **Schedule of Programs**

2373m **Administration \$104,000 ←\$**