

STATE AGENCY REALIGNMENT

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates an advisory council in the Governor's Programs Code to study and make recommendations on the consolidation of state agencies to achieve efficiencies in state government.

Highlighted Provisions:

This bill:

- ▶ establishes the Advisory Council on Optimizing and Streamlining State Government;
- ▶ establishes the membership of the advisory council;
- ▶ specifies the duties of the advisory council, which include the study of consolidating state agencies, executive directors of state agencies, and functions of state agencies to achieve efficiencies in services of state government; and
- ▶ requires reports to the Legislature.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63I-2-263, as last amended by Laws of Utah 2010, Chapter 224



28 ENACTS:

29 **63M-12-101**, Utah Code Annotated 1953

30 **63M-12-201**, Utah Code Annotated 1953

31 **63M-12-202**, Utah Code Annotated 1953

32 **63M-12-203**, Utah Code Annotated 1953

33 **63M-12-204**, Utah Code Annotated 1953

34 **63M-12-301**, Utah Code Annotated 1953



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

37 Section 1. Section **63I-2-263** is amended to read:

38 **63I-2-263. Repeal dates, Title 63A to Title 63M.**

39 (1) Subsection 63G-1-401(5) is repealed on May 10, 2011.

40 (2) Title 63M, Chapter 12, Advisory Council on Optimizing and Streamlining State

41 Government Act, is repealed January 1, 2012.

42 Section 2. Section **63M-12-101** is enacted to read:

43 **CHAPTER 12. ADVISORY COUNCIL ON OPTIMIZING AND**
44 **STREAMLINING STATE GOVERNMENT ACT**

45 **Part 1. General Provisions**

46 **63M-12-101. Title.**

47 This chapter is known as the "Advisory Council on Optimizing and Streamlining State
48 Government Act."

49 Section 3. Section **63M-12-201** is enacted to read:

50 **Part 2. Commission Members**

51 **63M-12-201. Creation -- Purpose.**

52 (1) There is established the Advisory Council on Optimizing and Streamlining State
53 Government.

54 (2) (a) The governor's office shall provide administrative support for the advisory
55 council.

56 (b) The executive directors of the departments of state government shall provide
57 information to, and services requested by, the advisory council.

58 Section 4. Section **63M-12-202** is enacted to read:

59 **63M-12-202. Members -- Appointment -- Terms -- Vacancies -- Expenses.**

60 (1) The advisory council shall consist of up to 18 members as follows:

61 (a) 16 members to be appointed by the governor as follows:

62 (i) representatives from stakeholders who receive services from state agencies or are

63 regulated by state agencies;

64 (ii) leaders in the business community; and

65 (iii) no more than two executive directors of state departments; and

66 (b) (i) one member from the Senate appointed by the president of the Senate; and

67 (ii) one member of the House of Representatives appointed by the speaker of the House
68 of Representatives.

69 (2) When a vacancy occurs in the membership for any reason, the replacement shall be
70 appointed by the governor for the remainder of the unexpired term.

71 (3) A member may not receive compensation or benefits for the member's service, but
72 may receive per diem and travel expenses in accordance with:

73 (a) Section 63A-3-106;

74 (b) Section 63A-3-107; and

75 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
76 63A-3-107.

77 Section 5. Section **63M-12-203** is enacted to read:

78 **63M-12-203. Qualifications of members.**

79 (1) Members appointed to the advisory council shall have the following qualifications:

80 (a) a demonstrated record of leadership and involvement; and

81 (b) a willingness to make a commitment to the furtherance of the purposes of the
82 advisory council.

83 (2) The advisory council may make recommendations to the governor concerning
84 appointment of members.

85 Section 6. Section **63M-12-204** is enacted to read:

86 **63M-12-204. Election of chair -- Meetings.**

87 Advisory council members shall elect a chair, and may appoint other officers from its
88 membership. The advisory council shall meet in regular meetings and may meet at special
89 meetings at the request of the chair or the governor. The advisory council may form

90 subcommittees and involve stake-holders, industry leaders, and others as it determines is
91 appropriate.

92 Section 7. Section **63M-12-301** is enacted to read:

93 **Part 3. Duties**

94 **63M-12-301. Duties.**

95 The advisory council shall:

96 (1) confer with state agencies and advise the governor concerning ways to create
97 efficiencies in state government in accordance with this section;

98 (2) conduct studies or fact-finding hearings to develop recommendations for obtaining
99 efficiencies in state government and streamlining the organization of state agencies and
100 departments;

101 (3) consider the consolidation of the departments of state government to:

102 (a) reduce administrative costs associated with running multiple departments of state
103 government;

104 (b) incorporate management and best business models for a number of cabinet-level
105 members who report to the governor;

106 (c) streamline services of state departments in a manner that is in the best interest of
107 the state;

108 (d) improve the efficiency of government; and

109 (e) reduce the cost of government;

110 (4) in accordance with the consolidation plan in Subsection (5), consider the
111 implementation of department consolidation and internal organizational changes necessary to
112 complete the re-alignment of responsibilities if a consolidation of departments is
113 recommended, including identifying employees and functions that would transfer to a
114 consolidated department, and the organization of offices, boards, and divisions within a
115 consolidated department;

116 (5) consider the following plans for consolidation:

117 (a) the creation of the Administrative Services Department, to include:

118 (i) human resources;

119 (ii) technology services;

120 (iii) administrative services;

- 121 (iv) boards and commissions; and
- 122 (v) cultural services;
- 123 (b) the creation of a Department of Agriculture, Environment and Natural Resources,
- 124 to include:
- 125 (i) agriculture;
- 126 (ii) natural resources;
- 127 (iii) environmental quality; and
- 128 (iv) the State Energy Office;
- 129 (c) the creation of the Business and Economic Development Department, to include:
- 130 (i) the Governor's Office of Economic Development;
- 131 (ii) USTAR;
- 132 (iii) commerce;
- 133 (iv) labor; and
- 134 (v) insurance;
- 135 (d) the creation of the Education Department, to include:
- 136 (i) public education;
- 137 (ii) applied technology; and
- 138 (iii) higher education;
- 139 (e) the creation of the Department of Health and Human Services, to include:
- 140 (i) human services;
- 141 (ii) workforce services; and
- 142 (iii) health;
- 143 (f) the creation of the Department of Public Safety to include:
- 144 (i) public safety;
- 145 (ii) corrections; and
- 146 (iii) the Board of Pardons and Parole;
- 147 (g) the creation of the Department of Military Affairs, to include:
- 148 (i) the Utah National Guard; and
- 149 (ii) the Department of Veterans' Affairs;
- 150 (h) the Department of Tax and Financial Institutions, to include:
- 151 (i) the State Tax Commission; and

- 152 (ii) financial institutions;
- 153 (i) the Transportation Department to include transportation services and infrastructure
- 154 within the state; and
- 155 (j) other consolidations or reorganizations of state agencies; and
- 156 (6) report to the Legislature's Government Operations Interim Committee:
- 157 (a) on or before October 19, 2011; and
- 158 (b) on or before December 15, 2011.

Legislative Review Note
as of 2-16-11 2:20 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 280

SHORT TITLE: **State Agency Realignment**

SPONSOR: **Harper, W.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill will cost \$13,600 one-time from the General Fund in FY 2011 for per diem and travel expenses of the advisory council

STATE BUDGET DETAIL TABLE

	FY 2011	FY 2012	FY 2013
Revenue	\$0	\$0	\$0
Expenditure:			
General Fund, One-Time	\$13,600	\$0	\$0
Total Expenditure	\$13,600	\$0	\$0
Net Impact, All Funds (Rev.-Exp.)	(\$13,600)	\$0	\$0
Net Impact, General/Education Funds	(\$13,600)	\$0	\$0

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.