

RATE COMMITTEE MODIFICATIONS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David P. Hinkins

House Sponsor: Mike K. McKell

LONG TITLE

General Description:

This bill amends language related to a rate committee.

Highlighted Provisions:

This bill:

- ▶ defines the membership of a rate committee;
- ▶ requires the rate committee to:
 - meet ~~H→~~ [quarterly] at least once a year ~~←H~~ ; and
 - ~~H→~~ [recommend] discuss ~~←H~~ adjustments to service levels received by state agencies; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63A-1-114, as last amended by Laws of Utah 2013, Chapter 310

63F-1-302, as last amended by Laws of Utah 2013, Chapter 310

67-19-11, as last amended by Laws of Utah 2013, Chapter 310

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



Act;

(ii) ~~meet at least~~ ~~H→~~ [quarterly] once a year and as necessary ~~←H~~ to discuss service performance of each internal service fund

and review the proposed rate and fee schedules and may approve, increase, or decrease the rate and fee;

(iii) ~~H→~~ [recommend] discuss ~~←H~~ any adjustments to the service level received by state agencies that pay rates to an internal service fund;

~~[(iii)]~~ (iv) recommend a proposed rate and fee schedule for each internal service fund to:

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

(B) the legislative appropriations subcommittees that, in accordance with Section 63J-1-410, approve the internal service fund agency's rates, fees, and budget; and

~~[(iv)]~~ (v) review and approve, increase or decrease an interim rate, fee, or amount when an internal service fund agency begins a new service or introduces a new product between annual general sessions of the Legislature.

(c) The committee may in accordance with Subsection 63J-1-410(4), decrease a rate, fee, or amount that has been approved by the Legislature.

Section 2. Section **63F-1-302** is amended to read:

63F-1-302. Information Technology Rate Committee -- Membership -- Duties.

(1) (a) There is created an Information Technology Rate Committee, which shall consist of~~[(i) the executive director of the Governor's Office of Management and Budget, or a designee; (ii)]~~ the executive directors, or ~~[their]~~ the executive director's designee, of ~~[three]~~ seven executive branch agencies that use services and pay rates to one of the department internal service funds, appointed by the governor for a two-year term~~[:]~~.

~~[(iii) the director of the Division of Finance, or a designee; and]~~

~~[(iv) the chief information officer.]~~

(b) (i) Of the seven executive agencies represented on the rate committee under Subsection (1)(a), only one of the following may be represented on the committee, if at all, at any one time:

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

(B) the Division of Finance; or

(C) the Department of Administrative Services.

(ii) The department may not have a representative on the rate committee.

~~[(b) (i) The director of the Division of Finance shall serve as chair of the committee.]~~

(c) (i) The committee shall elect a chair from its members.

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

~~[(e)]~~ (d) The department shall provide staff services to the committee.

(2) (a) Any internal service funds managed by the department shall submit to the committee a proposed rate and fee schedule for services rendered by the department to an executive branch agency or an entity that subscribes to services rendered by the department.

(b) The committee shall:

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

(ii) review the proposed rate and fee schedule and determine if the proposed fee is based on cost recovery as required by Subsection 63F-1-301(2)(b);

(iii) meet at least ~~H~~→ [quarterly] once a year and as necessary ←H to discuss the service performance of each internal service

fund and review the proposed rate and fee schedules and may approve, increase, or decrease the rate and fee;

(iv) ~~H~~→ [recommend] discuss ←H any adjustments to the service level received by state agencies that pay rates to an internal service fund;

~~[(iv)]~~ (v) recommend a proposed rate and fee schedule for each internal service fund to:

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

(B) the Office of Legislative Fiscal Analyst for review by the Legislature in accordance with Section 63J-1-410, which requires the Legislature to approve the internal service fund agency's rates, fees, and budget in an appropriations act; and

~~[(v)]~~ (vi) in accordance with Section 63J-1-410, review and approve, increase or decrease an interim rate, fee, or amount when an internal service fund agency begins a new service or introduces a new product between annual general sessions of the Legislature, which rate, fee, or amount shall be submitted to the Legislature at the next annual general session.

(c) The committee may, in accordance with Subsection 63J-1-410(4), decrease a rate,

(D) the Department of Technology Services.

(ii) The department may not have a representative on the rate committee.

~~[(b)] (c)~~ (i) The committee shall elect a chair from its members~~[-except that the chair may not be from an agency that receives payment of a rate set by the committee].~~

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

~~[(c)] (d)~~ The ~~[Department of Human Resource Management]~~ department shall provide staff services to the committee.

(4) (a) The department shall submit to the committee a proposed rate and fee schedule for:

(i) human resource management services rendered; and

(ii) costs incurred by the Office of the Attorney General in defending the state in a grievance under review by the Career Service Review Office.

(b) The committee shall:

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

(ii) meet at least ~~H→~~ [quarterly] once a year as necessary ~~←H~~ to discuss service performance of each internal service fund

and review the proposed rate and fee schedules and may approve, increase, or decrease the rate and fee;

(iii) ~~H→~~ [recommend] discuss ~~←H~~ any adjustments to the service level received by state agencies that pay rates to an internal service fund;

~~[(iii)] (iv)~~ recommend a proposed rate and fee schedule for the internal service fund to:

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

(B) the legislative appropriations subcommittees that, in accordance with Section 63J-1-410, approve the internal service fund rates, fees, and budget; and

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

(c) The committee may in accordance with Subsection 63J-1-410(4) decrease a rate,