

1 **HUMAN RESOURCE MANAGEMENT RATE COMMITTEE**

2 2016 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Todd Weiler**

5 House Sponsor: Kraig Powell

7 **LONG TITLE**

8 **Committee Note:**

9 The Retirement and Independent Entities Interim Committee recommended this bill.

10 **General Description:**

11 This bill amends provisions of the Utah State Personnel Management Act relating to the
12 rate committee.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ modifies the membership of the rate committee; and
- 16 ▶ makes technical and conforming changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **67-19-11**, as last amended by Laws of Utah 2013, Chapter 310

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

26 Section 1. Section **67-19-11** is amended to read:

27 **67-19-11. Use of department facilities -- Field office facilities cost allocation --**



28 **Funding for department.**

29 (1) (a) ~~[All officers and employees of the state and its political subdivisions]~~ An
 30 agency or a political subdivision of the state shall allow the department to use public buildings
 31 under ~~[their]~~ the agency's or the political subdivision's control, and furnish heat, light, and
 32 furniture, for any examination, training, hearing, or investigation authorized by this chapter.

33 (b) ~~[The]~~ An agency or political subdivision that allows the department to use a public
 34 building under Subsection (1)(a) shall pay the cost of the department's use of ~~[facilities shall be~~
 35 ~~paid by the agency housing a field office staff]~~ the public building.

36 (2) The executive director shall:

37 (a) prepare an annual budget request for the department;

38 (b) submit the budget request to the governor and the Legislature; and

39 (c) before charging a fee for services provided by the department's internal service fund
 40 to an executive branch agency~~[, the executive director shall]:~~

41 (i) submit the proposed rates, fees, and cost analysis to the Rate Committee established
 42 under Subsection (3); and

43 (ii) obtain the approval of the Legislature as required under Section [63J-1-410](#).

44 (3) (a) There is created a ~~[Rate Committee which]~~ rate committee that shall consist of:

45 (i) the executive director of the Governor's Office of Management and Budget, or a
 46 designee; and

47 (ii) subject to Subsection (3)(b), the executive directors of ~~[three]~~ six state agencies
 48 that use services and pay rates to one of the department internal service funds, or their
 49 designee, appointed by the governor for a two-year term~~;~~].

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

51 ~~[(iv) the executive director of the Department of Human Resource Management, or a~~
 52 ~~designee; and]~~

53 ~~[(v) the attorney general or designee.]~~

54 (b) The executive director of the Department of Human Resource Management may
 55 not serve on the rate committee.

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

59 (ii) [~~Members~~] Each member of the rate committee who [~~are~~] is a state government
60 [~~employees~~] employee and who [~~do~~] does not receive salary, per diem, or expenses from [~~their~~]
61 the member's agency for [~~their~~] the member's service on the rate committee shall receive no
62 compensation, benefits, per diem, or expenses for the [~~members'~~] member's service on the rate
63 committee.

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

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

68 (i) human resource management services rendered; and

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

71 (b) The rate committee shall:

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

74 (ii) review the proposed rate and fee schedules and [~~may~~], at the rate committee's
75 discretion, approve, increase, or decrease the rate and fee schedules;

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

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

78 (B) [~~the~~] each legislative appropriations [~~subcommittees~~] subcommittee that, in
79 accordance with Section 63J-1-410, [~~approve~~] approves the internal service fund rates, fees,
80 and budget; and

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

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