

SB0131S01 compared with SB0131

~~text~~ shows text that was in SB0131 but was deleted in SB0131S01.

Inserted text shows text that was not in SB0131 but was inserted into SB0131S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Ann Millner proposes the following substitute bill:

TALENT READY UTAH AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: _____

LONG TITLE

General Description:

This bill creates the Talent Ready Utah Center within the Governor's Office of Economic Development (GOED).

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Talent Ready Utah Center within GOED;
- ▶ creates the Talent Ready Utah Board within GOED;~~and~~
- ▶ describes the duties of the center and the board~~;~~ and
- ▶ requires that the Department of Workforce Services, the Governor's Office of Economic Development, and the Governor's Office of Management and Budget provide in their annual reports data and metrics that are consistent and comparable

SB0131S01 compared with SB0131

for each state operation, activity, program, or service that primarily involves employment training or placement, as determined by the executive directors of the three departments or offices named above.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2019:

- ▶ to the Governor's Office of Economic Development -- Talent Ready Utah Center as a one-time appropriation:
 - from the General Fund, One-time, ~~(\$150)~~\$75,000; ~~and~~
- ▶ to the Governor's Office of Economic Development -- Talent Ready Utah Center as an ongoing appropriation:
 - from the General Fund, \$250,000~~.~~

~~.~~ and

- ▶ to the Department of Workforce Services -- Administration as a one-time appropriation:
 - from the General Fund, \$75,000.

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

35A-1-109, as enacted by Laws of Utah 2014, Chapter 371

35A-1-201, as last amended by Laws of Utah 2014, Chapter 371

63I-2-235, as last amended by Laws of Utah 2017, Chapter 420

63J-4-301, as last amended by Laws of Utah 2013, Chapter 310

63J-4-708, as enacted by Laws of Utah 2017, Chapter 253

63N-1-203, as renumbered and amended by Laws of Utah 2015, Chapter 283

63N-1-301, as renumbered and amended by Laws of Utah 2015, Chapter 283

63N-12-202, as last amended by Laws of Utah 2017, Chapters 219 and 353

ENACTS:

35A-1-110, Utah Code Annotated 1953

63N-12-501, Utah Code Annotated 1953

63N-12-502, Utah Code Annotated 1953

SB0131S01 compared with SB0131

63N-12-503, Utah Code Annotated 1953

63N-12-504, Utah Code Annotated 1953

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

Section 1. Section 35A-1-109 is amended to read:

35A-1-109. Annual report -- Content -- Format.

(1) The department shall prepare and submit to the governor and the Legislature, by October 1 of each year, an annual written report of the operations, activities, programs, and services of the department, including its divisions, offices, boards, commissions, councils, and committees, for the preceding fiscal year.

(2) For each operation, activity, program, or service provided by the department, the annual report shall include:

(a) a description of the operation, activity, program, or service;

(b) data and metrics:

(~~fb~~i) ~~data~~ selected and used by the department to measure progress, performance, effectiveness, and scope of the operation, activity, program, or service, including summary data; and

(ii) that are consistent and comparable for each state operation, activity, program, or service that primarily involves employment training or placement as determined by the executive directors of the department, the Governor's Office of Economic Development, and the Governor's Office of Management and Budget;

(c) budget data, including the amount and source of funding, expenses, and allocation of full-time employees for the operation, activity, program, or service;

(d) historical data from previous years for comparison with data reported under Subsections (2)(b) and (c);

(e) goals, challenges, and achievements related to the operation, activity, program, or service;

(f) relevant federal and state statutory references and requirements;

(g) contact information of officials knowledgeable and responsible for each operation, activity, program, or service; and

(h) other information determined by the department that:

SB0131S01 compared with SB0131

(i) may be needed, useful, or of historical significance; or
(ii) promotes accountability and transparency for each operation, activity, program, or service with the public and elected officials.

(3) The annual report shall be designed to provide clear, accurate, and accessible information to the public, the governor, and the Legislature.

(4) The department shall:

(a) submit the annual report in accordance with Section 68-3-14; and

(b) make the annual report, and previous annual reports, accessible to the public by placing a link to the reports on the department's website~~[-];~~ and

(c) provide the data and metrics described in Subsection (2)(b) to the Talent Ready Utah Board created in Section 63N-12-503.

Section 2. Section 35A-1-110 is enacted to read:

35A-1-110. Employment training and placement metrics.

Before September 1, 2018, the department shall identify data and develop metrics to measure the progress, performance, effectiveness, and scope of any state operation, activity, program, or service that primarily involves employment training or placement to be reported under Sections 35A-1-109, 63J-4-708, and 63N-1-301.

Section 3. Section 35A-1-201 is amended to read:

35A-1-201. Executive director -- Appointment -- Removal -- Compensation -- Qualifications -- Responsibilities -- Deputy directors.

(1) (a) The chief administrative officer of the department is the executive director, who is appointed by the governor with the consent of the Senate.

(b) The executive director serves at the pleasure of the governor.

(c) The executive director shall receive a salary established by the governor within the salary range fixed by the Legislature in Title 67, Chapter 22, State Officer Compensation.

(d) The executive director shall be experienced in administration, management, and coordination of complex organizations.

(2) The executive director shall:

(a) administer and supervise the department in compliance with Title 67, Chapter 19, Utah State Personnel Management Act;

(b) supervise and coordinate between the economic service areas and directors created

SB0131S01 compared with SB0131

under Chapter 2, Economic Service Areas;

(c) coordinate policies and program activities conducted through the divisions and economic service areas of the department;

(d) approve the proposed budget of each division, the Workforce Appeals Board, and each economic service area within the department;

(e) approve all applications for federal grants or assistance in support of any department program; ~~and~~

~~(f)~~ and

(f) coordinate with the executive directors of the Governor's Office of Economic Development and the Governor's Office of Management and Budget to review data and metrics to be reported to the Legislature as described in Subsection 35A-1-109(2)(b); and

(f) (g) fulfill such other duties as assigned by the Legislature or as assigned by the governor that are not inconsistent with this title.

(3) The executive director may appoint deputy or assistant directors to assist the executive director in carrying out the department's responsibilities.

(4) The executive director shall at least annually provide for the sharing of information between the advisory councils established under this title.

Section 4. Section 63I-2-235 is amended to read:

63I-2-235. Repeal dates -- Title 35A.

(1) Section ~~35A-3-208~~ 35A-1-110 is repealed July 1, 2019. ~~f~~

~~(2)~~

~~(1)~~ (2) Section 35A-3-208 is repealed July 1, 2019.

~~(2)~~ (3) Subsection 35A-8-604(6) is repealed October 1, 2020.

Section 5. Section 63J-4-301 is amended to read:

63J-4-301. Duties of the executive director and office.

(1) The executive director and the office shall:

(a) comply with the procedures and requirements of Title 63J, Chapter 1, Budgetary Procedures Act;

(b) under the direct supervision of the governor, assist the governor in the preparation of the governor's budget recommendations;

(c) advise the governor with regard to approval or revision of agency work programs as

SB0131S01 compared with SB0131

specified in Section 63J-1-209;

(d) establish benchmarking practices for measuring operational costs, quality of service, and effectiveness across all state agencies and programs;

(e) assist agencies with the development of an operational plan that uses continuous improvement tools and operational metrics to increase statewide capacity and improve interagency integration;

(f) review and assess agency budget requests and expenditures using a clear set of goals and measures;

(g) develop and maintain enterprise portfolio and electronic information systems to select and oversee the execution of projects, ensure a return on investment, and trace and report performance metrics; ~~and~~

~~(h)~~ and

(h) coordinate with the executive directors of the Department of Workforce Services and the Governor's Office of Economic Development to review data and metrics to be reported to the Legislature as described in Subsection 63J-4-708(2)(d); and

~~(h)~~ (i) perform other duties and responsibilities as assigned by the governor.

(2) (a) The executive director of the Governor's Office of Management and Budget or the executive director's designee is the Federal Assistance Management Officer.

(b) In acting as the Federal Assistance Management Officer, the executive director or designee shall:

(i) study the administration and effect of federal assistance programs in the state and advise the governor and the Legislature, through the Office of Legislative Fiscal Analyst and the Executive Appropriations Committee, of alternative recommended methods and procedures for the administration of these programs;

(ii) assist in the coordination of federal assistance programs that involve or are administered by more than one state agency; and

(iii) analyze and advise on applications for new federal assistance programs submitted to the governor for approval as required by Chapter 5, Federal Funds Procedures Act.

Section 6. Section 63J-4-708 is amended to read:

63J-4-708. Reporting.

(1) On or before October 1, the board shall provide an annual written report to the

SB0131S01 compared with SB0131

Social Services Appropriations Subcommittee ~~[and]~~, the Economic Development and Workforce Services Interim Committee, and the Talent Ready Utah Board created in Section 63N-12-503.

(2) The written report shall include:

(a) information regarding the fiscal intermediary, the programmatic intermediary, the eligible program provider, and the independent evaluator that have been selected;

(b) the results of the feasibility analysis conducted in accordance with Section 63J-4-706;

(c) information regarding how many eligible participants have been served by the education, employability training, and workforce placement program;

(d) data and metrics:

(i) used to measure the progress, performance, effectiveness, and scope of the Employability to Careers Program, including summary data; and

(ii) that are consistent and comparable for each state operation, activity, program, or service that primarily involves employment training or placement as determined by the executive directors of the office, the Department of Workforce Services, and the Governor's Office of Economic Development;

~~[(d)]~~ (e) a description of program expenses, including what payments have been made to the intermediary and the cost to the state for each successful eligible participant outcome; and

~~[(e)]~~ (f) recommendations to the Legislature on any potential improvements to the Employability to Careers Program, including whether the program should continue to receive funding from the state.

Section 7. Section 63N-1-203 is amended to read:

63N-1-203. Powers and duties of executive director.

(1) Unless otherwise expressly provided by statute, the executive director may organize the office in any appropriate manner, including the appointment of deputy directors of the office.

(2) The executive director may consolidate personnel and service functions for efficiency and economy in the office.

(3) The executive director, with the approval of the governor:

SB0131S01 compared with SB0131

(a) may, by following the procedures and requirements of Title 63J, Chapter 5, Federal Funds Procedures Act, seek federal grants, loans, or participation in federal programs;

(b) may enter into a lawful contract or agreement with another state, a chamber of commerce organization, a service club, or a private entity; and

(c) shall annually prepare and submit to the governor a budget of the office's financial requirements.

(4) With the governor's approval, if a federal program requires the expenditure of state funds as a condition for the state to participate in a fund, property, or service, the executive director may expend necessary funds from money provided by the Legislature for the use of the office.

(5) The executive director shall coordinate with the executive directors of the Department of Workforce Services and the Governor's Office of Management and Budget to review data and metrics to be reported to the Legislature as described in Subsection 63N-1-301(2)(b).

Section 8. Section 63N-1-301 is amended to read:

63N-1-301. Annual report -- Content -- Format.

(1) The office shall prepare and submit to the governor and the Legislature, by October 1 of each year, an annual written report of the operations, activities, programs, and services of the office, including the divisions, sections, boards, commissions, councils, and committees established under this title, for the preceding fiscal year.

(2) For each operation, activity, program, or service provided by the office, the annual report shall include:

(a) a description of the operation, activity, program, or service;

(b) data and metrics:

(~~(b)(i)~~) ~~(data)~~ selected and used by the office to measure progress, performance, effectiveness, and scope of the operation, activity, program, or service, including summary data; and

(ii) that are consistent and comparable for each state operation, activity, program, or service that primarily involves employment training or placement as determined by the executive directors of the office, the Department of Workforce Services, and the Governor's Office of Management and Budget;

SB0131S01 compared with SB0131

(c) budget data, including the amount and source of funding, expenses, and allocation of full-time employees for the operation, activity, program, or service;

(d) historical data from previous years for comparison with data reported under Subsections (2)(b) and (c);

(e) goals, challenges, and achievements related to the operation, activity, program, or service;

(f) relevant federal and state statutory references and requirements;

(g) contact information of officials knowledgeable and responsible for each operation, activity, program, or service; and

(h) other information determined by the office that:

(i) may be needed, useful, or of historical significance; or

(ii) promotes accountability and transparency for each operation, activity, program, or service with the public and elected officials.

(3) The annual report shall be designed to provide clear, accurate, and accessible information to the public, the governor, and the Legislature.

(4) The office shall:

(a) submit the annual report in accordance with Section 68-3-14; ~~and~~

(b) make the annual report, and previous annual reports, accessible to the public by placing a link to the reports on the office's website~~;~~

~~Section 1}[-]; and~~

(c) provide the data and metrics described in Subsection (2)(b) to the Talent Ready Utah Board created in Section 63N-12-503.

Section 9. Section **63N-12-202** is amended to read:

63N-12-202. Definitions.

As used in this part:

(1) "Board" means the STEM Action Center Board created in Section 63N-12-203.

(2) "Computing partnerships" means a set of skills, knowledge, and aptitudes used in computer science, information technology, or computer engineering courses and career options.

(3) "Director" means the director appointed by the board to oversee the administration of the STEM Action Center.

(4) "Educator" means the same as that term is defined in Section 53A-6-103.

SB0131S01 compared with SB0131

(5) "Foundation" means a foundation established as described in Subsections 63N-12-204(3) and (4).

(6) "Fund" means the STEM Action Center Foundation Fund created in Section 63N-12-204.5.

(7) "Grant program" means the Computing Partnerships Grants program created in this part.

(8) "High quality professional development" means professional development that meets high quality standards developed by the State Board of Education.

(9) "Institution of higher education" means an institution listed in Section 53B-1-102.

(10) "K-16" means kindergarten through grade 12 and post-secondary education programs.

(11) "Office" means the Governor's Office of Economic Development.

(12) "Provider" means a provider selected on behalf of the board by the staff of the board and the staff of the State Board of Education:

(a) through a request for proposals process; or

(b) through a direct award or sole source procurement process for a pilot described in Section 63N-12-206.

(13) "Review committee" means the committee established under Section 63N-12-214.

(14) "Stacked credentials" means credentials that:

(a) an individual can build upon to access an advanced job or higher wage;

(b) are part of a career pathway system;

(c) provide a pathway culminating in the equivalent of an associate's or bachelor's degree;

(d) facilitate multiple exit and entry points; and

(e) recognize sub-goals or momentum points.

(15) "STEM" means science, technology, engineering, and mathematics.

(16) "STEM Action Center" means the center described in Section 63N-12-205.

(17) "Talent Ready Utah" means ~~[a partnership between the Governor's Office of Economic Development, the Governor's Education Advisor, the Department of Workforce Services, the Utah State Board of Education, the Utah System of Higher Education, representatives of post-secondary technical education, industry partners, and the Utah STEM~~

SB0131S01 compared with SB0131

~~Action Center~~] the Talent Ready Utah Center created in Section 63N-12-502.

Section ~~{2}~~10. Section **63N-12-501** is enacted to read:

Part 5. Talent Ready Utah Center

63N-12-501. Definitions.

As used in this part:

(1) "Center" means the Talent Ready Utah Center created in Section 63N-12-502.

(2) "Talent ready board" means the Talent Ready Utah Board created in Section 63N-12-503.

(3) "Workforce programs" means education or industry programs that facilitate training the state's workforce to meet industry demand.

Section ~~{3}~~11. Section **63N-12-502** is enacted to read:

63N-12-502. Talent Ready Utah Center.

(1) There is created within GOED the Talent Ready Utah Center.

(2) The executive director shall appoint a director of the center.

(3) The director of the center may appoint staff with the approval of the executive director.

(4) The center shall coordinate with the talent ready board to:

(a) further education and industry alignment in the state;

(b) coordinate the development of new education programs that align with industry demand;

(c) coordinate or partner with other state agencies to administer grant programs;

(d) promote the inclusion of industry partners in education;

(e) provide outreach and information to employers regarding workforce programs and initiatives;

(f) develop and analyze stackable credential programs;

(g) determine efficiencies among workforce providers;

(h) map available workforce programs focusing on programs that successfully create high-paying jobs; and

(i) support initiatives of the talent ready board.

Section ~~{4}~~12. Section **63N-12-503** is enacted to read:

63N-12-503. Talent Ready Utah Board.

SB0131S01 compared with SB0131

(1) There is created within GOED the Talent Ready Utah Board composed of the following 13 members:

(a) the state superintendent of public instruction or the superintendent's designee;

(b) the commissioner of higher education or the commissioner of higher education's designee;

(c) the commissioner of technical education or the commissioner of technical education's designee;

(d) the executive director of the Department of Workforce Services or the executive director of the department's designee;

(e) the executive director of GOED or the executive director's designee;

(f) the governor's education advisor or the advisor's designee;

(g) one member of the Senate, appointed by the president of the Senate;

(h) one member of the House of Representatives, appointed by the speaker of the House of Representatives;

(i) the president of the Salt Lake Chamber or the president's designee;

(j) three representatives of private industry chosen by the talent ready board; and

(k) a representative of the technology industry chosen by the talent ready board.

(2) The talent ready board shall select a chair and vice chair from among the members of the talent ready board.

(3) The talent ready board shall meet at least quarterly.

(4) Attendance of a majority of the members of the talent ready board constitutes a quorum for the transaction of official talent ready board business.

(5) Formal action by the talent ready board requires the majority vote of a quorum.

(6) A member of the talent ready board:

(a) may not receive compensation or benefits for the member's service; and

(b) who is not a legislator may receive per diem and travel expenses in accordance with:

(i) Section 63A-3-106;

(ii) Section 63A-3-107; and

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

SB0131S01 compared with SB0131

(7) The talent ready board shall:

(a) (i) review and develop metrics to measure the ~~effectiveness of workforce programs in the state~~ progress, performance, effectiveness, and scope of any state operation, activity, program, or service that primarily involves employment training or placement; and

(ii) ensure that the metrics described in Subsection (7)(a) are consistent and comparable for each state operation, activity, program, or service that primarily involves employment training or placement;

(b) make recommendations to the center regarding how to better align training and education in the state with industry demand;

(c) make recommendations to the center regarding how to better align technical education with current and future workforce needs; and

(d) coordinate with the center to meet the responsibilities described in Subsection 63N-12-502(4).

Section ~~5~~ 13. Section **63N-12-504** is enacted to read:

63N-12-504. Reporting.

The center shall prepare an annual report describing the center's operations and recommendations for inclusion in GOED's annual written report described in Section 63N-1-301.

Section ~~6~~ 14. **Appropriation.**

The following sums of money are appropriated for the fiscal year beginning July 1, 2018, and ending June 30, 2019. These are additions to amounts previously appropriated for fiscal year 2019. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

To Governor's Office of Economic Development -- Talent Ready Utah Center

From General Fund, One-time ~~(\$150)~~ \$75,000

~~1~~ From General Fund \$250,000

Schedule of Programs:

~~1~~ Talent Ready Utah Center ~~(\$400,000)~~

SB0131S01 compared with SB0131

Legislative Review Note

~~Office of Legislative Research and General Counsel~~

\$325,000

ITEM 2

To Workforce Services -- Administration

From General Fund, One-time

\$75,000

Schedule of Programs:

Administration

\$75,000