

Representative Kay J. Christofferson proposes the following substitute bill:

STATE EMPLOYMENT AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kay J. Christofferson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates the State Career Service Review Task Force.

Highlighted Provisions:

This bill:

- ▶ defines terms;
 - ▶ creates the State Career Service Review Task Force;
 - ▶ provides for the appointment of task force members;
 - ▶ requires the task force to study and make recommendations on the state career service system, including state employee position classifications and compensation;
 - ▶ requires the task force to report to the Government Operations Interim Committee;
- and
- ▶ provides a sunset date for the task force.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



26 63I-2-236, as last amended by Laws of Utah 2019, Chapter 389
27 63I-2-267, as last amended by Laws of Utah 2020, Chapter 197
28 67-19-6, as last amended by Laws of Utah 2018, Chapters 154 and 200

29 ENACTS:

30 36-29-108, Utah Code Annotated 1953



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

33 Section 1. Section **36-29-108** is enacted to read:

34 **36-29-108. State career service review task force.**

35 (1) As used in this section, "task force" means the State Career Service Review Task
36 Force created in this section.

37 (2) There is created the State Career Service Review Task Force consisting of the
38 following members:

39 (a) three members of the Senate appointed by the president of the Senate, no more than
40 two of whom may be from the same political party;

41 (b) three members of the House of Representatives appointed by the speaker of the
42 House of Representatives, no more than two of whom may be from the same political party;

43 (c) the executive director of the Department of Human Resource Management, or the
44 executive director's designee;

45 (d) one individual representing the office of the governor, appointed by the governor;

46 (e) the state auditor, or the state auditor's designee; and

47 (f) one individual representing the Utah Public Employees Association, appointed by
48 the executive director of the Utah Public Employees Association.

49 (3) (a) The president of the Senate shall designate a member of the Senate appointed
50 under Subsection (2)(a) as a cochair of the task force.

51 (b) The speaker of the House of Representatives shall designate a member of the House
52 of Representatives appointed under Subsection (2)(b) as a cochair of the task force.

53 (4) (a) A majority of the members of the task force constitutes a quorum.

54 (b) The action of a majority of a quorum constitutes an action of the task force.

55 (5) A member of the task force may not receive compensation, per diem, or
56 reimbursement for expenses associated with the member's work on the task force.

57 (6) The Department of Human Resource Management shall provide staff support to the
58 task force.

59 (7) The task force shall review the state career service system and make
60 recommendations regarding:

61 (a) the proper classification of state employee positions that:

62 (i) are exempt from the state career service system; and

63 (ii) are covered by the state career service system;

64 (b) improvements to state employee compensation, including compensation based on
65 performance incentives; and

66 (c) other modifications related to the state career service system.

67 (8) The task force shall:

68 (a) convene the task force's initial meeting on or before July 1, 2021; and

69 (b) provide a report, including any recommendations for proposed legislation, to the
70 Government Operations Interim Committee during or before the October interim meeting in
71 2021.

72 Section 2. Section **63I-2-236** is amended to read:

73 **63I-2-236. Repeal dates -- Title 36.**

74 (1) Section 36-29-105 is repealed on December 31, 2020.

75 (2) Section 36-29-108 is repealed June 30, 2022.

76 Section 3. Section **63I-2-267** is amended to read:

77 **63I-2-267. Repeal dates -- Title 67.**

78 (1) Subsection 67-19-6(4), related to the State Career Service Review Task Force, is
79 repealed June 30, 2022.

80 (2) Section 67-19-45 is repealed June 30, 2023.

81 Section 4. Section **67-19-6** is amended to read:

82 **67-19-6. Responsibilities of the executive director and department.**

83 (1) The executive director shall:

84 (a) develop, implement, and administer a statewide program of human resource
85 management that will:

86 (i) aid in the efficient execution of public policy;

87 (ii) foster careers in public service for qualified employees; and

- 88 (iii) render assistance to state agencies in performing their missions;
- 89 (b) design and administer the state pay plan;
- 90 (c) design and administer the state classification system and procedures for determining
91 schedule assignments;
- 92 (d) design and administer the state recruitment and selection system;
- 93 (e) administer agency human resource practices and ensure compliance with federal
94 law, state law, and state human resource rules, including equal employment opportunity;
- 95 (f) consult with agencies on decisions concerning employee corrective action and
96 discipline;
- 97 (g) maintain central personnel records;
- 98 (h) perform those functions necessary to implement this chapter unless otherwise
99 assigned or prohibited;
- 100 (i) perform duties assigned by the governor or statute;
- 101 (j) adopt rules for human resource management according to the procedures of Title
102 63G, Chapter 3, Utah Administrative Rulemaking Act;
- 103 (k) establish and maintain a management information system that will furnish the
104 governor, the Legislature, and agencies with current information on authorized positions,
105 payroll, and related matters concerning state human resources;
- 106 (l) conduct research and planning activities to:
 - 107 (i) determine and prepare for future state human resource needs;
 - 108 (ii) develop methods for improving public human resource management; and
 - 109 (iii) propose needed policy changes to the governor;
- 110 (m) study the character, causes, and extent of discrimination in state employment and
111 develop plans for its elimination through programs consistent with federal and state laws
112 governing equal employment opportunity in employment;
- 113 (n) when requested by charter schools or counties, municipalities, and other political
114 subdivisions of the state, provide technical service, training recommendations, or advice on
115 human resource management at a charge determined by the executive director;
- 116 (o) establish compensation policies and procedures for early voluntary retirement;
- 117 (p) confer with the heads of other agencies about human resource policies and
118 procedures;

119 (q) submit an annual report to the governor and the Legislature; and
120 (r) assist with the development of a vacant position report required under Subsection
121 [63J-1-201\(2\)\(b\)\(vi\)](#).

122 (2) (a) After consultation with the governor and the heads of other agencies, the
123 executive director shall establish and coordinate statewide training programs, including and
124 subject to available funding, the development of manager and supervisor training.

125 (b) The programs developed under this Subsection (2) shall have application to more
126 than one agency.

127 (c) The department may not establish training programs that train employees to
128 perform highly specialized or technical jobs and tasks.

129 (d) The department shall ensure that any training program described in this Subsection
130 (2) complies with Title 63G, Chapter 22, State Training and Certification Requirements.

131 (3) (a) (i) The department may collect fees for training as authorized by this Subsection
132 (3).

133 (ii) Training funded from General Fund appropriations shall be treated as a separate
134 program within the department budget.

135 (iii) All money received from fees under this section will be accounted for by the
136 department as a separate user driven training program.

137 (iv) The user training program includes the costs of developing, procuring, and
138 presenting training and development programs, and other associated costs for these programs.

139 (b) (i) Funds remaining at the end of the fiscal year in the user training program are
140 nonlapsing.

141 (ii) Each year, as part of the appropriations process, the Legislature shall review the
142 amount of nonlapsing funds remaining at the end of the fiscal year and may, by statute, require
143 the department to lapse a portion of the funds.

144 (4) The department shall provide staff support to the State Career Service Review Task
145 Force created in Section [36-29-108](#).