

**MINUTES OF THE  
EXECUTIVE OFFICES & CRIMINAL JUSTICE  
JOINT APPROPRIATIONS SUBCOMMITTEE  
ROOM 405 STATE CAPITOL BUILDING**

January 10, 2002

**Members Present:** Sen. D. Chris Buttars , Co-Chair  
Rep. A. Lamont Tyler, Co-Chair  
Rep. Ron Bigelow  
Rep. Eric Hutchings  
Rep. Paul Ray  
Rep. Mike Thompson

**Members Absent:** Sen. Peter C. Knudsen

**Members Excused:** Sen. Alicia Suazo  
Rep. Scott Daniels

**Staff Present:** William Greer, Fiscal Analyst  
Gary Ricks, Fiscal Analyst  
Cherri White, Committee Secretary

**Visitors List:** List filed with Committee Minutes

Senator Buttars called the meeting to order at 9:33 a.m. and indicated that as there was not a quorum of Senate members and that motions would be delayed until a quorum was present.

**Department of Corrections**

Mike Chabries, Executive Director, Department of Corrections presented the Agency response to the recommended reductions presented by the Fiscal Analyst on January 8. Director Chabries indicated that if the cuts took place as indicated by the Analyst it would hamper the mission of the Department. It would be the Department's recommendation to the committee that reductions be offset with funding alternatives through the following mechanisms:

SCAAP Funding	\$651,000	(State Criminal Alien Assistance Program)
Nonlapsing General Fund	\$867,000	

In addition, the elimination of the One-Day Furlough would be necessary as the correctional facilities run 24 hours a day 7 days a week, and the only way for a furlough to take place would be for areas of the Department of Corrections to shut down.

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Director Chabries also indicated that the Department of Corrections is very involved with the security at the Olympics. No vacation was being granted to anyone from January through March 2002 to address the staffing of shifts at the facilities.

Committee members raised questions regarding the use of SCAAP funds and what the federal requirements were in relation to those funds. Addressing the committee regarding this funding mechanism was Chris Mitchell, Department of Corrections.

Director Chabries indicated that there was a request of a supplemental in the amount of \$670,000 for increased utility costs. He indicated that even though utility costs have decreased from the high levels of January 2001, they are still not at the lower levels of the winter 2000. This supplemental is not part of the Analysts recommendations.

Due to the changes in offender management strategies the Department has seen a decrease in the number of offenders that are currently incarcerated. In addition, they are not returning parole violations to incarceration at the rates prior to the implementation of these strategies. The Department provided for the committee four handouts with the specifics of the changes in offender management (see copies on file).

Paula Kooring, Finance Director, Department of Public Safety, answered questions from the committee regarding public safety issues and recent trends in reduced crime rates.

Larry Chadderton, Regional Administrator, Adult Probation and Parole, Region I, addressed the committee regarding new programs that have been initiated in the northern region to help reduce recidivism rates and assist parolees in staying out of prison.

Questions were raised by the committee concerning electronic monitoring, and GPS use in electronic monitoring. These were addressed by Leo Lucey, Regional Administrator, Adult Probation and Parole, Region II-D, and Larry Chadderton.

David Walsh, Governor's Office of Planning and Budget, addressed the committee regarding VOTIS funding and the delayed opening of the Gunnison Facility.

Director Chabries made a final plea to the committee to protect what the Department of Corrections is doing, and include intent language in the appropriations for FY 2003 to include the use of Nonlapsing General Fund monies for targeted programs that fulfill the mission of the department.

## Courts

Dan Becker, State Court Administrator, addressed the reductions as recommended by the Fiscal Analyst. As 92% of the budget of the Courts comes from the General Fund, major cuts of the

nature recommended by the Analyst, would require the Courts lay-off approximately 35 individuals in addition to the current 37 vacancies, for a total of 72 positions. Positions that were approved for FY 2002 have not been filled, since early indications of needed cuts were suggested in the early fall of 2001. Steps were taken in early September to reduce spending including a hiring freeze that will stay in place at least through June 2002, reduction of leased spaces, including moving Probation leases to state facilities, and moving toward the elimination of Murray as a seat of court. It was indicated that if funds were available, the Courts would retain Deputy Clerks and Probation Officers.

Discussion from the committee regarding Drug Court reductions was addressed by Mr. Becker.

Senator Buttars called for a recess of 30 minutes with the committee to reconvene prepared to take action, if possible, regarding the proposed cuts and recommendations. The committee recessed at 10:40 a.m.

Senator Buttars reconvened the meeting at 11:45 a.m. and indicated as there was still not a quorum present in the Senate and that motions could not be taken, but the committee would discuss recommendations of the committee regarding Agency reductions.

Representative Bigelow made the following recommendations:

1. From the Division of Youth Corrections a One-Time transfer of \$45,000 from the General Fund to the State Treasurer's Office with a commensurate one-time General Fund reduction from nonlapsing balances.
2. One-time General Fund transfer of \$130,000 from the Division of Youth Corrections to the State Auditor's Office with a commensurate one-time General Fund reduction from nonlapsing balances.
3. One-time General Fund transfer of \$400,000 from the Division of Youth Corrections to the Courts with a commensurate one-time General Fund reduction from nonlapsing balances.
4. One-time General Fund transfer of \$500,000 from the Division of Youth Corrections to the Department of Public Safety with a commensurate one-time General Fund reduction from nonlapsing balances.
5. Reallocation: Authorization for the Fiscal Analysts to work with the Agencies under this Subcommittee's responsibility to prepare shifts of funding between line items within the individual agency to better manage the adjustments being approved as long as all shifts within the Agency are revenue neutral.

6. Distribution: The allocation of the approved funding redistributions be made to the specific programs recommended by the Analyst after discussion with the Governor's Office of Planning and Budget and the affected Agencies.

As the redistribution of funds requires a large reduction from the Division of Youth Corrections, Director Blake Chard responded to the committee by praising the employees within the Division of Youth Corrections for the hard work and effort that they put forth. As it was through this effort that painful cuts were possible. Director Chard recognized the importance of needing to work as a team of Agencies to solve the state-wide funding problems.

Senator Buttars indicated the committee would meet again on Tuesday afternoon, January 15, at 2:00 p.m. to make formal motions and recommendations to the Executive Appropriations Committee. He then declared the meeting adjourned at 11:57 a.m.

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Senator D. Chris Buttars, Co-Chair

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Representative A. Lamont Tyler, Co-Chair