

**Intent Language Summary**  
**2004 Appropriations Act**  
**(FY 2005)**

**Executive Offices & Criminal Justice**

Governor's Office

1. *The Legislature intends that funds provided for the Governor's Office shall not lapse.*

Governor's Office - Elections

2. *The Legislature intends that funds provided for the Elections shall not lapse.*

Governor's Office - Emergency Fund

3. *The Legislature intends that funds provided for the Governor's Emergency Fund shall not lapse.*

Governor's Office - RS-2477 Rights of Way

4. *The Legislature intends that funds provided for the RS-2477 Rights of Way line item shall not lapse.*
5. *It is the intent of the Legislature that funds expended from the R.S. 2477 Fund be used for litigation or negotiations designed to quiet title to existing rights of way established before 1976 under RS 2477 guidelines. It is further the intent of the Legislature that the Governor or his designee shall present a report to the Legislature prior to the 2005 General Session detailing activities funded within this line item, including information on cooperation and coordination with counties and the Utah Attorney General's office..*

Governor's Office - Governor's Office of Planning and Budget

6. *The Legislature intends that funds provided for the Governor's Office of Planning and Budget shall not lapse.*

Governor's Office - GOPB - Chief Information Officer

7. *The Legislature intends that funds provided for the Chief Information Officer shall not lapse.*

Governor's Office - Commission on Criminal and Juvenile Justice

8. *The Legislature intends that funds provided for the Commission on Criminal and Juvenile Justice shall not lapse.*

State Auditor

9. *The Legislature intends that funds provided for the State Auditor shall not lapse.*

State Treasurer

10. *The Legislature intends that funds provided for the State Treasurer shall not lapse.*

Attorney General

11. *It is the intent of the Legislature that up to \$120,000 provided from the General Fund Restricted - Constitutional Defense account be used to pay for legal services regarding public lands issues involving the state, other than those related to existing rights of way established before 1976 under RS-2477 guidelines.*
12. *It is the intent of the Legislature that the Office of the Legislative Fiscal Analyst shall examine whether cost of computer assisted legal research can be reduced.*
13. *The Legislature intends that funds provided for the Attorney General shall not lapse.*

Attorney General - Contract Attorneys

14. *The Legislature intends that funds provided for Contract Attorneys shall not lapse.*

Attorney General - Children's Justice Centers

15. *The Legislature intends that funds provided for the Children's Justice Centers shall not lapse.*

Attorney General - Prosecution Council

16. *The Legislature intends that funds provided for Prosecution Council shall not lapse.*

Attorney General - Domestic Violence

17. *The Legislature intends that funds provided for Domestic Violence shall not lapse.*

Corrections - Corrections Programs & Operations

18. *The Legislature intends that funds provided for Corrections Programs and Operations shall not lapse.*
19. *The Legislature intends that the Utah Department of Corrections pursue the following performance goals in Fiscal Year 2005:*  
*Housing Utilization: 95% of Maximum Capacity*  
*Parolee Rate of Return: 25% New Prison Admission of Parolees*  
*Probationer Rate of Return: 3.5% New Prison Admission of Probationers*

Corrections - Department Medical Services

20. *The Legislature intends that funds provided for Corrections Department Medical Services shall not lapse.*

Corrections - Jail Contracting

21. *The Legislature intends that funds provided for Jail Contracting shall not lapse.*

Corrections - Jail Reimbursement

22. *The Legislature intends that the Department of Corrections shall adjust its rule on Jail Reimbursement so that it more closely conforms with Utah Code Annotated Title 64 Chapter 13c. Specifically, the Legislature intends that the Department shall reimburse core inmate incarceration costs from the Jail Reimbursement line item at the rate of 70%. The Legislature intends that the Department reimburse costs related to transportation and/or medical care of probationers sentenced to county jail from the Jail Reimbursement line item as funding allows and up to the rate of 70%.*
23. *The Legislature intends that funds provided for Jail Reimbursement shall not lapse.*

Board of Pardons and Parole

24. *The Legislature intends that funds provided for the Board of Pardons and Parole shall not lapse.*

Juvenile Justice Services - Programs and Operations

25. *It is the intent of the Legislature that the Division of Juvenile Justice Services may provide capital to the Division of Fleet Operations for the purchase of no more than two vehicles for use at the new Washington County facility.*
26. *The Legislature intends that funds provided for Juvenile Justice Services Programs and Operations shall not lapse.*

Juvenile Justice Services - Youth Parole Authority

27. *The Legislature intends that funds provided for the Youth Parole Authority shall not lapse.*

Courts - Administration

28. *The Legislature intends that funds provided for Courts Administration shall not lapse.*
29. *The Legislature intends that in Fiscal Year 2005 the Judicial Council is authorized to create a court commissioner position for the Second Judicial District Court with funds appropriated for that purpose. (NOTE TO EAC: This intent statement is conditional upon appropriation of new funds for a Juvenile Court Administrator and two staff - EOCJ subcommittee priority 5.)*
30. *It is the intent of the Legislature that the Office of the Legislative Fiscal Analyst shall examine whether cost of computer assisted legal research can be reduced.*

Courts - Grand Jury

31. *The Legislature intends that funds provided for the Grand Jury line item shall not lapse.*

Courts - Contracts and Leases

32. *The Legislature intends that funds provided for Courts Contracts and Leases shall not lapse.*

Courts - Jury and Witness Fees

33. *The Legislature intends that funds provided for Jury and Witness Fees shall not lapse.*

Courts - Guardian ad Litem

34. *The Legislature intends that funds provided for the Guardian ad Litem line item shall not lapse.*

Courts - Judicial Salaries

35. *The Joint Appropriations Subcommittee for Executive Offices and Criminal Justice recommends that the increase in salaries for the District Court Judges be set at the same level as that for the other state employees.*

Public Safety - Public Safety Programs & Operations

36. *The Legislature intends that funds provided for Public Safety Programs and Operations shall not lapse.*
37. *It is the intent of the Legislature that the Department of Public Safety may increase the fleet if funding is provided through federal aid or other sources for special programs or projects. It is further the intent of the Legislature that vehicles purchased under this intent language will not be eligible for replacement using General Fund borrowing capacity held by the State Division of Fleet Operations. Any expansion vehicle purchase during the interim under this intent language shall be reported to the Legislative Fiscal Analyst.*
38. *It is the intent of the Legislature that receipts above the appropriated dedicated credits amount of reimbursable flight time for the Department of Public Safety aircraft shall not lapse and be used for major aircraft maintenance.*
39. *It is the intent of the Legislature that the Department of Public Safety is authorized to advance officers from existing appropriations and/or savings.*
40. *It is the intent of the Legislature that the Department of Public Safety may continue with the consolidated line items of appropriation for Fiscal Year 2005 to assist with mitigation of base budget reductions. It is further the intent of the Legislature that this consolidation is for the period of Fiscal Year 2005 only. The following line items of appropriations for continued consolidation into one line item for Fiscal Year 2005 are: Commissioner's Office; Criminal Investigations and Technical Services Division; Utah Highway Patrol; Management Information Services; and Fire Marshal's Office. The remainder of the Department's line items of appropriation will each remain separate line items. These are: Emergency Services and Homeland Security; Peace Officer Standards and Training; Liquor Law Enforcement; Driver License Division; and Utah Highway*

*Safety.*

Public Safety - Emergency Services and Homeland Security

41. *The Legislature intends that funds provided for Emergency Services and Homeland Security shall not lapse.*

Public Safety - Peace Officers' Standards and Training

42. *The Legislature intends that funds provided for Peace Officers' Standards and Training shall not lapse.*

Public Safety - Liquor Law Enforcement

43. *The Legislature intends that funds provided for Liquor Law Enforcement shall not lapse.*

Public Safety - Driver License

44. *The Legislature intends that funds provided for the Driver License line item shall not lapse.*

Public Safety - Highway Safety

45. *The Legislature intends that funds provided for Highway Safety shall not lapse.*

**Capital Facilities & Administrative Services**

Capitol Preservation Board

46. *It is the intent of the Legislature that funds for the Capitol Preservation Board shall not lapse and that those funds shall be used for the design and construction costs associated with Capitol restoration.*

Administrative Services - Administrative Rules

47. *It is the intent of the Legislature that funds for Administrative Rules shall not lapse and that those funds may be used to fund a FTE or contract position on a temporary basis.*

Administrative Services - State Archives

48. *It is the intent of the Legislature that funds for state Archives shall not lapse and that those funds shall be used to digitize and microfilm documents generated by former Utah Governors for preservation and access.*

Administrative Services - Finance Administration

49. *It is the intent of the Legislature that the Department of Administrative Services develop and implement a mileage reimbursement program that requires agencies to reimburse employees for personal vehicle use at a rate equal to, or less than, the per mile cost of a mid-size sedan operated by the Division of Fleet Operations. It is also the intent of the Legislature that these rules be applied to Legislative Staff, the Judicial Branch and to the Utah System of Higher Education. The rule should make exception for instances where a State fleet vehicle is not available to the employee, for mileage reimbursements for Elected Officials of the State and members of Boards and Commissions who do not have access to the State fleet for use in their official duties.*
50. *It is the intent of the Legislature that funds for the Division of Finance shall not lapse.*
51. *It is the intent of the Legislature that funds for the Division of Finance that do not lapse are to be used for maintenance, operation, and development of statewide accounting systems.*

Administrative Services - Finance - Mandated

52. *It is the intent of the Legislature that funds for the LeRay McAllister fund shall not lapse.*

Administrative Services - Post Conviction Indigent Defense

53. *It is the intent of the Legislature that funds for the Post Conviction Indigent Defense Fund shall not lapse.*

Administrative Services - Judicial Conduct Commission

54. *It is the intent of the Legislature that funds for the Judicial Conduct Commission shall not lapse and that those funds shall be used to hire temporary contractors on an as-needed basis.*

ISF - Administrative Services - ISF - Information Technology Services

55. *The Legislature intends that all but \$1,261,300 in unexercised Capital Outlay Authority granted for FY 2004 shall lapse on June 30, 2004. The Legislature further intends that \$1,261,300 in authority that does not lapse shall be used for the following: Better Billing, \$125,000; Netcool Hardware and Software, \$163,800; Shark Alternatives, \$200,000; Backup Infrastructure, \$50,000; Authentication Software, \$100,000; Microwave Site Improvements, \$247,100; PBX and Key Systems, 375,500.*
56. *It is the intent of the Legislature that Information Technology Services be allowed to add FTEs beyond the authorized level if it represents a benefit to the state and a decrease of FTEs in the user agency. The total FTEs within state government shall not change with this shift of FTEs. Prior to transferring FTEs to the Internal Service Fund, the Department of Administrative Services shall report to the Executive Appropriation Committee decreased personal service expenditures in the originating agency and corresponding increased Internal Service Fund charges that will result from the transfer.*

ISF - Administrative Services - ISF - Facilities Management

57. *It is the intent of the Legislature that DFCM's internal service fund may add FTEs beyond the authorized level if new facilities come on line or maintenance agreements are requested. Any added FTEs will be reviewed and approved by the Legislature in the next Legislative Session.*

Capital Budget - DFCM Capital Program

58. *It is the intent of the Legislature that DFCM is not required to collect rent from the Department of Corrections for the Promontory Facility in FY 2005 if the Legislature in the 2004 general session appropriates funds to debt service for FY 2005 to replace the uncollected rent.*
59. *GFR - Special Adm. Expense Fund: \$2,801,000 to construct a new DWS employment center in Logan.*

Capital Budget - Property Acquisition

60. *GFR - Wildlife Resource Trust Account: For purchase of land in preparation for new building in Carbon County.*

**Commerce & Revenue**

Tax Commission - Tax Administration

61. *It is the intent of the Legislature that the Tax Commission report to Commerce and Revenue Appropriations Sub-Committee interim meeting, the progress made towards the recommendations of the Legislative Auditor's Report #2003-08.*
62. *The Legislature intends that these funds not lapse and that the balances carried forward be used for costs directly related to the modernization of tax and motor vehicle systems and processes.*
63. *It is the intent of the Legislature that the Utah State Tax Commission carry forward unexpended funds related to implementing Streamlined Sales Tax legislation.*

Workforce Services

64. *To help the working poor and underemployed, the Legislature encourages the Department of Workforce Services to expand the trial implementation of longer office hours and to implement longer office hours when Department management finds it advisable.*
65. *The Legislature intends that \$2,160,000 in funds appropriated from the Unemployment Compensation Trust (Reed Act) be used for employment service administration.*
66. *It is the intent of the Legislature that Workforce Services seek opportunities to contract with private entities to provide services and programs usually provided by Workforce Services if the entities bring matching funds in a ratio of at least 2 to 1 and:*  
*1. A proven, tested and effective existing program*  
*2. whose operation and administrative costs are already paid for:*  
*3. has a professional paid staff; and*  
*4. has flexibility in hours of operation.*  
*It is the intent of the Legislature that the department report to executive appropriations the extent to which the department has contracted with private entities.*
67. *The Legislature intends that these funds be non-lapsing.*

Labor Commission

68. *The Legislature intends that funds collected from sponsoring seminars be non-lapsing so that the agency can offer yearly training seminars using the funds collected.*

Commerce - Commerce General Regulation

69. *The Legislature intends that at the end of the fiscal year, unused funds for the Committee on Consumer Services lapse to the Committee's Professional and Technical Services Fund.*

Commerce - Public Utilities Professional & Technical Services

70. *The Legislature intends that these funds be non-lapsing.*

Commerce - Committee of Consumer Services Professional and Technical Services

71. *It is the intent of the Legislature that these funds be non-lapsing.*

Insurance - Comprehensive Health Insurance Pool

72. *The Legislature intends to provide sufficient funding so that HIPUtah will not have to cap enrollment. If the amount appropriated is not sufficient, HIPUtah should request a supplemental appropriation in the next legislative session. The Legislature will give high priority to such a request.*

**Commerce & Revenue - Applied Technology Education**

Utah College of Applied Technology - Administration

73. *It is the intent of the Legislature that UCAT complete and submits all financial reports (i.e. A-1's, R-1's, S-10's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year. It is further the intent of the Legislature that the approved consolidated budget request from the UCAT Board of Trustees be submitted to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*
74. *Applied Tec*  
*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the*

*Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

Utah College of Applied Technology - Bridgerland ATC

75.

*It is the intent of the Legislature that UCAT complete and submits all financial reports (i.e. A-1's, R-1's, S-10's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year. It is further the intent of the Legislature that the approved consolidated budget request from the UCAT Board of Trustees be submitted to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

76.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

Utah College of Applied Technology - Davis ATC

77.

*It is the intent of the Legislature that UCAT complete and submits all financial reports (i.e. A-1's, R-1's, S-10's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year. It is further the intent of the Legislature that the approved consolidated budget request from the UCAT Board of Trustees be submitted to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

78.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

Utah College of Applied Technology - Dixie ATC

79.

*It is the intent of the Legislature that UCAT complete and submits all financial reports (i.e. A-1's, R-1's, S-10's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year. It is further the intent of the Legislature that the approved consolidated budget request from the UCAT Board of Trustees be submitted to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

80.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General*

Session.

Utah College of Applied Technology - Mountainland ATC

81.

*It is the intent of the Legislature that UCAT complete and submits all financial reports (i.e. A-1's, R-1's, S-10's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year. It is further the intent of the Legislature that the approved consolidated budget request from the UCAT Board of Trustees be submitted to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

82.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

Utah College of Applied Technology - Ogden/Weber ATC

83.

*It is the intent of the Legislature that UCAT complete and submits all financial reports (i.e. A-1's, R-1's, S-10's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year. It is further the intent of the Legislature that the approved consolidated budget request from the UCAT Board of Trustees be submitted to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

84.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

Utah College of Applied Technology - Salt Lake/Tooele ATC

85.

*It is the intent of the Legislature that UCAT complete and submits all financial reports (i.e. A-1's, R-1's, S-10's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year. It is further the intent of the Legislature that the approved consolidated budget request from the UCAT Board of Trustees be submitted to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

86.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

Utah College of Applied Technology - Southeast ATC

87.

*It is the intent of the Legislature that UCAT complete and submits all financial reports (i.e. A-1's, R-1's, S-10's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year. It is further the intent of the Legislature that the approved consolidated budget request from the UCAT Board of Trustees be submitted to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

88.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

Utah College of Applied Technology - Southwest ATC

89.

*It is the intent of the Legislature that UCAT complete and submits all financial reports (i.e. A-1's, R-1's, S-10's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year. It is further the intent of the Legislature that the approved consolidated budget request from the UCAT Board of Trustees be submitted to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

90.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

Utah College of Applied Technology - Uintah Basin ATC

91.

*It is the intent of the Legislature that UCAT complete and submits all financial reports (i.e. A-1's, R-1's, S-10's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year. It is further the intent of the Legislature that the approved consolidated budget request from the UCAT Board of Trustees be submitted to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

92.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

## **Economic Development & Human Resources**

### Career Services Review Board - Career Service Review Board

93. *It is the intent of the Legislature that funding for Career Service Review Board be nonlapsing.*

### Human Resource Management

94. *It is the intent of the Legislature that funding for Human Resource Management be non-lapsing subject to the provisions of UCA 63-38-8.1 with expenditures restricted to computer equipment and software purchases, employee training and incentives, and flexible benefits.*

### Community & Economic Development - Administration

95. *It is the intent of the Legislature that funding for Administration be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

### Community & Economic Development - Incentive Funds

96. *It is the intent of the Legislature that funding for Incentive Funds be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

97. *It is the intent of the Legislature that any proceeds in excess of a total of \$4,000,000 paid to the state from the liquidation of the Utah Technology Finance Corporation whether these proceeds come from cash, sale of real property, or collection of accounts receivable shall be deposited into the Industrial Assistance Fund.*

### Community & Economic Development - Indian Affairs

98. *It is the intent of the Legislature that funding for Indian Affairs be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

### Community & Economic Development - Business and Economic Development

99. *It is the intent of the Legislature that funding for Business Development be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

### Community & Economic Development - Travel Council

100. *It is the intent of the Legislature that funding for Travel Development be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

Community & Economic Development - State History

101. *It is the intent of the Legislature that funding for State History be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

Community & Economic Development - Fine Arts

102. *It is the intent of the Legislature that funding for Fine Arts be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

Community & Economic Development - State Library

103. *It is the intent of the Legislature that funding for the State Library be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

Community & Economic Development - Community Development

104. *It is the intent of the Legislature that funding for Community Development be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

**Health & Human Services - Department of Health**

Health - Health Systems Improvement

105. *It is the intent of the Legislature that the fees collected for the purpose of plan reviews by the Bureau of Licensing be considered nonlapsing.*
106. *It is the intent of the Legislature that civil money penalties collected for child care and health care provider violations be considered nonlapsing.*
107. *It is the intent of the Legislature that funds for the Primary Care Grants Program be considered nonlapsing.*
108. *It is the intent of the Legislature that funding for the Primary Care Grants Program not be expended for inter-departmental projects except for Community Partnered Mobile Dental Services.*

Health - Community & Family Health

109. *It is the intent of the Legislature that funding for alcohol, tobacco, and other drug prevention, reduction, cessation, and control programs be considered nonlapsing.*

## Health - Medical Assistance

110. *It is the intent of the Legislature to improve the oral health status, and thereby improve the overall health of low-income Utahns through increased utilization and access to dental services for Medicaid recipients, especially people with disabilities and children. It is intended that this be accomplished as funding permits, by (1) increasing the participation of dentists in the Medicaid program by increasing the Medicaid reimbursement for dental services, (2) implementing a case management system to encourage more appropriate and timely access of Medicaid dental benefits by Medicaid recipients, and (3) implementing an early intervention/prevention and education program aimed at increasing the awareness of the importance of oral health among this population.*
111. *It is the intent of the Legislature that the Department of Health continue to reimburse nursing care facilities based on the Resources Utilization Group System (RUGS) which went into effect in FY 2003. It is further the intent of the Legislature that the Department maintain a rule which phases out over a three year period ending December 31, 2005, the component of property payments which is based on varying individual nursing facility property costs.*
112. *It is the intent of the Legislature to encourage the Department of Health to consider replacing the current property component of the Medicaid reimbursement system called Resource Utilization Groups (RUGS) with a fair rental market value model which compensates skilled and intermediate care facilities for capital improvements. It is further the intent of the Legislature to encourage the Department to consider that capital improvements recognized under the fair rental model not be based on traditional cost-based methods to calculate property rates or individual facility appraisal methodologies. It is the intent of the Legislature that the Department of Health report on the implementation of this program during the 2005 General Session.*

## **Health & Human Services - Department of Human Services**

### Human Services - Executive Director Operations

113. *It is the intent of the Legislature that funds appropriated to the Office of Technology in the Executive Director Operations budget for e-REP enhancements are non-lapsing.*

### Human Services - Svcs for People w/Disabilities

114. *It is the intent of the Legislature that funds appropriated for cost of living increases for employees of private service providers contracting with the Division of Services for People with Disabilities and the Division of Child and Family Services be used exclusively for that purpose. It is further the intent of the Legislature that these divisions report to the Health and Human Services Appropriations Subcommittee during the 2005 General Session on the use of such funds, based on reports from providers, regarding its distribution and impact on salaries of various categories of staff, including, but not limited to, administrators, supervisors and direct care workers.*
115. *It is the intent of the Legislature that the Division of Services for People with Disabilities use non-lapsing funds carried over from FY 2004 to provide services for people needing emergency services, aging out of state custody, child welfare services and juvenile justice services, or being court ordered into DSPD services. It is further the intent of the Legislature that the Division will use generated budget savings to continue funding services for these people by FY 2006. The Division will report regularly to the Office of Legislative Fiscal Analyst on progress in the efforts to generate these cost savings.*
116. *It is the intent of the Legislature that funds appropriated for the home and community based services waiting list for people with disabilities be used exclusively for direct services and related support.*
117. *It is the intent of the Legislature that in renewing contracts with private providers the Division of Services for People with Disabilities shall consider prevailing labor market conditions.*

118. *It is the intent of the Legislature that rent collected from individuals who occupy state owned group homes be applied to the cost of maintaining these facilities. It is also the intent of the Legislature that the Division of Services for People with Disabilities provide an accounting of state owned group home rents and costs to the Legislature or Office of Legislative Fiscal Analyst.*

Human Services - Office of Recovery Services

119. *It is the intent of the Legislature that funds appropriated to the Office of Recovery Services for e-REP enhancements are non-lapsing.*

Human Services - Child and Family Services

120. *It is the intent of the Legislature that funds appropriated for cost of living increases for employees of private service providers contracting with the Division of Services for People with Disabilities and the Division of Child and Family Services be used exclusively for that purpose. It is further the intent of the Legislature that these divisions report to the Health and Human Services Appropriations Subcommittee during the 2005 General Session on the use of such funds, based on reports from providers, regarding its distribution and impact on salaries of various categories of staff, including, but not limited to, administrators, supervisors and direct care workers.*
121. *It is the intent of the Legislature that funds appropriated for the adoption assistance program in the Division of Child and Family Services not lapse at the end of FY 2005. It is further the intent of the Legislature that these funds be used for adoption assistance programs.*

**Higher Education**

University of Utah - Education and General

122. *It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*
123. *It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*
124. *It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that this proposed formula reduce dependence on growth funding, link to measurable System-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission.*
125. *It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*
126. *It is the intent of the Legislature that the State Board of Regents be directed to closely supervise the fuel and power budgets with the intent of promoting greater energy efficiency on each campus. It is also the intent of the Legislature that the Board of Regents report during the interim to the Subcommittee on Higher Education on the implementation of long term plans to control and manage energy costs. It is further the intent of the Legislature, that the energy work group consisting of members from higher education, the Office of the Legislative Fiscal Analyst, the*

*Governor's Office of Planning and Budget, and Utah Energy Office continue to develop a viable plan to manage the energy costs for all State entities including higher and public education, and report to the Higher Education Appropriation Subcommittee in the interim.*

127.

*It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the compensation package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee for employee compensation.*

128.

*It is the intent of the Legislature that the second tier tuition be used to cover operating needs on the USHE campuses. It is also the intent of the Legislature that the tuition increases for the second tier not exceed the proposed percentages for each campus for FY 2005 as noted:*

*University of Utah 7%*

University of Utah - School of Medicine

129.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

130.

*In order to assure the Legislature that the University of Utah's School of Medicine is selecting and graduating the most highly qualified and competent doctors for the citizens of Utah, it is the intent of the Legislature that the University of Utah's School of Medicine present a report to the Higher Education Appropriation Subcommittee on their full implementation of admission standards, policies and practices.*

University of Utah - University Hospital

131.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

132.

*It is the intent of the Legislature that the Miners' Hospital pays \$100,000 for the disabled miners' settlement from the Land Grant Trust Fund until 2008. It is further the intent of the Legislature that the Miners' Hospital prepare an annual report documenting the service provided to disabled miners and an accounting of the Land Grant Management Funds. It is further the intent of the Legislature that these funds shall not be used to subsidize the Orem Clinic of the University Hospitals and Clinics.*

University of Utah - Poison Control Center

133.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Utah State University - Education and General

134.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

135.

*It is the intent of the Legislature that all Utah System of Higher Education institutions use facility*

*operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*

136.

*It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that this proposed formula reduce dependence on growth funding, link to measurable System-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission.*

137.

*It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

138.

*It is the intent of the Legislature that the State Board of Regents be directed to closely supervise the fuel and power budgets with the intent of promoting greater energy efficiency on each campus. It is also the intent of the Legislature that the Board of Regents report during the interim to the Subcommittee on Higher Education on the implementation of long term plans to control and manage energy costs. It is further the intent of the Legislature, that the energy work group consisting of members from higher education, the Office of the Legislative Fiscal Analyst, the Governor's Office of Planning and Budget, and Utah Energy Office continue to develop a viable plan to manage the energy costs for all State entities including higher and public education, and report to the Higher Education Appropriation Subcommittee in the interim.*

139.

*It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the compensation package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee for employee compensation.*

140.

*It is the intent of the Legislature that the second tier tuition be used to cover operating needs on the USHE campuses. It is also the intent of the Legislature that the tuition increases for the second tier not exceed the proposed percentages for each campus for FY 2005 as noted:*

*Utah State University 4%*

141.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

142.

*It is the intent of the Legislature that to the extent allowed by law, Utah State University may include in its annual fuel and power budget request the payments to be made under an Energy Savings Agreement entered into under the authority of Section 63-9-67 for a Cogeneration and*

*Central Chilled Water Plant.*

Utah State University - Uintah Basin Continuing Education Center

143.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Utah State University - Southeastern Utah Continuing Education Center

144.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Utah State University - Brigham City Continuing Education Center

145.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Utah State University - Tooele Continuing Education Center

146.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Utah State University - Water Research Laboratory

147.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Utah State University - Agricultural Experiment Station

148.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Utah State University - Cooperative Extension

149.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Weber State University - Education and General

150.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

151.

*It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*

152.

*It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that this proposed formula reduce dependence on growth funding, link to measurable System-wide and institutional specific*

*performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission.*

153.

*It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

154.

*It is the intent of the Legislature that the State Board of Regents be directed to closely supervise the fuel and power budgets with the intent of promoting greater energy efficiency on each campus. It is also the intent of the Legislature that the Board of Regents report during the interim to the Subcommittee on Higher Education on the implementation of long term plans to control and manage energy costs. It is further the intent of the Legislature, that the energy work group consisting of members from higher education, the Office of the Legislative Fiscal Analyst, the Governor's Office of Planning and Budget, and Utah Energy Office continue to develop a viable plan to manage the energy costs for all State entities including higher and public education, and report to the Higher Education Appropriation Subcommittee in the interim.*

155.

*It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the compensation package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee for employee compensation.*

156.

*It is the intent of the Legislature that the second tier tuition be used to cover operating needs on the USHE campuses. It is also the intent of the Legislature that the tuition increases for the second tier not exceed the proposed percentages for each campus for FY 2005 as noted:*

*Weber State University 7%*

157.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

Southern Utah University - Education and General

158.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

159.

*It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*

160.

*It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a*

*representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that this proposed formula reduce dependence on growth funding, link to measurable System-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission.*

161.

*It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

162.

*It is the intent of the Legislature that the State Board of Regents be directed to closely supervise the fuel and power budgets with the intent of promoting greater energy efficiency on each campus. It is also the intent of the Legislature that the Board of Regents report during the interim to the Subcommittee on Higher Education on the implementation of long term plans to control and manage energy costs. It is further the intent of the Legislature, that the energy work group consisting of members from higher education, the Office of the Legislative Fiscal Analyst, the Governor's Office of Planning and Budget, and Utah Energy Office continue to develop a viable plan to manage the energy costs for all State entities including higher and public education, and report to the Higher Education Appropriation Subcommittee in the interim.*

163.

*It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the compensation package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee for employee compensation.*

164.

*It is the intent of the Legislature that the second tier tuition be used to cover operating needs on the USHE campuses. It is also the intent of the Legislature that the tuition increases for the second tier not exceed the proposed percentages for each campus for FY 2005 as noted:*

*Southern Utah University 8%*

165.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

Snow College - Education and General

166.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

167.

*It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*

168.

*It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that this proposed formula reduce dependence on growth funding, link to measurable System-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission.*

169.

*It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

170.

*It is the intent of the Legislature that the State Board of Regents be directed to closely supervise the fuel and power budgets with the intent of promoting greater energy efficiency on each campus. It is also the intent of the Legislature that the Board of Regents report during the interim to the Subcommittee on Higher Education on the implementation of long term plans to control and manage energy costs. It is further the intent of the Legislature, that the energy work group consisting of members from higher education, the Office of the Legislative Fiscal Analyst, the Governor's Office of Planning and Budget, and Utah Energy Office continue to develop a viable plan to manage the energy costs for all State entities including higher and public education, and report to the Higher Education Appropriation Subcommittee in the interim.*

171.

*It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the compensation package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee for employee compensation.*

172.

*It is the intent of the Legislature that the second tier tuition be used to cover operating needs on the USHE campuses. It is also the intent of the Legislature that the tuition increases for the second tier not exceed the proposed percentages for each campus for FY 2005 as noted:*

*Snow College 6%*

173.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

Snow College - Snow College - ATE

174. *It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Dixie State College - Education and General

175.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

176.

*It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*

177.

*It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that this proposed formula reduce dependence on growth funding, link to measurable System-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission.*

178.

*It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

179.

*It is the intent of the Legislature that the State Board of Regents be directed to closely supervise the fuel and power budgets with the intent of promoting greater energy efficiency on each campus. It is also the intent of the Legislature that the Board of Regents report during the interim to the Subcommittee on Higher Education on the implementation of long term plans to control and manage energy costs. It is further the intent of the Legislature, that the energy work group consisting of members from higher education, the Office of the Legislative Fiscal Analyst, the Governor's Office of Planning and Budget, and Utah Energy Office continue to develop a viable plan to manage the energy costs for all State entities including higher and public education, and report to the Higher Education Appropriation Subcommittee in the interim.*

180.

*It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the compensation package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee for employee compensation.*

181.

*It is the intent of the Legislature that the second tier tuition be used to cover operating needs on the USHE campuses. It is also the intent of the Legislature that the tuition increases for the second tier not exceed the proposed percentages for each campus for FY 2005 as noted:*

*Dixie State College 5%*

182.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also*

*reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

College of Eastern Utah - Education and General

183.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

184.

*It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*

185.

*It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that this proposed formula reduce dependence on growth funding, link to measurable System-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission.*

186.

*It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

187.

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188.

*It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the compensation package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee for employee compensation.*

189.

*It is the intent of the Legislature that the second tier tuition be used to cover operating needs on the USHE campuses. It is also the intent of the Legislature that the tuition increases for the second tier not exceed the proposed percentages for each campus for FY 2005 as noted:*

*College of Eastern Utah 5%*

190.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of*

*Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

College of Eastern Utah - San Juan Center

191.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Utah Valley State College - Education and General

192.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

193.

*It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*

194.

*It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that this proposed formula reduce dependence on growth funding, link to measurable System-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission.*

195.

*It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

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198.

*It is the intent of the Legislature that the second tier tuition be used to cover operating needs on the*

*USHE campuses. It is also the intent of the Legislature that the tuition increases for the second tier not exceed the proposed percentages for each campus for FY 2005 as noted:*

*Utah Valley State College 10%*

199.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

Salt Lake Community College - Education and General

200.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

201.

*It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*

202.

*It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that this proposed formula reduce dependence on growth funding, link to measurable System-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission.*

203.

*It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

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*It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the compensation package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee for employee compensation.*

206.

*It is the intent of the Legislature that the second tier tuition be used to cover operating needs on the USHE campuses. It is also the intent of the Legislature that the tuition increases for the second tier not exceed the proposed percentages for each campus for FY 2005 as noted:*

*Salt Lake Community College 5%*

207.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

Salt Lake Community College - Skill Center

208.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

State Board of Regents - Administration

209.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

210.

*It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that this proposed formula reduce dependence on growth funding, link to measurable System-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission.*

211.

*It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

212.

*It is the intent of the Legislature that the State Board of Regents be directed to closely supervise the fuel and power budgets with the intent of promoting greater energy efficiency on each campus. It is also the intent of the Legislature that the Board of Regents report during the interim to the Subcommittee on Higher Education on the implementation of long term plans to control and manage energy costs. It is further the intent of the Legislature, that the energy work group consisting of members from higher education, the Office of the Legislative Fiscal Analyst, the Governor's Office of Planning and Budget, and Utah Energy Office continue to develop a viable plan to manage the energy costs for all State entities including higher and public education, and report to the Higher Education Appropriation Subcommittee in the interim.*

213.

*It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the*

compensation package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee for employee compensation.

214.

*It is the intent of the Legislature that the second tier tuition be used to cover operating needs on the USHE campuses. It is also the intent of the Legislature that the tuition increases for the second tier not exceed the proposed percentages for each campus for FY 2005 as noted:*

*University of Utah 7%;  
Utah State University 4%;  
Weber State University 7%;  
Southern Utah University 8%;  
Snow College 6%;  
Dixie State College 5%;  
College of Eastern Utah 5%;  
Utah Valley State College 10%; and  
Salt Lake Community College 5%.*

215.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

State Board of Regents - Utah Academic Library Consortium

216.

*It is the intent of the Legislature that the State Board of Regents in consultation with the Utah Academic Library Consortium should coordinate the acquisition of library materials for the ten USHE institutions.*

### **Higher Education - Utah Education Network**

Utah Education Network

217.

*The Legislature intends that the Utah Education Network pursue the following performance goals in Fiscal Year 2005:*

*Internet Bandwidth Utilization: 65% of Capacity;  
Network Health: 99% Reliability;  
Technology Delivered Instruction: 3,100 FTE Student; and  
Web Resources: 6,000,000 Visitors to Top 25 Sites.*

### **Natural Resources**

Natural Resources - Administration

218. *It is the intent of the Legislature that ongoing funding for the Bear Lake Regional Commission be expended only as a one-to-one match with funds from the State of Idaho. The \$40,000 one-time General Fund appropriation in FY 2005 does not require a match from the State of Idaho.*

Natural Resources - Species Protection

219. *It is the intent of the Legislature that the Department of Natural Resources report to the Natural Resources, Agriculture, and Environment Interim Committee on or before their November, 2004 meeting, providing detailed information on how funds are expended for the Colorado River, June Sucker, and Virgin River plans, including detailed information on contracts issued, deliverables required, and deliverables accomplished.*

Natural Resources - Forestry, Fire and State Lands

220. *It is the intent of the Legislature to allow the Department of Natural Resources (DNR) to expand its motor pool fleet by three vehicles in FY 2005. These three vehicles are specialized equipment used by the Division of Forestry, Fire and State Lands in firefighting activities. In order for the Division of Forestry, Fire and State Lands to purchase these vehicles, it must provide up to \$204,000 of contributed capital to the DNR Motor Pool Internal Service Fund.*

Natural Resources - Oil, Gas and Mining

221. *It is the intent of the Legislature that the appropriation to the Minerals Reclamation Program be nonlapsing.*

Natural Resources - Wildlife Resources

222. *It is the intent of the Legislature that individual income tax contributions to the Wolf Depredation and Management Restricted Account shall be nonlapsing and spent by the Division of Wildlife Resources as follows: 1) The division shall fully and expeditiously compensate livestock owners, up to the amount of funds available, for all wolf depredation damage realized during the fiscal year. Up to \$20,000 shall carry forward to the next fiscal year if not spent during the current fiscal year for this purpose. 2) Donations in excess of \$20,000 and not otherwise expended or carried forward as required above, shall be available for wolf management expenditures.*
223. *It is the intent of the Legislature that appropriations from the General Fund Restricted - Wildlife Habitat Account be nonlapsing.*
224. *It is the intent of the Legislature that the Habitat Council and the Blue Ribbon Fisheries Advisory Council advise the division director and recommend expenditure of resources toward a three-year pilot walk-in access program.*
225. *The Legislature intends that up to \$500,000 of this budget may be used for big game depredation expenditures. The Legislature also intends that half of these funds shall be from the General Fund Restricted - Wildlife Resources Account and half from the General Fund. This funding shall be nonlapsing.*
226. *It is the intent of the Legislature that the Division of Wildlife Resources use revenues generated by sportsmen exclusively for costs associated with the management, enhancement, and administration of game species and their habitats.*
227. *It is the intent of the Legislature that the division spend a minimum of \$265,000 to improve deer herds according to management plan objectives.*
228. *The prolonged drought in Utah has negatively impacted populations of mule deer, with many units being well below management plan objectives. On these units, it is the intent of the Legislature that the Division of Wildlife Resources consider refraining from issuing doe mitigation permits in rangeland depredation situations, and consider, to the extent possible, using other means to compensate landowners for damage to cultivated crops caused by migrating deer.*
229. *It is the intent of the Legislature that up to \$500,000 be spent on the Blue Ribbon Fisheries Program. These funds shall be nonlapsing.*
230. *It is the intent of the Legislature that up to \$250,000 be spent on the Community Fisheries*

*Program. These funds shall be nonlapsing.*

231. *It is the intent of the Legislature that the Division of Wildlife Resources enter into a contract with the Department of Agriculture and Food for the purpose of providing predator control. The contract shall consist of \$500,000 annually in General Funds, with \$150,000 being used to match funds from local governments and \$350,000 being used to supplement the amount required by UCA 4-23-9(2). Under direction from the Division of Wildlife Resources, the Department of Agriculture and Food shall direct these funds to areas of the state not meeting deer herd management objectives consistent with the Utah Wildlife Board predator policy.*

Natural Resources - Contributed Research

232. *It is the intent of the Legislature that the appropriation to the Contributed Research program be nonlapsing.*

Natural Resources - Cooperative Env Studies

233. *It is the intent of the Legislature that the appropriation to the Cooperative Environmental Studies program be nonlapsing.*

Natural Resources - Wildlife Resources Capital

234. *It is the intent of the Legislature that the Division of Wildlife Resources - Capital Budget be nonlapsing.*
235. *It is the intent of the Legislature that any funds expended from the GFR - Wildlife Resources Trust Account for constructing a building in Price be paid back to the account over a period not to exceed twenty years and at an interest rate not less than three percent.*

Natural Resources - Parks & Recreation

236. *It is the intent of the Legislature that the Division of Parks and Recreation provide a management fee to the This is the Place Foundation not to exceed \$700,000.*

Natural Resources - Parks & Recreation Capital

237. *It is the intent of the Legislature that no portion of a golf course or other improvements constructed at Soldier Hollow infringe upon space designated for winter or summer biathlon or cross-country events including the safety zones necessary for the safe operation of the biathlon rifle range.*
238. *It is the intent of the Legislature that the Division of Parks and Recreation - Capital Budget be nonlapsing.*

Natural Resources - Utah Geological Survey

239. *It is the intent of the Legislature that the Utah Geological Survey's Mineral Lease funds be nonlapsing.*

Natural Resources - Water Resources

240. *It is the intent of the Legislature that the appropriation to the Cooperative Water Conservation Program be nonlapsing.*

ISF - Natural Resources - ISF - DNR Internal Service Funds

241. *It is the intent of the Legislature that, if funding is available, the Utah Geological Survey may pay up to \$200,000 in contributed capital to the Natural Resources Warehouse Internal Service Fund in order to pay down their existing debt on the Core Sample Library.*

Agriculture - Administration

- 242. *It is the intent of the Legislature that, if any supplemental funds appropriated to the Department of Agriculture and Food for grasshopper/cricket control are not needed, they instead be allocated to mosquito control.*
- 243. *It is the intent of the Legislature that the appropriation to the Agricultural Inspection Program be nonlapsing.*
- 244. *It is the intent of the Legislature that funds collected in the Organic Certification Program be nonlapsing.*
- 245. *It is the intent of the Legislature that the appropriation to the Grain Inspection Program be nonlapsing.*
- 246. *It is the intent of the Legislature that the appropriation for conservation easements, whether granted to charitable organizations specified under UCA 57-18-3 or held by the Department of Agriculture and Food, be used to conserve agricultural lands and be nonlapsing.*
- 247. *It is the intent of the Legislature that the Brand Bureau seek information on the creation of reciprocal fee agreements with neighboring states. This is an effort to eliminate the double inspection charge sometimes incurred in crossing the state border.*

Agriculture - Utah State Fair Corporation

- 248. *It is the intent of the Legislature that the appropriation to the Utah State Fair Corporation be nonlapsing.*

Agriculture - Predatory Animal Control

- 249. *It is the intent of the Legislature that the appropriation to the Predatory Animal Control program be nonlapsing.*
- 250. *It is the intent of the Legislature that the Division of Wildlife Resources enter into a contract with the Department of Agriculture and Food for the purpose of providing predator control. The contract shall consist of \$500,000 annually in General Funds, with \$150,000 being used to match funds from local governments and \$350,000 being used to supplement the amount required by UCA 4-23-9(2). Under direction from the Division of Wildlife Resources, the Department of Agriculture and Food shall direct these funds to areas of the state not meeting deer herd management objectives consistent with the Utah Wildlife Board predator policy.*

Agriculture - Resource Conservation

- 251. *It is the intent of the Legislature that the Soil Conservation Districts submit annual reports documenting supervisory expenses to the Legislative Fiscal Analyst, the Office of Planning and Budget, and the Soil Conservation Commission. It is also the intent of the Legislature that these documents be reviewed and reported to the Governor and the 2003 Legislature.*
- 252. *It is the intent of the Legislature that funding approved for Soil Conservation District elections be nonlapsing and be spent only during even-numbered years when elections take place.*
- 253. *It is the intent of the Legislature that the appropriation to the Resource Conservation program be nonlapsing.*

## **Public Education**

### State Board of Education - State Office of Education

254. *It is the intent of the Legislature that the State Board of Education submit a Teacher Licensing Fee Plan, consistent with UCA 63-38-3.2, in its FY 2006 budget request to the Governor and the Legislature that provides enough fee revenue to fund operations of the Educator Licensing Section at the State Office of Education without the use of Uniform School Funds.*
255. *It is the intent of the Legislature that substantial effort be made by the State Superintendent and the State School Board to combine the services of USDB and the Jean Massieu Charter School for the deaf. This may include instruction in American Sign Language as well as bi-lingual and bi-cultural education which will receive administrative support. Representatives from Jean Massieu shall be integrated in a meaningful way into the USDB governing body.*

*The State Superintendent shall report to the Education Interim Committee in September 2004 regarding the progress of this intent. If necessary the Education Interim Committee may make recommendations regarding continued funding of Jean Massieu until integration is complete.*

256. *It is the intent of the Legislature that the USOE continue with the state instructional materials correlation process and recommends the USOE to contract a review body that has satisfied the Interim Education Committee's RFP process, to conduct reviews of instructional materials to provide a complete correlation to the State core curriculum prior to the time the USOE, districts, schools, and teachers purchase instructional materials.*

*The third party review body shall report the results of the correlation through an online system to make its correlation findings available for review and application by all teachers in the state.*

*The cost of the review process shall be born by the publishers of instructional materials.*

### State Board of Education - School for the Deaf and Blind

257. *It is the intent of the Legislature that the State Board of Education, in conjunction with the finance director and USDB Superintendent, directly oversee the calculation of the teacher salary adjustments detailed in UCA 53A-25-111. Further, this calculation should be presented to the State Board of Education for formal approval in time to be included in the FY 2006 budget request for the agency. A report shall be submitted for review to the Governor's Office of Planning and Budget and the Office of the Legislative Fiscal Analyst detailing how the annual salary adjustment was derived.*
258. *It is the intent of the Legislature that beginning July 1, 2004 that the fiscal management of the Utah Schools for the Deaf and Blind be placed in the Utah State Office of Education. It is further the intent of the Legislature that the State Board of Education provide oversight of USDB operations and finances.*
259. *It is the intent of the Legislature that the Utah Schools for the Deaf and Blind, in conjunction with the State Board of Education, report to the interim Public Education Appropriations Subcommittee detailing the implementation of the Legislative audit recommendations. This report shall be delivered before November 31, 2004.*
260. *It is the intent of the Legislature that substantial effort be made by the State Superintendent and the State School Board to combine the services of USDB and the Jean Massieu Charter School for the deaf. This may include instruction in American Sign Language as well as bi-lingual and bi-cultural education which will receive administrative support. Representatives from Jean Massieu shall be integrated in a meaningful way into the USDB governing body.*

*The State Superintendent shall report to the Education Interim Committee in September 2004*

*regarding the progress of this intent. If necessary the Education Interim Committee may make recommendations regarding continued funding of Jean Massieu until integration is complete.*

State Board of Education - USDB - Institutional Council

261. *It is the intent of the Legislature that the State Board of Education, in consultation with the USDB Institutional Council, define the appropriate use of the USDB Trust Land Funds. The definition should include any restrictions on the use of Trust Land Funds as well as a specific plan outlining the use of the closing non-lapsing balances held by the line item, and report back to the Public Education Appropriations Subcommittee before the 2005 General Session.*

State Board of Education - Fine Arts and Sciences

262. *It is the intent of the Legislature that the entities receiving funds under this line item and the RFP receive at least the same allocation as the previous years allocation from this fund providing that: 1) They continue to provide the same level of service or greater; and 2) They meet all of the necessary requirements applicable to other groups participating in the programs.*
263. *The State Board of Education shall make rules governing the eligibility, funding distribution, and reporting requirements of the Fine Arts and Sciences programs.*

ISF - Public Education - ISF - USOE Internal Service Fund

264. *Rates for the USOE Internal Service Fund are as follows:  
Printing: \$17.00 per hour labor; \$0.04 per copy; cost plus 35 percent on printing supplies  
Mail Room: cost plus 25 percent on postage*

ISF - Public Education - ISF - USOE Indirect Cost Pool

265. *Rates for the USOE Indirect Cost Pool are as follows: 13 percent of personal services costs supported by restricted funds and 19 percent of personal services costs supported by unrestricted funds.*

**Transportation & Environmental Quality**

National Guard - Utah National Guard

266. *It is the intent of the Legislature that funds appropriated to the Veterans' Cemetery be nonlapsing.*
267. *It is the intent of the Legislature that funds appropriated to the Veterans' Nursing Home be nonlapsing.*
268. *It is the intent of the Legislature that no funds be transferred from the Utah National Guard budgets to the Division of Facilities Construction and Management in either FY 2004, FY 2005 or thereafter.*
269. *It is the intent of the Legislature that funds appropriated to the Veterans' Affairs Program be nonlapsing.*

Environmental Quality

270. *It is the intent of the Legislature that any unexpended funds in the Air Operating Permit Program are non-lapsing and authorized for use in the Air Operating Permit Program in FY 2005 to reduce emission fees.*
271. *It is the intent of the Legislature that any unexpended Groundwater Permit Administration fees are nonlapsing and authorized for use in the Groundwater Permit Administration Program in the following fiscal year to reduce the fees charged.*

#### Transportation - Engineering Services

272. *It is the intent of the Legislature that the Department of Transportation continue to review its policies, practices, and procedures in an effort to increase efficiencies and effectiveness.*

*It is the intent of the Legislature that the Department make a report to the Appropriations Subcommittee for Transportation, Environmental Quality, and National Guard prior to the General 2005 Legislative Session, indicating the efficiencies and cost reductions that have been achieved and those that are anticipated as a result of implementing these improvement actions.*

*It is the intent of the Legislature that the Department of Transportation, in conjunction with these improvement initiatives, be given authorization to adjust the assignment of FTE positions between line items as may be necessary in order to achieve the objectives of this plan. Such reassignments of FTE positions will be included in the report to the Appropriations Subcommittee for Transportation, Environmental Quality, and National Guard and Transportation Interim Committee and any transfer of funding will be facilitated through a supplemental appropriations request in the 2005 Session.*

#### Transportation - Maintenance Management

273. *It is the intent of the Legislature that there is appropriated to the Department of Transportation from the Transportation Fund, not otherwise appropriated, a sum sufficient, but not more than the surplus of the Transportation Fund, to be used by the Department for the construction, rehabilitation, and preservation of State highways in Utah.*

*It is the intent of the Legislature that the appropriation fund first, a maximum participation with the federal government for the construction of federally designated highways, as provided by law, and last, the construction of State highways, as funding permits.*

*It is also the intent of the Legislature that the FTEs for field crews may be adjusted to accommodate the increase or decrease in the Federal Construction Program. No portion of the money appropriated by this item shall be used either directly or indirectly to enhance or increase the appropriations otherwise made by this act to the Department of Transportation for other purposes.*

274. *It is the intent of the Legislature that if savings in the snow removal budget can be indentified at the Department of Transportation for FY 2005 the Department can redirect those funds from expenditures for environmental issues not to exceed \$200,000 and land purchases for new maintenance stations not to exceed \$500,000. The Legislature also intends that the Department of Transportation will report to the Subcommittee for Transportation, Environmental Quality, and National Guard during the 2005 General Session where those funds were expended.*

*It is the intent of the Legislature that these funds be considered nonlapsing.*

275. *It is the intent of the Legislature that any and all collections or cash income from the sale or salvage of land and buildings are to be lapsed to the Transportation Fund.*

#### Transportation - Construction Management

276. *It is the intent of the Legislature that there is appropriated to the Department of Transportation from the Transportation Fund, not otherwise appropriated, a sum sufficient, but not more than the surplus of the Transportation Fund, to be used by the Department for the construction, rehabilitation, and preservation of State highways in Utah.*

*It is the intent of the Legislature that the appropriation fund first, a maximum participation with the federal government for the construction of federally designated highways, as provided by law; next the rehabilitation and preservation of State highways, as provided by law, and last, the construction of State highways, as funding permits.*

*It is also the intent of the Legislature that the FTEs for field crews may be adjusted to accommodate the increase or decrease in the Federal Construction Program. No portion of the money appropriated by this item shall be used either directly or indirectly to enhance or increase the appropriations otherwise made by this act to the Department of Transportation for other purposes.*

#### Transportation - Safe Sidewalk Construction

277. *It is the intent of the Legislature that the funds appropriated from the Transportation Fund for pedestrian safety projects be used specifically to correct pedestrian hazards on State highways.*

*It is also the intent of the Legislature that local authorities be encouraged to participate in the construction of pedestrian safety devices. The appropriated funds are to be used according to the criteria set forth in Section 72-8-104, Utah Code Annotated, 1953. The funds appropriated for sidewalk construction shall not lapse.*

*If local governments cannot use their allocation of Sidewalk Safety Funds in two years, these funds will then be available for other governmental entities which are prepared to use the resources.*

*It is the intent of the Legislature that local participation in the Sidewalk Construction Program be on a 75% state and 25% local match basis.*

#### Transportation - Mineral Lease

278. *It is the intent of the Legislature that the funds appropriated from the Federal Mineral Lease Account shall be used for improvement or reconstruction of highways that have been heavily impacted by energy development. It is also the intent of the Legislature that private industries engaged in developing the State's natural resources be encouraged to participate in the construction of highways leading to their facilities.*

*The funds appropriated for improvement or reconstruction of energy impacted highways are nonlapsing.*