

Consolidated Intent Language - Appropriations Act

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 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 R.S. 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 or during the 2006 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. *The Legislature intends that funds provided for the Attorney General shall not lapse.*
12. *It is the intent of the Legislature that up to \$123,100 of the appropriation provided from the General Fund Restricted-Constitutional Defense account be used to pay the Attorney General's Office to address the interests of state and local governments on public lands issues when the Attorney General determines that a statewide public purpose exists.*

Attorney General - Contract Attorneys

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

Attorney General - Children's Justice Centers

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

Attorney General - Prosecution Council

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

Attorney General - Domestic Violence

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

Corrections - Corrections Programs & Operations

17. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

Corrections - Department Medical Services

18. *It is the intent of the Legislature that the funds for Medical Services shall not lapse.*

Corrections - Utah Correctional Industries

19. *It is the intent of the Legislature that the funds for Utah Correctional Industries shall not lapse.*

Corrections - Jail Contracting

20. *It is the intent of the Legislature that the funds for Jail Contracting shall not lapse.*

Corrections - Jail Reimbursement

21. *It is the intent of the Legislature that the funds for Jail Reimbursement shall not lapse.*

ISF - Corrections - ISF - Corrections Internal Service Fund

22. *It is the intent of the Legislature that the funds for Corrections Internal Service Fund shall not lapse.*

23. *Total FTE - 9.0*

24. *Authorized Capital Outlay - \$720,000*

25. *Data Processing Service Fee - \$125.00 per device per month*

Board of Pardons and Parole

26. *It is the intent of the Legislature that the funds for the Board of Pardons and Parole shall not lapse.*

Juvenile Justice Services - Programs and Operations

27. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

Juvenile Justice Services - Youth Parole Authority

28. *It is the intent of the Legislature that the funds for Youth Parole Authority shall not lapse.*

Courts - Administration

29. *It is the intent of the Legislature that the funds for the Courts Administration shall not lapse.*

30. *It is the intent of the Legislature that the Administrative Office of the Courts: 1) reimburse up to \$100,000 to any private nonprofit organization that, in reliance on representation that certain legal expenses for domestic violence would be reimburse, has incurred expenses for: (a) legal advice for low income family members and low income victims of domestic violence about family law matters; and (b) legal representation in family law matters in Utah district or juvenile courts to low income family members and low income victims of domestic violence. 2) before reimbursing the monies to the private organization, obtain a written, signed, and dated certification from the organization that the monies were used or will be used exclusively to provide the services of 1(a) and 1(b).*

Courts - Grand Jury

31. *It is the intent of the Legislature that the funds for Grand Jury shall not lapse.*

Courts - Contracts and Leases

32. *It is the intent of the Legislature that the funds for Contracts and Leases shall not lapse.*

Courts - Jury and Witness Fees

33. *It is the intent of the Legislature that the funds for Jury, Witness and Interpreter shall not lapse.*

Courts - Guardian ad Litem

34. *It is the intent of the Legislature that the funds for Guardian ad Litem shall not lapse.*

Public Safety - Public Safety Programs & Operations

35. *The Legislature intends that funds provided for Public Safety Programs and Operations shall not lapse.*

36. *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.*

37. *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 2006 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 2006 only. The following line items of appropriation for continued consolidation into one line item for Fiscal Year 2006 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

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

Public Safety - Peace Officers' Standards and Training

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

Public Safety - Liquor Law Enforcement

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

Public Safety - Driver License

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

Public Safety - Highway Safety

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

Revenue - EOCJ - GFR - DNA Specimen Account (FY 2003)

43. *It is the intent of the Legislature that the funds for the DNA Specimen Account shall not lapse.*

Capital Facilities & Administrative Services

Capitol Preservation Board

44. *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 - Executive Director

45. *It is the intent of the Legislature that funds for the Executive Director's Office be nonlapsing.*

Administrative Services - Automated Geographic Reference Center

46. *The Legislature intends that funds provided for the Automated Geographic Reference Center in FY 2005 shall not lapse.*

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 an 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 funds for the Division of Finance shall not lapse and that those funds shall be used for maintenance, operation, and development of statewide accounting systems.*

Administrative Services - Finance - Mandated

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

Administrative Services - Post Conviction Indigent Defense

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

Administrative Services - Judicial Conduct Commission

52. *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.*

Administrative Services - Purchasing

53. *It is the intent of the Legislature that funds for Purchasing shall not lapse and that those funds shall be used for electronic commerce.*

ISF - Administrative Services - ISF - Fleet Operations

54. *It is the intent of the Legislature that the value of the Federal Surplus Property building be transferred to the State Surplus Property program, and that State Surplus Property excess retained earnings be used to offset the deficit in Federal Surplus Property retained earnings.*

ISF - Administrative Services - ISF - Facilities Management

55. *It is the intent of the Legislature that DFCM's internal service fund may add up to three FTEs and up to two vehicles beyond the authorized level if new facilities come on line or maintenance agreements are requested. Any added FTEs or vehicles will be reviewed and may be approved by the Legislature in the next legislative session.*

Capital Budget - DFCM Capital Program

56. *It is the intent of the Legislature that \$1.0 million in Capital Improvement Funds previously allocated to Oxbow remodeling be deposited instead in the Division of Facilities Construction and Management's statewide emergency capital improvement fund.*

Commerce & Revenue

Tax Commission - Tax Administration

57. *The Legislature intends that this appropriation not lapse and that the Utah State Tax Commission carry forward unexpended year-end balances for costs directly related to modernization of tax and motor vehicle systems and implementing the Streamlined Sales Tax legislation.*

Workforce Services

58. *The legislature does not intend to lapse these funds.*
59. *The legislature intends that \$2,160,000 in funds from the March 13, 2002 Reed Act distribution of Unemployment Compensation Trust be used for employment service administration, consistent with Section 903(d) of the Federal Social Security Act.*
60. *The legislature does not intend to lapse \$3,000,000 appropriated in Fiscal Year 2005 from the General Fund Restricted - Special Administrative Expense fund for the Electronic resource Eligibility Project (eREP).*

Alcoholic Beverage Control

61. *The Legislature intends that Alcoholic Beverage Control may provide capital from existing funds to the Division of Fleet Operations to purchase a new vehicle.*

Labor Commission

62. *The legislature intends that fees collected from sponsoring and holding seminars shall be nonlapsing.*

Commerce - Commerce General Regulation

63. *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.*
64. *The legislature does not intend to lapse the appropriation to Public Utilities Professional & Technical Services.*
65. *The Legislature does not intend to lapse the appropriation to the Committee of Consumer Services Professional and Technical Services.*

Public Service Commission

66. *The Legislature does not intend to lapse the appropriation made by the passage of S. B. 1, Appropriations Act, 2004 General Session , Item 89.*
67. *The legislature does not intend to lapse these funds.*

Economic Development & Human Resources

Career Services Review Board - Career Service Review Board

68. *It is the intent of the Legislature that funding for the Career Service Review Board be non-lapsing.*

Human Resource Management

69. *It is the intent of the Legislature that funding for the Department of Human Resource Management be non-lapsing.*

Community & Economic Development - Administration

70. *It is the intent of the Legislature that funding for DCED Administration be non-lapsing.*

Community & Economic Development - Business and Travel Development

71. *It is the intent of the Legislature that funding for the Business and Travel Development be non-lapsing.*

Community & Economic Development - State History

72. *It is the intent of the Legislature that funding for State History be non-lapsing.*

Community & Economic Development - Fine Arts

73. *It is the intent of the Legislature that funding for the Fine Arts be non-lapsing.*

Community & Economic Development - State Library

74. *It is the intent of the Legislature that funding for the State Library be non-lapsing.*

Community & Economic Development - Indian Affairs

75. *It is the intent of the Legislature that funding for the Indian Affairs be non-lapsing.*

Community & Economic Development - Housing and Community Development

76. *It is the intent of the Legislature that funding for the Community Development be non-lapsing.*

Health & Human Services - Department of Health

Health - Health Systems Improvement

77. *It is the intent of the Legislature that civil money penalties collected for child care provider violations be considered nonlapsing.*
78. *It is the intent of the Legislature that the fees collected for the purpose of plan reviews by the Bureau of Health Facility Licensure, Certification and Resident Assessment be considered nonlapsing.*
79. *It is the intent of the Legislature that civil money penalties collected for health care provider violations be considered nonlapsing.*
80. *It is the intent of the Legislature that funds for the Primary Care Grants Program be considered nonlapsing*
81. *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

82. *It is the intent of the Legislature that funding for alcohol, tobacco, and other drug prevention, reduction, cessation, and control programs be considered nonlapsing.*
83. *It is the intent of the Legislature that \$75,000 of immunization funding be considered non lapsing and be used to purchase flu vaccine.*

Health & Human Services - Department of Human Services

Human Services - Executive Director Operations

84. *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

85. *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.*
86. *It is the intent of the Legislature that the Division of Services for People with Disabilities (DSPD) use non-lapsing funds carried over from FY 2005 to provide services for: 1) individuals needing emergency services, 2) individuals needing additional waiver services, 3) individuals aging out of state custody from the divisions of Child and Family Services and Juvenile Justice Services, and 4) individuals court ordered into DSPD services. DSPD will report to the Office of Legislative Fiscal Analyst on the use of these funds.*

Human Services - Office of Recovery Services

87. *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

88. *It is the intent of the Legislature that funds appropriated for the Adoption Assistance program and the Out of Home Care program in the Division of Child and Family Services not lapse at the end of FY 2006. It is further the intent of the Legislature that these funds be used for Adoption Assistance and Out of Home Care programs.*
89. *It is the intent of the Legislature that up to \$350,000 of funds appropriated to the Division of Child and Family Services for adoption assistance may be used to hire up to six positions to provide adoptive parents with information, services, and counseling in an effort to prevent adoptive placements from failing, and to ensure efficient and appropriate services and accountability of funds.*

Natural Resources

Natural Resources - Administration

90. *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.*
91. *It is the intent of the Legislature that the Department of Natural Resources report to the Natural Resources Appropriations Subcommittee before or on their November 2009 meeting, presenting the results of a cost-savings post audit on whether the savings of the position of a safety coordinator warrant continuation.*

Natural Resources - Species Protection

92. *It is the intent of the Legislature that the Department of Natural Resources report to the Natural Resources, Agriculture, and Environment Interim Committee and the Natural Resources Appropriations Subcommittee on or before their November, 2005 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

93. *It is the intent of the Legislature to allow the Department of Natural Resources (DNR) to expand its motor pool fleet by 3 vehicles in FY 2006. Three vehicles are specialized equipment used by the Division of Forestry, Fire and State Lands in firefighting activities and will be purchased in the DNR ISF. The Division of Forestry, Fire and State Lands must provide up to \$263,000 of contributed capital to the DNR Motor Pool Internal Service Fund.*
94. *It is the intent of the Legislature that the \$447,000 funding increase from General Fund Restricted - Sovereign Land Management account for the Special Master be non lapsing.*
95. *It is the intent of the Legislature that the \$50,000 funding increase from General Fund Restricted - Sovereign Land Management account for remedial action for Rozel Point Oil wells be nonlapsing.*

Natural Resources - Oil, Gas and Mining

96. *It is the intent of the Legislature that the appropriation to the Minerals Regulatory Program be nonlapsing.*

Natural Resources - Wildlife Resources

97. *It is the intent of the Legislature that appropriations from the General Fund Restricted – Wildlife Habitat Account be nonlapsing.*
98. *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.*
99. *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.*
100. *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.*
101. *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.*

Natural Resources - Contributed Research

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

Natural Resources - Cooperative Env Studies

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

Natural Resources - Wildlife Resources Capital

104. *It is the intent of the Legislature that the Division of Wildlife Resources – Capital Budget be nonlapsing.*

Natural Resources - Parks & Recreation

105. *It is the intent of the Legislature that any appropriation of a management fee to the This is the Place Foundation not to exceed \$700,000.*

Natural Resources - Parks & Recreation Capital

106. *It is the intent of the Legislature that the Division of Parks and Recreation – Capital Budget be nonlapsing.*

Natural Resources - Utah Geological Survey

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

Natural Resources - Water Resources

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

Agriculture - Administration

109. *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 & Food, be used to conserve agricultural lands and be nonlapsing.*

110. *It is the intent of the Legislature that the appropriation to the Agricultural Inspection Program be nonlapsing.*

111. *It is the intent of the Legislature that funds collected in the Organic Certification Program be nonlapsing.*

112. *It is the intent of the Legislature that the appropriation to the Grain Inspection Program be nonlapsing.*

113. *It is the intent of the Legislature that the appropriation to the Auction Market be nonlapsing.*

114. *It is the intent of the Legislature that collections for the "Ag Tag" license plate be nonlapsing.*

Agriculture - Utah State Fair Corporation

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

Agriculture - Predatory Animal Control

116. *It is the intent of the Legislature that the appropriation to the Predatory Animal Control Program be nonlapsing.*

Agriculture - Resource Conservation

117. *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.*

118. *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 Legislature.*

119. *It is the intent of the Legislature that the appropriation to the Resource Conservation program be nonlapsing.*

120. *It is the intent of the Legislature that the \$100,000 funding increase for the Utah Association of*

Conservation Districts may only be used for conservation planners, travel reimbursements, or technical assistance grants.

Transportation & Environmental Quality

National Guard - Utah National Guard

121. *It is the intent of the Legislature that funds appropriated to the Veterans' Affairs Program be nonlapsing.*
122. *It is the intent of the Legislature that funds appropriated to the Veterans' Cemetery be nonlapsing.*
123. *It is the intent of the Legislature that funds appropriated to the Veterans' Nursing Home be nonlapsing.*

Environmental Quality

124. *It is the intent of the Legislature that any unexpended funds in the Air Operating Permits Program are nonlapsing and authorized for use in the Air Operating Permits Program to reduce fees in the second fiscal year following that in which the unexpended funds occurred.*
125. *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.*
126. *It is the intent of the Legislature that the funds appropriated for the purpose of addressing high level nuclear waste be non lapsing.*

Transportation - Maintenance Management

127. *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.*
128. *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.

Transportation - Construction Management

129. *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.

Transportation - Safe Sidewalk Construction

130. *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

131. *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.