



GOVERNOR'S OFFICE FOLLOW-UP ON PREVIOUS INTENT LANGUAGE

EXECUTIVE OFFICES AND CRIMINAL JUSTICE APPROPRIATIONS SUBCOMMITTEE
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ISSUE BRIEF

SUMMARY

This report summarizes the Governor's intent language passed by the Legislature during its 2012 General Session and provides an agency response regarding the status of each piece of passed intent language. No action is required by the Legislature regarding this issue brief. It is provided as information only, but may inform Legislative action taken on intent language during the 2013 General Session. Intent language is broken down by line item.

GOVERNOR'S OFFICE

Senate Bill 3, Item 1 (for FY 2013):

Under section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Governor's Office in Item 1 of Chapter 2 Laws of Utah 2011 not lapse at the close of Fiscal Year 2012.

Agency Response:

In FY 2012, funds were expended on the inauguration event, temporary personnel, federal review, travel costs for Washington office, and elections.

The Governor's Office line item began FY 2013 with \$1,335,000 in nonlapsing balances.

PUBLIC LANDS LITIGATION

Senate Bill 3, Item 2 (for FY 2013):

Under section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Governor's Office –Public Lands Litigation in Item 2 of Chapter 2, Laws of Utah 2011, not lapse at the close of Fiscal Year 2012.

Agency Response:

In FY 2012, funds were used on depositions, photos, travel costs to location, and counties for their public lands efforts.

The Public Lands Litigation Line Item began FY 2013 with \$1,045,000 in nonlapsing balances.

CHARACTER EDUCATION

Senate Bill 3, Item 3 (for FY 2013):

Under section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Governor's-Character Education in Item 2 of Chapter 379, Laws of Utah 2011, not lapse at the close of Fiscal Year 2012.

Agency Response:

In FY 2012, funds were expended on grants to Freedom Foundation and public schools for civic education programs.

The Character Education Line Item began FY 2013 with a \$164,000 balance in nonlapsing balances

GOVERNOR'S EMERGENCY FUND

Senate Bill 3, Item 4 (for FY 2013):

Under section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Governor's Office –Emergency Fund in item 3 of Chapter2, Laws of Utah 2011, not lapse at the close of Fiscal Year 2012.

Agency Response:

In FY 2012, funds were expended on wind storms and fires.

The Governor's Emergency Fund Line Item began FY 2013 with a \$75,100.

GOVERNOR'S OFFICE OF PLANNING AND BUDGET

Senate Bill 3, Item 5 (for FY 2013):

Under section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Governor's Office of Planning and Budget in Item 4 of Chapter2, Laws of Utah 2011, not lapse at the close of Fiscal Year 2012.

Agency Response:

In FY 2012, funds were expended on remodeling and new items as part of GOMB (contractors to facilitate GOMB operations in the state departments).

The GOPB line item began FY 2013 with \$2,288,800.

GOPB – INSPECTOR GENERAL OF MEDICAID SERVICES

Senate Bill 3, Item 6 (for FY 2013):

Under section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Governor's Office of Planning and Budget-Office of Inspector General for Medicaid Services in Item 3 of Section 25 of Chapter151, Laws of Utah 2011, not lapse at the close of Fiscal Year 2012.

Agency Response:

The Office of the Inspector General reported a non-lapsing balance of \$865,349 for the beginning of FY 2013. The balance contains two parts as follows:

\$131,956 was allocated for salary and benefit expenses. During the first year of existence, it was necessary to recruit and hire several positions. The following positions were recruited: Administrative Assistant, Data Research Analyst, Pharmacy Technician, Auditors (5) and Administrative Law Judges (2 PT). The delay in recruiting and hiring for the positions created the non-lapsing balance. The positions have been filled and the balances have been allocated for salaries, equipment and software to further the mission of the office.

\$733,392 is recoveries of Third Party Liabilities (TPL) that was being held in a pass-thru account while the information was compiled to allow for appropriate posting to the recipients accounts. The information was identified and the money is being passed on to the Department of Health or ORS as appropriate.

LERAY MCALLISTER CRITICAL LAND CONSERVATION PROGRAM**Senate Bill 3, Item 7 (for FY 2013):**

Under section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Governor's Office –Quality Growth Commission –LeRay McAllister Program Item 5 of Chapter 2, Laws of Utah 2011, not lapse at the close of Fiscal Year 2012..

Agency Response:

The LeRay McAllister Critical Land Conservation Program Line Item began FY 2013 with a \$1,272,600 in nonlapsing balances. The program has anticipated anywhere from \$600,000 to zero dollars will carry over into FY 2014 depending upon the number of land grants made by the end of FY 2013.

COMMISSION ON CRIMINAL AND JUVENILE JUSTICE**Senate Bill 3, Item 8 (for FY 2013):**

Under section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Commission on Criminal and Juvenile Justice in Item 6 of Chapter 2 Laws of Utah 2011, not lapse at the close of Fiscal Year 2012.

Agency Response:

The Commission on Criminal and Juvenile Justice intends to fund the following in FY 2013 from Non-lapsing funds: State Task Force Grant Awards \$47,800; Child Abuse Reporting Campaign \$5,000; Drug Offender Reform Act (DORA) Program Evaluation costs \$17,600; Computer program to aid in verification of Jail Reimbursement Data \$46,000; Upgrades to the GMS System to allow on line applications by subgrantees \$35,000; Automate the collection and calculation of the Alcohol Funds Reports \$35,000; Enhancements to website to include all handouts and audio from meetings of CCJJ, Sentencing, Utah Substance Abuse and Advisory Council and Juvenile Justice Board \$14,700.

The Office of Victims of Crime intends to fund the following in FY 2013 from Non-lapsing funds:

- OVC Subrogation/Restitution Database \$205,800;
- Computer equipment replacement and operating system upgrade \$30,000.

The Sentencing Commission intends to fund the following in FY 2013 from Non-lapsing funds:

- Computer equipment replacement and shared costs in website development \$5,100.

The following grant programs intend to fund the following in FY 2013 from Non-Lapsing Funds:

- Gang Reduction Grant Program \$158,100
- Crime Reduction Assistance Program \$50,100
- Sexual Exploitation of Children Prevention Program \$267,200

The Judicial Performance Evaluation Commission intends to fund the following in FY 2013 from Non-lapsing funds:

- Court room evaluation costs for court room observers and outside consultants \$15,300.

All General Funds appropriated to the Commission on Criminal and Juvenile Justice line item are contingent upon expenditures from Federal Funds - American Recovery and Reinvestment Act (H.R. 1, 111th United States Congress) not exceeding amounts appropriated from Federal Funds - American Recovery and Reinvestment Act in all appropriations bills passed for FY 2013. If expenditures in the Commission on Criminal and Juvenile Justice line item exceed amounts appropriated to the Commission on Criminal and Juvenile Justice line item from Federal Funds - American Recovery and Reinvestment Act in FY 2013, the Division of Finance shall reduce the General Fund allocations to the Commission on Criminal and Juvenile Justice line item by one dollar for every one dollar in Federal Funds - American Recovery and Reinvestment Act expenditures that exceed Federal Funds - American Recovery and Reinvestment Act appropriations.

Agency Response:

In order to not exceed the appropriation limitation approved for ARRA Federal Funds for FY 2013, a supplemental appropriation of \$60,000 needs to be approved. See Issue Brief published by the Office of the Legislative Fiscal Analyst entitled EOCJ Federal Funds FY2013 and 2014, page 2, dated January 17, 2013.

The Legislature intends that \$150,000 for FY 2013 and FY 2014 of one-time funds provided for services of victims of sexual violence with appropriations provided for two year service grants within the Commission on Criminal and Juvenile Justice. The Legislature further intends that the Commission on Criminal and Juvenile Justice will report back to the Legislative Appropriations Committee with performance measures.

Agency Response:

While the \$150,000 was appropriated this intent language, which was approved in the subcommittee, was never adopted by EAC. The Utah Office for Victims of Crime did award a total of \$75,000 to the following entities:

- CAPSA- \$21,460 - located in Logan
- Center for Women and Children in Crisis-\$7,891-located in Orem
- Safe Harbor-\$13,809-located in Kaysville
- Dove Center-\$10,000 - located in St. George
- Rape Recovery Center-\$21,840-located in Salt Lake City

Four of the five entities will use this funding to serve additional victims of sexual assault by offering much needed counseling, group treatment, and therapy. In addition to these services the Dove Center in St. George will also use this funding for services such as crisis intervention, hotline counseling, and emergency costs such as short term shelter or transportation.