

CONSOLIDATED MOTIONS  
for  
EXECUTIVE APPROPRIATIONS COMMITTEE  
March 8, 2013

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## BUDGETS

## **Motion Sheet**

### **Business, Economic Development, and Labor Appropriations Subcommittee**

FY 2014 BUDGET MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (S.B. 2), or a subsequent appropriations act, for the budgets covered by the Business, Economic Development, and Labor Appropriations Subcommittee, the FY 2014 budget changes shown in the 'Changes to Base – Subcommittee' column on pages 2-1 through 2-2 and pages 2-42 through 2-77 of our subcommittee reports.

FY 2013 BUDGET MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (H.B. 3), or a subsequent appropriations bill, for the budgets covered by the Business, Economic Development, and Labor Appropriations Subcommittee, the FY 2013 supplemental budget changes shown in the 'Supplemental – Subcommittee' column on pages 2-79 through 2-88 of our subcommittee reports.

#### **OTHER MOTIONS:**

I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (H.B. 3), or a subsequent appropriations bill, for the budgets covered by the Business, Economic Development, and Labor Appropriations Subcommittee, a \$141,000 increase to the Occupational Safety and Health 21D Consultation federal grant in the Labor Commission line item – Utah OSHA program.

I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (H.B. 3), or a subsequent appropriations bill, for the budgets covered by the Business, Economic Development, and Labor Appropriations Subcommittee, the \$112,000 supplemental appropriation for the National Deaf-Blind Equipment Distribution Program federal grant approved by the subcommittee. This change is reflected on page 2-88a of our subcommittee reports.

I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (S.B. 2), and in the 'Current Fiscal Year Supplemental Appropriations' bill (H.B. 3), or subsequent appropriations bills, for the budgets covered by the Business, Economic Development, and Labor Appropriations Subcommittee, the FY 2014 and FY 2013 budget changes for the Department of Alcoholic Beverage Control shown below:

FY 2014: Appropriate \$30,512,600 from the Markup Holding Fund to the Liquor Control Fund.

FY 2013: Appropriate \$45,154,200 from the Markup Holding Fund to the Liquor Control Fund.

I move that we approve an FY 2014 appropriation of \$581,000 from the Liquor Control Fund to the Department of Alcoholic Beverage Control – Alcoholic Beverage Control line item – Stores and Agencies program in the amount of \$581,000 to fund increased costs related to credit card fees and shipping.

## **Motion Sheet**

### **Executive Offices and Criminal Justice Appropriations Subcommittee**

FY 2014 BUDGET MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (S.B. 2), or a subsequent appropriations act, for the budgets covered by the Executive Offices and Criminal Justice Appropriations Subcommittee, the FY 2014 budget changes shown in the 'Changes to Base – Subcommittee' column on pages 3-1 through 3-3 and pages 3-14 through 3-48 of our subcommittee reports.

FY 2013 BUDGET MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (H.B. 3), or a subsequent appropriations bill, for the budgets covered by the Executive Offices and Criminal Justice Appropriations Subcommittee, the FY 2013 supplemental budget changes shown in the 'Supplemental – Subcommittee' column on pages 3-51 through 3-68 of our subcommittee reports.

#### **OTHER MOTIONS:**

I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (S.B. 2) and the 'Current Fiscal Year Supplemental Appropriations' bill (H.B. 3), or subsequent appropriations bills, for the budgets covered by the Executive Offices and Criminal Justice Appropriations Subcommittee, the ongoing and one-time reallocations as shown on pages 3-75 through 3-76 of our subcommittee reports.

I move to include in the 'New Fiscal year Supplemental Appropriations Act' (S.B. 2), or a subsequent appropriations bill, for the budgets covered by the Executive Offices and Criminal Justice Appropriations Subcommittee, for the Department of Public Safety, a one-time appropriation of \$1,200,000 from nonlapsing balances to the State Crime Lab with intent language requiring it to be used for DNA processing expenses (see intent language portion of this packet).

I move to reallocate the FY 2014 General Fund, One-time appropriation of \$45,500 in Governor's Office – Commission on Crime and Juvenile Justice on page 3-21 of our subcommittee reports to FY 2013.

I move to reallocate the FY 2013 Federal Funds appropriation of \$20,000 in the Governor's Office - Crime Victim Reparations Fund line item on page 3-57 of our subcommittee reports to the Governor's Office – Commission on Criminal and Juvenile Justice line item on page 3-56 of our subcommittee reports.

I move to change the funding source, "GFR – Criminal Forfeiture Account" to "GFR – State Law Enforcement Account" in the following items:

Department of Public Safety, page 3-41: \$560,000

Department of Public Safety, page 3-67: \$368,000

I move to reallocate \$100,000 General Fund one-time in FY 2014 for the Gang Tattoo Removal program from the Department of Corrections – Programs and Operations line item on page 3-30 of our subcommittee reports to the Department of Public Safety – Programs and Operations line item on page 3-41 of our subcommittee reports.

I move to show vehicle counts in the base budget in the following line items. This does not constitute approval for additional vehicles.

State Court Administrator, page 3-36: 143

Guardian ad Litem, page 3-40: 8

I move to reallocate \$93,000 ongoing General Fund from the Courts – Contracts and Leases line item to the Administration line item, and increase the appropriation from the General Fund Restricted – State Courts Complex Account in the Contracts and Leases line item by the same amount in FY 2014. This will allow the Courts to purchase Laws of Utah publications.

I move to appropriate an additional \$119,500 in federal funds in FY 2013 to the Department of Corrections – Programs and Operations line item for the State Criminal Alien Assistance Program (SCAAP).

**Motion Sheet****Higher Education Appropriations Subcommittee**

FY 2014 BUDGET MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (S.B. 2), or a subsequent appropriations act, for the budgets covered by the Higher Education Appropriations Subcommittee, the FY 2014 budget changes shown in the 'Changes to Base – Subcommittee' column on pages 4-1 through 4-62 of our subcommittee reports.

FY 2013 BUDGET MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (H.B. 3), or a subsequent appropriations bill, for the budgets covered by the Higher Education Appropriations Subcommittee, the FY 2013 supplemental budget changes shown in the 'Supplemental – Subcommittee' column on pages 4-64 through 4-66 of our subcommittee reports.

## **Motion Sheet**

### **Infrastructure and General Government Appropriations Subcommittee**

FY 2014 BUDGET MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (S.B. 2), or a subsequent appropriations act, for the budgets covered by the Infrastructure and General Government Appropriations Subcommittee, the FY 2014 budget changes shown in the 'Changes to Base – Subcommittee' column on pages 5-1 through 5-2 and pages 5-24 through 5-57 of our subcommittee reports.

FY 2013 BUDGET MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (H.B. 3), or a subsequent appropriations bill, for the budgets covered by the Infrastructure and General Government Appropriations Subcommittee, the FY 2013 supplemental budget changes shown in the 'Supplemental – Subcommittee' column on pages 5-60 through 5-72 of our subcommittee reports.

#### **OTHER MOTIONS:**

I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (H.B. 3), or a subsequent appropriations bill, for the budgets covered by the Infrastructure and General Government Appropriations Subcommittee, an appropriation of \$5.6 million from the General Fund Budget Reserve Account to the Division of Finance for the FLDS Trust settlement, with intent language directing how it is to be disbursed (see intent language portion of this motions packet).



## **Motion Sheet**

### **Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee**

FY 2014 BUDGET MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (S.B. 2), or a subsequent appropriations act, for the budgets covered by the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee, the FY 2014 budget changes shown in the 'Changes to Base – Subcommittee' column on pages 6-1 through 6-3 and pages 6-60 through 6-107 of our subcommittee reports.

FY 2013 BUDGET MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (H.B. 3), or a subsequent appropriations bill, for the budgets covered by the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee, the FY 2013 supplemental budget changes shown in the 'Supplemental – Subcommittee' column on pages 6-109 through 6-118 of our subcommittee reports.

#### **OTHER MOTIONS:**

I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (S.B. 2), or a subsequent appropriations act, for the budgets covered by the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee, the FY 2014 line item changes for the Department of Agriculture and Food as shown on page 6-122 of our subcommittee reports.

I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (H.B. 3), or a subsequent appropriations bill, for the budgets covered by the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee, a FY 2013 supplemental appropriation of \$145,000 from the General Fund Restricted – Rangeland Improvement Account to the Department of Agriculture – Rangeland Improvement line item.

## **Motion Sheet**

### **Public Education Appropriations Subcommittee**

FY 2014 BUDGET MOTION: I move to include in the 'Public Education Budget Amendments' bill (H.B. 2), or a subsequent appropriations bill, for the budgets covered by the Public Education Appropriations Subcommittee, the FY 2014 budget changes shown in the 'Changes to Base – Subcommittee' column on pages 7-1 through 7-2 and pages 7-5 through 7-18 of our subcommittee reports.

FY 2013 BUDGET MOTION: I move to include in the 'Current School Year Supplemental Public Education Budget Amendments' bill (S.B. 4), or a subsequent appropriations bill, for the budgets covered by the Public Education Appropriations Subcommittee, the FY 2013 supplemental budget changes shown in the 'Supplemental – Subcommittee' column on pages 7-21 through 7-25 of our subcommittee reports.

#### **OTHER MOTIONS:**

I move to include in the 'Public Education Budget Amendments' bill (H.B. 2), or a subsequent appropriations bill, for the budgets covered by the Public Education Appropriations Subcommittee, the following one-time FY 2014 budget changes in the USOE Indirect Cost Pool line item:

Appropriate \$4,270,900 from Dedicated Credits – Intragovernmental Revenue, (\$188,200) from Beginning Nonlapsing Balances, and \$188,200 from Closing Nonlapsing Balances.

I move to appropriate \$50,000 one time in FY 2014 from the Education Fund Restricted – Charter School Reserve Account to the State Charter School Board in order pay administrative costs associated with charter school bonds.

**Motion Sheet****Retirement and Independent Entities Appropriations Subcommittee**

FY 2014 BUDGET MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (S.B. 2), or a subsequent appropriations act, for the budgets covered by the Retirement and Independent Entities Appropriations Subcommittee, the FY 2014 budget changes shown in the 'Changes to Base – Subcommittee' column on page 8-1 and pages 8-3 through 8-6 of our subcommittee reports.

**Motion Sheet**  
**Social Services Appropriations Subcommittee**

FY 2014 BUDGET MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (S.B. 2), or a subsequent appropriations act, for the budgets covered by the Social Services Appropriations Subcommittee, the FY 2014 budget changes shown in the 'Changes to Base – Subcommittee' column on pages 9-1 through 9-2 and pages 9-53 through 9-88 of our subcommittee reports.

FY 2013 BUDGET MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (H.B. 3), or a subsequent appropriations bill, for the budgets covered by the Social Services Appropriations Subcommittee, the FY 2013 supplemental budget changes shown in the 'Supplemental – Subcommittee' column on pages 9-92 through 9-113 of our subcommittee reports.

**OTHER MOTIONS:**

I move to replace the funding source "General Fund" with "Mine Occupation Taxes – Oil and Gas" on pages 9-76 (DWS – Navajo Revitalization Fund) and 9-80 (DWS – Uintah Basin Revitalization Fund) to more accurately reflect the source.

I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (S.B. 2) and the 'Current Fiscal Year Supplemental Appropriations' bill (H.B. 3), or subsequent appropriations bills, for the budgets covered by the Social Services Appropriations Subcommittee, paragraphs 3 and 6 of the other subcommittee motions as shown on page 9-119 of our subcommittee reports.

I move to approve \$28,000,000 additional federal funds from the Vaccines for Children program in FY 2013 and FY 2014 for the Department of Health's Disease Control and Prevention line item.

**Motion Sheet**  
**Executive Appropriations Committee**

FY 2014 BUDGET MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (S.B. 2), or a subsequent appropriations act, for the budgets covered by the Executive Appropriations Committee, the FY 2014 budget changes shown in the 'Changes to Base – Subcommittee' column on page 10-1 and pages 10-11 through 10-23 of our subcommittee reports.

FY 2013 BUDGET MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (H.B. 3), or a subsequent appropriations bill, for the budgets covered by the Executive Appropriations Committee, the FY 2013 supplemental budget changes shown in the 'Supplemental – Subcommittee' column on pages 10-25 through 10-28 of our subcommittee reports.

**OTHER MOTIONS:**

I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (S.B. 2), or a subsequent appropriations act, for the budgets covered by the Executive Appropriations Committee, a reallocation of funding from various legislative line items to a new "Legislative Services" line item to pay for Legislature-wide costs currently paid from the various line items.

I move to approve the non-federal grant of \$175,000 for the Salt Lake Veterans' Nursing Home as shown on page 1 of the Issue Brief, "Department of Veterans' Affairs Federal Funds Authorization" dated February 25, 2013 and presented to the Executive Appropriations Committee on February 28, 2013.

I move to increase the federal funds appropriation for the Department of Veterans' Affairs – Veterans' Affairs line item in FY 2013 by \$715,000 for reimbursement for nursing home impact fees.

## FEES

I move that we adopt the fees listed on the following pages of the subcommittees' reports:

	From	To
<u>Appropriations Subcommittee</u>	<u>Page</u>	<u>Page</u>
Business, Economic Development, and Labor	2-4	2-41
Executive Offices and Criminal Justice	3-4	3-13
Infrastructure and General Government	5-3	5-23
Natural Resources, Agriculture, and Environmental Quality	6-4	6-59
Public Education	7-3	7-4
Retirement and Independent Entities	8-2	8-2
Social Services	9-4	9-52
Executive Appropriations Committee	10-2	10-10

**With the following Changes:**

Business, Economic Development, and Labor: On page 2-6, prior to item #66, add the following fee approved by the subcommittee: "MWAC Change Leader Registration" with a fee of \$75.00.

Infrastructure and General Government: Prior to item #18, strike the heading, "Transportation – DOT Non-Budgetary – XYA DOT STOCKPILE IN PROCESS."

Natural Resources: Add to the text under line 347 on page 6-18 the following: "similar properties, comparable fees for similar land uses, or fee schedules. If more than one fee determination applies, the highest fee will be selected."

Social Services: Replace the Utah Department of Health Baby Watch Early Intervention fee schedule to update the income ranges for a family size of three, which were listed incorrectly. The corrected schedule is shown on page 9-52 of our subcommittee reports.

Social Services: Delete the following duplicate or unneeded fees: #436 and #437 on page 9-24; #714 on page 9-35; #1111 and #1114 on page 9-48. Also change fee #453 on page 9-25 from \$1 to \$10.

## INTENT LANGUAGE



I move that we adopt the intent language listed on the following pages of the subcommittees' reports:

	From	To
<u>Appropriations Subcommittee</u>	<u>Page</u>	<u>Page</u>
FY 2014 Business, Economic Development, and Labor	2-78	2-78
FY 2013 Business, Economic Development, and Labor	2-89	2-91
FY 2014 Executive Offices and Criminal Justice	3-49	3-50
FY 2013 Executive Offices and Criminal Justice	3-69	3-72
FY 2014 Higher Education	4-63	4-63
FY 2014 Infrastructure and General Government	5-58	5-59
FY 2013 Infrastructure and General Government	5-73	5-75
FY 2014 Natural Resources, Agriculture, and Environmental Quality	6-108	6-108
FY 2013 Natural Resources, Agriculture, and Environmental Quality	6-119	6-121
FY 2014 Public Education	7-19	7-20
FY 2013 Retirement and Independent Entities	8-7	8-7
FY 2014 Social Services	9-89	9-91
FY 2013 Social Services	9-114	9-118
FY 2014 Executive Appropriations Committee	10-24	10-24
FY 2013 Executive Appropriations Committee	10-29	10-29

**With the following Changes:**

Executive Offices and Criminal Justice: Add the following intent language as approved by the subcommittee: *Under Section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for Jury and Witness Fees in Item 25 of Chapter 11 Laws of Utah 2012 not lapse at the close of Fiscal Year 2013.*

Executive Offices and Criminal Justice: Add the following intent language: *The Legislature intends that the \$1,200,000 appropriation from the Department of Public Safety's FY 2013 nonlapsing balances to the Department of Public Safety – State Crime Lab be used for DNA processing related expenses to address the DNA backlog for up to five years.*

Executive Appropriations Committee: Amend intent language on page 10-29 as follows: *Under terms of Section 63J-1-603(3)(a) Utah Code Annotated the Legislature intends that appropriations provided for the Department of Veterans' Affairs in item 2 of Chapter 13 Laws of Utah 2012 in Fiscal Year 2013 not lapse at the close of Fiscal Year 2013. ~~The use of any nonlapsing funds is limited to the following: Department of Veterans' Affairs Administration \$130,000; Veterans' Cemetery \$20,000; and Veterans' Nursing Home \$15,000.~~*

Infrastructure and General Government: Eliminate the following intent language in item 1 on page 5-58: *The Legislature intends that when the Department of Transportation sales their surplus property at Bangerter Highway and 6200 South, that 5% of the proceeds be transferred to Taylorsville City to mitigate costs they incurred for improvements to the property.*

Infrastructure and General Government: Add the following intent language for FY 2013: *Under Section 63J-1-603 of the Utah Code the Legislature intends that remaining funds appropriated for FY 2013 for Local Government Transparency in the Department of Administrative Services are nonlapsing.*

Infrastructure and General Government: Add the following intent language for FY 2013 associated with an appropriation of \$5.6 million for the FLDS Trust settlement:

*The Legislature intends that:*

*(1) the attorney general's office may not make any payments from this appropriation until the office has provided the Legislature with a court order releasing the state of Utah from any liability for payment to the trustee, the trustee's advisors and employees, or any other expenses of the trust in excess of the amount appropriated in this line item;*

*(2) subject to Subsection (1), the Division of Finance disburse the appropriation to the attorney general's office for payment to the trustee as follows:*

*(a) \$3 million within two business days after the date that the appropriation takes effect;*

*(b) \$1 million on September 16, 2013; and*

*(c) the remaining balance of the appropriation on March 17, 2014;*

*(3) if the trustee repays \$4 million of this appropriation to the state of Utah by April 1, 2014, neither the state nor the Legislature will seek reimbursement of the remaining balance; and*

*(4) any money repaid by the trust or trustee be deposited into the General Fund.*

Natural Resources, Agriculture, and Environmental Quality: Eliminate the following language in item 6 on page 6-108: *The Legislature intends that the Division of Parks and Recreation issue a Request for Proposal (RFP) for the private operation of either each or all of the state's four golf courses for FY 2014.*

Natural Resources, Agriculture, and Environmental Quality: Eliminate the following language in item 7 on page 6-108: *The Legislature intends that the Department of Natural Resources study water rights issues and report to the Natural Resources, Agriculture, and Environment Interim Committee on or before their October 2013 meeting.*

Public Education: Amend language in item 7 on page 7-20 as follows: *The Legislature intends that the Charter School Board develop quantifiable performance measures associated with the activities of the State Charter School Board that directly tie the achievements of the various programs to the incurred costs.*

Public Education: Amend language in item 11 on page 7-20 as follows: *The Legislature intends that the USDB, in working with the public education fiscal analyst, study its pupil transportation contract and report to the Public Education Appropriations Subcommittee before the November ~~2012~~ 2013 Interim on whether the most cost effective method of transportation is being used.*

Social Services: If conditions are met in paragraphs 1, 2, and 5 on page 9-119 of our subcommittee reports, add the associated intent language.

Social Services: Replace intent language in paragraph 4 on page 9-119 of our subcommittee reports, as follows:

Replace current language: *The Legislature intends that the Department of Technology Services absorb the cost of providing the Department of Health's request for "Credit Monitoring" in the amount of \$922,000 one-time, from its retained earnings and without increasing internal service fund rates.*

**Replace with:** *The Legislature intends that the Department of Technology Services shall use its contributed capital to pay for the costs of providing the Department of Health's request for "Credit Monitoring" in the amount of \$922,000 one-time without increasing internal service fund rates.*

Social Services: Add the following intent language: *Under Section 63J-1-603 of the Utah Code the Legislature intends that all appropriations provided for Medicaid Mandatory Services in Item 10 of Chapter 14, Laws of Utah 2012 not lapse at the close of Fiscal Year 2013. The use of any nonlapsing funds is limited to the provision of Medicaid services.*

Social Services: Add the following intent language: *Under Section 63J-1-603 of the Utah Code the Legislature intends that all appropriations provided for Medicaid Optional Services in Item 11 of Chapter 14, Laws of Utah 2012 not lapse at the close of Fiscal Year 2013. The use of any nonlapsing funds is limited to the provision of Medicaid services.*