

**MINUTES OF THE  
EXECUTIVE APPROPRIATIONS COMMITTEE**  
Wednesday, March 9, 2016 – 4:10 p.m. – Room 445 State Capitol

**Members Present:**

Sen. Lyle W. Hillyard, Co-Chair  
Rep. Dean Sanpei, Co-Chair  
Sen. Jerry W. Stevenson, Vice Chair  
Rep. Brad L. Dee, Vice Chair  
Sen. J. Stuart Adams  
Sen. Jim Dabakis  
Sen. Gene Davis  
Sen. Luz Escamilla  
Sen. Peter C. Knudson  
Sen. Karen Mayne  
President Wayne L. Niederhauser  
Sen. Ralph Okerlund  
Rep. Patrice M. Arent

Rep. Joel K. Briscoe  
Rep. Rebecca Chavez-Houck  
Rep. James A. Dunnigan  
Rep. Francis D. Gibson  
Speaker Gregory H. Hughes  
Rep. Brian S. King  
Rep. Brad R. Wilson

**Staff Present:**

Mr. Jonathan Ball, Legislative Fiscal Analyst  
Mr. Steven Allred, Deputy Director  
Ms. Greta Rodebush, Legislative Secretary  
Ms. Karen Mitchell, Secretary

**Note:** A copy of related materials and an audio recording of the meeting can be found at [www.leg.utah.gov](http://www.leg.utah.gov).

**1. Call to Order/Approval of Minutes**

Co-Chair Hillyard called the meeting to order at 4:47 p.m.

**MOTION:** Rep. Dee moved to adopt the minutes of February 17, 2016. The motion passed unanimously with Rep. Dunnigan and Rep. Gibson absent for the vote.

**2. FY 2016 and FY 2017 Budget Actions**

**MOTION:** Rep. Sanpei moved to approve the additional motions in the lime packet entitled, "Consolidated Motions for House Bill 3" dated today, March 9, 2016.

Rep. Briscoe wanted to know what the current balance was in the Mineral Lease Bonus Account. He referred to motion 2c on page 3 of the lime packet that reads:

"If H.B. 287, "Commission for the Stewardship of Public Lands and Private Donations for Public Lands Litigation," 2016 G.S., passes, appropriate \$4,500,000 one-time in FY 2017 from the Mineral Lease Bonus Account to the Public Lands Litigation Account created by H.B. 287."

Mr. Ball responded that at the end of FY 2015, the balance in the account was approximately \$6.7 million.

Other than the suggested appropriation, Rep. Briscoe asked if the Legislature would be using Mineral Lease funds for other purposes this year. Mr. Ball indicated that Sen. Vickers was sponsoring a bill that accesses \$2 million to \$2.5 million from the Mineral Lease Bonus Account.

Rep. Arent asked when the co-chair would be taking motions to make changes to the budget. Co-Chair Hillyard responded that he would take motions after the second motion to adopt the additional one-time and ongoing budget changes was made.

A vote was taken on the motion. The motion passed with Rep. Briscoe voting in opposition.

**MOTION:** Rep. Sanpei moved to adopt the additional one-time and ongoing budget changes, as shown in the lilac packet entitled, "Additional Sources and Uses, Executive Appropriations Committee" dated today, March 9, 2016.

**SUBSTITUTE MOTION:** Rep. Arent moved to adopt the underlying motion and to reallocate \$1,000,000 one-time from Commerce Service Fund nonlapsing balances in FY 2016 to the General Fund and appropriate \$1,000,000 from the General Fund one-time to the Department of Environmental Quality in FY 2016 for air quality monitoring. Rep. Arent proposed that the funds be made nonlapsing.

Rep. Arent explained that the \$1 million would be used to replace currently out-of-date air quality monitors. She indicated that the appropriations subcommittee had funded a new air quality monitoring location as required by the EPA, but had not funded monitors.

Rep. Sanpei spoke against the substitute motion.

Rep. Arent noted that the \$1 million for air quality monitoring would not deplete the Commerce Service Fund.

Co-Chair Hillyard called for a vote on the substitute motion. The motion failed with Sen. Davis, Sen. Dabakis, Sen. Escamilla, Sen. Mayne, Rep. Arent, Rep. Briscoe, Rep. Chavez-Houck, and Rep. King voting in favor of the substitute motion. Rep. Dunnigan and Rep. Gibson were absent for the vote.

**SUBSTITUTE MOTION:** Rep. Arent moved to adopt the underlying motion and to reduce General Fund one-time previously provided for Thanksgiving Point Biosphere by \$450,000 one-time, and to increase General Fund one-time a \$450,000 one-time appropriation to the Department of Environmental Quality for CARROT grants.

Rep. Arent stated that the Business, Economic Development, and Labor Appropriations Subcommittee had recommended \$300,000 in one-time funding for the Butterfly Biosphere at Thanksgiving Point. However, the budget that was adopted included an additional \$450,000 one-time. Rep. Arent proposed putting the additional \$450,000 one-time into the CARROT Fund. The Fund is used to replace polluting equipment and to provide grants to reduce some of our most significant sources of pollution. Rep. Arent remarked that the Legislature appropriated \$700,000 to the CARROT Fund last year.

Rep. Sanpei spoke against the substitute motion.

Rep. Arent pointed out that from an economic development standpoint, improving air quality is much more important than creating a butterfly biosphere.

Co-Chair Hillyard called for a vote on the substitute motion. The motion failed with Sen. Davis, Sen. Dabakis, Sen. Escamilla, Sen. Mayne, Rep. Arent, Rep. Briscoe, Rep. Chavez-Houck, and Rep. King voting in favor of the substitute motion. Rep. Gibson was absent for the vote.

**SUBSTITUTE MOTION:** Rep. Briscoe moved to adopt the underlying motion and to reallocate \$250,000 one-time from Commerce Service Fund nonlapsing balances in FY 2016 to the General Fund and to appropriate \$250,000 from the General Fund one-time to the USOE – Initiative Programs – Peer Assistance.

Rep. Briscoe spoke to the substitute motion. He remarked that the Peer Assistance program has shown success in one school district and that other school districts are very interested in adopting a similar program.

Co-Chair Hillyard called for a vote on the substitute motion. The motion failed with Sen. Dabakis, Sen. Escamilla, Rep. Arent, Rep. Briscoe, Rep. Chavez-Houck, and Rep. King voting in favor of the substitute motion.

Co-Chair Hillyard called for a vote on the underlying motion. The motion passed unanimously.

**MOTION:** Rep. Sanpei moved to authorize legislative staff to prepare and number House Bill 3, Appropriations Adjustments, as an Executive Appropriations Committee bill. Staff shall include in this bill:

- the actions of the Executive Appropriations Committee to date that have not already been reflected in an appropriation;
- approved funding to implement bills that pass in the 2016 General Session; and
- other actions approved by the Legislature.

In consultation with the co-chairs of the Executive Appropriations Committee, the Legislative Fiscal Analyst may make any technical changes necessary, including changes between funding sources and fiscal years in order to balance the overall budget.

**SUBSTITUTE MOTION:** President Niederhauser moved to include the underlying motion with the following intent language:

*It is the Intent of the Legislature that UDOT prepare an analysis and financial report on the possibility of advancing construction of road projects currently programmed in the Transportation Investment Fund. The analysis should include consideration of the savings or additional costs associated with advancing the projects through the use of either short term debt or long term financing. The report should be reported to the Executive Appropriations Committee on or before the July 2016 legislative interim committee meetings.*

Co-Chair Hillyard divided the substitute motion from the underlying motion and called for a vote on the intent language.

The substitute motion passed unanimously.

A vote was taken on the underlying motion. The motion passed unanimously.

### **3. Other Business/Adjourn**

**MOTION:** Rep. Sanpei moved to adjourn. The motion passed unanimously.

Co-Chair Hillyard adjourned the meeting at 5:02 p.m.