

CONSOLIDATED MOTIONS
For
EXECUTIVE APPROPRIATIONS COMMITTEE
March 2, 2012

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BUDGETS

Motion Sheet

Business, Economic Development, & Labor Appropriations Subcommittee

FY 2013 BUDGET MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (H.B. 2), or a subsequent appropriations act, for the budgets covered by the Business, Economic Development, & Labor Appropriations Subcommittee, the FY 2013 budget changes shown in the 'Changes to Base - Subcommittee' column on pages 2-1 through 2-2 and pages 2-38 through 2-82 of our subcommittee reports.

FY 2012 BUDGET MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (S.B. 3), or a subsequent appropriations bill, for the budgets covered by the Business, Economic Development, & Labor Appropriations Subcommittee, the FY12 supplemental budget changes shown in the 'Supplemental - Subcommittee' column on pages 2-83 through 2-89 of our subcommittee reports.

OTHER MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (H.B. 2) or a subsequent appropriations bill a \$190,500 ongoing reduction from the Alcoholic Beverage Enforcement and Treatment Restricted Account in the Tax Commission's Liquor Profit Distribution line item.

Motion Sheet**Executive Offices & Criminal Justice Appropriations Subcommittee**

FY 2013 BUDGET MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (H.B. 2), or a subsequent appropriations act, for the budgets covered by the Executive Offices & Criminal Justice Appropriations Subcommittee, the FY 2013 budget changes shown in the 'Changes to Base - Subcommittee' column on pages 3-1 through 3-2 and pages 3-12 through 3-45 of our subcommittee reports.

FY 2012 BUDGET MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (S.B. 3), or a subsequent appropriations bill, for the budgets covered by the Executive Offices & Criminal Justice Appropriations Subcommittee, the FY12 supplemental budget changes shown in the 'Supplemental - Subcommittee' column on pages 3-48 through 3-61 of our subcommittee reports.

Motion Sheet
Higher Education Appropriations Subcommittee

FY 2013 BUDGET MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (H.B. 2), or a subsequent appropriations act, for the budgets covered by the Higher Education Appropriations Subcommittee, the FY 2013 budget changes shown in the 'Changes to Base - Subcommittee' column on pages 4-1 through 4-64 of our subcommittee reports.

Motion Sheet
Infrastructure & General Government Appropriations Subcommittee

FY 2013 BUDGET MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (H.B. 2), or a subsequent appropriations act, for the budgets covered by the Infrastructure & General Government Appropriations Subcommittee, the FY 2013 budget changes shown in the 'Changes to Base - Subcommittee' column on pages 5-1 through 5-2 and pages 5-23 through 5-57 of our subcommittee reports.

FY 2012 BUDGET MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (S.B. 3), or a subsequent appropriations bill, for the budgets covered by the Infrastructure & General Government Appropriations Subcommittee, the FY12 supplemental budget changes shown in the 'Supplemental - Subcommittee' column on pages 5-60 through 5-74 of our subcommittee reports.

FY 2012 RETAINED EARNINGS MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (S.B. 3), or a subsequent appropriations bill a \$2,000,000 reduction to the Fleet Operations Fuel Network retained earnings in FY 2012 and a transfer of those earnings to the General Fund as shown in the Supplemental - Subcommittee' column on pages 5-71 and 5-74 of our subcommittee reports.

FY 2013 GENERAL FUND MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations' bill (H.B. 2), or a subsequent appropriations bill a \$15,252,400 increase to the General Fund one-time in FY 2013 from the Debt Service line item non-lapsing balance to offset a one-time appropriation from the General Fund to Debt Service in FY 2013 for net debt service for the Build America Bonds Subsidy as shown in the 'Changes to Base - Subcommittee' column on pages 5-56 and 5-57.

OTHER SUBCOMMITTEE MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (S.B. 3) and in the 'New Fiscal Year Supplemental Appropriations Act' (H.B. 2) or subsequent appropriations bills \$551,500 from the Land Exchange Distribution Account in FY 2012 and FY 2013 to the Permanent Community Impact Fund in the Business, Labor, and Economic Development Appropriations Subcommittee. (Budgets in the Infrastructure and General Government Appropriations Subcommittee have been reduced on pages 5-1 and 5-60 to accommodate this increase.)

OTHER SUBCOMMITTEE MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (H.B. 2) or a subsequent appropriations bill \$250,000 ongoing from the General Fund to the Davis Applied Technology line item in the Higher Education Appropriations Subcommittee for operation and maintenance of the Warehouse building in the Freeport Center. (Budgets in the Infrastructure and General Government Appropriations Subcommittee have been reduced on pages 5-1 to 5-2 to accommodate this increase.)

Motion Sheet

Natural Resources, Agriculture, & Env. Quality Appropriations Subcommittee

FY 2013 BUDGET MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (H.B. 2), or a subsequent appropriations act, for the budgets covered by the Natural Resources, Agriculture, & Env. Quality Appropriations Subcommittee, the FY 2013 budget changes shown in the 'Changes to Base - Subcommittee' column on pages 6-1 through 6-3 and pages 6-71 through 6-115 of our subcommittee reports, and approve the federal funds request for the Office of Energy Development as presented below.

Federal Funds Request Summary for State FY 2013						
July 1, 2012 through June 30, 2013						
OFFICE OF ENERGY DEVELOPMENT						
Grant Title	CFDA Number	Federal Annual Award	Match Requirement		New Permanent Staff	Notes/In Kind Source/Fed Requirements
			Matching State Funds	Local/Other		
			General Fund			
State Energy Program	81.041	\$237,500	\$47,500	\$90,000	0.00	"Other" is from Rocky Mountain Power and Questar Gas

FY 2012 BUDGET MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (S.B. 3), or a subsequent appropriations bill, for the budgets covered by the Natural Resources, Agriculture, & Env. Quality Appropriations Subcommittee, the FY12 supplemental budget changes shown in the 'Supplemental - Subcommittee' column on pages 6-117 through 6-124 of our subcommittee reports.

Motion Sheet
Public Education Appropriations Subcommittee

FY 2013 BUDGET MOTION: I move to include in the 'Public Education Budget Amendments' bill (S.B. 2), or a subsequent education appropriations bill, for the budgets covered by the Public Education Appropriations Subcommittee, the FY 2013 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 2012 BUDGET MOTION: I move to include in the 'Current School Year Supplemental Public Education Budget Adjustments' bill (H.B. 7), or a subsequent education appropriations bill, for the budgets covered by the Public Education Appropriations Subcommittee, the FY 2012 supplemental budget changes shown in the 'Supplemental - Subcommittee' column on pages 7-21 through 7-27 of our subcommittee reports.

OTHER MOTION: I move to accept the subcommittee's adopted estimated Basic Property Tax Rate as shown on page 7-31 of the subcommittee report.

OTHER MOTION: I move to accept the subcommittee's recommended detailed appropriation structure for the Utah State Office of Education as shown on page 7-32 of the subcommittee report.

Motion Sheet

Retirement & Independent Entities Appropriations Subcommittee

FY 2013 BUDGET MOTION: I move to accept the recommendations for the budgets covered by the Retirement & Independent Entities Appropriations Subcommittee for FY 2013 as shown on page 8-1 and pages 8-3 through 8-5 of our subcommittee reports.

FY 2012 BUDGET MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (S.B. 3), or a subsequent appropriations bill, for the budgets covered by the Retirement & Independent Entities Appropriations Subcommittee, the FY12 supplemental budget changes shown in the 'Supplemental - Subcommittee' column on pages 8-6 through 8-7 of our subcommittee reports.

Motion Sheet
Social Services Appropriations Subcommittee

FY 2013 BUDGET MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (H.B. 2), or a subsequent appropriations act, for the budgets covered by the Social Services Appropriations Subcommittee, the FY 2013 budget changes shown in the 'Changes to Base - Subcommittee' column on pages 9-1 through, 9-2 and pages 9-66 through 9-88 of our subcommittee reports *with the following change:*
Undo the transfer of \$750,000 ongoing General Fund from the Department of Health's Medicaid Optional Services line item beginning in FY 2013 to the Department of Human Services' Division of Substance Abuse and Mental Health line item to be passed through to Mental Health Centers to reflect savings from the inclusion of psychotropic drugs on the preferred drug list.

ADDITIONAL FY 2013 BUDGET MOTION: On page 9-74 change the subcommittee column for GFR – Tobacco Settlement to (\$737,200) with corresponding changes to total calculations.

FY 2012 BUDGET MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (S.B. 3), or a subsequent appropriations bill, for the budgets covered by the Social Services Appropriations Subcommittee, the FY12 supplemental budget changes shown in the 'Supplemental - Subcommittee' column on pages 9-92 through 9-109 of our subcommittee reports.

FY 2012 INTERNAL TRANSFER MOTION: I move to transfer appropriated federal ARRA funds of \$3,452,900 from the Department of Workforce Services Unemployment Line Item - Unemployment Insurance Administration Program to the following line item and programs for FY 2012:

1. \$3,404,300 to the Operations and Policy Line Item - Workforce Development Program;
2. \$48,600 to the Operations and Policy Line Item - Information Technology Program.

Motion Sheet
Executive Appropriations Committee

FY 2013 BUDGET MOTION: I move to include in the 'New Fiscal Year Supplemental Appropriations Act' (H.B. 2), or a subsequent appropriations act, for the budgets covered by the Executive Appropriations Committee, the FY 2013 budget changes shown in the 'Changes to Base - Subcommittee' column on page 10-1 and pages 10-12 through 10-22 of our subcommittee reports.

FY 2012 BUDGET MOTION: I move to include in the 'Current Fiscal Year Supplemental Appropriations' bill (S.B. 3), or a subsequent appropriations bill, for the budgets covered by the Executive Appropriations Committee, the FY12 supplemental budget changes shown in the 'Supplemental - Subcommittee' column on pages 10-24 through 10-30 of our subcommittee reports.

FEES

I move that we adopt the fees listed on the following pages of the subcommittees' reports:	From	To
	Page	Page
<i>Business Economic Development and Labor</i>	2-3	2-38
<i>Executive Offices and Criminal Justice</i>	3-4	3-11
<i>Infrastructure and General Government</i>	5-3	5-22
<i>Natural Resources and Environmental Quality</i>	6-4	6-70
<i>Public Education</i>	7-3	7-4
<i>Retirement and Independent Entities</i>	8-2	8-2
<i>Social Services</i>	9-3	9-65
<i>Executive Appropriations Committee</i>	10-2	10-11

With the Following Changes:

Business, Economic Development, and Labor Fee Changes

Commerce

On page 2-16 item #389 Delete Alternative Dispute Resolution Provider - New Application Fee
On page 2-16 item #485 Delete Alternative Dispute Resolution Provider - License Renewal
On page 2-19 item #485 change Factory Built Housing Education and Enforcement Fee from \$25 to \$75

Certifications

On page 2-33 item #879 change Appraiser Prelicense Course Certification from \$75 to \$70

*On page 2-26 add State Construction Registry Fees On-Line
Notice of Retention*

\$1.25

*On page 2-26 add State Construction Registry Fees Off-Line
Notice of Retention*

\$8.00

Department of Community and Culture

On page 2-3 item #1 change Per Unit 1 to 5 Units Depending on Useage to 1 to 10 Units Depending on Useage

On pages 2-5 and 2-6 change the following:

	From	To
<i>item #87 MWAC Registration Early Registration Per Applicant</i>	\$70.00	\$80.00
<i>item #88 MWAC Registration Regular Registration Per Applicant</i>	\$80.00	\$95.00
<i>item #89 MWAC Registration Late Registration Per Applicant</i>	\$90.00	\$100.00
<i>item #90 MWAC Registration Group Discount Early Registration Per Applicant</i>	\$90.00	\$70.00
<i>item #91 MWAC Registration Group Discount Registration Per Applicant</i>	\$90.00	\$85.00
<i>item #92 MWAC Registration Group Discount Late Registration Per Applicant</i>	\$90.00	\$90.00
<i>item #93 MWAC Registration Governor's Luncheon</i>	\$40.00	\$55.00
<i>item #94 MWAC Registration Governor's Luncheon Late Registrant</i>	\$40.00	\$60.00
<i>item #95 MWAC Registration Governor's Luncheon Student</i>	\$50.00	\$65.00
<i>item #96 MWAC Registration Governor's Luncheon Student Late</i>	\$50.00	\$75.00
<i>item #107 C/SP Change Leader Registration Level 3</i>	\$300.00	\$400.00

Executive Offices and Criminal Justice Fee Changes

*On page 3-6 delete item #77 "Hearing transcript Deposit."
On page 3-5 add fee #40a. "Victim Rep Inmate Withheld: Variable."
On page 3-5 add fee #41a. "Sundry Revenue Collection: Cost per test."
On page 3-5 add fee #49a. "Non-sufficient Funds Service Charge: Variable."
On page 3-6 add fee #70a " Restitution for Prisoner Damages: Variable".*

Social Services Fee Changes

Health

*On page 9-3 add "Public Use" at the end of the description above item #9 after the word "Encounter."
On page 9-14 insert the following after item #300 "In the case of complex or unusual hospital plans, the Bureau*

will negotiate with the provider an appropriate plan review fee at the start of the review process based on the best estimate of the review time involved and the standard hourly review rate."

On page 9-27 change item #643 from \$550.00 to \$450.00.

On page 9-32 Delete "(Benzene, Toluene, Ethylbenzene, Xylene)" above item #789.

On page 9-64 under "NOTE" at bottom of page, change "CFHS" to "Family Health and Preparedness."

Natural Resources Fee Changes

On page 6-58, insert before Items #1388 and #1403 the following: "(Ag, Al, As, B, Ba, Ca, Cd, Cl, Co, Cr, Cu, Fe, K, Mg, Mn, Mo, Na, Ni, P, Pb, S, Se, V, Zn)."

On page 6-62, insert before Item #1524 the following: "Mixtures will be charged based on the sum for each individual kind in excess of 5 percent. Samples which require excessive time, screenings, low grade, dirty, or unusually difficult sample will be charged at the hourly rate. Hourly charges may be made on seed treated with "Highly Toxic Substances" if special handling is necessary for the Analyst's safety. Discount germination is a non-priority service intended for carry-over seed which is ideal for checking inventories from May through August. The discount service is available during the rest of the year, but delays in testing may result due to high test volume of priority samples. Ten or more samples receive a fifty percent discount off normal germination fees."

On page 6-67, insert after Item #1655 the following: "Request for services not covered by the above fees will be performed at the applicable hourly rate stated herein, plus mileage and travel time, if applicable. Actual travel time will be assessed outside of a 50 mile radius of Ogden."

Infrastructure and General Government

On page 5-20 item #496 change Desktop/Service Desk to Desktop Services

On page 5-20 item #498 change PDA GroupWise Synchronization to PDA Email Synchronization

On page 5-21 item #537 change State Radio Connection (LES and SRS) to State Radio Connection

On page 5-21 item #539 change T1 - per mile to T1/DS1 - per mile

INTENT LANGUAGE

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

	<u>From Page</u>	<u>To Page</u>
FY 2013 Business, Economic Development, and Labor	2-90	2-92
FY 2013 Executive Offices and Criminal Justice	3-46	3-47
FY 2012 Executive Offices and Criminal Justice	3-62	3-65
FY 2013 Higher Education	4-65	4-67
FY 2013 Infrastructure and General Government	5-58	5-59
FY 2012 Infrastructure and General Government	5-75	5-76
FY 2013 Natural Resources, Agriculture and Environmental Quality	6-116	6-116
FY 2012 Natural Resources, Agriculture and Environmental Quality	6-125	6-127
FY 2013 Public Education	7-19	7-19
FY 2012 Retirement and Independent Entities	8-8	8-8
FY 2013 Social Services	9-89	9-91
FY 2012 Social Services	9-110	9-113
FY 2013 Executive Appropriations	10-23	10-23
FY 2012 Executive Appropriations	10-31	10-31

With the following changes:

Replace Intent statement number 4 on page 2-90 of the Business, Economic Development, and Labor Subcommittee report with the following:

Under Section 63J-1-603 of the Utah Code, the Legislature intends that up to \$291,900 of the \$4,237,600 ongoing General Fund provided by Item 8, Chapter 1, Laws of Utah 2011, for the Department of Community and Culture - State Library line item not lapse at the close of Fiscal Year 2012. The State Library shall use the funds for CLEF grants in FY 2013.

Delete Intent statement number 1 on page 3-46 and number 2 on page 3-62 of the Executive Offices and Criminal Justice Subcommittee report.

Delete Intent statement number 4 on page 3-46 and number 12 on page 3-47 of the Executive Offices and Criminal Justice Subcommittee report.

Replace Intent statement 2, 4, 6, 8, 10, 12, 14, and 16 on pages 4-65 through 4-67 of the Higher Education Subcommittee report with the following:

The Legislature intends that funds in this appropriation be used to reduce or eliminate any programmatic tuition surcharge to students in engineering programs.

Delete Intent statement number 17 on page 4-67 of the Higher Education Subcommittee report.

Approve the following intent language for Higher Education:

The Legislature intends that Utah State University use \$225,000 of excess funds in its Contingency Reserve from state-funded projects to increase funds available in its Project Reserve.

Replace Intent statement number 7 on page 5-58 of the Infrastructure and General Government report with the following:

The Legislature intends that the Department of Transportation provide \$2,000,000 of the funds appropriated from the Transportation Investment Fund of 2005 to Tooele City for roads around the Utah State University campus to create improved access to an institution of higher education.

Replace Intent statement number 2 on page 6-116 of the Natural Resources, Agriculture, and Environmental Quality Subcommittee report with the following:

The Legislature intends that the Department of Natural Resources and SITLA will work with DFCM to identify a location for a future regional office in the Richfield area and a source of funding for the facility. The Legislature further intends that an economic analysis of the project will be performed and the results will be reported to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee on its findings by no later than October 30, 2012.

Replace Intent statement number 4 on page 6-116 of the Natural Resources, Agriculture, and Environmental Quality Subcommittee report with the following:

The Legislature intends that up to \$700,000 of Wildlife Resources budget may be used for big game depredation expenses. The Legislature also intends that half of these funds be from the General Fund Restricted – Wildlife Resources account and half from the General Fund. The Legislature further intends that this appropriation shall not lapse at the close of FY 2013.

Replace Intent statement number 5 on page 6-116 of the Natural Resources, Agriculture, and Environmental Quality Subcommittee report with the following:

The Legislature intends that the Division of Parks and Recreation complete its study of state owned golf course management, including completion of a study by the National Golf Foundation, and upon completion of the study, the division will provide recommendations on whether to contract for non-governmental management of state owned golf courses through the issuance of a request for proposal (RFP). The Legislature further intends that the division report to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee on its findings by no later than October 30, 2012.

Approve the following intent for Natural Resources, Agriculture, and Environmental Quality:

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Office of Energy development from the Utah Geological Survey in Item 15, Chapter 9, Laws of Utah 2011, shall not lapse at the close of FY 2012. Expenditures of these funds are limited to accomplish the Governor's 10-year strategic energy plan, not to exceed \$5,000.

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Office of Energy development from Governor's Energy Advisor in Item 1, Chapter 2, Laws of Utah 2011, shall not lapse at the close of FY 2012. Expenditures of these funds are limited to accomplish the Governor's 10-year strategic energy plan, not to exceed \$345,000.

Delete Intent statement number 2 on page 7-19 of the Public Education report.

Approve the following intent language for Public Education:

The Legislature intends that the State Board of Education study a student-based funding allocation model for the CTE Add-on program that takes into account the relative cost difference associated with providing various CTE programs and does not exceed current funding level appropriated for the program but may include an annual adjustment for student enrollment growth. The Legislature intends that the State Board of Education report to the Education Interim Committee, the Public Education Appropriations Subcommittee, and the Executive Appropriations Committee by October 2012 the potential allocation models developed by the Board.

Approve the following intent language for Social Services:

It is the intent of the Legislature that the Reed Act funds appropriated for FY 2012 to the Department of Workforce Services be used for workforce development and labor exchange activities.

It is the intent of the Legislature that the Reed Act funds appropriated for FY 2013 to the Department of Workforce Services be used for workforce development and labor exchange activities.

Delete Intent statement number 15 on page 9-91 of the Social Services report.

Replace Intent statement number 25 on page 9-112 of the Social Services Subcommittee report with the following:
Under Section 63J-1-603 of the Utah Code the Legislature intends that any remaining funds provided by item 16, Chapter 4 of the Laws of Utah 2011 for the Division of Child and Family Services not lapse at the close of Fiscal Year 2012. The Legislature further intends that nonlapsing funds be used for the Division of Child and Family Services (DCFS) to begin modernizing its SAFE database system and routinely report on the modernization project's status and current cost estimates at both interim and General Session subcommittee meetings as well as to the Office of the Legislative Fiscal Analyst. The Legislature further intends DCFS develop performance measures associated with organizational efficiencies and worker productivity to demonstrate the anticipated benefits that modernizing the SAFE system would have on the core purposes of DCFS and share these measures with the subcommittee prior to any significant expenditure of funds for the SAFE project.

ADDITIONAL BUDGET ACTIONS

1. I move to appropriate \$750,000 one-time from the General Fund Restricted – State Disaster Recovery Restricted Account to the Emergency Management line item in the Department of Public Safety for FY 2013, with the following intent language:

The Legislature intends that the FY 2013 appropriation of \$750,000 from the State Disaster Recovery Restricted Account be used by the Department of Public Safety – Emergency Management Division only for flood prevention in the Ogden Bird Refuge area.

2. I move to appropriate \$100,000 one-time from the General Fund Restricted – State Disaster Recovery Restricted Account to the Division of Homeland Security - Emergency Disaster Management line item in the Department of Public Safety for FY 2012.

3. I move to approve the following intent language for FY 2013:

The Legislature intends that the FY 2013 appropriation increase of \$551,400 for DORA be used to treat probationers, and that the DORA Oversight Committee, the Division of Substance Abuse and Mental Health, and the Department of Corrections, in cooperation with the Utah Association of Counties, study and develop recommendations to the Legislature for expansion of treatment and supervision models for DORA parolees in future years.

4. I move to approve the following intent language for FY 2013:

The Legislature intends that the FY 2013 appropriation increase of \$50,000 for This Is the Place Heritage Park be transferred to the park only after the park has received matching funds of at least \$50,000 from Salt Lake City and at least \$50,000 from Salt Lake County.

5. I move to allocate \$6,000,000 to the Tourism Marketing Performance Fund in FY 2013 from earmarked sales tax revenue and to allocate the restricted revenue to the advertising budget in tourism.

6. I move to approve the following intent language for FY 2013:

The Legislature intends that the Department of Health use part of the appropriations from the Health Care Financing line item to pursue obtaining CHIPRA Performance Bonuses if the department determines that it would be in the best financial interest of the state.

7. I move to approve the following intent language for FY 2012:

The Legislature intends that the FY 2012 appropriation increase of \$49,000 for the Utah Occupational Safety and Health Division in the Utah Labor Commission be used to expand the division's fleet by five vehicles.