

**REVISED MINUTES
OF THE JOINT CAPITAL FACILITIES & ADMINISTRATIVE SERVICES
APPROPRIATIONS SUBCOMMITTEE
February 12, 1999 at 2:00 p.m.
ROOM 405, STATE CAPITOL BUILDING**

Members Present: Sen. Beverly Evans, Committee Co-Chair
 Rep. Gerry A. Adair, Committee Co-Chair
 Sen. Mike Dmitrich
 Rep. Jeff Alexander
 Rep. Ralph Becker
 Rep. DeMar "Bud" Bowman
 Rep. Brent H. Goodfellow
 Rep. Bradley T. Johnson
 Rep. Loraine T. Pace
 Rep. Raymond W. Short
 Rep. Richard L. Walsh

Members Excused: President Lane Beattie

Staff Present: Kevin Walthers, Fiscal Analyst
 Jonathan Ball, Fiscal Analyst
 Susy Carter, Committee Secretary

List of others present is on file.

Co-Chairman Adair called the meeting to order at 2:00 p.m. and recessed to await the arrival of a quorum. He called the meeting to order again at 2:10 p.m.

Further Intent Language was distributed and discussed.

MOTION: Rep. Pace moved to approve the following intent language:

It is the intent of the Legislature that the Division of Facilities Construction and Management involve the Office of the Legislative Fiscal Analyst in all programming decisions. Furthermore, DFCM shall provide the Office of the Legislative Fiscal Analyst with approved schematic designs so that the Analyst may keep members of the Capital Facilities and Administrative Services committee updated during the interim.

Rep. Pace explained the intent language. Rich Byfield, Director, DFCM, and Raylene Ireland, Director, DAS, expressed concerns. Mr. Walthers clarified the language. Reps. Short and Goodfellow and Sen. Evans commented. Rep. Pace withdrew the motion.

MOTION: Rep. Walsh moved to **reconsider** the action on previous intent language.

The motion passed unanimously with Rep. Becker absent for the vote.

MOTION: Rep. Walsh moved to approve the following intent language:

It is the intent of the Legislature that the Office of the Legislative Fiscal Analyst provide a report on the size, composition, usage, and age of **fleet owned by the Department of Natural Resources and by Institutions of Higher Education** during the interim if meetings are held.

The motion passed unanimously with Rep. Becker absent for the vote.

MOTION: Sen. Evans moved to **reconsider** the previous action on intent language.

The motion passed unanimously with Rep. Becker absent for the vote.

MOTION: Sen. Evans moved to approve the following intent language:

It is the intent of the Legislature that the **Davis Applied Technology Center (DATC) may enter into a lease agreement with Davis County School District** whereby the District may construct a Young Parents School and Day Care Center on DATC property for the benefit for the District and DATC.

Mike Bouwhuis, Superintendent, DATC, responded to questions from Rep. Short and Sen. Evans.

The motion passed unanimously with Rep. Becker absent for the vote.

Peter K. Wilson, Lt. Col., **Utah Army National Guard**, brought a proposal before the committee to sell existing armory property in Salt Lake City on Guardsman Way and use the proceeds to construct an armory at Camp Williams, noting that if accepted, the Utah National Guard would withdraw the building of the Vernal armory until next year. Rep. Goodfellow expressed concerns about the interests of the University of Utah. Chair Adair announced the prerogative of the chair to delay consideration of this proposal since it was not on the agenda and allow the interested parties to discuss their concerns.

MOTION: Rep. Alexander moved to replace the intent language on the Tax Commission.

It is the intent of the Legislature that the **Tax Commission out-source all accounts over 24 month old that are not in litigation**, under a payment agreement, assigned to a

collector for active collection or whose out-sourcing would be in violation of State or Federal law. The Tax Commission shall report the results of out-sourcing efforts to the Office of State Debt Collection. It is the intent of the Legislature to appropriate funding to the Tax Commission for the UTAX project from the collection of out-sourced accounts receivables. The Appropriation will be limited to the amount of funds recovered, not to exceed \$5,100,000.

The motion passed unanimously with Rep. Becker absent for the vote.

MOTION: Rep. Alexander moved to approve the three following pieces of intent language:

It is the intent of the Legislature that the **Tax Commission may only use the appropriation from out-sourced accounts receivable** up to the amount actually collected.

It is the intent of the Legislature that **state agencies will comply with rules established for write-off of delinquent accounts receivables** unless State or Federal law prohibits such compliance, more, accounts receivable, when written off, shall be pursued by the Office of State Debt Collection.

It is the intent of the Legislature that the **Office of State Debt Collection be authorized to establish by rule that reasonable costs of collection be passed on to the debtor**, including legal and administrative costs unless inappropriate or prohibited by law.

The motion passed unanimously with Rep. Becker absent for the vote.

MOTION: Rep. Goodfellow moved to approve the recommendation of the Legislative Fiscal Analyst for **O&M on non-state funded projects** as outlined in the paper distributed to the members.

Chris Mitchell, Research, and Pete Haun, Executive Director, Department of Corrections, and Randy Turpin, Vice President, University of Utah, responded to questions from Reps. Alexander, Johnson, Short and Adair and Sen. Dmitrich.

The motion passed unanimously with Rep. Becker absent for the vote.

MOTION: Sen. Dmitrich moved to approve the following intent language:

It is the intent of the Legislature to direct the **Department of Corrections to proceed in**

building minimum security inmate housing, using funds from the Violent Offender Incarceration Truth In Sentencing federal grant.

The motion passed unanimously with Rep. Becker absent for the vote.

The **Capital Facilities List** was distributed to the members. Chairs Adair and Evans explained how the process of funding was carried out. They responded to questions from Rep. Short.

MOTION: Rep. Short moved to present the Capital Facility List to the caucus and get the amount of bonding that will be able to be approved.

Chair Adair relinquished the Chair to Sen. Evans and spoke against the motion. He resumed the Chair.

SUBSTITUTE MOTION: Rep. Goodfellow moved to **approve the recommended Capital Facility Projects List** as developed by the committee.

Rep. Short resisted the substitute motion. Sen. Evans and Rep. Bowman supported the substitute motion. Gilbert Cook, Vice President, UVSC, Rich Byfield, Director, DFCM, and Steve Bennion, President, SUU, responded to questions from Reps. Short, Walsh, Alexander, and Adair. Each member responded to a suggestion to drop items 12 and 13 to fully fund UVSC. Rep. Goodfellow resisted the suggestion and proposed increasing UVSC by \$3 million which would be added to the GO Bond. He then called for the question.

The substitute motion with the \$3 million increase for UVSC passed with Sens. Evans and Dmitrich and Reps. Adair, Alexander, Becker, Bowman, Goodfellow, and Walsh voting for and Reps. Johnson, Pace and Short voting against.

MOTION: Rep. Johnson moved to approve the **O&M for Transportation Projects** as outlined on the Capital Facility List.

The motion passed unanimously with Rep. Becker absent for the vote.

MOTION: Sen. Dmitrich moved to approve \$8.5 million for UTAX.

Reps. Goodfellow, Short, and Adair discussed the UTAX proposal.

The motion passed unanimously with Rep. Becker absent for the vote.

MOTION: Rep. Short moved to fund the Brigham City Office Purchase for Human Services and the Administration Building for Corrections **from Revenue Bond to the G.O. Bond.**

Sens. Dmitrich and Evans resisted the motion.

SUBSTITUTE MOTION: Rep. Goodfellow moved to **fund these projects with Revenue Bonds** as proposed on the Capital Facility List.

Rep. Johnson was informed that \$234,570,000 was the total current on Revenue Bonds and \$417,310,000 was the total current on G.O. Bonds. A roll call vote was taken on the substitute motion. Rep. Short spoke against the substitute motion.

The substitute motion failed with Sen. Dmitrich and Reps. Goodfellow and Johnson voting for and Sen. Evans and Reps. Adair, Alexander, Bowman, Pace, Short, and Walsh voting against and Rep. Becker absent for the vote.

A roll call vote was taken on the original motion.

The motion failed with Reps. Alexander, Johnson, Short, and Walsh voting for and Sens. Evans and Dmitrich and Reps. Adair, Bowman, Goodfellow, and Pace voting against and Rep. Becker absent for the vote.

MOTION: Rep. Alexander moved to adjourn.

The motion passed unanimously with Rep. Becker absent for the vote.

The meeting was adjourned at 4:10 p.m.

The minutes were reported by Susy Carter.

Sen. Beverly Evans
Committee Co-Chair

Rep. Gerry A. Adair
Committee Co-Chair