

MINUTES OF THE EXECUTIVE APPROPRIATIONS COMMITTEE

February 23, 1999, 4:00 p.m.

Room 303, State Capitol

Members Present: Sen. David Steele, Committee Co-chair
Rep. Jeff Alexander, Committee Co-chair
Pres. Lane Beattie
Sen. Leonard Blackham
Sen. Gene Davis
Sen. Mike Dmitrich
Sen. Lyle Hillyard
Sen. Paula Julander
Sen. Al Mansell
Rep. Patrice Arent
Rep. Ralph Becker
Rep. Greg Curtis
Rep. Kevin Garn
Rep. David M. Jones
Rep. Brad King
Speaker Martin Stephens
Rep. David Ure

Sen. John Valentine, Vice Chair

Rep. Tom Hatch, Vice Chair

Staff Present: John E. Massey, Legislative Fiscal Analyst
Linda Hansen, Secretary
Susy Carter, Secretary

List of others present on file.

Committee Co-Chair Alexander called the meeting to order at 4:25 p.m.

1. Approval of Minutes

MOTION: Sen. Davis moved to approve the minutes of February 18, 1999.

The motion passed unanimously with Sens. Blackham, Hillyard, Mansell, and Rep. Stephens absent at the time of voting.

2. Transportation and Environmental Quality

Sen. Peter Knudson and Rep. Marda Dillree presented the recommendations of the Subcommittee. They discussed the Utah National Guard recommendations as well.

Department of Transportation

MOTION: Co-Chair Steele moved to amend the Subcommittee's recommendation for the Department of Transportation for FY 2000 by reducing the General Fund appropriation by \$100,000 as listed on page 4 and adjust the Support Services Program as listed on pages 5 and 6 in the supporting line item summaries.

The motion passed unanimously with Sens. Davis, Dmitrich and Reps Alexander, Stephens and Ure absent at the time of voting.

MOTION: Co-Chair Steele moved to amend the Subcommittee's recommendation for the Department of Transportation for FY 2000 by adding \$17,506,000 from the Transportation Fund as listed on page 4 and adjusting the State Construction-New Program by the same amount as listed on pages 5 and 9 in the supporting line item summaries.

The motion passed unanimously with Sens. Davis, Dmitrich and Reps. Alexander, Stephens and Ure absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the amended Subcommittee recommendation for the Department of Transportation for FY 2000 in the amount of \$593,380,500 with \$116,093,300 from the General Fund and the other sources as listed on page 4. The total recommendation is supported by the line item summaries on the following pages:

Support Services	Page 6
Engineering Services	Page 7
Maintenance Management	Page 8
Construction	Page 9
Region Management	Page 11
Equipment Management	Page 12
Sidewalks	Page 13
B & C Roads	Page 14
Aeronautics	Page 15
Mineral Lease	Page 16

The motion passed unanimously with Sens. Davis, Dmitrich, and Reps. Alexander, Stephens and Ure absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for Legislative intent language for the Department of Transportation for FY 2000 as listed on the following pages:

Engineering Services	Page 7
Maintenance Management	Page 8
Construction	Pages 9 & 10
Region Management	Page 11
Equipment Management	Page 12
Sidewalks	Page 13
Mineral Lease	Page 16

The motion passed unanimously with Sens. Davis, Dmitrich, and Reps. Alexander, Stephens and Ure absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendation for the Department of Transportation for FY 1999 supplementals in the net amount of \$154,900 from the sources listed on page 18. The total recommendation is supported by the line item summaries on the following pages:

Support Services	Page 19
Engineering Services	Page 20
Maintenance Management	Page 21
Construction	Page 22
Region Management	Page 23
Equipment Management	Page 24

The motion passed unanimously with Sens. Davis, Dmitrich, and Reps. Alexander, Stephens and Ure absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for the Department of Transportation for FY 1999 Non-lapsing Funds under terms of Section 68-38-8.1 Utah Code Annotated, as listed on the following pages:

Support Services	Page 19
Maintenance Management	Page 21
Equipment Management	Page 24
Aeronautics	Page 25

The motion passed unanimously with Sens. Davis, Dmitrich, and Reps. Alexander, Stephens and Ure absent at the time of voting.

Department of Environmental Quality

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendation for the Department of Environmental Quality FY 2000 in the amount of \$75,860,000 with \$9,135,100 from the General Fund and from other sources as listed on page 26. The total

recommendation is supported by the summary of programs listed on page 27.

The motion passed unanimously with Sens. Davis, Dmitrich, and Reps. Alexander, Stephens and Ure absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for intent language for the Department of Environmental Quality for FY 2000 as listed on page 27.

SUBSTITUTE MOTION: Rep. King moved to accept the Subcommittee's recommendation for the Department of Environmental Quality for FY 2000 as listed on page 27 with the following additional intent language:

It is the intent of the Legislature that the Division of Air Quality, within the Department of Environmental Quality, implement a program to provide recognition to Utah businesses who have within the last ten years significantly reduced their operating emissions. The program shall include certificates of commendation to be presented by the Department of Environmental Quality to these companies.

Diane Nielsen, Executive Director of Environmental Quality, responded to Rep. King's substitute motion for intent language. He withdrew the substitute motion.

The substitute motion passed unanimously with Sen. Dmitrich and Reps. Alexander, Stephens, and Ure absent at the time of voting.

Mark Bleazard, fiscal analyst, noted corrections of "Division Conducted Inspection Per Tube 105.00" on page 33 and "Division Conducted Annual or Biannual Inspections per Tube 105.00" on page 34 for the fees for the Department of Environmental Quality.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for fees for the Department of Environmental Quality for FY 2000 as listed on pages 29-45 with the changes on pages 33 and 44 noted.

Mr. Bleazard responded to questions from Pres Beattie and Rep. Curtis.

The motion passed unanimously with Sen. Dmitrich, Reps. Stephens and Ure absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for the Department of Environmental Quality FY 1999 supplementals in the amount of \$50,000 distributed to the program items in the amounts shown on page 46.

The motion passed unanimously with Sen. Dmitrich, Reps. Stephens and Ure absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for intent language for the Department of Environmental Quality for FY 1999 as listed on page 46.

The motion passed unanimously with Sen. Dmitrich, Reps. Stephens and Ure absent at the time of voting.

Utah National Guard

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendation for the Utah National Guard for FY 2000 in the amount of \$13,116,400 with \$3,337,000 from the General Fund and from other sources as listed on page 48.

The motion passed unanimously with Sen. Dmitrich and Reps. Stephens and Ure absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for intent language for the Utah National Guard for FY 2000 as listed on page 48.

The motion passed unanimously with Sen. Dmitrich and Reps. Stephens and Ure absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendation for intent language for the Utah National Guard for FY 1999 as listed on page 49.

The motion passed unanimously with Sen. Dmitrich and Reps. Stephens and Ure absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for the Utah National Guard for FY 1999 Nonlapsing Funds under terms of Section 68-38-8.1 Utah Code Annotated, as listed on page 49.

The motion passed unanimously with Sen. Dmitrich and Reps. Stephens and Ure absent at the time of voting.

3. Natural Resources

Sen. Howard Nielsen and Rep. Evan Olsen presented the recommendations of the Subcommittee.

A request from the Agriculture Department about water cleanup was presented for authorization for one more FTE. They responded to questions from Rep. Jones.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for the Departments of Agriculture & Food, Natural Resources, and School and Institutional Trust Lands Administration for FY 2000; the total budget recommendation being \$149,109,700 with \$43,754,400 from the General Fund and the remainder from the other sources as listed on page 1. The total recommendation is supported by the line item summaries on pages 3-71 in the Subcommittee's report.

The motion passed unanimously with Reps. Stephens and Ure absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for fees for the Departments of Agriculture & Food and Natural Resources for FY 2000 as listed on the following pages:

Agriculture Administration	Pages 6-14
Agriculture Marketing & Development	Page 16
Brand Inspection	Page 19
Predatory Animal Control	Page 20
Auction Market Veterinarian	Page 21
Sheep Promotion	Page 22
Soil Conservation District Commission	Page 23
Grain Inspection	Pages 25-26
Agricultural Environmental Quality	Page 27
Insect Infestation	Page 28
Resource Conservation	Page 29
Oil, Gas and Mining	Pages 42-43
Water Rights	Pages 46-47
Wildlife Resources	Pages 53-60

The motion passed unanimously with Reps. Stephens and Ure absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for legislative intent language for the Departments of Agriculture & Food and Natural Resources for FY 2000 as found on the following pages:

Agriculture Administration	Page 5
Agriculture Marketing & Development	Page 15
Predatory Animal Control	Page 20
Auction Market Veterinarians	Page 21

Grain Inspection	Page 24
Resource Conservation	Page 29
Natural Resources Administration	Page 36
Natural Resources Internal Service Fund	Page 38
Oil, Gas and Mining	Page 41
Utah Geological Survey	Page 44
Water Resources	Page 50
Wildlife Resources	Pages 51-52
Wildlife Resources - Cooperative Studies	Page 61
Wildlife Resources - Contributed Research	Page 62
Wildlife Resources - Predator Control	Page 63
Parks & Recreation	Page 65
Wildlife Resources - Capital Budget	Page 70
Park & Recreation - Capital Budget	Page 71

The motion passed unanimously with Reps. Stephens and Ure absent at the time of voting.

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

It is the intent of the Legislature that the Division of Wildlife Resources transfer an additional \$20,000 in General Funds to the Department of Agriculture for use in the Predatory Animal Control program.

It is the intent of the Legislature that \$20,000 of the revenue transferred from the Division of Wildlife Resources' General Fund may be disbursed to county predator control programs, only as a one-to-one match with county funds. It is also the intent of the Legislature that these funds be nonlapsing.

Rep. Ure responded to questions from Pres. Beattie.

The motion passed unanimously with Rep. Stephens absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for the Departments of Agriculture & Food and Natural Resources' Internal Service Funds for FY 2000 as found on the following pages:

Agriculture & Food - Data Processing	Pages 31-32
Natural Resources - Data Processing	Pages 37-38
Natural Resources - Motor Pool	Pages 37-38
Natural Resources - Warehouse	Pages 37-38

The motion passed unanimously with Rep. Stephens absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for the Departments of Agriculture & Food, Natural Resources, and School and Institutional Trust Lands Administration for FY 1999 Supplementals in the amount of \$1,298,700 with \$57,700 being from the General Fund and the remainder from the other sources as listed on page 72.

The motion passed unanimously with Rep. Stephens absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for legislative intent language for the Department of Natural Resources for FY 1999 as listed on page 73.

The motion passed unanimously Rep. Stephens absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for the Departments of Agriculture & Food and Natural Resources for use of FY 1999 nonlapsing funds as listed on pages 74-78.

The motion passed unanimously Rep. Stephens absent at the time of voting.

4. Public Education

Sen. Howard Stephenson and Rep. Nora Stephens presented the recommendation of the Subcommittee. Rep. Stephens requested to have three days of interim meetings to discuss eleven items listed on page 13. A handout of intent language for options for class size reductions was discussed. The subcommittee co-chairs responded to questions from Sen. Steele and Rep. Arent. Mr. Massey commented that all intent language is reviewed and that concerns were noted on page 35 where intent language appropriated funding.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for Public Education, including the Minimum School Program, for FY 2000 in the amount of \$2,067,559,736 with \$1,503,946,007 from the Uniform School Fund and \$180,000 from the General Fund and from other sources as listed on page 1. The total recommendation is supported by the line item summaries on the following pages:

Public Education Summary	Page 1
Minimum School Program	Page 2
Capital Outlay Foundation Program	Page 8
Public Education Agencies Summary	Page 9

Utah State Office of Education	Page 10
USOE - Internal Service Funds	Page 11
Child Nutrition	Page 15
Applied Technology Education Summary	Page 16
Bridgerland ATC	Page 18
Davis ATC	Page 19
Ogden/Weber ATC	Page 20
Uintah Basin ATC	Page 21
Applied Technology Center Service Regions	Page 22
Applied Technology Education Development	Page 23
Custom Fit Training	Page 24
Utah State Office of Rehabilitation	Page 25
Utah Schools for the Deaf and the Blind	Page 26
Educational Contracts	Page 27
Fine Arts and Sciences	Page 28

The motion passed unanimously Rep. Stephens absent at the time of voting.

Mr. Massey noted the concerns of the Legislative Fiscal Analyst on the intent language on page 25 for Public Education.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for Legislative intent language for Public Education for FY 2000 as listed on the following pages:

Utah State Office of Education	Page 12 (1-7 new)
Utah Schools for the Deaf and the Blind	Page 26 (1 is new)
Fine Arts and Sciences	Page 28 (1-2 new)
Applied Technology Centers	Pages 16-17 (1,2,3,5, & 6 are new)

The motion passed unanimously with Rep. Stephens absent at the time of voting.

MOTION: Rep. King moved that the USOE be directed to set up a uniform accounting of average daily attendance of students on page 12, item 3.

State Superintendent Steve Lang and Sen. Stephenson and Rep. Stephens explained their efforts to account for the average daily attendance of students and noted that truancy prevention ties in with attendance. Pres. Beattie commented that USOC computer technology employees could write a program to track attendance. Superintendent Lang agreed.

SUBSTITUTE MOTION: Pres. Beattie moved to insert "for the 1999 - 2000 school year" after Annual Report on page 12, item 3.

The substitute motion passed unanimously Rep. Stephens absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for the modifications of the Minimum School Finance Act as shown on pages 3-7, Items 1, 2, 3, 4, and 11.

The motion passed unanimously Rep. Stephens absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's other recommendations for Public Education for FY 2000 as listed on pages 13 and 14, Items 1-4, and also on page 16, Item 4.

The motion passed unanimously Rep. Stephens absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for the State Board of Education Internal Service Funds fees, rates, FTEs, and Revenues for FY 2000 as indicated on page 11.

The motion passed unanimously Rep. Stephens absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for the State Board of Education Indirect Cost Pool fees, FTEs, capital budget, and rates for FY 2000 as indicated on page 11.

The motion passed unanimously Rep. Stephens absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendations for Public Education for FY 1999 supplemental appropriations in the amount of \$2,500,000 with funding sources and intent language as listed on page 30.

The motion passed unanimously Rep. Stephens absent at the time of voting.

5. Executive Offices, Criminal Justice, and Legislature

Sen. Waddoups and Rep. Chard presented the recommendations of the Subcommittee. 1% of all subcommittee budgets was requisitioned for crime prevention. The effectiveness of using funds to enhance programs to cut down on crime in Juvenile Justice system were discussed and prioritized. Comprehensive Emergency Management and increase in court clerks salaries were noted as the top priorities. The co-chairmen and fiscal analysts Andrea Wilco and Bill Dinehart responded to questions from Sens. Dmitrich, Howell, Blackham, Beattie, and Hillyard and Reps.

Ure, Jones, Arent, Curtis, and Stephens.

Executive Offices

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendation for the **Executive Offices** budgets for FY 2000 with \$26,038,900 in General Fund and other funds as indicated on page 4.

Reps. Jones and Arent and Sen. Julander recorded their disapproval of this budget. Pres. Beattie commended the Subcommittee for its work. Rep. Jones declared a conflict of interest.

The motion passed with Sens. Beattie, Blackham, Hillyard, Mansell, and Steele and Reps. Curtis, Garn, Ure, Alexander voting in favor and Sens. Davis, Dmitrich, Howell and Julander, and Reps. Arent, Becker, Jones, and King voting against. Rep. Stephens was absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendation for the **Courts** budget for FY 2000 with \$83,857,300 in General Fund and other funds as indicated on page 13.

Co-Chair Steele moved to accept the Subcommittee's recommendation for the **Corrections** budget for FY 2000 with \$153,560,100 in General Fund and other funds as indicated on page 23.

Co-Chair Steele moved to accept the Subcommittee's recommendation for the **Board of Pardons** budget for FY 2000 with \$2,397,800 in General Fund and other funds as indicated on page 34.

Co-Chair Steele moved to accept the Subcommittee's recommendation for the **Division of Youth Corrections** budget for FY 2000 with \$60,418,300 in General Fund and other funds as indicated on page 37.

Co-Chair Steele moved to accept the Subcommittee's recommendation for the **Department of Public Safety** budget for FY 2000 with \$39,676,700 in General Fund and other funds as indicated on page 44.

Co-Chair Steele moved to accept the Subcommittee's recommendation for the **Legislative** budget for FY 2000 with \$12,190,400 in General Fund and other funds as indicated on page 62.

The motion passed with Sens. Beattie, Blackham, Davis, Dmitrich, Hillyard, Mansell, and Steele and Reps. Curtis, Garn, Ure and Alexander voting in favor and Sens. Howell and Julander and Reps. Arent, Becker, Jones and King voting against. Rep. Stephens was absent at the time of voting.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendation for

the schedule of fees for the **State Fire Marshall**, Department of Public Safety, as found on page 58.

Co-Chair Steele moved to accept the Subcommittee's recommendation for the schedule of fees for the **Utah Highway Patrol**, Department of Public Safety, as found on pages 58-59.

Co-Chair Steele moved to accept the Subcommittee's recommendation for the schedule of fees for the **Driver's License Division**, Department of Public Safety, as found on page 59.

The motion passed unanimously.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendation for a supplemental appropriation for the **Executive Offices** as found on page 63.

The motion passed unanimously.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendation for a supplemental appropriation and intent language for the **Courts** as found on page 64.

The motion passed unanimously.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendation for a supplemental appropriation and intent language for the **Department of Corrections** as found on page 65.

The motion passed unanimously.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendation for a supplemental appropriation and intent language for the **Division of Youth Corrections** as found on page 67.

The motion passed unanimously.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendation for a supplemental appropriation and intent language for the **Department of Public Safety** as found on page 68.

The motion passed unanimously.

MOTION: Co-Chair Steele moved to accept the Subcommittee's recommendation for the legislative intent language for the **Governor** as found on pages 5 and 6.

Co-Chair Steele moved to accept the Subcommittee's recommendation for the legislative intent language for the **Auditor** as found on page 8.

Co-Chair Steele moved to accept the Subcommittee's recommendation for the legislative intent language for the **Treasurer** as found on page 9.

Co-Chair Steele moved to accept the Subcommittee's recommendation for the legislative intent language for the **Attorney General** as found on pages 10 and 11.

Co-Chair Steele moved to accept the Subcommittee's recommendation for the legislative intent language for the **Courts** as found on page 14, Item 1, and pages 16,18, and 19.

Co-Chair Steele moved to accept the Subcommittee's recommendation for the legislative intent language for the **Department of Corrections** as found on pages 24, 25, 26, and 65.

Co-Chair Steele moved to accept the Subcommittee's recommendation for the legislative intent language for the **Board of Pardons** as found on page 34.

Co-Chair Steele moved to accept the Subcommittee's recommendation for the legislative intent language for the **Division of Youth Corrections** as found on pages 38, 39, 40, 41, and 67.

Co-Chair Steele moved to accept the Subcommittee's recommendation for the legislative intent language for the **Department of Public Safety** as found on pages 46, 47, 53, 54, 55, 57, and 68.

SUBSTITUTE MOTION: Sen. Hillyard moved to accept the Subcommittee's recommendation with the following change for the intent language on page 6, paragraph 5, deleting the other committees:

The parties will work through the legislative interim process with the Judiciary Committee to determine best practices and provide specific recommendations including implementation strategies for improving Utah's Juvenile Justice System.

The substitute motion passed unanimously.

MOTION: Co-Chair Steele moved the distributed intent language from the Attorney General about Quick Court on the Web.

Rep. Curtis questioned the language. It was suggested that the Division of Finance should be consulted. Co-Chair Steele withdrew the motion.

MOTION: Co-Chair Steele moved to adjourn.

The meeting adjourned at 7:06 p.m.

Minutes reported by Linda Hansen and Susy Carter.

Sen. David H. Steele, Co-Chair

Rep. Jeff Alexander, Co-Chair