

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
JOINT APPROPRIATIONS SUBCOMMITTEE
ROOM 405 STATE CAPITOL BUILDING**

January 22, 2001

Members Present: Sen. D. Chris Buttars , Co-Chair
Rep. A. Lamont Tyler, Co-Chair
Sen. Peter C. Knudsen
Sen. Pete Suazo
Rep. Ron Bigelow
Rep. Gary F. Cox
Rep. Scott Daniels
Rep. Paul Ray
Rep. Mike Thompson

Members Absent: None

Staff Present: Bill Dinehart, Fiscal Analyst
Dr. Andrea Wilko, Fiscal Analyst
Cherri White, Committee Secretary

Visitors List: List filed with Committee Minutes

Senator Buttars called the meeting to order at 2:13 p.m. He requested that the committee consider reducing all budgets by 1% of their general fund monies to allow the committee some flexibility during the budgeting process. He indicated he would like discussion of the matter toward the end of the meeting.

MOTION: Representative Tyler moved that the committee tentatively approve the Analyst's recommendation for the State Auditor's Office in the amount of \$3,274,600. The motion passed unanimously with Senator Knudsen absent for the vote.

Fiscal Analyst Dr. Andrea Wilko asked that the committee consider the intent language given with each departments budget.

"It is the intent of the Legislature that funding for the State Auditor be nonlapsing."

MOTION: Representative Cox moved that the committee tentatively approve the Analyst's recommendation for the State Treasurer's Office in the amount of \$2,107,400. The motion passed unanimously with Senator Knudsen absent for the vote.

MOTION: Representative Tyler moved that the committee initiate a priority funding list and place on that list for the State Treasurer's Office \$100,000 for FY 2001, \$200,000 for FY 2002 for funding Initiative B. The final prioritization of items on the list

would occur at the end of the appropriations process. The motion passed unanimously with Senator Knudsen absent for the vote.

The Analyst pointed out the following recommended intent language:

“It is the intent of the Legislature that funding for the State Treasurer be nonlapsing.”

MOTION: Representative Bigelow moved to reduce from each budget, not to include the State Treasurer or State Auditor, 1% of all General Fund monies. Further that these monies would be set aside for the committee to use to address specific needs that may not be addressed in individual budgets. The precise projects would be determined toward the end of the session when more information regarding each Agencies budget has been addressed. The motion passed 7-1, with Representative Tyler voting against the motion, and Senator Knudsen absent for the vote.

Fiscal Analyst, Dr. Andrea Wilko presented the Analyst’s recommendation for the Governor’s budget (tab 7). Dr. Wilko indicated that while she had not indicated any building blocks for the Governor’s Office that should funding become available she would make the following recommendations.

1. Under the Elections line item and increase of \$36,000 to fund costs associated with November 2000 election in relation to Initiative B. As this was not an Initiative that originated within the government sector there was no known way to budget for this. The additional funding would cover expenditures that had already occurred.
2. RS 2477 - This would become a separate line item in the Governor’s budget. It is further recommended that the following intent language be adopted in addition: *“It is the intent of the Legislature that funds expended from RS 2477 be used for litigation designed to quiet title to existing rights of way established before 1976 under RS 2477 guidelines. It is further the intent of the Legislature that the Governor or his designee shall present a report to the Legislature during each General Session detailing activities funded within this line item.”*
3. There has been an Emergency Fund for use by the Governor that can be used for state emergencies. In the past there has been an allocation of \$100,000 in this fund. It has helped with various emergencies through the years, most recently it was used to assist in the Riverdale floods. Currently there is a need associated with the creation of the nuclear waste opposition office to fight the movement of nuclear waste to Utah, currently on the Goshute Reservation.

It is further recommended that the following intent language be adopted by the committee:

“It is the intent of the Legislature that funding for the Governor’s budget be nonlapsing.”

“It is the intent of the Legislature that funding for the Elections Program be nonlapsing.”

“It is the intent of the Legislature that funding for the Commission on Women and Families be nonlapsing.”

“It is the intent of the Legislature that funding for the Emergency Fund be nonlapsing.”

“It is the intent of the Legislature that funding for the RS 2477 be nonlapsing.”

Lynne Ward, Governor’s Office of Planning and Budget presented the Governor’s response to the Analyst’s budget recommendations. Ms. Ward indicated the need for funding for the Emergency Fund. The monies in this fund have been greatly depleted due to emergencies throughout the state. With the increased need to fight against the depositing of nuclear waste in Utah there is a need for funding in this area. Ms. Ward took questions from the committee regarding the process of awarding funds to emergencies within the state. She indicated that part of the criteria involved the necessity of funds only going to projects that had been funded in the past through the legislature and state monies. In addition the Governor is not able to use these funds for new projects or programs.

Abbie Vianes, Executive Director, Governor’s Commission for Women and Families gave a brief presentation on their line item in the Governor’s budget. She presented to the committee a “2000 Legislative Report” and pamphlet from the Commission. She was available for questions from the committee regarding the budget for the Commission.

Sandy Naegle, Governor’s Office of Planning and Budget addressed the GIFT Task Force, and working with Utah Power/Scottish Power in organizing the Olympic Music Commission and the need for temporary funding for this area.

Gary Doxey, Legal Council for the Governor’s Office, addressed questions from the committee regarding RS 2477.

At this point the committee took a 5 minute break and reconvened at 3:08 p.m.

Fiscal Analyst, Dr. Andrea Wilko presented the Analyst’s recommendation on the Office of Planning and Budget (tab 8). Dr. Wilko indicated that this budget includes a need of additional funding if it is available for Utah Process Economic and Demographic model (UPED), and the funding of a Deputy Olympic Coordinator. Both of these areas are to be considered one-time funding.

The UPED model is used for population and employment forecasting. It is relied on by state agencies and the legislature for economic forecasting and needs to be updated. It would require \$50,000 in FY 2001 and \$100,000 in FY 2002.

The position of Deputy Olympic Coordinator has already been filled and would require funding of \$106,500 in FY 2001 and \$130,500 in FY 2002. This position would cease to exist after the Olympic and Paralympic games are completed.

Dr. Wilko indicated that the following intent language was recommended for adoption:

“It is the intent of the Legislature that funding for the Office of Planning and Budget be nonlapsing.”

Lynne Ward, Office of Planning and Budget gave the agency response to the Analyst’s budget recommendations. She indicated the need for the continued funding of the Deputy Olympic Coordinator. She introduced Lane Beattie, as the Olympic Coordinator, and Leo Memmott as the Deputy Olympic Coordinator.

Fiscal Analyst, Dr. Andrea Wilko presented that Analyst’s recommendations for the budget of Utah Commission on Criminal and Juvenile Justice. Dr. Wilko indicated that if more funding is made available there is an increased need in the area of Extraditions.

Extraditions is an area where there is little control from the agency. Once a prisoner is located out of state it is necessary for the state to pick him/her up. It is recommended that if there are available funds an increase of \$50,000 in FY 2002 be added to the budget, and a supplemental appropriation of \$36,000 in FY 2001.

The Analyst also makes a recommendation for funding a Crime Victims Reparation Officer. The \$45,600 funding would come from the Crime Victims Reparation Trust Fund. It is further recommended an increase of \$4,100 for rent increase.

The Analyst further recommends the following intent language:

“It is the intent of the Legislature that funding for the Commission on Criminal and Juvenile Justice be nonlapsing.”

Camille Anthony, Executive Director, Utah Commission on Criminal and Juvenile Justice, addressed the committee regarding the Analyst’s budget recommendations. Ms. Anthony distributed to the committee the 2001 Annual Report from the Utah Commission on Criminal and Juvenile Justice. She indicated that the areas addressed by the Analyst, Extraditions, and the Crime Victims Reparation Officer are important considerations. With regards to extraditions, when a prisoner is located and needs to be extradited back to Utah other agencies are contacted to see if anyone is going to the same location for a prisoner. If they are, an agreement is reached for bringing Utah’s prisoner back at the same time. However, there is no guarantee that assistance will be available. In addition, when it is necessary to go to Hawaii or Alaska to bring a prisoner back to Utah the costs can be expensive, averaging over \$3,000 per prisoner transferred. For a reason that is unexplainable Utah has seen an increase in prisoners being located in Hawaii and

Alaska. There has also been an increase in the number of fugitives that require extradition. Utah is now averaging over 500 fugitives per year that require extradition back to Utah.

Ms. Anthony included an introduction of Douglas Bodrero, Citizen Representative, and Chair of the Commission.

MOTION: Representative Daniels moved to adopt the minutes of January 19, 2001. The motion passed unanimously.

MOTION: Representative Cox moved to adjourn. The motion passed unanimously, and the meeting adjourned at 3:37 p.m.

Senator D. Chris Butters, Co- Chair

Representative A. Lamont Tyler, Co-Chair