

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
JOINT APPROPRIATIONS SUBCOMMITTEE
ROOM 405, STATE CAPITOL BUILDING
January 29, 2004**

Members Present: Sen. D. Chris Buttars, Co-Chair
Rep. David L. Hogue, Co-Chair
Sen. Patrice Arent
Sen. Michael Waddoups
Rep. Scott Daniels
Rep. James A. Dunnigan
Rep. Eric K. Hutchings
Rep. Brad King
Rep. Bradley G. Last
Rep. Dana C. Love

Members Absent: Rep. Ron Bigelow

Staff Present: Jonathan Ball, Fiscal Analyst
Gary Ricks, Fiscal Analyst
Kevin Walthers, Fiscal Analyst
Greta Rodebush, Committee Secretary

Visitors List: List filed with committee minutes

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

NOTE: All those who testified before the subcommittee do so under the oath administered by Fiscal Analyst Gary Ricks.

Co-Chair Buttars called the meeting to order at 2:12 p.m. He relinquished the chair to Co-Chair Hogue.

Commission on Criminal and Juvenile Justice

Analyst Ricks presented the FY 2005 budget recommendations for the Commission on Criminal and Juvenile Justice with a total base budget of \$13,166,900.

Programs

CCJJ	7,360,800
Crime Victim Reparations	4,955,900
Extraditions	249,600
Substance Abuse and Anti-violence	206,500
Sentencing Commission	184,100
Crime Prevention Grant	<u>210,000</u>
Total	\$13,166,900

For FY 2005, the Analyst recommends that non-lapsing authority be delayed until the 2005 Legislative session, at which time, the agency will have a more accurate picture of funding balances to which specific projects can be assigned and approved by the Legislature. This is in accordance with the Budgetary Procedures Act.

Agency Response

Ed McConkie, Executive Director, Commission on Criminal and Juvenile Justice, stated that he was in agreement with the Analyst's budget recommendations. He indicated that a significant amount of his staff's time this year has been spent on developing recommendations on treatment for drug offenders in conjunction with Sen. Buttars S.B. 21 Drug Offender Reform Act.

Dave Walsh, Director, Governor's Office of Planning and Budget, answered clarifying questions from the subcommittee on federal funding.

Dan Davis, Director, Crime Victims Reparations Program, spoke to the 2003 Annual Report . A discussion ensued on surcharges and monies taken out and used for other purposes. The current Crime Victims Reparation Fund total about \$11 million. He highlighted four CVR funding priorities:

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|-----|-------------------------------|----------|
| (1) | Additional Rent Increase | \$14,000 |
| (2) | Office Tech III Position | \$36,500 |
| (3) | Reparation Officer Position | \$47,800 |
| (4) | Training Coordinator Position | \$49,900 |

Analyst Ricks answered questions from the subcommittee on the Governor's budget.

MOTION: Rep. Hutchings moved to tentatively approve the Analyst's FY 2005 budget recommendation for the Governor's Office in its entirety. The motion passed with Rep. Daniels voting in opposition and Sen. Waddoups and Rep. King absent for the vote.

MOTION: Sen. Arent moved to place on the priorities list for the Governor's Office the following from the General Fund: \$50,000 on-going in FY 2005 for the Utah Reads Program and \$100,000 one-time FY 2004 supplemental for the Utah Reads Program; \$85,000 one-time for Governor's Transition; \$280,000 one-time

for Biennial Elections; and \$100,000 dedicated credits be added to the Governor's Task Forces budget in FY 2005. The motion passed unanimously and Rep. King absent for the vote.

MOTION: Rep. Daniels moved to place on the priority list the following requests for the Crime Victims Reparation Program to be taken from the Crime Victims Reparations Fund: \$14,000 Additional Rent, \$36,500 Office Tech III Position, and \$47,800 Reparation Officer Position. The motion passed with Sen Buttars voting in opposition and Rep. King absent for the vote.

MOTION: Rep. Hutchings moved to place on the priority list from the General Fund, \$152,000 for Chief Information Officer. The motion passed unanimously with Rep. King absent for the vote.

Co-Chair Hogue relinquished the chair to Co-Chair Buttars.

Chair Buttars moved to saunter for ten minutes.

Jail Contracting

Analyst Ball presented the FY 2005 budget recommendations for Jail Contracting with a total base budget of \$18,086,200. This figure does not include medical and transportation costs. These are funded from the main line item in the Department of Corrections.

The Analyst noted that if the Legislature approves a 6.9% core rate increase, the Analyst recommends adding \$1,244,900 for Jail Contracting to the priorities list.

Jail Reimbursement

Analyst Ball presented the FY 2005 budget recommendations for Jail Reimbursement with a total base budget of \$8,515,000. He highlighted four budget issues:

- (1) The Analyst noted that if the Legislature approves a 6.9% core rate increase, the Analyst recommends adding \$579,100 for Jail Reimbursement for the existing population.
- (2) If the Legislature were to fund growth in the number of probationers that are sentenced to jail at the new core rate, the Analyst recommends adding \$604,100 to the priorities list.

- (3) Funding for medical and transportation costs on the growth in the number of probationers at would be at \$85,600 (70%) or \$122,300 (100%).
- (4) Funding for all medical and transportation costs for current probationers would be \$1,147,500 (70%) or \$1.692,300 million (100%).

Scott Carver, Department of Corrections, answered subcommittee questions.

Reed Richards, Utah Sheriff's Association, explained the inherent differences between jail contracting and jail reimbursement. He also spoke to funding obligations of the State and the counties in these matters. He clarified what Finally, he answered clarifying questions on how the core rate is established.

Judge Jeff Barrett, District Court, discussed sentencing options as they relate to drug offenders. It is his opinion that a significant percentage of crime is drug related, and that he would like to see individuals get into treatment programs along with probation. He supports Sen. Buttars efforts in bringing about the Drug Offenders Reform Act.

The following individuals spoke to the subcommittee:

Jim Tracy, Utah County Sheriff
Glen Burton, County Commissioner, Weber County
Brad Slater, Weber County Sheriff, President of Utah Sheriff's Association

MOTION: Rep. Last moved to adjourn the meeting. The motion passed unanimously with Sen. Waddoups, Rep. Dunnigan, and Rep. King absent for the vote.

Co-Chair Buttars adjourned the meeting at 5:00 p.m.

Sen. D. Chris Buttars, Co-Chair

Rep. David L. Hogue, Co-Chair

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