

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
JOINT APPROPRIATIONS SUBCOMMITTEE
ROOM 405, STATE CAPITOL BUILDING
February 5, 2004**

Members Present: Sen. D. Chris Buttars, Co-Chair
Rep. David L. Hogue, Co-Chair
Sen. Patrice Arent
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
Sen. Michael Waddoups

Staff Present: Jonathan Ball, Fiscal Analyst
Gary Ricks, 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 did so under the oath as administered by Fiscal Analyst, Gary Ricks.

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

Attorney General

Scott Mecham, Financial Manager, and Kirk Torgensen, Chief Deputy, Attorney General's Office, answered questions from the subcommittee.

Sen. Buttars requested that the Attorney General's Office provide the subcommittee with information on the extent of services the Attorney General's Office has been providing to entities outside of state government.

A brief discussion on the \$120,000 GFR-Constitutional Defense Fund for Public Lands ensued. Sandy Naegle, Financial Manager, Governor's Office of Planning and Budget, stated that Lieutenant Governor, Gayle McKeachnie, would like to be present to further discuss this issue.

MOTION: Rep. Dunnigan moved to approve the Analyst's recommendation of \$33,627,700 for the Attorney General's Office. The motion passed unanimously.

MOTION: Rep. Dunnigan moved to place on the top of the priorities list for FY 2004 Supplementals, \$300,000 for the University of Utah's Miner's Settlement. The motion passed unanimously.

MOTION: Rep. Daniels moved to place on the priorities list the following Lawsuit/Judgments: \$385,000 less \$125,000 of unspent funds from last years appropriation for UPEA/UEA Lawsuits; \$114,900 David C. et al vs. Governor; \$23,000 Brian Barnard; and Robert Allsop, \$100,000.

MOTION: After subcommittee discussion, Sen. Buttars moved to call for previous question. The motion passed unanimously.

A vote was taken on the original motion. The motion passed unanimously.

MOTION: Sen. Buttars moved to place on the priorities list a \$1 million Legislative Litigation Fund with intent language to be maintained annually. The motion passed with Sen. Arent, Rep. Daniels, and Rep. King voting in opposition.

MOTION: Rep. Daniels moved to place on the priorities list \$2.2 million for salary increases for Attorney General. The motion passed unanimously.

MOTION: Sen. Arent moved to place on the priorities list \$100,000- General Fund Restricted for Tobacco Settlement enforcement. The motion passed unanimously.

Department of Public Safety

Analyst Ricks presented the FY 2005 budget recommendations for the Department of Public Safety with a total base budget of \$107, 754,800. The programs within the budget are as follows:

Programs

| | |
|--|----------------------|
| Public Safety Programs & Operations | \$65,984,800 |
| Emergency Services and Homeland Security | 12,364,500 |
| Peace Officers' Standards and Training | 6,363,900 |
| Liquor Law Enforcement | 1,334,600 |
| Driver License | 18,151,900 |
| Highway Safety | <u>3,555,100</u> |
| Total | <u>\$107,754,800</u> |

Analyst Ricks recommended that non-lapsing authority be delayed until the 2005 Legislative session when the department will have a better idea of what balances will be available.

The Analyst recommended the following intent language for FY 2005:

It is the intent of the Legislature that the Department of Public Safety may increase the fleet if funding is provided through federal aid or other sources for special programs or projects. It is further intent of the Legislature that vehicles purchased under this intent language will not be eligible for replacement using General Fund borrowing capacity held by the State Division of Fleet Operations. Any expansion vehicle purchase during the interim under this intent language shall be reported to the Legislative Fiscal Analyst.

It is the intent of the Legislature that receipts above the appropriated dedicated credits amount of reimbursable flight time for the Department of Public Safety aircraft be nonlapping and used for major aircraft maintenance.

It is the intent of the Legislature that the Department of Public Safety is authorized to advance officers to the Senior Trooper III level from existing appropriations and/or savings.

It is the intent of the Legislature that the Department of Public Safety may continue with the consolidated line items of appropriation for Fiscal Year 2005 to assist with mitigation of base budget reductions. It is further the intent of the Legislature that this consolidation is for the period of Fiscal Year 2005 only. The following line items of appropriations for continued consolidation into one line item for Fiscal Year 2005 are: Commissioner's Office; Criminal Investigations and Technical Services Division; Utah Highway Patrol; Management Information Services; and Fire Marshal's Office. The remainder of the Department's line items of appropriation will each remain separate line items. These are: Emergency Services and Homeland Security; Peace Officer Standards and Training; Liquor Law Enforcement; Driver License Division; and Utah Highway Safety.

Analyst Ricks presented individual budgets within the various line-items of the FY 2005 budget for the Department of Public Safety. They are as follows:

Public Safety Programs and Operations Line Item

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|-----|-----------------------------------|-------------|
| 3.1 | Commissioner's Office | \$1,857,300 |
| 3.2 | Aero Bureau | 549,200 |
| 3.3 | Admin. Services-Vehicle Equipment | 500,000 |
| 3.4 | DPS Education & Development Ctr. | 1,109,100 |
| 3.5 | Criminal Intelligence Center | 1,192,000 |
| 3.6 | Grants | 3,306,700 |

Criminal Investigations and Technical Services (CITS)

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|------|------------------------------------|-----------|
| 3.7 | CITS Administration | 588,200 |
| 3.8 | CITS Bureau of Criminal Identica | 3,893,000 |
| 3.9 | CITS State Crime Labs | 2,273,500 |
| 3.10 | CITS Crime Lab Grants | 260,000 |
| 3.11 | CITS Communications Bureau | 4,636,000 |
| 3.12 | CITS State Bureau of Investigation | 3,778,700 |
| 3.13 | CITS BCI Grants | 301,400 |

The Analyst recommended that fees under CITS Bureau of Criminal Identification remain the same. (Budget Analysis, Tab 28, page 18, attached to the minutes)

Utah Highway Patrol

| | | |
|------|------------------------------|------------|
| 3.14 | UHP Administration | \$781,000 |
| 3.15 | UHP Field Operations | 22,563,800 |
| 3.16 | UHP Commercial Vehicles | 2,853,500 |
| 3.17 | UHP Safety Inspection | 1,751,000 |
| 3.18 | UHP Federal Projects Program | 2,055,900 |
| 3.19 | UHP Protective Services | 2,215,100 |
| 3.20 | UHP Special Services | 1,513,100 |
| 3.21 | UHP Special Enforcement | 1,300,800 |
| 3.22 | UHP Technical Services | 614,200 |

The Analyst recommended that fees for the services of the Utah Highway Patrol for FY 2005 remain the same. (Budget Analysis, Tab 28, page 26, attached to the minutes)

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|------|--------------------------------|-------------|
| 3.23 | MIS Operations | \$1,491,500 |
| 3.24 | State Fire Marshall Operations | 1,181,700 |

The Analyst recommended that fees for the services of the State Fire Marshall Division for FY 2005 remain the same. (Budget Analysis, Tab 28, page 37, attached to the minutes)

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|------|-----------------------|---------------------|
| 3.25 | Fire Fighter Training | <u>\$3,418,100</u> |
| | | <u>\$65,984,800</u> |

Emergency Services and Homeland Security

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| 3.26 | Emerg. Services & Homeland Sec. | <u>\$12,364,500</u> |
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Peace Officer Standards and Training (POST)

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|------|---------------------------|--------------------|
| 3.27 | POST Administration | \$840,600 |
| 3.28 | POST Basic Training | 1,270,300 |
| 3.29 | POST In-service Training | 723,500 |
| 3.30 | POST Police Corps Academy | <u>3,529,500</u> |
| | | <u>\$6,363,900</u> |

Liquor Law Enforcement

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|-----|------------------------|--------------------|
| 3.1 | Liquor Law Enforcement | <u>\$1,334,600</u> |
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Drivers License

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|------|-------------------------------|---------------------|
| 3.32 | Driver License Administration | \$2,136,000 |
| 3.33 | Driver License Services | 9,502,900 |
| 3.34 | Driver Records | 4,745,000 |
| 3.35 | Motorcycle Safety | 207,900 |
| 3.36 | Uninsured Motorist | <u>1,560,100</u> |
| | | <u>\$18,151,900</u> |

Highway Safety

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|------|----------------|--------------------|
| 3.37 | Highway Safety | <u>\$3,555,100</u> |
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The Analyst recommended that fees for services if the Driver License Division for FY 2005 remain the same. (Budget Analysis, Tab 28, page 48, attached with minutes)

Agency Response

Robert Flowers, Commissioner, Department of Public Safety answered questions from the subcommittee. He was assisted by Rick Wyss, Special Counsel, Department of Public Safety.

The subcommittee requested that the Department of Public Safety provide an update on efforts to coordinate training with the Department of Public Safety and the Department of Corrections. In addition, a request was made to provide cost estimates to increase salaries for the Utah Highway Patrol. Finally, the Department was asked to comment on the MATRIX program.

Co-Chair Hogue indicated that the subcommittee needed to adjourn by 4:00 due to a Rules Committee meeting. He rescheduled Commissioner Flowers presentation for Monday, February 9, 2005.

MOTION: Rep. Dunnigan moved to adjourn. The motion passed unanimously.

Co-Chair Hogue adjourned the meeting at 4:00 p.m.

Sen. D. Chris Buttars, Co-Chair

Rep. David L. Hogue, Co-Chair