

**MINUTES OF THE  
EXECUTIVE OFFICES & CRIMINAL JUSTICE  
JOINT APPROPRIATIONS SUBCOMMITTEE  
ROOM 405, STATE CAPITOL BUILDING  
February 17, 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. Bradley G. Last  
Rep. Dana C. Love

**Members Absent:** Sen. Michael Waddoups  
Rep. Ron Bigelow  
Rep. Brad King

**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 did so under the oath as administered by Fiscal Analyst, Gary Ricks.

Co-Chair Hogue called the meeting to order at 4:35 p.m.

**MOTION:** Sen. Buttars moved to approve the minutes of February 9, 2004. The motion passed unanimously.

Co-Chair Hogue stated that Executive Appropriations had requested that the FY 2005 Budget Recommendations for Executive Offices and Criminal Justice Joint Appropriations Subcommittee be brought into balance. He indicated that some of the approved expenditures had been put in as building blocks and needed to be placed on the priorities list.

Fiscal Analyst, Gary Ricks distributed a copy of "Over Target Info Sheet FY 2005 and Over Target Info Sheet FY 2004" dated 2/14/2004. The following Building Blocks and Attorney General Lawsuits Settlements were listed:

FY 2005

Building Blocks

Courts Leases and Contracts	\$171,000
DPS Cruiser Wiring Harnesses	138,900
DPS Cruiser Equipment	103,000
DPS Building Leases	<u>412,000</u>
Total	<u>\$824,900</u>

FY 2004

Building Blocks

AG Lawsuits Settlements:

U of U Miners' Hospital Settlement	\$300,000
UPEA/UEA Lawsuit	260,000
David C. vs. Leavitt	114,900
Brian Barnard Lawsuit	23,000
Robert Allsop Lawsuit	100,000
DPS Building Leases	<u>347,400</u>
Total	<u>\$1,145,300</u>

Fiscal Analyst Walthers indicated that the subcommittee could take action by placing those items on the priorities list or by reallocating funds within the subcommittee. He pointed out that \$152,000 savings from the ITS rate changes could be used to fund the Chief Information Officer, Governor's Office.

Co-Chair Hogue mentioned that the subcommittee had not looked at restricted funds sufficiently and suggested that the subcommittee further examine those accounts as possible funding alternatives.

MOTION: Sen. Buttars moved to list the "Building Blocks" shown on the "over target" sheet as priorities 8-11 and to add \$127,000 San Pete Day Treatment Center as priority 12 for FY 2005.

Rep. Daniels asked that the Sen. Buttars divide the motion.

SUBSTITUTE

MOTION: Rep. Last moved to list the "Building Blocks" shown on the "over target" sheet as priorities 8-11, add \$127,000 Sanpete Day Treatment Center as priority 12, and add \$1,117,000 Washington County Youth Detention Center Operation as priority 13 for FY 2005, and divide the motion and vote on \$127,000 Sanpete Day Treatment Center as a separate item.

Dan Becker, Court Administrator, answered questions on the Sanpete Day Treatment Center, and Blake Chard, Director, Juvenile Justice Services, answered questions on the Washington County Youth Detention Center Operations.

A vote was taken on the divided Substitute Motion to list the "Building Blocks" shown on the "over target" as priorities 8-11, and add \$117,000 Washington County Youth Detention Center Operations as priority 13. The motion passed unanimously.

A vote was taken on the divided Substitute Motion to add \$127,000 Sanpete Day Treatment Center as priority 12 for FY 2005.

MOTION: Sen. Buttars moved to categorize the Attorney General Lawsuits Settlements and the FY 2004 Department of Public Safety Building Leases as the Executive Offices and Criminal Justice Priority for the current Budget Year. The motion passed unanimously.

Co-Chair Hogue recommended that Sen. Buttars look at TANF funds that typically go to the Division of Workforce Services as a source of one-time funds for the DORA program. Even though Executive Appropriations prefers to fund programs with on-going funds, Co-Chair Hogue felt that enough savings would be realized to justify the use of one-time funds. Co-Chair Buttars concurred and requested that the subcommittee make a recommendation to Executive Appropriations to consider TANF funds for DORA along with intent language. Sen. Arent and Rep. Hutchings expressed their support for DORA.

MOTION: Rep. Hutchings moved to recommend to Executive Appropriations the possibility of using TANF Funds for the DORA program and that staff prepare intent language to that effect. The motion passed unanimously.

MOTION: Sen. Arent moved to appropriate \$152,000 from savings from ITS rate changes to the General Fund, and to appropriate \$152,000 General Fund for the Chief Information Officer in the Governor's Office. The motion passed unanimously.

MOTION: Rep. Dunnigan moved to reconsider the Fees schedule for the Department of Public Safety by proposing the following recommendations:

Driver License/Commercial Driver School

Original License	\$80.00	\$100.00
Annual Renewal License	50.00	100.00
Duplicate License	5.00	10.00
Instructor License	\$15.00	\$30.00
Annual Instructor Renewal License	10.00	20.00
Duplicate Instructor	3.00	6.00
Branch Office Original License	20.00	30.00
Branch Office Reinstatement	20.00	30.00
Instructor School Reinstatement Fee	25.00	75.00

Portable Fire Extinguisher/Automated Fire Suppression System:

Application for Exemption	\$100.00	\$150.00
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MOTION: Co-Chair Buttars called for the question. The motion passed unanimously.

A vote was taken on the motion to adjust the Fees schedule as designated for the Department of Public Safety. The motion passed unanimously.

Co-Chair Hogue recommended that the subcommittee not commit non-lapsing funds for the Department of Corrections to specific projects; but rather, allow the Department to decide on how those monies will be spent.

Co-Chair Hogue referenced a number of Restricted Fund Account Balances that could be examined as possible funding sources.

Rick Wyss, Special Counsel, Department of Public Safety, brought to the subcommittee's attention a one-time FY 2004 Supplemental - \$500,000 UHP In-Car Mobile Technology Replacement which did not make the priority list. He suggested that the subcommittee look at the Fire Academy Support Fund to fund this one-time request for the Department of Public Safety.

Sen. Arent stated that she did not want to make a recommendation to use Fire Academy Support Fund for UHP In-Car Mobile Technology Replacement unless there was a response from the Fire Fighters.

Robert Flowers, Commissioner, Department of Public Safety, confirmed that technology in UHP vehicles was needed.

Co-Chair Hogue indicated that he would try and get approval to hold an additional meeting for tomorrow, Wednesday, February 18, 2004 in order to look more closely at the restricted account fund balances.

MOTION: Rep. Daniels moved to adjourn. The motion passed unanimously with Rep. Hutchings, and Sen. Buttars absent for the vote.

Co-Chair Hogue adjourned the meeting at 5:25 p.m.

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Sen. D. Chris Buttars, Co-Chair

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Rep. David L. Hogue, Co-Chair