

**SUPPLEMENTAL APPROPRIATIONS ACT**

2005 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Lyle W. Hillyard**

House Sponsor: Ron Bigelow

**LONG TITLE**

**General Description:**

This bill supplements or reduces appropriations previously provided for the use and operation of state government for the fiscal year beginning July 1, 2004 and ending June 30, 2005.

**Highlighted Provisions:**

This bill:

- ▶ provides budget increases and decreases for the use and support of certain state agencies;
- ▶ provides budget increases and decreases for other purposes as described;
- ▶ provides intent language.

**Monies Appropriated in this Bill:**

This bill appropriates for fiscal year 2005:

- ▶ \$79,479,600 from the General Fund;
- ▶ \$1,669,900 from the Uniform School Fund;
- ▶ \$58,728,900 from income tax revenue;
- ▶ \$9,758,800 from various sources as detailed herein.

**Other Special Clauses:**

This bill takes effect immediately.

**Utah Code Sections Affected:**

None

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Under the terms and conditions of Section 63-38-3, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or fund accounts indicated for the use and support of the government of the State of Utah for the fiscal year beginning July 1, 2004 and ending June 30, 2005. This is an addition to or a subtraction from amounts previously appropriated for fiscal year 2005.

EXECUTIVE OFFICES & CRIMINAL JUSTICE

GOVERNOR'S OFFICE

ITEM 1 To Governor's Office

From General Fund, One-time

126,000

Schedule of Programs:

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Administration	126,000
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The Legislature intends that funds provided for the  
Governors Office shall not lapse.

## ATTORNEY GENERAL

ITEM 2	To Attorney General	
	From General Fund, One-time	449,300
	From General Fund Restricted - Commerce Service Fund	(449,300)

The Legislature intends that funds provided for the  
Attorney General shall not lapse.

ITEM 3	To Attorney General - Contract Attorneys	
	From General Fund, One-time	99,200
	Schedule of Programs:	
	Contract Attorneys	99,200

The Legislature intends that funds provided for Contract  
Attorneys shall not lapse.

## UTAH DEPARTMENT OF CORRECTIONS

ITEM 4	To Utah Department of Corrections - Programs and Operations	
	From General Fund, One-time	1,495,400
	Schedule of Programs:	
	Institutional Operations Draper Facility	1,495,400

It is the intent of the Legislature that the funds for Programs  
and Operations shall not lapse.

ITEM 5	To Utah Department of Corrections - Jail Contracting	
	From General Fund, One-time	250,000
	Schedule of Programs:	
	Jail Contracting	250,000

It is the intent of the Legislature that the funds for Jail  
Contracting shall not lapse.

## DEPARTMENT OF HUMAN SERVICES - DIVISION OF JUVENILE JUSTICE SERVICES

ITEM 6	To Department of Human Services - Division of Juvenile Justice Services - Programs and Operations	
	From General Fund, One-time	750,000
	Schedule of Programs:	
	Community Programs	562,500
	Rural Programs	187,500

It is the intent of the Legislature that the funds for Programs  
and Operations shall not lapse.

JUDICIAL COUNCIL/STATE COURT ADMINISTRATOR

ITEM 7 To Judicial Council/State Court Administrator - Administration

It is the intent of the Legislature that the Administrative Office of the Courts: 1) reimburse up to \$100,000 to any private nonprofit organization that, in reliance on representation that certain legal expenses for domestic violence would be reimbursed, has incurred expenses for: (a) legal advice for low income family members and low income victims of domestic violence about family law matters; and (b) legal representation in family law matters in Utah district or juvenile courts to low income family members and low income victims of domestic violence. 2) before reimbursing the monies to the private organization, obtain a written, signed, and dated certification from the organization that the monies were used or will be used exclusively to provide the services of 1(a) and 1(b).

ITEM 8 To Judicial Council/State Court Administrator - Jury and Witness Fees

From General Fund, One-time 145,900

Schedule of Programs:

Jury, Witness, and Interpreter 145,900

It is the intent of the Legislature that the funds for Jury, Witness and Interpreter shall not lapse.

DEPARTMENT OF PUBLIC SAFETY

ITEM 9 To Department of Public Safety - Programs & Operations

From General Fund, One-time 483,300

From General Fund Restricted - Fire Academy Support 101,300

Schedule of Programs:

Department Commissioner's Office 483,300

Fire Marshall - Fire Operations 101,300

The Legislature intends that funds provided for Public Safety Programs and Operations shall not lapse.

CAPITAL FACILITIES & ADMINISTRATIVE SERVICES

CAPITOL PRESERVATION BOARD

ITEM 10 To Capitol Preservation Board

From General Fund, One-time 117,000

Schedule of Programs:

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Capitol Preservation Board	117,000
DEPARTMENT OF ADMINISTRATIVE SERVICES	
ITEM 11 To Department of Administrative Services - Automated Geographic Reference Center	
The Legislature intends that funds provided for the Automated Geographic Reference Center in FY 2005 shall not lapse.	
ITEM 12 To Department of Administrative Services - DFCM Administration From General Fund, One-time	150,000
Schedule of Programs:	
DFCM Administration	150,000
The Legislature intends that the \$150,000 General Fund one-time appropriation shall not lapse.	
It is the intent of the Legislature that the Department spend this money to conduct a feasibility study to determine whether or not to move the state prison at Draper to another location. It is also the intent of the Legislature that the Department, in expending the money to conduct the feasibility study, ensure that the process: allows substantial opportunity for public review and comment; gives due consideration to those public comments and recommendations in the preparations and final recommendations of the study; allows opportunities for all interested parties to submit written comments on any draft Request for Proposals; includes public hearings on the draft report and recommendations in each community affected by the recommendations contained in the draft report; and allows opportunities for interested parties to submit oral or written comments to the draft report at those public hearings.	
ITEM 13 To Department of Administrative Services - Finance Administration	
From General Fund, One-time	50,000
Schedule of Programs:	
Financial Reporting	50,000
The Legislature intends that the \$50,000 General Fund one-time appropriation shall not lapse.	
ITEM 14 To Department of Administrative Services - Finance - Mandated From General Fund, One-time	3,000,000

Schedule of Programs:

LeRay McAllister Critical Land Conservation Fund 3,000,000

It is the intent of the Legislature that funds for the LeRay McAllister Fund shall not lapse.

ITEM 15 To Department of Administrative Services - Purchasing

It is the intent of the Legislature that funds for Purchasing shall not lapse and that those funds shall be used for electronic commerce.

ITEM 16 To Department of Administrative Services - Office of Child Welfare Parental Defense

It is the intent of the Legislature that funds for the Office of Child Welfare Parental Defense shall not lapse and that those funds shall be used for contracting.

DEPARTMENT OF ADMINISTRATIVE SERVICES INTERNAL SERVICE FUNDS

ITEM 17 To Department of Administrative Services - Division of Information Technology Services

The Legislature intends that, under the terms and conditions of Utah Code Annotated 63-38-8.2, \$1,347,000 in capital outlay authority granted to the Division of Information Technology Services for Fiscal Year 2005 shall not lapse. The Legislature intends that this authority will be used for the following projects: Campus Network Expansion; Intrusion Protection System; Microwave Expansion; RACF/UMD Integration; WAN Access Upgrades; WAN Distribution Upgrades.

CAPITAL BUDGET

ITEM 18 To Capital Budget - Capital Development

From General Fund, One-time 50,000,000

From Income Tax, One-time 48,488,000

Schedule of Programs:

CPB State Capitol Building 50,000,000

UU Marriott Library 48,023,000

Utah Museum of Fine Arts 465,000

ITEM 19 To Capital Budget - Property Acquisition

From Income Tax, One-time 3,585,500

Schedule of Programs:

BATC Bourns Building 3,585,500

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STATE BOARD OF BONDING COMMISSIONERS - DEBT SERVICE

ITEM 20 To State Board of Bonding Commissioners - Debt Service  
From Uniform School Fund, One-time 1,682,400  
Schedule of Programs:  
Debt Service 1,682,400

RESTRICTED REVENUE - CAPITAL FACILITIES & ADMINISTRATIVE SERVICES

ITEM 21 To General Fund Budget Reserve Account  
From General Fund, One-time 10,351,500  
Schedule of Programs:  
General Fund Budget Reserve Account 10,351,500

COMMERCE & REVENUE

UTAH STATE TAX COMMISSION

ITEM 22 To Utah State Tax Commission - Tax Administration  
It is the intent of the legislature that the Utah State Tax Commission carry forward unexpended funds related to implementing Streamlined Sales Tax legislation.

DEPARTMENT OF WORKFORCE SERVICES

ITEM 23 To Department of Workforce Services  
The Legislature does not intend to lapse \$3,000,000 appropriated in Fiscal Year 2005 from the General Fund Restricted - Special Administrative Expense fund for the Electronic Resource Eligibility Project (eREP).

LABOR COMMISSION

ITEM 24 To Labor Commission  
From General Fund, One-time 23,600  
Schedule of Programs:  
Administration 23,600  
Under the terms of Section 63-38-8.1 Utah Code Annotated, Item 79 of Chapter 256 is made nonlapsing with the use of any nonlapsing funds limited to the following: \$50,000 for computer equipment and software.

INSURANCE DEPARTMENT

ITEM 25 To Insurance Department - Insurance Department Administration  
Under the terms of Section 63-38-8.1 Utah Code Annotated, Item 85 of Chapter 256 is made nonlapsing with the use of any nonlapsing funds limited to the following: \$120,000 for computer equipment and software, and \$10,000 for

employee training.

PUBLIC SERVICE COMMISSION

ITEM 26 To Public Service Commission

The Legislature does not intend to lapse the appropriation made by the passage of S. B. 1, Appropriations Act, 2004 General Session , Item 89.

REVENUE - COMMERCE & REVENUE

ITEM 27 To General Fund

From General Fund Restricted - Commerce Service Fund 449,300

Schedule of Programs:

General Fund, One-time 449,300

ECONOMIC DEVELOPMENT & HUMAN RESOURCES

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

ITEM 28 To Department of Community & Economic Development - Business and Travel Development

From General Fund, One-time 250,000

Schedule of Programs:

Science and Technology 250,000

It is the intent of the legislature that funding for Division of Business and Economic Development be non-lapsing. This intent supercedes intent language found in Senate Bill 1, Item 99, of the 2004 General Session.

It is the intent of the legislature that funding for Travel Council be non-lapsing. This intent supercedes intent language found in Senate Bill 1, Item 100, of the 2004 General Session.

It is the intent of the Legislature that \$250,000 General Fund one-time funding appropriated in this item be used to fund the Manufacturer's Extension Partnership.

It is the intent of the Legislature that funding for Business and Travel Development be nonlapsing.

ITEM 29 To Department of Community & Economic Development - Housing and Community Development

From Dedicated Credits Revenue 608,700

Schedule of Programs:

Ethnic Office 25,000

Museum Services 33,700

Weatherization Assistance 550,000

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## RESTRICTED REVENUE - ECONOMIC DEVELOPMENT &amp; HUMAN RESOURCES

ITEM 30 To Industrial Assistance Fund  
 From General Fund, One-time 4,442,800  
 Schedule of Programs:  
 Industrial Assistance Fund 4,442,800

## HEALTH &amp; HUMAN SERVICES

## DEPARTMENT OF HEALTH

ITEM 31 To Department of Health - Epidemiology and Laboratory Services  
 Under the terms of UCA 63-38-8.1, the Legislature intends to make nonlapsing item 114, Chapter 256, Laws of Utah 2004. Expenditure of these funds is limited to \$200,000 for laboratory equipment, computer equipment and/or software, and building improvements.

ITEM 32 To Department of Health - Community and Family Health Services  
 It is the intent of the Legislature that \$75,000 of immunization funding be considered nonlapsing and be used to purchase flu vaccine.

ITEM 33 To Department of Health - Medical Assistance  
 From General Fund, One-time 500,000  
 From Federal Funds 1,288,300  
 Schedule of Programs:  
 Medicaid Base Program 1,788,300

## DEPARTMENT OF HUMAN SERVICES

ITEM 34 To Department of Human Services - Executive Director Operations  
 If funds are available, the Foster Care Citizens Review Board is authorized to not lapse funds at the end of FY 2005. These funds are to be used solely for one-time development, maintenance, and upgrading of computer software and equipment and for recruitment, training and retention of volunteers.

ITEM 35 To Department of Human Services - Drug Courts/Boards  
 It is the intent of the Legislature that funds appropriated for Drug Courts and Drug Boards from the Tobacco Settlement Restricted Account for FY 2005 be non-lapsing.

ITEM 36 To Department of Human Services - Division of Substance Abuse and Mental Health  
 From General Fund, One-time 1,694,400

Schedule of Programs:

State Hospital	1,328,700
Local Substance Abuse Services	365,700

If funds are available, the Division of Substance Abuse and Mental Health is authorized to not lapse up to \$65,000 at the end of FY 2005. These funds are to be used for the purchase of computer equipment and software, capital equipment or improvements, and equipment or supplies.

ITEM 37 To Department of Human Services - Division of Child and Family Services

From General Fund, One-time	801,200
From Federal Funds	710,200
From Revenue Transfers - Department of Health - Medical Assistance	(210,800)

Schedule of Programs:

Adoption Assistance	1,300,600
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If funds are available, the Division of Child and Family Services is authorized to not lapse up to \$50,000 at the end of FY 2005. These funds are to be used for the purchase of computer equipment and software.

ITEM 38 To Department of Human Services - Division of Aging and Adult Services

If funds are available, the Division of Aging and Adult Services is authorized to not lapse up to \$100,000 at at the end of FY 2005. These funds are to be used for senior center renovations and to assist with vehicle maintenance and replacements within local area agencies on aging.

HIGHER EDUCATION

UNIVERSITY OF UTAH

ITEM 39 To University of Utah - Education and General

From Income Tax, One-time	2,518,100
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Schedule of Programs:

Education and General	2,518,100
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UTAH STATE UNIVERSITY

ITEM 40 To Utah State University - Education and General

From Income Tax, One-time	1,819,600
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Schedule of Programs:

Education and General	1,819,600
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ITEM 41 To Utah State University - Brigham City Continuing Education Center	
From Income Tax, One-time	6,700
Schedule of Programs:	
Brigham City Continuing Education Center	6,700
WEBER STATE UNIVERSITY	
ITEM 42 To Weber State University - Education and General	
From Income Tax, One-time	322,600
Schedule of Programs:	
Education and General	322,600
SOUTHERN UTAH UNIVERSITY	
ITEM 43 To Southern Utah University - Education and General	
From Income Tax, One-time	128,800
Schedule of Programs:	
Education and General	128,800
ITEM 44 To Southern Utah University - Shakespeare Festival	
From Income Tax, One-time	12,500
Schedule of Programs:	
Shakespeare Festival	12,500
SNOW COLLEGE	
ITEM 45 To Snow College - Education and General	
From Income Tax, One-time	40,800
Schedule of Programs:	
Education and General	40,800
DIXIE STATE COLLEGE OF UTAH	
ITEM 46 To Dixie State College of Utah - Education and General	
From Income Tax, One-time	155,200
Schedule of Programs:	
Education and General	155,200
COLLEGE OF EASTERN UTAH	
ITEM 47 To College of Eastern Utah - Education and General	
From Income Tax, One-time	70,400
Schedule of Programs:	
Education and General	70,400
ITEM 48 To College of Eastern Utah - Prehistoric Museum	
From Income Tax, One-time	27,300
Schedule of Programs:	

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Prehistoric Museum	27,300
UTAH VALLEY STATE COLLEGE	
ITEM 49 To Utah Valley State College - Education and General	
From Income Tax, One-time	597,100
Schedule of Programs:	
Education and General	597,100
SALT LAKE COMMUNITY COLLEGE	
ITEM 50 To Salt Lake Community College - Education and General	
From Income Tax, One-time	213,400
Schedule of Programs:	
Education and General	213,400
UTAH COLLEGE OF APPLIED TECHNOLOGY	
ITEM 51 To Utah College of Applied Technology - Dixie Applied	
Technology Campus	
From Income Tax, One-time	130,000
Schedule of Programs:	
Dixie Applied Technology Campus	130,000
ITEM 52 To Utah College of Applied Technology - Salt Lake/Tooele	
Applied Technology Campus	
From Income Tax, One-time	359,300
Schedule of Programs:	
Salt Lake/Tooele Applied Technology Campus	359,300
STATE BOARD OF REGENTS	
ITEM 53 To State Board of Regents - Student Aid	
From Income Tax, One-time	253,600
Schedule of Programs:	
New Century Scholarships	253,600
NATURAL RESOURCES	
DEPARTMENT OF NATURAL RESOURCES	
ITEM 54 To Department of Natural Resources - Administration	
From General Fund, One-time	2,000,000
Schedule of Programs:	
Administrative Services	2,000,000
ITEM 55 To Department of Natural Resources - Forestry, Fire and State	
Lands	
From General Fund, One-time	1,020,000
From General Fund Restricted - Sovereign Land Management	1,077,000

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## Schedule of Programs:

Fire Suppression	1,300,000
Technical Assistance	300,000
Program Delivery	497,000

It is the intent of the Legislature that the \$447,000 funding increase from General Fund Restricted - Sovereign Land Management account for the Special Master be nonlapsing.

It is the intent of the Legislature that the \$50,000 funding increase from General Fund Restricted - Sovereign Land Management account for remedial action for Rozel Point Oil wells be nonlapsing.

ITEM 56	To Department of Natural Resources - Parks and Recreation	
	From General Fund, One-time	30,000
	From General Fund Restricted - Boating	68,900
	From General Fund Restricted - Off-highway Vehicle	106,900

## Schedule of Programs:

Park Operations	205,800
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ITEM 57	To Department of Natural Resources - Parks and Recreation	
	Capital Budget	
	From General Fund Restricted - Off-highway Vehicle	(260,000)

## Schedule of Programs:

Off-highway Vehicle Grants	(260,000)
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ITEM 58	To Department of Natural Resources - Water Rights	
	From General Fund, One-time	100,000

## Schedule of Programs:

Administration	100,000
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## DEPARTMENT OF AGRICULTURE AND FOOD

ITEM 59	To Department of Agriculture and Food - Administration	
	From General Fund, One-time	150,000
	From Department of Agriculture Data Processing Internal Service Fund	268,300

## Schedule of Programs:

General Administration	268,300
Regulatory Services	150,000

It is the intent of the Legislature that the \$150,000 General Fund supplemental appropriation for the Regulatory Services program be nonlapsing.

ITEM 60	To Department of Agriculture and Food - Loans	
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From General Fund, One-time 1,000,000  
Schedule of Programs:

Agriculture Loan Program 1,000,000

SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION

ITEM 61 To School and Institutional Trust Lands Administration - School & Institutional Trust Lands Administration

From Land Grant Management Fund 1,000,000  
Schedule of Programs:

Development - Capital 1,000,000

PUBLIC EDUCATION

STATE BOARD OF EDUCATION

ITEM 62 To State Board of Education - Fine Arts and Sciences

From Uniform School Fund, One-time (12,500)

Schedule of Programs:

Professional Outreach Programs in the Schools (12,500)

REVENUE - PUBLIC EDUCATION

ITEM 63 To Uniform School Fund

From Closing Nonlapsing Balances - Minimum School Program 5,000,000

Schedule of Programs:

Uniform School Fund, One-time 5,000,000

TRANSPORTATION & ENVIRONMENTAL QUALITY

UTAH NATIONAL GUARD

ITEM 64 To Utah National Guard - Utah National Guard

Under terms of Section 63-38-8.1 Utah Code Annotated, Item 219 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following: Veterans' Cemetery - \$50,000 Armory Maintenance - \$50,000

DEPARTMENT OF TRANSPORTATION

ITEM 65 To Department of Transportation - Support Services

From Transportation Fund 43,300

From Federal Funds 4,800

Schedule of Programs:

Community Relations 48,100

Under terms of Section 63-38-8.1 Utah Code Annotated, Item 223 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the

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	following: Data Processing - \$300,000	
ITEM 66	To Department of Transportation - Engineering Services	
	From Transportation Fund	97,300
	Schedule of Programs:	
	Safety Operations	97,300
	Under terms of Section 63-38-8.1 Utah Code Annotated, Item 224 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following: Engineering Services - \$100,000	
ITEM 67	To Department of Transportation - Maintenance Management	
	From Transportation Fund	411,100
	From Federal Funds	(4,800)
	Schedule of Programs:	
	District 2	454,400
	Field Crews	(48,100)
	Under terms of Section 63-38-8.1 Utah Code Annotated, Item 223 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following: Contractual Maintenance - \$100,000 Land and Buildings (environmental clean up) - \$200,000 Land Purchases - \$500,000	
ITEM 68	To Department of Transportation - Construction Management	
	From Centennial Highway Program	12,162,400
	Schedule of Programs:	
	State Construction - New	12,162,400
ITEM 69	To Department of Transportation - Region Management	
	From Transportation Fund	(513,100)
	Schedule of Programs:	
	Region 2	(454,400)
	Region 3	(58,700)
	Under terms of Section 63-38-8.1 Utah Code Annotated, Item 225 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following: Region Management - \$100,000	
ITEM 70	To Department of Transportation - Equipment Management	
	From Transportation Fund	(38,600)
	Schedule of Programs:	

Shops (38,600)

Under terms of Section 63-38-8.1 Utah Code Annotated, Item 228 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following: Equipment Purchases - \$100,000

ITEM 71 To Department of Transportation - Centennial Highway Program  
From Centennial Highway Fund, One-time (12,162,400)  
Schedule of Programs:  
Centennial Highway Program (12,162,400)

**Section 2. Effective Date.**

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the Governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8 without the Governor's signature, or in the case of a veto, the date of override.