

1st Sub. H.B. 72
UTAH SCHOOL SEISMIC HAZARD INVENTORY

Representative **Larry B. Wiley** proposes the following amendments:

1. *Page 1, Lines 23 through 25:*

23 { ~~This bill appropriates:~~
24 —————→————— for fiscal year 2010-11 only, \$25,000 from the General Fund to the State Board of
25 ~~Education.~~ } None

2. *Page 2, Line 32:*

32 { ~~63J-1-602, as enacted by Laws of Utah 2009, Chapter 368~~ }

3. *Page 3, Lines 81 through 86:*

81 (4) A member may not receive compensation or benefits for the member's service { ~~, but~~
82 may receive per diem and travel expenses in accordance with:
83 ~~————— (a) Section 63A-3-106;~~
84 ~~————— (b) Section 63A-3-107; and~~
85 ~~————— (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and~~
86 ~~63A-3-107.~~ }

4. *Page 7, Line 200 through Page 15, Line 440:*

200 { ~~Section 7. Section 63J-1-602 is amended to read:~~
201 ~~————— 63J-1-602. Nonlapsing accounts and funds.~~
202 ~~————— (1) The following revenue collections, appropriations from a fund or account, and~~
203 ~~appropriations to a program are nonlapsing:~~
204 ~~————— (a) appropriations made to the Legislature and its committees;~~
205 ~~————— (b) funds collected by the grain grading program, as provided in Section 4-2-2;~~
206 ~~————— (c) the Salinity Offset Fund created in Section 4-2-8.5;~~
207 ~~————— (d) the Invasive Species Mitigation Fund created in Section 4-2-8.7;~~
208 ~~————— (e) funds collected by pesticide dealer license registration fees, as provided in Section~~
209 ~~4-14-3;~~
210 ~~————— (f) funds collected by pesticide applicator business registration fees, as provided in~~
211 ~~Section 4-14-13;~~
212 ~~————— (g) the Rangeland Improvement Fund created in Section 4-20-2;~~
213 ~~————— (h) funds deposited as dedicated credits under the Insect Infestation Emergency Control~~

214 Act, as provided in Section 4-35-6;
215 ——— (i) the Percent-for-Art Program created in Section 9-6-404;
216 ——— (j) the Centennial History Fund created in Section 9-8-604;
217 ——— (k) the Uintah Basin Revitalization Fund, as provided in Section 9-10-108;
218 ——— (l) the Navajo Revitalization Fund created in Section 9-11-104;
219 ——— (m) the LeRay McAllister Critical Land Conservation Program created in Section
220 11-38-301;
221 ——— (n) the Clean Fuels and Vehicle Technology Fund created in Section 19-1-403;
222 ——— (o) fees deposited as dedicated credits for hazardous waste plan reviews, as provided in
223 Section 19-6-120;
224 ——— (p) an appropriation made to the Division of Wildlife Resources for the appraisal and
225 purchase of lands under the Pelican Management Act, as provided in Section 23-21a-6;
226 ——— (q) award monies under the Crime Reduction Assistance Program, as provided under
227 Section 24-1-19;
228 ——— (r) funds collected from the emergency medical services grant program, as provided in
229 Section 26-8a-207;
230 ——— (s) fees and other funding available to purchase training equipment and to administer
231 tests and conduct quality assurance reviews, as provided in Section 26-8a-208;
232 ——— (t) funds collected as a result of a sanction under Section 1919 of Title XIX of the
233 federal Social Security Act, as provided in Section 26-18-3;
234 ——— (u) the Utah Health Care Workforce Financial Assistance Program created in Section
235 26-46-102;
236 ——— (v) monies collected from subscription fees for publications prepared or distributed by
237 the insurance commissioner, as provided in Section 31A-2-208;
238 ——— (w) monies received by the Insurance Department for administering, investigating
239 under, and enforcing the Insurance Fraud Act, as provided in Section 31A-31-108;
240 ——— (x) certain monies received for penalties paid under the Insurance Fraud Act, as
241 provided in Section 31A-31-109;
242 ——— (y) the fund for operating the state's Federal Health Care Tax Credit Program, as
243 provided in Section 31A-38-104;
244 ——— (z) certain funds in the Department of Workforce Services' program for the education,
245 training, and transitional counseling of displaced homemakers, as provided in Section
246 35A-3-114;
247 ——— (aa) the Employment Security Administration Fund created in Section 35A-4-505;
248 ——— (bb) the Special Administrative Expense Fund created in Section 35A-4-506;
249 ——— (cc) funding for a new program or agency that is designated as nonlapsing under
250 Section 36-24-101;
251 ——— (dd) the Oil and Gas Conservation Account created in Section 40-6-14.5;
252 ——— (ee) funds available to the State Tax Commission for purchase and distribution of

253 license plates and decals, as provided in Section 41-1a-1201;
254 ~~—— (ff) certain fees for the cost of electronic payments under the Motor Vehicle Act, as~~
255 ~~provided in Section 41-1a-1221;~~
256 ~~—— (gg) certain fees collected for administering and enforcing the Motor Vehicle Business~~
257 ~~Regulation Act, as provided in Section 41-3-601;~~
258 ~~—— (hh) certain fees for the cost of electronic payments under the Motor Vehicle Business~~
259 ~~Regulation Act, as provided in Section 41-3-604;~~
260 ~~—— (ii) the Off-Highway Access and Education Restricted Account created in Section~~
261 ~~41-22-19.5;~~
262 ~~—— (jj) certain fees for the cost of electronic payments under the Motor Vehicle Act, as~~
263 ~~provided in Section 41-22-36;~~
264 ~~—— (kk) monies collected under the Notaries Public Reform Act, as provided under~~
265 ~~46-1-23;~~
266 ~~—— (ll) certain funds associated with the Law Enforcement Operations Account, as~~
267 ~~provided in Section 51-9-411;~~
268 ~~—— (mm) the Public Safety Honoring Heroes Restricted Account created in Section~~
269 ~~53-1-118;~~
270 ~~—— (nn) funding for the Search and Rescue Financial Assistance Program, as provided in~~
271 ~~Section 53-2-107;~~
272 ~~—— (oo) appropriations made to the Department of Public Safety from the Department of~~
273 ~~Public Safety Restricted Account, as provided in Section 53-3-106;~~
274 ~~—— (pp) appropriations to the Motorcycle Rider Education Program, as provided in Section~~
275 ~~53-3-905;~~
276 ~~—— (qq) fees collected by the State Fire Marshal Division under the Utah Fire Prevention~~
277 ~~and Safety Act, as provided in Section 53-7-314;~~
278 ~~—— (rr) the DNA Specimen Restricted Account created in Section 53-10-407;~~
279 ~~—— (ss) monies appropriated to the State Board of Education for:~~
280 ~~—— (i) reimbursement of school district and charter school seismic safety evaluation costs~~
281 ~~pursuant to Section 53A-15-1204; and~~
282 ~~—— (ii) expenses of the Public School Seismic Safety Committee created in Section~~
283 ~~53A-15-1203;~~
284 ~~—— [(ss)] (tt) the minimum school program, as provided in Section 53A-17a-105;~~
285 ~~—— [(tt)] (uu) certain funds appropriated from the Uniform School Fund to the State Board~~
286 ~~of Education for new teacher bonus and performance-based compensation plans, as provided in~~
287 ~~Section 53A-17a-148;~~
288 ~~—— [(uu)] (vv) certain funds appropriated from the Uniform School Fund to the State~~
289 ~~Board of Education for implementation of proposals to improve mathematics achievement test~~
290 ~~scores, as provided in Section 53A-17a-152;~~
291 ~~—— [(vv)] (ww) the School Building Revolving Account created in Section 53A-21-401;~~

292 ~~—— [(ww)] (xx) monies received by the State Office of Rehabilitation for the sale of certain~~
293 ~~products or services, as provided in Section 53A-24-105;~~
294 ~~—— [(xx)] (yy) the State Board of Regents, as provided in Section 53B-6-104;~~
295 ~~—— [(yy)] (zz) certain funds appropriated from the General Fund to the State Board of~~
296 ~~Regents for teacher preparation programs, as provided in Section 53B-6-104;~~
297 ~~—— [(zz)] (aaa) a certain portion of monies collected for administrative costs under the~~
298 ~~School Institutional Trust Lands Management Act, as provided under Section 53C-3-202;~~
299 ~~—— [(aaa)] (bbb) certain surcharges on residence and business telecommunications access~~
300 ~~lines imposed by the Public Service Commission, as provided in Section 54-8b-10;~~
301 ~~—— [(bbb)] (ccc) certain fines collected by the Division of Occupational and Professional~~
302 ~~Licensing for violation of unlawful or unprofessional conduct that are used for education and~~
303 ~~enforcement purposes, as provided in Section 58-17b-505;~~
304 ~~—— [(ccc)] (ddd) the Nurse Education and Enforcement Fund created in Section~~
305 ~~58-31b-103;~~
306 ~~—— [(ddd)] (eee) funding of the controlled substance database, as provided in Section~~
307 ~~58-37-7.7;~~
308 ~~—— [(eee)] (fff) the Certified Nurse Midwife Education and Enforcement Fund created in~~
309 ~~Section 58-44a-103;~~
310 ~~—— [(fff)] (ggg) funding for the building inspector's education program, as provided in~~
311 ~~Section 58-56-9;~~
312 ~~—— [(ggg)] (hhh) certain fines collected by the Division of Occupational and Professional~~
313 ~~Licensing for use in education and enforcement of the Security Personnel Licensing Act, as~~
314 ~~provided in Section 58-63-103;~~
315 ~~—— [(hhh)] (iii) the Professional Geologist Education and Enforcement Fund created in~~
316 ~~Section 58-76-103;~~
317 ~~—— [(iii)] (jjj) certain monies in the Water Resources Conservation and Development~~
318 ~~Fund, as provided in Section 59-12-103;~~
319 ~~—— [(jjj)] (kkk) funds paid to the Division of Real Estate for the cost of a criminal~~
320 ~~background check for broker and sales agent licenses, as provided in Section 61-2-9;~~
321 ~~—— [(kkk)] (lll) the Utah Housing Opportunity Restricted Account created in Section~~
322 ~~61-2-28;~~
323 ~~—— [(lll)] (mmm) funds paid to the Division of Real Estate for the cost of a criminal~~
324 ~~background check for a mortgage loan license, as provided in Section 61-2c-202;~~
325 ~~—— [(mmm)] (nnn) funds paid to the Division of Real Estate in relation to examination of~~
326 ~~records in an investigation, as provided in Section 61-2c-401;~~
327 ~~—— [(nnn)] (ooo) certain funds donated to the Department of Human Services, as provided~~
328 ~~in Section 62A-1-111;~~
329 ~~—— [(ooo)] (ppp) certain funds donated to the Division of Child and Family Services, as~~
330 ~~provided in Section 62A-4a-110;~~

331 ~~—— [(ppp)] (qqq) the Mental Health Therapist Grant and Scholarship Program, as provided~~
332 ~~in Section 62A-13-109;~~
333 ~~—— [(qqq)] (rrr) assessments for DUI violations that are forwarded to an account created by~~
334 ~~a county treasurer, as provided in Section 62A-15-503;~~
335 ~~—— [(rrr)] (sss) appropriations to the Division of Services for People with Disabilities, as~~
336 ~~provided in Section 62A-5-102;~~
337 ~~—— [(sss)] (ttt) certain donations to the Division of Substance Abuse and Mental Health, as~~
338 ~~provided in Section 62A-15-103;~~
339 ~~—— [(ttt)] (uuu) certain funds received by the Division of Parks and Recreation from the~~
340 ~~sale or disposal of buffalo, as provided under Section 63-11-19.2;~~
341 ~~—— [(uuu)] (vvv) revenue for golf user fees at the Wasatch Mountain State Park, Palisades~~
342 ~~State Park, or Jordan River State Park, as provided under Section 63-11-19.5;~~
343 ~~—— [(vvv)] (www) revenue for golf user fees at the Green River State Park, as provided~~
344 ~~under Section 63-11-19.6;~~
345 ~~—— [(www)] (xxx) the Centennial Nonmotorized Paths and Trail Crossings Program~~
346 ~~created under Section 63-11a-503;~~
347 ~~—— [(xxx)] (yyy) the Bonneville Shoreline Trail Program created under Section~~
348 ~~63-11a-504;~~
349 ~~—— [(yyy)] (zzz) the account for the Utah Geological Survey, as provided in Section~~
350 ~~63-73-10;~~
351 ~~—— [(zzz)] (aaaa) the Risk Management Fund created under Section 63A-4-201;~~
352 ~~—— [(aaaa)] (bbbb) the Child Welfare Parental Defense Fund created in Section~~
353 ~~63A-11-203;~~
354 ~~—— [(bbbb)] (cccc) the Constitutional Defense Restricted Account created in Section~~
355 ~~63C-4-103;~~
356 ~~—— [(cccc)] (dddd) a portion of the funds appropriated to the Utah Seismic Safety~~
357 ~~Commission, as provided in Section 63C-6-104;~~
358 ~~—— [(dddd)] (eeee) funding for the Medical Education Program administered by the~~
359 ~~Medical Education Council, as provided in Section 63C-8-102;~~
360 ~~—— [(eeee)] (fff) certain monies payable for commission expenses of the Pete Suazo Utah~~
361 ~~Athletic Commission, as provided under Section 63C-11-301;~~
362 ~~—— [(fff)] (gggg) funds collected for publishing the Division of Administrative Rules'~~
363 ~~publications, as provided in Section 63G-3-402;~~
364 ~~—— [(gggg)] (hhhh) the appropriation to fund the Governor's Office of Economic~~
365 ~~Development's Enterprise Zone Act, as provided in Section 63M-1-416;~~
366 ~~—— [(hhhh)] (iiii) the Tourism Marketing Performance Account, as provided in Section~~
367 ~~63M-1-1406;~~
368 ~~—— [(iiii)] (jjjj) certain funding for rural development provided to the Office of Rural~~
369 ~~Development in the Governor's Office of Economic Development, as provided in Section~~

370 ~~63M-1-1604;~~
371 ~~—— [(jjjj)] (kkkk) certain monies in the Development for Disadvantaged Rural~~
372 ~~Communities Restricted Account, as provided in Section 63M-1-2003;~~
373 ~~—— [(kkkk)] (llll) appropriations to the Utah Science Technology and Research Governing~~
374 ~~Authority, created under Section 63M-2-301, as provided under Section 63M-3-302;~~
375 ~~—— [(llll)] (mmmm) certain monies in the Rural Broadband Service Fund, as provided in~~
376 ~~Section 63M-1-2303;~~
377 ~~—— [(mmmm)] (nnnn) funds collected from monthly offender supervision fees, as provided~~
378 ~~in Section 64-13-21.2;~~
379 ~~—— [(nnnn)] (oooo) funds collected by the housing of state probationary inmates or state~~
380 ~~parole inmates, as provided in Subsection 64-13e-104(2);~~
381 ~~—— [(oooo)] (pppp) the Sovereign Lands Management account created in Section 65A-5-1;~~
382 ~~—— [(pppp)] (qqqq) certain forestry and fire control funds utilized by the Division of~~
383 ~~Forestry, Fire, and State Lands, as provided in Section 65A-8-103;~~
384 ~~—— [(qqqq)] (rrrr) the Department of Human Resource Management user training program,~~
385 ~~as provided in Section 67-19-6;~~
386 ~~—— [(rrrr)] (ssss) funds for the University of Utah Poison Control Center program, as~~
387 ~~provided in Section 69-2-5.5;~~
388 ~~—— [(ssss)] (tttt) appropriations to the Transportation Corridor Preservation Revolving~~
389 ~~Loan Fund, as provided in Section 72-2-117;~~
390 ~~—— [(tttt)] (uuuu) appropriations to the Local Transportation Corridor Preservation Fund,~~
391 ~~as provided in Section 72-2-117.5;~~
392 ~~—— [(uuuu)] (vvvv) appropriations to the Tollway Restricted Special Revenue Fund, as~~
393 ~~provided in Section 77-2-120;~~
394 ~~—— [(vvvv)] (wwww) appropriations to the Aeronautics Construction Revolving Loan~~
395 ~~Fund, as provided in Section 77-2-122;~~
396 ~~—— [(wwww)] (xxxx) appropriations to the State Park Access Highways Improvement~~
397 ~~Program, as provided in Section 72-3-207;~~
398 ~~—— [(xxxx)] (yyyy) the Traffic Noise Abatement Program created in Section 72-6-112;~~
399 ~~—— [(yyyy)] (zzzz) certain funds received by the Office of the State Engineer for well~~
400 ~~drilling fines or bonds, as provided in Section 73-3-25;~~
401 ~~—— [(zzzz)] (aaaa) certain monies appropriated to increase the carrying capacity of the~~
402 ~~Jordan River that are transferred to the Division of Parks and Recreation, as provided in~~
403 ~~Section 73-10e-1;~~
404 ~~—— [(aaaa)] (bbbb) certain fees for the cost of electronic payments under the State~~
405 ~~Boating Act, as provided in Section 73-18-25;~~
406 ~~—— [(bbbb)] (cccc) certain monies appropriated from the Water Resources Conservation~~
407 ~~and Development Fund, as provided in Section 73-23-2;~~
408 ~~—— [(cccc)] (dddd) the Lake Powell Pipeline Project Operation and Maintenance Fund~~

409 ~~created in Section 73-28-404;~~
410 ~~— [(ddddd)] (eeee) certain funds in the Water Development and Flood Mitigation~~
411 ~~Reserve Account, as provided in Section 73-103-1;~~
412 ~~— [(eeee)] (ffff) certain funds appropriated for compensation for special prosecutors, as~~
413 ~~provided in Section 77-10a-19;~~
414 ~~— [(ffff)] (ggggg) the Indigent Aggravated Murder Defense Trust Fund created in~~
415 ~~Section 77-32-601;~~
416 ~~— [(ggggg)] (hhhhh) the Indigent Felony Defense Trust Fund created in Section~~
417 ~~77-32-701;~~
418 ~~— [(hhhhh)] (iiii) funds donated or paid to a juvenile court by private sources, as~~
419 ~~provided in Subsection 78A-6-203(c);~~
420 ~~— [(iiii)] (jjjj) a state rehabilitative employment program, as provided in Section~~
421 ~~78A-6-210; and~~
422 ~~— [(jjjj)] (kkkk) fees from the issuance and renewal of licenses for certified court~~
423 ~~interpreters, as provided in Section 78B-1-146.~~
424 ~~— (2) No revenue collection, appropriation from a fund or account, or appropriation to a~~
425 ~~program may be treated as nonlapsing unless:~~
426 ~~— (a) it is expressly referenced by this section;~~
427 ~~— (b) it is designated in a condition of appropriation in the appropriations bill; or~~
428 ~~— (c) nonlapsing authority is granted under Section 63J-1-603.~~
429 ~~— (3) Each legislative appropriations subcommittee shall review the accounts and funds~~
430 ~~that have been granted nonlapsing authority under this section or Section 63J-1-603.~~
431 ~~Section 8. Appropriation:~~
432 ~~— (1) There is appropriated \$25,000 from the General Fund for fiscal year 2010-11 only,~~
433 ~~to the State Board of Education for:~~
434 ~~— (a) reimbursement of school district and charter school seismic safety evaluation costs~~
435 ~~incurred pursuant to Section 53A-15-1204; and~~
436 ~~— (b) expenses of the Public School Seismic Safety Committee created under Section~~
437 ~~53A-15-1203.~~
438 ~~— (2) The funds appropriated in Subsection (1) are non-lapsing;~~
439 ~~Section 9} Section 7 . Effective date.~~
440 This bill takes effect on July 1, 2010.