

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

January 8, 2002

**Members Present:** Sen. D. Chris Buttars , Co-Chair  
Rep. A. Lamont Tyler, Co-Chair  
Sen. Peter C. Knudsen  
Sen. Alicia Suazo  
Rep. Ron Bigelow  
Rep. Eric Hutchings  
Rep. Scott Daniels  
Rep. Paul Ray  
Rep. Mike Thompson

**Members Absent:** None

**Staff Present:** William Greer, Fiscal Analyst  
Gary Ricks, Fiscal Analyst  
Cherri White, Committee Secretary

**Visitors List:** List filed with Committee Minutes

Senator Buttars called the meeting to order at 9:06 a.m. and indicated that the committee would be following the agenda as outlined. Senator Buttars introduced new members of the committee and called for a motion to adopt the minutes of October 23, 2001.

**MOTION:** Representative Tyler moved to approve the minutes of October 23, 2001. The motion passed unanimously with Senator Knudsen, and Representatives Hutchings and Thompson absent for the vote.

Senator Buttars then turned time to Fiscal Analyst William Greer. Mr. Greer informed the committee of a handbook of legislative tools on the appropriations process that may be helpful for committee members. Mr. Greer then turned the committee members attention to materials placed before each member. These materials included an outline of important dates during this legislative session, and a gray folder containing analyst recommendations for FY 2002 supplementals / reductions for the various agencies.

David Walsh and Ron Haymond, Analysts of the Governor's Office of Planning and Budget were introduced. Mr. Walsh referred the committee to materials provided by his office. The first, a summary sheet outlining the recommendations of Governor Leavitt for the remainder of FY 2002. Mr. Walsh asked that the committee carefully consider the governor's plan which provides for \$51.3 million more in funding than what was approved by Executive Appropriations on December 19, 2001. This

would result in fewer budget cuts. The \$51.3 million comes from revenue estimates of \$4.5 million, I-15 Savings / Federal Stimulus Package / Rainy Day Fund of \$47.7 million, and other revenue at a decrease of \$0.9 million.

Mr. Walsh also indicated that the governor instigated two prior rounds of reductions and budget cuts as well as other measures to balance the budget. Included in this is \$52.3 million in cuts (2.1% of operating budgets) in June 2001, an additional \$24.3 million in cuts (1.1% of operating budgets) in December 2001, totaling \$76.6 million in cuts or 3.2% of the operating budgets. During this same time the governor has indicated a desire to exempt state funding for school districts from the budget cuts.

Mr. Walsh asked the committee to highlight the following items from the sheet prepared (items 2, 3, 5):

- (2) The courts reduced administrative expenses, cut juvenile state supervision and drug court programs, and implemented a freeze on vacant positions. A supplemental appropriation of \$515,600 from the General Fund is being recommended for juror and witness fees.
- (3) Adult Corrections closed the 400-bed Promontory facility and delayed the opening of new beds at Gunnison Prison. Other reductions came from across-the-board administrative reductions. A supplemental appropriation of \$670,100 from the General Fund is being recommended for fuel and power. Youth Corrections increased Medicaid collections, held positions vacant, decreased residential placements, and implemented across-the-board administrative reductions.
- (5) The Attorney General made reductions by implementing a reduction-in-force plan and reduced funding for data processing equipment and employee incentive awards. A supplemental appropriation of \$600,000 from the General Fund is being recommended to pay the litigation costs associated with the census lawsuits.

Mr. Walsh then addressed questions from the committee regarding funding reductions for Drug Courts.

Fiscal Analyst William Greer referred the committee to the gray folder, Tab 1, Supplemental Budget Recommendations, Subcommittee Overview Supplemental Funding Items. Mr. Greer indicated that as all departments had similar cuts and recommendations it would be reviewed once. As the governor has implemented statewide reductions it is necessary for the Agencies under the oversight of this Subcommittee to have reductions totaling \$21,321,600 or an overall reduction for this Subcommittee of 4.94%. This includes more than one third of the State-wide FTE reduction. The Analysts recommendations include across-the-board reductions for all agencies. Included in this is 10% decrease in General Fund for Conventions / Workshops, Data Processing, Entertainment /

Receptions, Office Supplies / Equipment, and Travel. In addition it is recommended that all state employees participate in a One-Day Furlough and donate this day back to the State as a day without pay. Mr. Greer also indicated that the other reductions are not evenly and equally spread throughout all departments. Some areas are more heavily impacted than others. Mr. Greer then turned the time to Fiscal Analyst Gary Ricks for the presentation of the Analyst recommended budget reductions for the Office of the Governor / Lt. Governor, Attorney General, Treasurer, Auditor, and Department of Public Safety.

Fiscal Analyst Gary Ricks asked the committee to turn to Tab 2 and indicated the total General Fund reductions on the base budget for the Governor's Office would be \$486,600.

It is also recommended by the Analyst that revenue neutral transfers take place of \$72,000 General Fund to the Department of Commerce and Economic development to transfer the Science Advisor and Utah Science Advisory Council.

Under Tab 3 for the Office of the Attorney General the Analyst recommended \$911,200 in General Fund reductions and explained those reductions. It was noted that within the Analyst recommendation the issue regarding funding for legal services arising from the Census lawsuit was not included. It is estimated the U.S. Supreme Court will determine on January 18, 2002 if they will hear the case.

Under Tab 4 for the State Treasurer the Analyst recommended General Fund reductions totaling \$45,700 were recommended and explained those reductions.

Under Tab 5 for the State Auditor the Analyst explained the \$150,200 General Fund reductions.

Under Tab 6 Department of Public Safety the Analyst recommended reductions from the General Fund totaling \$2,169,400.

Questions from the committee were raised regarding the specifics of cuts to the Aero Bureau and Public Safety Promotion Program.

Fiscal Analyst Gary Ricks addressed questions regarding Dedicated Credits with additional clarification from Lynn Ward, Governors Office of Planning and Budget.

Sheriff Mike Lacy, San Juan County Sheriff, addressed issues regarding DUI cuts.

Senator Buttars called a five minute recess at 10:25 a.m. The committee reconvened at 10:38 a.m.

Fiscal Analyst William Greer recommended General Fund reductions to the Division of Youth Corrections of \$3,015,700. The details of the recommendations were discussed.

Addressing questions from the committee were Fred Weidner, Division Youth Corrections, and Blake Chard, Director, Division Youth Corrections.

The committee then turned to Tab 8, Department of Corrections. The total General Fund recommended reductions for this Agency are \$10,243,400. These are primarily from the closing of the Promontory Correctional Facility and the delaying of the opening of the Central Utah Correctional Facility at Gunnison. He reviewed all of the reduction recommendations.

Concerns were brought to the attention of the committee regarding Adult Probation and Parole workload, Pre-Sentence Investigation contracts, and SCAAP (State Criminal Alien Assistance Program) as operated through the federal government.

Analyst Greer then addressed Tab 9, Board of Pardons. Total General Fund recommended reductions to the Board of Pardons is \$126,900.

The final Agency from the Executive Branch addressed by the committee is Courts, Tab 10. While this is a separate branch of government, it does receive funding through Legislative Appropriations. The total General Fund recommended reductions for Courts is \$4,134,300. Included in this total is a reduction of 58 FTEs. Analyst Greer also explained additional funding available through a General Fund Restricted Account - Trust Interest. Approximately \$500,000 may be available for FY 2002.

Addressing the committee from the public was Robert Muscheck. He discussed potential reductions for Youth Corrections and alternatives to incarceration.

Senator Buttars declared the meeting adjourned at 11:25 a.m.

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Senator D. Chris Buttars, Co- Chair

Representative A. Lamont Tyler, Co-Chair