

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

January 9, 2002

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

Members Absent: Sen. Peter C. Knudsen

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

Visitors List: List filed with Committee Minutes

Representative Tyler called the meeting to order at 9:12 a.m, and proceeded with the agency responses to the Analysts' recommendations.

Governor's Office / Lt. Governor's Office

He introduced Lynne Ward, Director of the Governor's Office of Planning and Budget. Ms. Ward indicated the difficulties in implementing several of the cuts as outlined by the Analyst.

Within the Governor's Office Administration it was recommended that two intern positions that are currently unfilled be eliminated. It is the position of the Office that due to a current staffing consolidation effort within the Commission for Women and Families, one full-time FTE was already eliminated. The Agency would prefer to utilize that elimination as a FTE cut instead of the two interns. Under the Commission on Criminal and Juvenile Justice the cuts to extraditions are difficult and the preference would be to keep that item funded to the fullest extent possible. While there has been a reduction in the number of extraditions that have taken place, increased costs associated with U.S. Marshals and flight costs have offset decreases on the other side. Within the Elections Office, the preferred cuts would be the full \$16,400 from Grants instead of splitting between Grants and administrative expenses. Within the Office of Planning and Budget the recommended Analyst reductions would be equivalent to a 6.2% cut. The Research Analyst II position that is recommended by the Fiscal Analyst for reduction was identified by the Office of Planning and Budget for elimination. However, the Analyst has recommended additional reductions within administrative spending and the

elimination of a vacant intern position. Ms. Ward indicated that it is her belief that the cuts to the Governor's Office should be \$77,000 less than what is indicated by the Fiscal Analyst. Ms. Ward addressed questions from the committee regarding FTE reductions, the Emergency Fund, and the increases in General Fund base budget for the Governor's Office over prior years

Camille Anthony, Director Commission on Criminal and Juvenile Justice addressed questions and concerns from the committee regarding extraditions.

Attorney General

Mark Shurtleff, Attorney General, addressed the committee regarding the Analyst recommended reductions for the Office of Attorney General. Attorney General Shurtleff indicated that the cuts to his office were not equitable. As his office represents the State, State Agencies, and State Elected Officials on legal matters cuts to his office have a trickle down effect on all other agencies within state government. Within the Attorney General's Office 81% of costs are associated with personnel. He explained that cuts have already been implemented producing a savings to the General Fund of \$795,000. Mr. Shurtleff asked the committee to consider the following additional funding requests from his office (handout on file):

I.	Supplementals from Restricted Accounts that Don't Impact General Fund	
	Tobacco Settlement Fund	\$180,800
	Tobacco Settlement Fund	\$100,000
	Antitrust Prosecution Revolving Fund	<u>\$ 65,000</u>
	Total	\$345,800
II.	Reimbursement Promised by Legislative Leadership to Cover Costs of Outside Counsel	
	Census Lawsuit	\$600,000
	Voluntary Contributions Act Lawsuit	<u>\$200,000</u>
	Total	\$800,000

He indicated that the Attorney General's Office was a revenue generator.

Money brought in by A.G. Office	\$107,478,000
Money saved by A.G. Office	\$146,654,000

Attorney General Shurtleff requested that the committee represent to Executive Appropriations the need to fund the Counsel contracted to fight the Census Lawsuit and the Voluntary Contributions Act Lawsuit as this was done at the request of the Legislature.

Ray Hintze, Division Chief, and Scott Mecham, Law Office Administrator addressed questions from the committee regarding the Tobacco Settlement.

State Treasurer

Ed Alter, State Treasurer, addressed the committee regarding the recommendations of the Analyst. There are only 9.5 FTEs within this office. There hasn't been an increase in FTE's in 20 years, and 80% of the General Fund Budget for this Agency goes towards salaries. While a staff member has left and the position has been unfilled, Mr. Alter requested that the committee leave the FTE in place as an unfunded position. The work load from this position has been incorporated into the work load of a senior staff member. However, at some point in the near future that staff member will retire and at that point both positions will need to be filled.

State Auditor

Auston Johnson, State Auditor addressed the committee regarding the mission of the Office of State Auditor and the Analyst recommended General Fund reductions. Within the Office of State Auditor there are 48 employees. As this Agency is charged with the auditing functions for the State, most of the employees are required to be a C.P.A. In addition due to federal reporting standards (GASBY 34) there is an anticipated workload increase for the staff members. In regards to the two unfilled positions mentioned by the Fiscal Analyst. Those positions have since been filled with three individuals. As for the nonessential staff member, one can not be identified. The majority of the budget is personnel costs (93%). The alternative is to change how audits of colleges and universities within the state are currently done. They will need to be audited off cycle, putting the audits into December and January.

Questions were raised by committee members regarding the large turn-over in staff within this Agency and the ability to charge for audit services performed.

Mr. Johnson further indicated the options available to the State Auditor's Office would be to implement lay-offs or to reduce work with local governments.

Fiscal Analyst Gary Ricks addressed the issue regarding "nonessential personnel".

Representative Tyler called for a short recess at 10:42 a.m. The committee reconvened at 10:55 a.m.

Department of Public Safety

As Commission Robert Flowers, was away on other business, Earl Morris, Deputy Commissioner, Verdi White, Deputy Commissioner, and Paula Kooring, Finance Director, addressed the committee regarding the Analyst recommended reductions for this Agency. The reductions

recommended of \$7,000 for Police Officers Standards and Training, Public Safety Promotion Program for \$97,900 are agreed with. However, the importance of the Aero Bureau to the Department of Public Safety was stressed and cutting the program \$60,000 without offsetting Dedicated Credits could be damaging. The reduction of \$48,000 for Fleet lease expenses can be handled within the existing budget. The reduction of \$552,000 for DUI Enforcement Squad could be addressed through using other restricted funds. However, this would only work for one year as this fund doesn't generate enough revenue to sustain the shift for longer than the current fiscal year. In addition to make this change in revenue sources would require a change in legislation as the funds through this revenue stream are already appropriated to other areas.

The FTE cuts recommended by the Analyst are not supported by the Department. A hiring freeze has already been implemented within this department. It would be suggested that the reduction in General Funds come through a reduction in over-time instead of lay-offs. The Department is requesting the authority to cross line-items within the department. The Department further asked that the committee consider the implementation of the Office of Homeland Security within the Department of Public Safety and the fact that there has not been an increase in funding for this office.

Division of Youth Corrections

Blake Chard, Director Division of Youth Corrections addressed the committee regarding the recent changes within the division. Youth Corrections has been able to increase Medicaid Collections, reduce staffing within the Youth Parole Authority and other areas, implement training reductions, reduce the use of electronic monitoring, hold vacant positions, maintain residential placements, increase nonlapsing carryforward and delay the opening of a wing at the Wasatch Facility. This has resulted in reductions to the General Fund totaling \$1,940,300. The Division indicated that due to reductions in the Youth Corrections caseload and implementation of administrative efficiencies, the recommended cuts can be absorbed. The only exception to that is the One-Day Furlough. This is a reductions that cannot be absorbed due to the full-time nature of the work. The Division requests that the committee not recommend this reduction. Director Chard also asked that the committee remember that while there is a temporary lull within the population of youths in this Division, it is only temporary, and that projections are for an increased population by 2010.

Questions from the committee included issues with secure care, long term care and payments from parents for youth in state custody.

Due to time constraints Representative Tyler requested to hear from the Board of Pardons next and reserve Adult Corrections and Courts for Thursday morning.

Board of Pardons

Mike Sibbett, Chairman, Board of Pardons addressed the Analyst recommended reductions. In response to the recommended travel reductions Chairman Sibbett requested the committee leave the money in the travel budget as the Board of Pardons members were traveling to sites more often and transferring inmates to Salt Lake less so the travel budget is necessary to continue to function. As to the \$6,700 savings through the One-Day Furlough the Board requests that they find a place to cut \$6,700 from the budget rather than being mandated to do it though a day of unpaid leave. The largest concern is with the use of \$60,000 in nonlapsing funds. The money was being held in reserve for video teleconferencing equipment. If the funds are used in other areas the implementation of this project will have to be put on hold. In addition, to better serve the needs of a full Board hearing an additional appropriation of \$75,000 is being sought to build a new room at the Draper facility. Finally, the Board of Pardons requests to have flexibility in the implementation of the proposed cuts.

MOTION: Representative Daniels moved to adjourn. The meeting adjourned at 12:05 p.m.

Senator D. Chris Buttars, Co- Chair

Representative A. Lamont Tyler, Co-Chair

