

FISCAL NOTE AND BUILDING BLOCK FOLLOW-UP REPORT

2009 G.S. Leg. Action

GOED - California Initiative

Analyst: Andrea Wilko

Committee: BEDL

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$1,000,000		\$2,000,000		(\$1,000,000)		\$1,000,000		\$488,751		\$511,249

Explanation

The Legislature appropriated \$1,000,000 to recruit businesses from out-of-state to Utah. The initial efforts were focused on the West Coast. The agency was allowed flexibility on how to do this. Currently they have focused efforts on an advertising campaign and trade shows.

Implementation

Yellow

GOED allocated \$479,161 for an advertising campaign and used the remaining \$9,590 for out-of-state travel and current expense commitments. Advertising funds have been utilized to market Utah as a safe place to do business. The remaining balance of \$511,249 was carried into FY 2011 to continue these efforts.

Accuracy

Green

Given the flexibility provided by the Legislature the appropriation appears to be doing what it was intended to do in a broad sense, which was to encourage companies to move to Utah.

Performance

2010 G.S. HB0196S01

Tobacco Tax Revisions (Ray)

Analyst: Andrea Wilko

Committee: BEDL

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
	\$44,062,000	\$44,062,000		\$0		\$44,062,000		\$59,000,000		(\$14,938,000)

Explanation

Enactment of this bill could increase revenue to the General Fund by \$43,198,000 in FY 2011 and \$44,062,000 in FY 2012. Of the increase, \$250,000 is earmarked for the Gold Medal Schools program in the Department of Health.

Implementation

Green

The tax increase went into effect July 1, 2010. The bill also established a floor tax in order to capture existing inventory as of the effective date. Currently, the bill has been implemented as drafted.

Accuracy

Red

Collections have come in higher than anticipated for a couple of reasons. First, the floor tax captured more revenue than actually expected. Second, overall consumption did not decrease as much as originally expected. Finally allocations to the Cigarette Tax Restricted Account are understated as funds have been accruing to the General Fund also resulting in estimates coming in above targets. As a result of the various factors, collections will come in approximately \$15 million over estimates.

Performance

2010 G.S. Leg. Action

DCC - Elimination of the Folk Arts Program

Analyst: Andrea Wilko
Committee: BEDL

Cost Estimate	Revenue Est.
(\$145,000)	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$145,000)		\$0		(\$145,000)		(\$145,000)		\$0

Explanation
 Contract out the Folk Arts Program and eliminate FTE's.

Implementation
Green
 The Folk Arts Program was provided with transition funding for two years in order to determine the best approach to folk arts. As of FY 2012 the Folk Arts Program has been eliminated and the two FTEs have retired. Any future folk arts activity will be carried out by existing staff or on contract. The savings based on legislative action was \$145,000.

Accuracy
Green
 Funding and staff have been eliminated as originally proposed in the 2010 General Session.

Performance

2010 G.S. SB0012

**Individual Income Tax Contribution for
Methamphetamine Housing Reconstruction and
Rehabilitation Fund (Mayne)**

Analyst: Andrea Wilko

Committee: BEDL

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
	\$8,600	\$8,600		\$0		\$8,600		\$4,900		(\$3,700)

Explanation

Enactment of this bill would create a restricted fund with funding derived from an income tax checkoff. Administrative costs of \$8,600 to the Division of Housing and Community Development would be funded out of the restricted revenues. Housing rehabilitation costs would also be funded through the restricted revenues. Funding beyond the administrative costs are passed through entities that rehabilitate methamphetamine impacted housing.

Implementation

Green

Individuals are currently making donations through income tax checkoffs. Current collections from the checkoff are approximately \$4,900. At this point, the Division is monitoring collections but not providing any technical expertise as there is not enough in the restricted fund to do anything. If collections are less than \$30,000 for three years, the checkoff will be eliminated.

Accuracy

Yellow

Collections are coming in slowly as was originally anticipated. However they are still below initial targets.

Performance

2010 G.S. SB0096

**Uintah Basin Revitalization Fund Amendments
(Van Tassell)**

Analyst: Andrea Wilko

Committee: BEDL

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
	(\$172,000)	(\$172,000)		\$0		(\$172,000)		(\$242,000)		\$70,000

Explanation

Enactment of this bill could result in a loss of restricted revenue of \$172,200 in FY 2010, \$185,800 in FY 2011 and \$206,000 in FY 2012. There will be a corresponding increase to the General Fund in the respective fiscal years.

Implementation

Green

The provisions of the bill have been implemented. Allocations in the Uintah Basin Revitalization Fund are now adjusted for a Consumer Price Index (CPI) factor. Because deflation has occurred the adjustment is expected to be negative.

Accuracy

Yellow

Allocations to the Uintah Basin Revitalization Fund decreased by \$242,000 in FY 2010. This is more than originally anticipated because the deflationary factor was higher than expected.

Performance

2009 G.S. Leg. Action

DCC - Sugar Factory

Analyst: Andrea Wilko
Committee: BEDL

Cost Estimate	Revenue Est.
\$40,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$40,000		\$0		\$40,000		\$40,000		\$0

Explanation

Legislative allocation to the West Jordan Sugar Factory.

Implementation

Green

One-time funding was ultimately restored to the Sugar Factory. Funds were used to conduct a seismic study and provide signage. After the seismic study was conducted, the decision was made to demolish the buildings as they were not seismically safe.

Accuracy

Green

Funds were expended as anticipated.

Performance

2010 G.S. Leg. Action

DCC - Museum Services Support Staff Reduction

Analyst: Andrea Wilko
Committee: BEDL

Cost Estimate	Revenue Est.
(\$133,000)	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$133,000)		\$0		(\$133,000)		(\$133,000)		\$0

Explanation

The proposed decrease will eliminate 2 employees along with the corresponding support costs. Functions will be consolidated into the Arts Line Item.

Implementation

Green

FTE's were eliminated as directed. The grants funding remains a separate line item under the Division of Arts and Museums. Administrative support to museums is now provided under Arts and Museums main line time. Cost savings totaled \$133,000.

Accuracy

Green

Funding was reduced in the amount directed.

Performance

2009 G.S. SB0240S01

**Utah Science Technology and Research Initiative
Amendments (Killpack)**

Analyst: Thomas E. Young

Committee: BEDL

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$28,000,000		\$33,000,000		(\$5,000,000)		\$28,000,000		\$28,000,000		\$0

Explanation

Enactment of this bill appropriates \$33,000,000 one-time from Federal Funds - American Recovery and Reinvestment Act to the Utah Science and Technology Research (USTAR) Governing Authority. This bill extends blanket nonlapsing authority to USTAR.

Implementation

Green

Originally, the \$33 million was allocated as: (1) \$23 million to Energy Technology, Digital Media, Medical Imaging and Brain Medicine, BioDevice and BioPharma, and NanoTechnology (all existing teams); (2) \$3 million as backfill for the outreach centers and administration; (3)\$2 million for grant programs at U of U and USU. The intent is to provide grants for non-USTAR researchers; (4) \$1 million to enhance the research laboratories at U of U and USU; (5) \$1 million to commercialize technology through the Technology Commercialization Grant; (6) \$3 million for strategic initiatives across the Research and Technology Outreach programs. During the 2010 General Session, \$5 million was reduced, which eliminated the \$3 million strategic initiatives effort, and reduced \$2 million from startup money for new researchers.

Accuracy

Green

Program size and effort has been scaled to remain within available funds over multiple years.

Performance

Yellow

The return on the investment is being evaluated by LFA and BEBR.

2010 G.S. HB0037

Criminal Background Checks on Motor Vehicle Dealers and Salespersons (Lockhart)

Analyst: Thomas E. Young

Committee: BEDL

Cost Estimate	Revenue Est.
\$211,200	\$211,200

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$211,200		\$0		\$211,200		\$164,725		\$46,475

Explanation

Enactment of this bill will require \$211,200 in dedicated credits for FY 2011 and \$11,200 in dedicated credits for FY 2012 to fund collection and compilation of motor vehicle dealer and salesperson fingerprints. The bill authorizes a fee to collect such dedicated credits.

Implementation

Green

All individuals subject to the terms of the bill submitted fingerprint samples by November 30, 2010.

Accuracy

Red

Before HB 37, salesmen had criminal background checks performed, but did not pay the extra \$5 for fingerprint retention. To date, 6,589 individuals have paid the additional \$5 for fingerprint retention plus the one-time \$20 for re-fingerprinting of license renewals. There is no quantifiable evidence yet as to whether the increased cost was passed through to the consumer and what productivity effect the increased workload has had on MVED. MVED has not requested funds to implement provisions of the bill.

Performance

2010 G.S. HB0046

Motor Vehicle Act Amendments (Julie Fisher)

Analyst: Thomas E. Young
Committee: BEDL

Cost Estimate	Revenue Est.
(\$40,000)	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$40,000)		\$0		(\$40,000)		(\$40,000)		\$0

Explanation

Enacting this bill will reduce Tax Commission newspaper advertising costs by \$40,000 from various sources beginning in FY 2011.

Implementation

Green

The Motor Vehicle Division no longer publishes in a newspaper notice of a sale of a motor vehicle that has been seized and has not been recovered. The notice is now published online.

Accuracy

Green

Newspaper expenses have decreased by \$40,000.

Performance

2010 G.S. SB0165

Allocation and Apportionment of Income and Deduction of a Net Loss (Niederhauser)

Analyst: Thomas E. Young

Committee: BEDL

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
	\$5,000	\$5,000		\$0		\$5,000		\$5,000		\$0

Explanation

Enactment of this bill increases revenue to the Education Fund by \$4,000 in FY 2011 and \$5,000 in FY 2012.

Implementation

Green

The bill is a phased-in implementation of the single sales factor for all industries except Mining, Manufacturing, Transportation, Warehousing, Information (except NAICS code 519), Finance, and Insurance. The first part of the phasing-in begins for taxable year 2011 (FY 2011, FY 2012).

Accuracy

Green

Based upon the April and June 2011 corporate quarterly estimated payments, the overall aggregate effect is around \$5,000.

Performance

2010 G.S. Leg. Action

Main Street Store Closure

Analyst: Thomas E. Young
Committee: BEDL

Cost Estimate	Revenue Est.
(\$216,100)	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$216,100)		\$0		(\$216,100)		(\$54,000)		(\$162,100)

Explanation

During the 2010 General Session, the Department of Alcoholic Beverage Control's budget was reduced by an amount equal to the operating expenditures of the Main Street store (about \$216,100).

Implementation

Green

The Main Street store was closed on April 1, 2011.

Accuracy

Green

In closing the Salt Lake City Main Street store, the Department of Alcoholic Beverage Control (DABC) directly increased the profit transfer to the General Fund by the amount not spent on wages and salaries (about \$54,000 to date, or \$216,000 on an annualized basis). The profit, sales tax, and school lunch that would have been made at the Main Street store, about \$315,000 for the April through June time frame, was shifted to the surrounding stores. Profitability from April through June 2011 of the surrounding stores increased by about \$308,000 over what would have been expected had the Main Street store not been closed. Overall, closing the Main Street store increased the bottom line profitability of the DABC business by about \$47,000 from April to June 2011, or, on an annualized basis, by about \$188,000.

Performance

2010 G.S. Leg. Action

TAX - Change Motor Vehicle Renewal Packet

Analyst: Thomas E. Young
Committee: BEDL

Cost Estimate	Revenue Est.
(\$250,000)	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$250,000)		\$0		(\$250,000)		(\$250,000)		\$0

Explanation

Instead of sending motor vehicle renewal packets, a postcard reminder will be sent.

Implementation

Green

The packet change took effect July 1, 2009.

Accuracy

Green

Budgeted printing and postage related processing costs have decreased by \$250,000 ongoing.

Performance

There is no evidence yet that the elimination of the renewal packet has caused individuals to forgo renewing their vehicles. More individuals have shifted from sending forms in the mail to renewing their motor vehicle online.

2010 G.S. Leg. Action

USTAR - Consolidation of Technology Outreach

Analyst: Thomas E. Young
Committee: BEDL

Cost Estimate	Revenue Est.
(\$250,000)	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$250,000)		\$0		(\$250,000)		(\$286,542)		(\$36,542)

Explanation

USTAR had five technology outreach centers in the state. This action closed the Salt Lake Technology Outreach office.

Implementation

Green

As of July 1, 2009, the Salt Lake Technology Outreach office is closed.

Accuracy

Yellow

Operating expenditures and personnel expenditures for one director, one analyst, and varying interns have been eliminated. Total operating expenditures in FY 2009 amounted to \$286,542.

Performance

2010 G.S. Leg. Action

Tax - Expand hours of the DMV to Fridays

Analyst: Thomas E. Young
Committee: BEDL

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$250,000		\$250,000		\$0		\$250,000		\$250,000		\$0

Explanation

The \$250,000 paid for the costs of expanding the services of the South Valley DMV to Fridays.

Implementation

Green

On Friday February 12, 2010 the South Valley DMV was opened for Friday service.

Accuracy

Green

The \$250,000 represents the costs associated with five counter personnel.

Performance

Red

Because the \$250,000 did not increase revenue, the overall experience has been an increase in the cost per motor vehicle transaction. Because of passage of HB 328 (State Government Work Week) during the 2011 Veto Override Session, the Tax Commission will be open from 8:00 to 5:00 five days per week. The \$250,000 is no longer needed to keep the South Valley DMV open on Fridays.

2010 G.S. HB0130

Cancer Research Special Group License Plate (Dee)

Analyst: Thomas E. Young
Committee: BEDL

Cost Estimate	Revenue Est.
	\$20,000

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$20,000		\$0		\$20,000		\$1,840		\$18,160

Explanation

Under the provisions of this bill, if 500 individuals donate \$35 each year, revenue to the Cancer Research Restricted Account would be \$17,500. Annual dedicated credits revenue would be \$2,000 for license plate production and \$500 to the Transportation Fund. \$12,400 in startup costs will be paid from private sources.

Implementation

Green

The Cancer Research Special Group license plates were first available on March 1, 2011.

Accuracy

Red

As of June 30, 2011, total revenue to the restricted account, Transportation Fund, and Dedicated Credits is \$1,840. Private sources paid \$18,125 for 2,500 sets of one color decals.

Performance

Yellow

As of June 30, 2011, 46 Cancer Research Special Group license plates had been issued, with the required contribution amount of \$35 per issuance.

2010 G.S. HB0327

Autism Awareness Support Special Group License Plate (Edwards)

Analyst: Thomas E. Young

Committee: BEDL

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
	\$15,000	\$15,000		\$0		\$15,000		\$2,970		\$12,030

Explanation

500 people buying plates each year (donating \$25 each) would increase revenues to the Autism Awareness Restricted Account by \$12,500. Other fees would generate \$2,000 in Dedicated Credits for license plate production and \$500 to the Transportation Fund.

Startup costs of \$20,700 (paid from private sources) will buy 2,000 3-color sets.

Implementation

Green

The Autism Awareness Special Group license plates were first available January 3, 2011.

Accuracy

Red

When Dedicated Credits and Transportation Fund revenue is included, total revenue attributable to the Autism Awareness Special Group license plate is \$2,970.

Performance

Yellow

As of June 30, 2011, 99 individuals have contributed \$25 each towards autism awareness programs.

2010 G.S. SB0209

**Humanitarian Service and Educational and Cultural
Exchange Support Special Group License Plate
(Knudson)**

Analyst: Thomas E.
Young

Committee: BEDL

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
	\$15,000	\$15,000		\$0		\$15,000		\$2,040		\$12,960

Explanation

Under the provisions of this bill, if 500 individuals donate \$25 annually, revenue to the Humanitarian Service and Educational and Cultural Exchange Restricted Account would be \$12,500 annually. Dedicated credits for license plate production would be \$2,000 and revenue to the Transportation Fund would be \$500. Startup costs of \$18,400 will be paid by private sources.

Implementation

Green

The Humanitarian Service and Education and Cultural Exchange Support Special Group license plates were first available January 13, 2011.

Accuracy

Red

The fiscal note assumed 500 individuals purchasing plates. As of June 30, 2011, 68 plates have been purchased.

Performance

Yellow

As of June 30, 2011, 68 individuals had purchased the special group plates, totaling \$2,040 in revenue.

2010 G.S. SB0134

Partnership Tax Return Filing Deadlines (Adams)

Analyst: Thomas E. Young
Committee: BEDL

Cost Estimate	Revenue Est.
	(\$1,200)

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$1,200)		\$0		(\$1,200)		(\$1,238)		\$38

Explanation

Enactment of this bill reduces revenue to the Education Fund by \$1,200 ongoing.

Implementation

Green

The bill had retrospective operation to January 1, 2010.

Accuracy

Green

As of now, the effect on the Education Fund is a decrease of \$1,238. There was no administrative cost associated with the bill.

Performance

2010 G.S. SB0028

Amendments to Individual Income Tax Return Filing Requirements (Adams)

Analyst: Thomas E. Young

Committee: BEDL

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$70,000)		(\$70,000)		\$0		(\$70,000)		(\$70,000)		\$0

Explanation

Enactment of this bill reduces Tax Commission processing expenses by \$70,000.

Implementation

Green

The bill had retropective operation to January 1, 2010.

Accuracy

Green

The requirement for paid preparers to file electronically reduced processing expenses by \$70,000 and FTEs by two.

Performance

Green

About 50 preparers that did not file electronically will be reminded of the requirement before the upcoming filing season.

2011 G.S. HB0041

State Capitol Preservation Board Fee Revisions (Oda)

Analyst: Gary Ricks

Committee: EAC

Cost Estimate	Revenue Est.
	(\$79,200)

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$79,200)				(\$79,200)		(\$83,700)		\$4,500

Explanation

Provisions of this bill will reduce dedicated credit revenue to the Capitol Preservation Board by \$79,200 in FY 2011 only.

Implementation

Green

The Capitol Preservation Board implemented the fee revisions during the 2011 General Session.

Accuracy

Green

The amount of reduced revenue exceeded the fiscal note by \$4,500, a 5.7% greater reduction than originally estimated.

Performance

2010 G.S. SB0033

**State Capitol Preservation Board Fee Amendments
(Madsen)**

Analyst: Gary Ricks

Committee: EAC

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
	(\$30,300)	(\$30,300)				(\$30,300)		(\$79,200)		\$48,900

Explanation

Provisions of this bill will reduce dedicated credit revenue by \$30,300 in FY 2010.

Implementation

Green

The Capitol Preservation Board implemented the fee revisions during the 2010 General Session.

Accuracy

Red

The amount of reduced revenue exceeded the fiscal note by \$48,900.

Performance

2010 G.S. HB0440S01

Veterans' Nursing Home Reimbursement Restricted Account (Bigelow)

Analyst: Mark Bleazard

Committee: EAC

Cost Estimate	Revenue Est.

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$0		\$0		\$0		\$0		\$0

Explanation

This bill creates a restricted account within the General Fund for reimbursement funds from the federal government for the construction of veterans' nursing homes.

Deposits into this account from reimbursement of the Veterans' Nursing Home in Ogden are estimated at between \$10 million and \$13 million over two years.

Implementation

Green

The state received a reimbursement check from the federal government in May 2010, and deposited the check in the new restricted account.

Accuracy

Green

Deposits to this account equaled \$12,700,000. The Legislature approved expenditures during the 2011 General Session to veterans' nursing homes in Washington and Utah Counties of \$6,350,000 each.

Performance

2010 G.S. HB0287

Legislator Salary Amendments (Litvack)

Analyst: Steven Allred
Committee: EAC

Cost Estimate	Revenue Est.
(\$74,300)	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$74,300)		\$0		(\$74,300)		(\$76,600)		\$2,300

Explanation

General Fund savings to the Legislature will be \$74,300 in FY 2011, and \$10,200 in FY 2012.

Implementation

Green

Meeting pay for each legislator was reduced by 10% from \$130/day to \$117/day and will remain so through calendar year 2011.

Accuracy

Green

Through mid-June 2011, the Legislature saved \$76,600 as a result of the bill, or \$2,300 more than projected.

Performance

2011 G.S. SB0138S05

Driver License Qualification Amendments (Urquhart)

Analyst: Gary Syphus
Committee: EOCJ

Cost Estimate	Revenue Est.
\$464,800	\$543,300

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$464,800		\$0		\$464,800		\$347,200		\$117,600

Explanation

Enactment of this bill will cost the Department of Public Safety \$464,800 in one-time Dedicated Credits in FY 2011 for programming changes, personnel and renovation. The department will annually collect \$543,300 in Dedicated Credits for collecting fingerprints, photographs, and performing background checks for about 41,000 current driving privilege card holders beginning in FY 2012.

The Department of Public Safety may collect as much as \$55 per applicant to: take fingerprints (\$15); perform regional criminal background checks (\$20); take a photograph (\$15); and retain fingerprints (\$5). These fees may result in Dedicated Credits revenue of as much as \$1.7 million in FY 2012 and \$82,500 per year thereafter.

Implementation

Green

The Department of Public Safety renovated office space to accomodate provisions of this bill and has hired or will hire eight people by the end of July 2011.

Accuracy

Red

Of the \$464,800 in FY 2011 projected costs, the department estimates actual costs of \$347,200. The department estimates \$310,000 for the remodel. The remaining amount is for furniture, machinery, scanners and cubicles.

Performance

2009 G.S. HB0455

Court Security Restricted Account (Hutchings)

Analyst: Gary Syphus
Committee: EOCJ

Cost Estimate	Revenue Est.
	\$2,800,000

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$2,800,000				\$2,800,000		\$2,300,000		\$500,000

Explanation

Enactment of this bill will increase the court security fee by \$8. This will increase revenue to the General Fund Restricted Court Security account by approximately \$2.8 million annually. Courts will use the funds to contract for security services at juvenile and district courts. For the rest of FY 2009, the bill will require one-time revenue and appropriations of \$350,000.

Implementation

Green

The Courts implemented the provisions of this bill beginning May 12, 2009. General Fund appropriations previously used for court security purposes were replaced by collections from the account, "for court security at all district and juvenile courts throughout the state" (78A-2-602). The Courts contract with county sheriffs to provide security at district and juvenile courts.

Accuracy

Red

The Courts estimate that collections for FY 2011 will be \$2.3 million to the Court Security Restricted Account. This is an increase from the estimated \$1,900,000 in FY 2010. The Courts expect this amount to increase over time.

Performance

2010 G.S. Leg. Action

CRTS - District Five Juvenile Court Judge

Analyst: Gary Syphus

Committee: EOCJ

Cost Estimate	Revenue Est.
\$320,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$320,000		\$0		\$320,000		\$240,000		\$80,000

Explanation

In the 2010 General Session, the Legislature passed SB 116, "District Court Judges Amendments" which added an additional judge to serve in Washington, Beaver and Iron Counties. The Legislature appropriated an ongoing \$320,000 from the General Fund to pay for the cost of the judgeship which includes one judge and two clerks.

Implementation

Green

The Courts hired a juvenile court judge and two judicial assistants. After the required selection process, the judge was hired on October 1, 2010.

Accuracy

Red

For FY 2011, the appropriation does not reflect actual costs. The required selection process delayed implementation for three months (July 1 - October 1) which generated a one-time turnover savings amount of approximately \$80,000 in FY 2011. Although once fully implemented, ongoing costs reflect ongoing estimates.

Performance

Green

The Courts report (1) improved statutory child welfare time-lines, (2) speedier and more effective juvenile delinquency cases, and (3) the aiding in the continuation of a juvenile drug court in Washington County.

2009 G.S. SB0184S01

Civil Filing Fees (Bell)

Analyst: Gary Syphus

Committee: EOCJ

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
	\$11,300,000	\$11,300,000				\$11,300,000		\$11,400,000		(\$100,000)

Explanation

Enactment of this bill will increase General Fund revenue by approximately \$1,412,500 in FY 2009. If enacted, this bill will generate \$11,300,000 in ongoing General Fund revenue beginning in FY 2010.

Implementation

Green

The Courts implemented the provisions of this bill beginning May 12, 2009.

Accuracy

Green

Actual collections (to the General Fund) for FY 2012 are estimated at \$11,400,000 which amounts to \$100,000 above estimates and are expected to rise in subsequent fiscal years.

Performance

2010 G.S. HJR002

Joint Resolution on Property Tax Exemption for Water Facilities (Painter)

Analyst: Steven Allred

Committee: EOCJ

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$14,700		\$14,700		\$0		\$14,700		\$14,500		\$200

Explanation

Publication and distribution costs to put this resolution on the ballot will require a one-time FY 2011 appropriation of \$14,700 from the General Fund.

Implementation

Green

The Lt. Governor's Office published and distributed the full text of the constitutional amendment as required by law.

Accuracy

Yellow

The total cost to print this resolution, including impartial analysis and pro/con arguments, in the Voter Information Pamphlet (VIP) was \$14,535, or \$4,845 per page for three pages. There were no "Arguments Against" submitted, nor were there any rebuttal arguments. The length of each publication is unpredictable, but the average of the four published in 2010 was 4 pages. In addition to publication of the VIP, the Lt. Governor's Office is required to publish the full text in at least one newspaper in every county. In the last election, it cost \$38,000 to publish the 4 propositions, or about \$9,500 each.

Performance

2010 G.S. HB0324S01

Public Lands Litigation (Sumsion)

Analyst: Steven Allred
Committee: EOCJ

Cost Estimate	Revenue Est.
\$1,000,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$1,000,000		\$0		\$1,000,000		\$0		\$1,000,000

Explanation

Provisions of this bill require an appropriation of \$1,000,000 from the General Fund Restricted - Land Exchange Distribution Account to the General Fund Restricted - Constitutional Defense Restricted Account in FY 2011, FY 2012, and FY 2013. Remaining balances in the Land Exchange Distribution Account will be allocated to programs as currently outlined in statute. The bill appropriates \$1,000,000 from the Constitutional Defense Restricted Account to the Governor's Office - Constitutional Defense Council.

Implementation

Red

The bill required the Attorney General to file, by no later than July 1, 2011, an eminent domain action or quiet title action on property possessed by the federal government. No actions have been filed to date. The Governor's Office and Attorney General's Office are planning for future filings.

Accuracy

Green

The fiscal note accurately portrays the fund adjustments and the appropriation required by the bill. Actual costs are yet to be determined.

Performance

2010 G.S. HB0329S07

Campaign Finance Amendments (Ferry)

Analyst: Steven Allred
Committee: EOCJ

Cost Estimate	Revenue Est.
\$140,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$140,000		\$0		\$140,000		\$143,500		(\$3,500)

Explanation

Provisions of this bill will require a one-time FY 2011 General Fund appropriation of \$140,000 for computer programming.

Implementation

Green

The campaign finance filing and reporting system was completed on time and is operational.

Accuracy

Green

Actual computer programming costs were \$143,537.94

Performance

2010 G.S. SB0217S02

Increase in Surcharge on Fines (Jenkins)

Analyst: Steven Allred
Committee: EOCJ

Cost Estimate	Revenue Est.
	\$765,000

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$765,000		\$0		\$765,000		\$735,000		\$30,000

Explanation

Provisions of this bill will increase surcharge collections by \$765,000 annually. The new restricted account created in this bill will receive \$619,000, and the balance of \$146,000 will be allocated to programs as currently outlined in statute. The bill appropriates \$619,000 annually from the new restricted account to the Commission on Criminal and Juvenile Justice.

Implementation

Green

Bill has been fully implemented. The 85% surcharge on criminal fines and penalties increased to 90% as required. Division of Finance has allocated the funds as stated in the bill, including \$619,000 to the new Law Enforcement Services Restricted Account.

Accuracy

Green

Revenues generated in FY 2011 year-to-date indicate that the bill will increase surcharge collections by approximately \$735,000 annually. The new restricted account will receive \$619,000, and a balance of \$116,600 will be allocated to other programs (subject to appropriation) as outlined in statute.

Performance

2010 G.S. Leg. Action

Transfer Public Ed. Funding for ASSERT

Analyst: Spencer Pratt
Committee: HED

Cost Estimate	Revenue Est.
\$166,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$166,000		\$0		\$166,000		\$166,000		\$0

Explanation

For FY 2011, the Legislature approved transferring \$166,000 from Public Education budgets to Utah State University for its Autism Support Services: Education, Research, and Training (ASSERT) program. This program is housed at the Center for Persons with Disabilities at Utah State University. ASSERT's goal is to build the capacity of school districts to provide effective, research-based educational services to children with autism.

Implementation

Green

USU has spent the ASSERT funding to operate a model classroom on campus to train educational professionals throughout the region. USU conducts research to improve educational and behavioral interventions, providing those interventions to children with autism, and providing support and training to school districts in the state.

Accuracy

Green

The \$166,000 amount was the amount identified in the Public Education budget to be transferred.

Performance

Green

ASSERT has trained over 100 special education teachers in 14 different school districts. Direct classroom services have been received by 38 families. USU undergraduate and graduate students have learned to implement interventions they have learned at the model classroom.

2010 G.S. Leg. Action

Transfer Public Ed. Funding for Sound Beginnings

Analyst: Spencer Pratt
Committee: HED

Cost Estimate	Revenue Est.
\$249,900	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$300,000		(\$50,100)		\$249,900		\$249,900		\$0

Explanation

Funding for Sound Beginnings was originally appropriated to Public Education in the 2008 General Session. The Legislature approved moving the funding to Utah State University during the 2010 General Session. The original appropriation was \$300,000, but because of a series of budget reductions, the amount transferred was \$249,900.

Implementation
Green

Sound Beginnings is a program between Utah State University (USU) and the Utah School for the Deaf and Blind (USDB) that, since FY 2009, has (1) provided direct early educational services to children, and (2) provided training and support to teachers and clinicians to improve their programs to reach children with hearing loss.

Accuracy
Green

The \$249,900 provided for staffing, who have been able to secure competitively-awarded outside funding from the US Department of Education, US Department of Health and Human Services, and two private foundations. Some of this funding has been one-time in nature, other parts are multiple year awards. Further proposals have been submitted for additional grants funding.

Performance
Green

Since Sound Beginnings began, annual enrollment has grown to 33. Nine children have transitioned into their neighborhood schools. The program has conducted 33 workshops with over 1,300 participants. Many of these workshops have been offered via distance education services to provide the services to teachers and clinicians throughout the state. Some of the funding supports the graduate training program at USU with an emphasis in Auditory Learning and Spoken Language, which has seen 17 students graduate since 2008 and 20 students currently enrolled.

2011 G.S. Leg. Action

SBR - Excellence in Education

Analyst: Spencer Pratt

Committee: HED

Cost Estimate	Revenue Est.
\$1,000,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$1,000,000		\$0		\$1,000,000		\$0		\$1,000,000

Explanation

The Legislature approved one-time funding in the amount of \$1 million as the initial appropriation for Mission Based Funding (see S.B. 97). The appropriation will be split into two pieces: the first, \$950,000, is to be distributed by the State Board of Regents to the eight USHE institutions for specific initiatives that fall into the categories of participation, completion, and economic development; and the second, \$50,000, is to study higher education funding, including funding equity among the eight USHE institutions.

Implementation

Yellow

Proposals have been submitted by the USHE institutions and are currently being considered. Awards from the \$950,000 should be approved in the near future. Dr. Dennis Jones, from the National Center for Higher Education Management Systems (NCHEMS), has been contracted to conduct the study of funding in the Utah System of Higher Education. The completion date for this study is not currently known.

Accuracy

Yellow

\$1 million was appropriated; results of the awards and the study will determine the accuracy of the amount.

Performance

Yellow

No performance measures have been identified for this funding.

2011 G.S. Leg. Action

USHE Excellence in Education - Internal Alignment

Analyst: Spencer Pratt
Committee: HED

Cost Estimate	Revenue Est.
\$800,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$800,000		\$0		\$800,000		\$0		\$800,000

Explanation

The 2011 Legislature approved several items of funding for the Utah System of Higher Education for Excellence in Education. This portion details an appropriation of \$800,000 which was approved for internal alignments related to education and economic development. There are two pieces to this project: (1) Create a common understanding of data and language between education, workforce services, and economic development; and (2) Improve and enhance the information available online at Utahfutures.org to provide more information to students.

Implementation

Yellow

Of the total \$800,000 appropriation, \$250,000 is designated to create the common language and data. The final product is to be a report to the Governor and the Legislature about how these state agencies will report progress made in meeting the economic needs of the state through education. The remaining \$550,000 is to be used to enhance the Utahfutures.org website. A request for information is being formulated to determine what improvements should be made, then most of the funding will be used to make those improvements and enhancements. Again, a report will be presented to the Governor and Legislature detailing the improvements and future action.

Accuracy

Yellow

Upon completion of the proposed actions, the accuracy of the appropriation can better be determined.

Performance

Yellow

An increase in the number of hits and the number of logins on Utahfutures.org will help determine the effectiveness of the improvements made to the website.

2011 G.S. HB0034S01

**Department of Transportation Settlement Agreement
Amendments (Julie Fisher)**

Analyst: Mark
Bleazard

Committee: IGG

Cost Estimate	Revenue Est.

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$0		\$0		\$0		\$0		\$0

Explanation

This bill modifies the State Settlement Agreements Act by amending provisions relating to certain Department of Transportation construction contract claim settlement agreements and settlement agreements that resolve bid or request for proposal protests.

Enactment of this bill likely will not materially impact the state budget.

Implementation

Green

The Department of Transportation has developed procedures to implement provisions of this bill and presented the process to the Transportation Interim Committee.

Accuracy

Green

Implementation of this bill did not impact the state budget.

Performance

2010 G.S. SB0025

State Highway System Modifications (Van Tassell)

Analyst: Mark Bleazard
Committee: IGG

Cost Estimate	Revenue Est.

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$0		\$0		\$0		\$0		\$0

Explanation

Enactment of this bill will not require additional appropriations.

Implementation

Green

The Transportation Commission authorizes programming of the amounts appropriated for maintenance and operations of state highways. Experience shows the appropriation is expended before all maintenance needs are met. Authorized funding is applied to maintenance projects ranked as highest priority first, with the understanding that projects not funded in a given fiscal year will likely be considered first in the next budget cycle. Thus when highways are added or removed from the state inventory other maintenance demands always exceed the appropriation.

Accuracy

Green

Implementation of the bill did not materially impact the state budget.

Performance

2010 G.S. SB0189

Capital Facilities Amendments (Bramble)

Analyst: Rich Amon
Committee: IGG

Cost Estimate	Revenue Est.

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$0		\$0		\$0		\$0		\$0

Explanation	Implementation Green	Accuracy Green	Performance Green
Enactment of this bill will not require additional appropriations.	As authorized in this legislation, beginning FY 2011, the State Building Board has the ability to reallocate bid savings and project residual from capital improvement projects back to additional improvement projects rather than lapse to the Project Reserve Fund.	No additional appropriations were required.	In FY 2011 the State Building Board reallocated \$1,640,000 of bid savings and project residual from capital improvement projects to additional improvement projects. This represents a 3.2 percent increase in capital improvement funding beyond what otherwise would have been expended.

2010 G.S. HB0005S03

**Revenue Bond and Capital Facilities Authorizations
(S. Clark)**

Analyst: Rich Amon

Committee: IGG

Cost Estimate	Revenue Est.
\$217,210,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$217,210,000		\$0		\$217,210,000		\$41,950,000		\$175,260,000

Explanation

The bill authorizes \$181,541,000 (plus direct issue costs) for revenue bond projects and \$35,669,000 for design and construction using agency funds.

Implementation

Yellow

Not all of the projects authorized in this bill have gone forward. Four of the five Board of Regents revenue bond authorizations have been issued and three of the five agency-funded projects are under construction. The U of U Ambulatory Care Complex bond authorization will likely be issued within the next year or two, but the project is still being evaluated and designed. The residential facility for the blind has been completed; the USU Botanical center is in the final stages of construction; and the Ogden Driver's License building is under construction. The U of U Henry Eyring Science building addition is still in design though the construction contract has been let; and the SUU Museum of Art is still in planning.

Accuracy

Green

All construction projects use sources of funding other than state funds and all bonds have been issued within the authorizations given by the Legislature.

Performance

2010 G.S. HB0020S01

Amendments to Health Insurance Coverage in State Contracts (Dunnigan)

Analyst: Rich Amon

Committee: IGG

Cost Estimate	Revenue Est.

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$0		\$0		\$0		\$0		\$0

Explanation

Enactment of this bill will not require additional appropriations.

Implementation

Green

This bill modifies provisions of S.B. 331S2 from the 2009 General Session. Contractors for state construction projects must sign a document affirming that they provide a minimal level of health insurance to their employees (if the contract is over a certain amount) as required by this bill.

Accuracy

Green

Most large contractors provided health coverage previous to the passage of this bill. In a poll by the Department of Transportation, large and medium sized contractors indicate little to no effect from this legislation. Smaller contractors, however, indicate significant cost increases resulting from the 50% family health insurance requirement. The cost increase has not prevented them from bidding on projects, but could in the future. The Division of Facilities Construction and Management reports similar anecdotal information from building contractors. The current favorable construction climate has largely mitigated project cost increases from small contractors.

Performance

2010 G.S. SB0013

State Construction Contracts and Drug and Alcohol Testing (Mayne)

Analyst: Rich Amon

Committee: IGG

Cost Estimate	Revenue Est.

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$0		\$0		\$0		\$0		\$0

Explanation

Enacting this bill will not require additional appropriations. Contractors not already providing drug and alcohol tests required by this bill may pass on the costs of administering those tests to state construction projects. The impact at this time cannot be quantified.

Implementation

Green

Contracts for construction projects currently require contractors to provide drug and alcohol testing.

Accuracy

Yellow

Contractors indicate that they have not borne additional costs as a result of this legislation. Most contractors already had a drug and alcohol testing program in place. The state, therefore, has not seen increases in construction project costs.

Performance

2010 G.S. SB0280S01

**2010 General Obligation Bond Authorization
(Hillyard)**

Analyst: Rich Amon

Committee: IGG

Cost Estimate	Revenue Est.

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$0		\$0		\$0		\$0		\$0

Explanation

General Obligation bonds authorized by this bill (\$90 million) are backed by the full faith and credit of the state, and are for construction and design of state buildings. Assuming all of the bonds are issued in the first year, with a standard six year repayment period and flattened payments at today's interest rates, debt service will be about \$15,645,000 per year with first year interest cost of \$1,300,000. Actual debt service will vary according to the date of issuance, interest rates at the time of issuance, and the structure of the bonds. Current debt service appropriations should adequately cover the debt service requirements for these bonds.

Implementation

Green

The state received \$89,111,000 for construction of the three buildings authorized in this bill from the 2010A general obligation bond issued on September 30, 2010. Two of the buildings (the USU Agricultural building and U of U Neuroscience and Biomedical Technology USTAR project) are under construction and expected to be completed in December 2011. The USU Bio-Innovations USTAR project is finished and has been occupied since April 2011.

Accuracy

Green

The coupons (interest rate paid to investors) on the actual bond issuance were higher than the Analyst anticipated though the yields (current market interest rate) were less than estimated. The lower yields result in more up-front cash (premium), which decreases the amount needed to borrow (par amount). The higher coupon rates require more interest payments on the front end, but lower payments in later years. The debt service budget was able to accommodate such changes.

Performance

Green

The actual bond issuance (2010A) uses the Analyst's recommendation of structuring the principal payments in years five and six thereby allowing the state to build \$89 million of new buildings without an additional appropriation. Had the bonds been issued with an even amortization, the Legislature would have needed to appropriate an additional \$15 million to the debt service budget.

2010 G.S. SB0282

Capital Facilities Appropriations (Bramble)

Analyst: Rich Amon
Committee: IGG

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$113,000,000		\$113,000,000		\$0		\$113,000,000		\$22,400,000		\$90,600,000

Explanation

This bill appropriates \$113,000,000 one-time from the General Fund in FY 2011 for capital development projects.

Implementation

Green

Two of the three buildings funded with the appropriations in this bill are under construction. To date expenditures for the three projects are: Utah Valley University Science building - \$17.1 million; Dixie State College Centennial Commons - \$4.6 million; and Salt Lake Community College Administrative Complex - \$0.7 million.

Accuracy

Red

The favorable construction climate produced construction bids 15 percent lower than anticipated on the UVU and Dixie buildings. The state saved \$7.4 million on the \$45 million UVU Science Building (bid October 2010) and \$5.4 million on the Dixie Centennial Commons (bid April 2011). Statute diverts these bid savings into the Project Reserve Fund, which the Legislature anticipated and reappropriated \$12 million of the balance to capital improvements during the 2011 General Session.

Performance

Green

The Utah Valley University Science building is scheduled for completion in March 2012. The Dixie State College Centennial Commons is scheduled for completion in May 2012. The Salt Lake Community College Administrative Complex is still in design and is scheduled for completion in December 2012.

2010 G.S. SB0089S01

Legal Notice Amendments (Urquhart)

Analyst: Rich Amon
Committee: IGG

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$31,300)		(\$31,300)		\$0		(\$31,300)		(\$21,400)		(\$9,900)

Explanation

Enacting this bill will reduce Department of Transportation costs by \$68,000 in Transportation Funds and the Division of Archives will require an appropriation of \$18,700 in one-time General Fund in FY 2010 and an appropriation of \$18,000 in ongoing General Fund.

Implementation

Green

The Division of Archives finished re-programming the Utah Public Meeting Notice Website in FY 2010 to accommodate the changes required by this legislation and currently maintains the new Public Notice website.

Accuracy

Yellow

The Department of Transportation has seen a (\$70,000) reduction in newspaper advertising costs in FY 2011 and expects to maintain ongoing savings in the future. The Division of Archives spent \$29,000 in FY 2010 for initial website programming costs. While ongoing maintenance costs in FY 2011 were \$19,600, the Division anticipates future increases due to indications the website contractor subsidizes the full cost of maintenance. Archives also reports an unfunded 1/3 FTE workload increase.

Performance

2010 G.S. Leg. Action

**Reduction of Capital Improvement Funding to 0.61%
of Replacement Value**

Analyst: Rich Amon

Committee: IGG

Cost Estimate	Revenue Est.
(\$3,863,800)	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$3,863,800)		\$0		(\$3,863,800)		(\$3,863,800)		\$0

Explanation

This adjustment reduces the Capital Improvements line item by a total of 8.9% which brings the funding down to 0.61% of the replacement value of buildings (1.1% is statutorily required). As the Debt Service line item cannot be reduced due to debt obligations, this adjustment equates to what would otherwise have been a four percent reduction to both the Capital Improvements and the Debt Service line items.

Implementation

Green

The State Building Board allocated capital improvement funds in April 2011. The reduction in funding limited the number of capital improvement projects the State Building Board could fund.

Accuracy

Green

The Capital Improvement line item was reduced by this amount.

Performance

Red

In FY 2011 agencies and institutions requested a total of \$182.3 million for state-owned building improvement projects. The reduction allowed funding for only 28 percent of the requests. In FY 2011 the state has \$260 million of immediate building improvement needs, \$1,061 million of 5-year improvement needs, and \$316 million of 10-year improvement needs.

2010 G.S. HB0332

Utah Agricultural Code Amendments (Watkins)

Analyst: Ivan Djambov

Committee: NRAEQ

Cost Estimate	Revenue Est.
	\$31,200

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$31,200				\$31,200				\$31,200

Explanation

Enactment of this bill will generate additional \$31,200 in restricted revenues per year and will require the additional funding to be appropriated to the Department of Agriculture and food.

Implementation

Green

The bill was implemented on July 1, 2010, as expected. The fees are being collected from the wool growers by the wool warehouses. The funding is submitted to the Department of Agriculture and Food quarterly.

Accuracy

Green

The fees due to the Department of Agriculture and Food are collected from the wool growers by the wool warehouses. Administrative Rule R58-15 requires the wool warehouses to submit collections on a quarterly basis. The final revenue figures will be available after July 2011, when the department will receive the collections for April through June, 2011. The department administration reported that the revenue collection thus far is as expected.

Performance

2010 G.S. HB0155S01

Agricultural Advisory Board and Livestock Related Policy (Mathis)

Analyst: Ivan Djambov

Committee: NRAEQ

Cost Estimate	Revenue Est.
\$400	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$400		\$0		\$400		\$77		\$323

Explanation

Adding one more member to the board will require an ongoing appropriation of \$400 from the General Fund to the Department of Agriculture and Food.

Implementation

Green

The bill was implemented on its effective date. The process of appointing the additional board member to the Ag Advisory Board was completed in October 2010.

Accuracy

Yellow

As of June 29, 2011, the expenditures associated with the new board member for FY 2011 are \$77.

Performance

2010 G.S. HB0226

Well Driller's License -- Pump Installation (Painter)

Analyst: Ivan Djambov

Committee: NRAEQ

Cost Estimate	Revenue Est.
\$8,700	\$8,700

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$8,700		\$0		\$8,700		\$9,000		(\$300)

Explanation

Enacting the bill will generate \$8,700 in FY 2011 and \$1,200 in FY 2012 as Dedicated Credits to the Division of Water Rights. Such revenue would be available for expenditure by the Division.

Implementation

Green

The bill was implemented on the effective date.

Accuracy

Green

The implementation of this bill has generated \$8,200 in Dedicated Credits revenues from license fees in FY 2011. The Division of Water Rights has spent \$9,000 to create the online forms and for the database programming. The division administration reported that the remaining implementation activities (rules, education, and license processing) required 468 hours of staff time and were completed by existing staff.

Performance

2010 G.S. HB0240

**Department of Natural Resources Amendments
(Draxler)**

Analyst: Ivan Djambov

Committee: NRAEQ

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
	\$16,300	\$16,300		\$0		\$16,300		\$19,000		(\$2,700)

Explanation

Enactment of this bill will generate additional restricted revenues for the Division of Parks and Recreation as follows: \$4,000 for FY 2010 and \$16,300 for FY 2011 and thereafter.

Implementation

Green

The bill was implemented on April 1, 2010.

Accuracy

Yellow

The bill changed the golf user fee from \$1.50 per round of golf to 15% of the green fees. The fiscal note anticipated an increase in Parks' restricted account (\$4,000 for FY 2010 and \$16,300 for FY 2011). Actual revenues for FY 2010 were \$10,400 less than projected (\$6,400 decrease from the prior year) and as of June 29, 2011, the revenues for FY 2011 were \$2,700 higher than projected. The revenue changes appear to be related to utilization and not to the change in fee. No funding was appropriated as a result of this bill.

Performance

2010 G.S. Leg. Action

MSP - Beverley Taylor Sorenson Elementary Arts Program

Analyst: R. Benjamin Leishman

Committee: PED

Cost Estimate	Revenue Est.
\$658,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$658,000		\$0		\$658,000		\$376,893		\$281,107

Explanation

This appropriation provides a supplement of \$658,000 in one-time funding for FY 2011, bringing total program funding in FY 2011 to \$3.4 million. The difference of approximately \$2.7 million comes from a carry forward balance of the original FY 2009 multi-year appropriation of \$15.8 million. The additional \$658,000 provides approximately the same level of funding in FY 2011 as in FY 2010.

**Implementation
Green**

Utah schools participated in this pilot program for the third year in FY 2011. Three schools that participated in FY 2010 did not participate in FY 2011. In order to maintain school level Arts Teaching Specialists, funds were reduced for teacher professional development and program evaluation contracts. Participating school districts and charter schools received monthly allocations for salaries. Program evaluation and supply costs were distributed by reimbursement.

**Accuracy
Green**

The combination of the one-time appropriation of \$658,000 and remaining program balances was sufficient to continue the program in FY 2011 with some adjustments mentioned in the Implementation section. Approximately \$281,100 of the \$3.4 million in available funding remains unspent, however, this amount will decrease as final payments are made in FY 2011.

**Performance
Green**

The Utah Education Policy Center at the University of Utah is contracted to complete a program evaluation. This report is not yet available. A total of 50 schools received funding for Arts Teaching Specialists and 7 school districts received partial funding for District Arts Coordinators.

2010 G.S. Leg. Action

MSP - Critical Languages & Dual Immersion

Analyst: R. Benjamin Leishman
Committee: PED

Cost Estimate	Revenue Est.
\$750,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$750,000		\$0		\$750,000		\$750,000		\$0

Explanation

The programs provide grants to school districts and charter schools to support foreign language instruction. The \$750,000 ongoing appropriation is in addition to the program’s ongoing base of \$225,400, for a total of \$975,400. Previously funded with a mix of ongoing and one-time appropriations, the total FY 2011 appropriation is the same as in FY 2010.

Implementation

Green

The Utah State Office of Education distributes funding to participating school districts and charter schools in monthly increments beginning with the fiscal year.

Accuracy

Green

The programs can be scaled based on the level of funding appropriated. The total appropriation of \$975,400 was distributed to participating school districts and charter schools.

Performance

Green

In the Critical Languages program, 85 secondary schools offer Mandarin Chinese to over 5,000 students and 12 secondary schools offer Arabic to over 400 students. The Dual Immersion program supports 59 programs (17 in Mandarin Chinese, 9 in French, and 33 in Spanish) with over 10,000 participating students.

2010 G.S. Leg. Action

MSP - Library Books & Electronic Resources One-time Add-back

Analyst: R. Benjamin Leishman

Committee: PED

Cost Estimate	Revenue Est.
\$625,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$425,000		\$200,000		\$625,000		\$572,915		\$52,085

Explanation

Funding assists school districts and charter schools in the purchasing library books and electronic media resources for the school library/media center. The \$425,000 appropriation includes \$25,000 ongoing and \$400,000 one-time. In addition, during the 2011 General Session the Legislature provided an additional \$200,000 supplemental.

Implementation

Green

Local school districts and charter schools receive program distributions in monthly increments beginning with the fiscal year based on district and charter school Weighted Pupil Units.

Accuracy

Green

The program is scaled based on the level of funding appropriated. To date, a total of \$572,915 of the total \$625,000 appropriation for FY 2011 has been distributed. The remaining balance of approximately \$52,000 may decrease as the fiscal year comes to an end.

Performance

Green

Data is not yet available for FY 2011. However, in FY 2010 approximately 27,800 items were purchased with a lower total appropriation of \$500,000. Purchases included books, print materials, and electronic resources.

2010 G.S. Leg. Action

One-time Public Ed Job Enhancement Restoration

Analyst: R. Benjamin Leishman
Committee: PED

Cost Estimate	Revenue Est.
\$350,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$350,000		\$0		\$350,000		\$0		\$350,000

Explanation

The Public Education Job Enhancement Program (PEJEP) provides scholarships to Utah teachers to obtain an advanced degree or endorsement in science, math, or special education. The Legislature appropriated \$350,000 one-time. Due to the reduction in funding from the FY 2010 amount of \$2.2 million, the FY 2011 program only provides scholarships for university endorsements.

Implementation

Red

At the beginning of the fiscal year, the Utah State Office of Education (USOE) notified universities requesting information on endorsement programs and notified them of available scholarship funding for students. Students then applied for scholarships based on these endorsement requirements. The USOE completed the scholarship award process in late spring 2011. Educators will begin studies in fall 2011.

Accuracy

Green

The program is scaled based on the level of funding appropriated. The USOE has not expended any of the appropriation to date. However, all funds are currently obligated to educators in the form of scholarship awards. Funding will be used as teachers begin to draw on their awarded scholarship amounts.

Performance

Green

Educators in 15 school districts and 6 charter schools received scholarships, with a total of 30 participating teachers. Scholarship distribution by education category includes: 77 percent special education, 20 percent math, and 3 percent science. To date, 1,445 Utah teachers have participated in the PEJEP program and are teaching in Utah schools.

2010 G.S. Leg. Action

**ProStart: Restaurant Management & Culinary Arts
Education**

Analyst: R. Benjamin
Leishman

Committee: PED

Cost Estimate	Revenue Est.
\$273,100	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$273,100		\$0		\$273,100		\$121,381		\$151,719

Explanation

Appropriations support an industry-based curriculum that prepares high school students for careers in the restaurant/food service industry. The Career & Technical Education division at the State Office of Education administers the program. Program funding supports teacher training, student education and competition, and program management by the Utah Restaurant Association.

Implementation

Green

Funding supports a contract with the Utah Restaurant Association and dispersed on a reimbursement basis following documentation of expenditures.

Accuracy

Red

Approximately \$121,400 of the appropriation has been dispersed, leaving a current balance of \$151,700. This balance may decrease as additional reimbursement requests are processed by the State Office of Education through the FY 2011 close-out period. This program can be scaled based on the level of funding appropriated. Based on these factors, the program may be slightly over-funded as measured by school participation and reimbursement requests.

Performance

Green

The ProStart program is in 42 high schools with over 1,000 participating students.

2010 G.S. Leg. Action

Career & Technology Education (CTE) Online Testing

Analyst: R. Benjamin Leishman
Committee: PED

Cost Estimate	Revenue Est.
\$341,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$341,000		\$0		\$341,000		\$341,000		\$0

Explanation

Program appropriations provide for the ongoing transition and maintenance of CTE written exams to an online testing system.

Implementation

Green

The current online testing contract began on July 1, 2010. Funding is dispersed on a reimbursement basis following documentation of expenditures.

Accuracy

Green

All program funding was dispersed in FY 2011. The appropriation is sufficient to maintain the online CTE testing system and make exam modifications where necessary.

Performance

Green

Online delivery of exams began in the 2006-07 school year with 23 percent of exams delivered online. By the end of the 2009-10 school year, all exams were delivered online with all 41 school districts, 10 Charter high schools, and 6 Applied Technology Colleges.

2010 G.S. HB0166S01

Reductions to Education Mandates (Dougall)

Analyst: R. Benjamin Leishman
Committee: PED

Cost Estimate	Revenue Est.

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$0		\$0		\$0		\$0		\$0

Explanation

Enactment of this bill eliminates the required Criterion-Referenced Tests (CRT) in the second grade, saving the state approximately \$200,000 in Uniform School Funds. Further, bill provisions delay the implementation of the Utah Basic Skills Competency Test (UBSCT) for two school years. The bill requires that the state fund savings generated from the UBSCT delay support an American College Testing (ACT) assessment pilot program established in the bill.

Implementation

Green

Self selected pilot schools administered the ACT in the 11th grade and/or an adaptive test of basic skills in an effort to improve student career and college rediness. The \$1.3 million redirected from the UBSCT funded the pilot as directed through the legislation. A selection committee approved the applications of 158 schools in 22 school districts and 10 charter schools.

The 2nd grade Language & Math CRTs resulted in a \$200,000 savings. Savings were used to cover the increasing costs of administering the remaining CRT program in grades 3-12.

Accuracy

Green

Programs were scaled based on available revenue redirected from one purpose to another. The UBSCT funding was only redirected for two years, and will revert to the original purpose at the end of FY 2012.

Performance

Green

Pilot schools administered 26,000 ACT tests and 12,000 adaptive tests using 5 different assessments. The funding also provided for over 25,000 assessments in grades 8, 9, and 10 in conjunction with the 11th grade ACT. The current funding provides the ACT assessment for approximately 50 percent of Utah's 11th graders.

2009 G.S. HB0296S01

**Schools for the Deaf and Blind Amendments
(Sumsion)**

Analyst: R. Benjamin Leishman

Committee: PED

Cost Estimate	Revenue Est.
\$490,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$490,000				\$490,000		\$868,800		(\$378,800)

Explanation

This bill appropriated \$490,000 ongoing to the Utah State Instructional Materials Access Center (USIMAC) at the Utah Schools for the Deaf and the Blind (USDB). The USIMAC program prepares accessible learning materials for students statewide that require specialized services due to low-vision or blindness. USIMAC program expenditures are dependent on the quantity and type of materials required in a given year.

Also, the cost of a second associate superintendent position for the USDB, estimated at \$120,000 ongoing, is offset within the bill by the repeal of Utah Code Title 53A-25-108, which includes a treasurer position.

Implementation

Red

An associate superintendent for the deaf was hired in FY 2010. The assistant superintendent for the blind was reclassified as an associate superintendent in FY 2010. However, by FY 2011 both positions were vacant. Since the original appropriation of \$490,000 for USIMAC, program expenditures have increased to \$868,800 in FY 2011. The program budget is estimated at \$680,000 in FY 2012.

Accuracy

Red

USIMAC expenditures in FY 2011 exceeded the amount appropriated by \$378,800. The Utah State Office of Education provided administrative/secretarial support for the program at \$35,000. The USDB line-item covered the remaining costs not covered by the appropriation, these costs could not be attributed to a school district or charter schools for cost sharing. The USDB is looking to fill the associate superintendent vacancies prior to school beginning this fall.

Performance

2010 G.S. HB0140S02

Human Resource Management Amendments (Dee)

Analyst: Gary Ricks
Committee: RIE

Cost Estimate	Revenue Est.

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$0		\$0		\$0		\$0		\$0

Explanation

Enactment of this bill will result in savings to the state sick leave program and reduced legal costs for career services review. However there is insufficient data to make a reliable estimate.

Implementation

Green

The bill has been implemented as required.

Accuracy

Green

The Department of Human Resource Management reported on July 5, 2011 that the bill codified existing practice and that there were no material savings to the state from implementing provisions of the bill. In the 2011 General Session, the Legislature established a rate of \$450,000 beginning FY 2012 for Attorney General Legal Fees within the Department of Human Resource Management. The funding was spread among agencies to cover the legal costs of career services review. The Legislature provided \$414,500 FY 2012 General Fund to appropriated agencies. Internal Service Funds which historically receive no General Fund appropriations were excluded and account for the difference between the rate and the appropriation.

Performance

2010 G.S. Leg. Action

**Medicaid Review - Legislative Audit
Recommendations - Increased Fraud Recoveries in
Medicaid**

Analyst: Russell Frandsen

Committee: SS

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$16,835,200)		(\$16,835,200)		\$0		(\$16,835,200)		(\$10,120,100)		(\$6,715,100)

Explanation

The Legislative Auditor found various areas where the Department of Health could recover more money through increased controls and reviews (see Audit 2009-12). Ongoing savings listed reflect numbers from the audit. The Legislature provided \$3.4M one-time backfill in FY 2011 to give the agency 6 months to fully ramp up its fraud and waste systems.

Implementation

Yellow

Some of the reasons that the Department of Health used to explain why it did not achieve all of the estimated savings include the following: (1) delay in access to a Fraud, Waste, and Abuse detection software tool until September 2011, (2) data to overpayment audit contractor not provided until March 2011, and (3) unfilled auditing FTE positions.

Accuracy

Red

Health obtained \$10,120,100 or 60% of the \$16,835,200 budgeted savings. The department explains its increased recoveries with the following: (1) increased independence of the auditing office, (2) reviewing all provider types, (3) focusing on higher risk, higher dollar amount areas, and (4) increased coordination on fraud cases with the Attorney General's Office.

Performance

2010 G.S. SB0273

Hospital Assessments (Hillyard)

Analyst: Russell Frandsen
Committee: SS

Cost Estimate	Revenue Est.
\$7,881,900	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$7,881,900		\$0		\$7,881,900		\$7,552,200		\$329,700

Explanation

Enacting this legislation creates a new restricted special revenue fund to receive hospital assessments. It creates the assessment, which should generate \$7,881,900 in FY 2010, \$30,894,700 in FY 2011, and \$34,926,300 in FY 2012. In FY 2011, \$2,000,000 of the assessment is provided to the Department of Health to offset Medicaid mandatory expenditures and the reduction in hospital outpatient fees. The legislation directs the Division of Health Care Financing to distribute remaining revenue deposited into the new fund to hospitals. It is estimated that expenditures associated with the bill would be \$7,881,900 from restricted special revenue and \$31,118,100 from Federal Funds in FY 2010, \$30,894,700 from restricted special revenue and \$95,354,300 from Federal Funds in FY 2011, and \$34,926,300 from restricted special revenue and \$86,630,500 from Federal Funds in FY 2012.

Implementation

Yellow

The federal government approved the state's proposal on June 23, 2010.

Accuracy

Green

The department collected 5% less than originally estimated. Instead of \$7.9 million, the department collected \$7.5 million in FY 2010.

Performance

2010 G.S. Leg. Action

Medicaid Supplemental Caseload Growth

Analyst: Russell Frandsen
Committee: SS

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$84,797,200		\$84,797,200		\$0		\$84,797,200		(\$2,767,900)		\$87,565,100

Explanation

The Department of Health requested, and the Legislature appropriated, \$17.1 million General Fund (\$84.8 million Total Funds) for supplemental Medicaid caseload growth.

Implementation

Green

The department intended to use the funds to pay for the increased caseloads in Medicaid.

Accuracy

Red

In FY 2010 the department did not spend \$17.7 million General Fund (\$87.6 million total funds). A \$17.7 million General Fund surplus means that Health did not need any supplemental caseload funding in FY 2010 and did not spend another \$2,767,900 of its original appropriation. The Department of Health estimated that caseload growth in FY 2010 would exceed 12%. Caseload growth in FY 2010 was 13.7%. The reason that Health did not use more of its appropriation for caseload growth is because the cost per case for new enrollees was less than old enrollees.

Performance

Green

The Department of Health estimate of Medicaid cases served in FY 2010 was short by 1.7% or 3,300.

2010 G.S. Leg. Action

DOH - Eliminate General Fund for UPP & PCN Media Budget

Analyst: Russell Frandsen

Committee: SS

Cost Estimate	Revenue Est.
(\$150,000)	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$150,000)		\$0		(\$150,000)		(\$150,000)		\$0

Explanation

4,800 fewer radio ads promoting enrollment in the Utah Premier Partnership (UPP) and Primary Care Network (PCN) programs. As of November 2009 there were 800 unfilled slots in the UPP program. The Health Department would continue to use the Internet and news media to encourage enrollment in these two programs. The \$120,000 spending in media for UPP, divided by the 159 client increase in participation, represents spending of \$800 per new client on the program.

Implementation

Green

The department has not placed any media ads since December 2008.

Accuracy

Green

The department reached \$300,000 total funds (\$150,000 General Fund) in savings by no longer buying media slots.

Performance

Green

The department chose to compare FY 2010 with no media ads to FY 2009 that had some media ads. For the web and hotline contacts, the CHIP program saw an increase of 22%, while the UPP program saw a decrease of 30%. UPP enrollment has increased annually from FY 2008 through FY 2010 with the following totals in chronological order: 542, 694, and 808.

2010 G.S. Leg. Action

DOH - Incentive Reward Elimination

Analyst: Russell Frandsen
Committee: SS

Cost Estimate	Revenue Est.
(\$96,200)	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$96,200)		\$0		(\$96,200)		(\$88,500)		\$7,700

Explanation

The Legislature reduced FY 2010 General Fund by \$96,200 by eliminating incentive rewards for employees.

Implementation

Green

The Department of Health eliminated incentive rewards for its employees in the second half of FY 2009. The budget reduction for this item began in FY 2009 with a \$32,100 reduction. The Legislature made an additional reduction of \$64,100 for a total of \$96,200 ongoing.

Accuracy

Green

For FY 2010 the Department of Health estimates savings of \$88,500. This is 8% less than the original estimate.

Performance

2010 G.S. Leg. Action

MMIS Replacement

Analyst: Russell Frandsen
Committee: SS

Cost Estimate	Revenue Est.
\$3,000,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$3,000,000		\$0		\$3,000,000		\$374,000		\$2,626,000

Explanation

The Medicaid Management Information System (MMIS) is currently used for reimbursement and utilization management. It started in 1983 and is based upon a 1975 Iowa system. The agency has expressed concerns about being able to implement reimbursement changes proposed and meet future federal requirements with their current system.

Implementation

Green

The Department of Health has been working on four discreet modules of the MMIS: (1) pre-payment editing system, which began in January 2011 (through March 21, 2011 this system has saved \$297,700 total funds); (2) fraud and abuse detection system, which will not be replaced until FY 2015 due to federal resources availability; (3) point of sale and drug rebate system, which should be ready for testing by January, 2012; and (4) data warehouse, which was completed in February 2011 and has helped data processing and querying capabilities.

Accuracy

Green

The \$3 million appropriation was provided for phase I of the system replacement. The department received non-lapsing authority in order to completely spend all of the \$3 million one-time appropriation. In FY 2011 the department estimates that it will spend about \$374,000 General Fund. It is too early to tell if the \$3,000,000 General Fund will be enough to complete phase I.

Performance

2011 G.S. Leg. Action

DOH - Savings from the New Choices Waiver

Analyst: Russell Frandsen
Committee: SS

Cost Estimate	Revenue Est.
(\$500,400)	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
(\$500,400)		\$0		(\$500,400)		(\$385,300)		(\$115,100)

Explanation

The Department of Health indicates that their total annual savings will be \$500,400 (\$145,000 General Fund) higher than budgeted savings via the New Choices Waiver. Effective July 2010, the total number of clients that can be served was raised from 1,000 to 1,200.

Implementation

Green

As of May 2011 the Department of Health estimates that it is on track to achieve all of the projected savings. Thus far the department is serving most of the 130 total new clients needed to achieve the full savings in FY 2012.

Accuracy

Green

Estimate of savings seems accurate. Before FY 2012 started, Health already was saving about \$385,300 annually and is on track to save the remaining \$115,100 before the end of FY 2012.

Performance

2011 G.S. Leg. Action

DOH - Medicaid Caseload Growth

Analyst: Russell Frandsen
Committee: SS

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$84,894,800		\$84,894,800		\$0		\$84,894,800		\$32,668,100		\$52,226,700

Explanation

Department of Health received \$84,894,800 total funds (\$24,382,600 General Fund) for FY 2011 supplemental caseload growth.

Implementation

Green

The department is administering the Medicaid program.

Accuracy

Yellow

At this point it is too early to tell exactly how accurate the supplemental appropriation was. Health anticipates closing FY 2011 under budget for Medicaid services by anywhere from \$5 to \$15 million General Fund. Final figures will not be available until fall 2011. A \$15 million General Fund surplus would mean that Health spent \$32,668,100 total funds of its \$84,894,800 supplemental appropriation. Further a \$15 million General Fund surplus represents a 6% error rate when compared to the \$258 million General Fund for all Medicaid services in Health. The Analyst estimated that caseload growth in FY 2011 would be 5%. Caseload growth in FY 2011 was 10.1%. The reason that Health did not use more of its appropriation for caseload growth is because the cost per case for new enrollees was less than old enrollees.

Performance

Green

The Analyst estimate of Medicaid cases served in FY 2011 was short by 4.7% or 11,500.

2011 G.S. Leg. Action

DOH - Houghton v. Utah Lawsuit Settlement

Analyst: Russell Frandsen
Committee: SS

Cost Estimate	Revenue Est.
\$2,842,200	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$2,842,400		\$0		\$2,842,400		\$0		\$2,842,400

Explanation

In 1995, a class action lawsuit (Houghton v Utah) was brought against the state in connection with reimbursement to Medicaid from personal injury cases involving Medicaid clients. The case has included four appeals to the Utah Supreme Court. The state lost the case regarding what portion of attorney fees the state should have paid where money was provided to Medicaid from personal injury settlements. The Third Judicial District Court ordered a settlement fund established for claims submitted by members of the class action lawsuit. The appropriation is one-time for FY 2011.

Implementation

Green

The department has complied with the court orders and established a settlement fund for paying claims from members of the class action lawsuit. Both parties in the case have signed the agreement. The agreement now waits for approval from the judge. This approval might not come until fall 2011.

Accuracy

Green

The original appropriation appears accurate, but the settlement has not been finalized.

Performance

2009 G.S. Leg. Action

DOH - Medicaid Caseload/Utilization Increases

Analyst: Russell Frandsen
Committee: SS

Cost Estimate	Revenue Est.
\$14,472,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$14,472,000		\$0		\$14,472,000		\$6,741,700		\$7,730,300

Explanation

The department requested, and the Legislature appropriated, \$14.5 million General Fund for supplemental Medicaid caseload growth.

Implementation

Green

The department used the funds to pay for the increased caseloads in Medicaid.

Accuracy

Red

In FY 2009 the department did not spend \$7.7 million General Fund. The Department of Health estimated that caseload growth in FY 2009 would exceed 11%. Caseload growth in FY 2009 was 19%. The reason that Health did not use more of its appropriation for caseload growth is because \$7.1 million in additional ARRA funds were received and the cost per case for new enrollees was less than old enrollees.

Performance

Yellow

The Department of Health estimate of Medicaid cases served in FY 2009 was short by 6.7% or 13,100.

2011 G.S. Leg. Action

Utah Safe Haven Law

Analyst: Russell Frandsen
Committee: SS

Cost Estimate	Revenue Est.
\$5,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$5,000		\$0		\$5,000		\$4,300		\$700

Explanation

Funding is for the promotion of the Utah Safe Haven Law, which the Legislature passed in 2001. This law allows a mother to drop off a newborn baby at a hospital without questions or criminal liability.

Implementation

Green

The Department of Health used the funds to run TV and radio Public Service Announcements, buy promotional chapsticks, and update the www.utahsafehaven.org website. This use seems appropriate to reach the goals of the appropriation.

Accuracy

Green

As of June 28, 2011, the department spent \$4,300 of the \$5,000 received for FY 2011. The department does not anticipate spending the remaining \$700.

Performance

2010 G.S. SB0160

**Utah State Developmental Center Amendments
(Dayton)**

Analyst: Stephen
Jardine

Committee: SS

Cost Estimate	Revenue Est.

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$0		\$0		\$0		\$0		\$0

Explanation

S.B. 160, Utah State Developmental Center Amendments (2010 General Session) amended the Utah Human Services Code to provide that a person who qualifies to receive services under a Medicaid home and community-based services waiver could instead be placed in the Utah State Developmental Center or another Intermediate Care Facility for People with Intellectual Disabilities (ICF/ID) if the person, or the person's legal representative or legal guardian, chose that placement. The fiscal note for S.B. 160 stated: "Enactment of this bill will not require additional appropriations." Some individuals at the time questioned the fiscal note believing there would be a cost associated with passage of the legislation.

Implementation

Green

The Department of Human Services indicates that the bill has been fully implemented and one individual has been admitted as a result of S.B. 160. The department also indicates that no additional funding was required.

Accuracy

Green

The Department of Human Services states, "For this admission no additional funding was provided. Funding was made available through attrition."

Performance

2010 G.S. Leg. Action

DHS - DORA

Analyst: Stephen Jardine
Committee: SS

Cost Estimate	Revenue Est.	Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$2,139,500		\$2,039,500		\$100,000		\$2,139,500		\$1,802,400		\$337,100

Explanation

The Drug Offender Reform Act (DORA) began as a three year pilot program in 2005 but was expanded statewide in 2007. DORA is intended to provide selected felony offenders with drug treatment and increased community supervision in an effort to reduce the costs associated with future criminal behavior. With the downturn in state revenues, the DORA program has been reduced to a modified implementation in only seven of the 13 local substance abuse authority areas. Also, ongoing funding has been removed and replaced with one-time FY 2011 funding for substance abuse treatment of \$2,039,500 (2010 General Session) and \$100,000 additional for Salt Lake County (2011 General Session).

Implementation

Green

The DORA program is fully implemented in accordance with legislative intent through current contracts. There are seven counties that offer the program: Cache, Weber, Salt Lake, Davis, Utah, Washington, and Iron counties. Salt Lake, Weber, Davis, and Utah counties have dedicated DORA probation officers. The remaining counties have routine supervision.

Accuracy

Yellow

The Department of Human Services indicates that as of July 11, 2011 it has paid out \$1,802,400 to local authorities. The department qualifies the amount indicating that many fourth quarter billings have yet to be received or processed. The department anticipates all of the funding allocated will be spent in FY 2011. The department estimated it would serve 621 individuals based on the most recent annual cost per person of \$2,757. According to its data system, as of March 31, 2011 the division had served 697 individuals.

Performance

Green

The department has the following preliminary partial data of final discharges for FY2011 through March 31, 2011: Increase in Alcohol Abstinence - 42.7%; Increase in Drug Abstinence - 92.4%; Increase in Employment - 69.8%; Decrease in Homelessness - 61.3%; Decrease in Arrests - 76.0%; Treatment Retention 180 days + - 51.4%; Successful Completion - 49.3%; Median Length of Stay Successful (Days) - 250; Median Length of Stay Unsuccessful (Days) - 116.

2010 G.S. Leg. Action

Adoption Assistance Building Block

Analyst: Stephen Jardine
Committee: SS

Cost Estimate	Revenue Est.
\$14,448,200	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$14,448,200		\$0		\$14,448,200		\$14,355,600		\$92,600

Explanation

The state provides payments regarding special needs children who are adopted from state custody. Typically, over 90 percent of the expenditure for this item involves payments for monthly adoption assistance for children who are designated as having a special need. The remaining amount goes to pay for non-recurring adoption costs, monthly assistance payments to guardianship arrangements, and some personnel costs. Some payments qualify for federal participation. Approximately 44 percent of adoption assistance payments are paid with federal funding.

Implementation

Green

The building block is fully implemented. The funding was for an established program within the division; as such no start up costs were incurred.

Accuracy

Green

The FY 2011 Adoption building block request was based on an analysis of the previous fiscal year. The Governor recommended funding the initial department-estimated FY 2011 adoption expense of \$15,428,400. The Legislature appropriated a total of \$14,448,200. This appropriation included an ongoing General Fund building block of \$1,000,000.

Performance

Green

The Department of Human Services indicates client counts and other adoptive performance measures will be available after FY 2011 closeout.

2010 G.S. HB0200

Informed Consent Amendments (Wimmer)

Analyst: Steven Allred
Committee: SS

Cost Estimate	Revenue Est.
\$7,000	

Original	+	Changes	=	Subtotal	-	Experienced	=	Difference
\$7,000		\$0		\$7,000		\$3,300		\$3,700

Explanation

Enactment of this legislation will require an additional \$7,000 from the General Fund in FY 2011 and \$4,000 from the General Fund each year thereafter to the Department of Health for costs associated with ultrasounds and educational materials.

Implementation

Green

The Department of Health has fully implemented the bill's provisions. The department has drafted and printed educational materials and made them available on-line. The department is also reimbursing the cost of ultrasounds as required.

Accuracy

Yellow

Actual costs have been less than estimated in the fiscal note. The department has spent \$2,500 to print educational materials and \$700 to duplicate Informed Decision DVDs. Only one ultrasound has been funded to date at approximately \$100, bringing total FY 2011 expenditures to \$3,300. Reports from clinics indicate that women are viewing educational materials on line rather than taking hard copies.

Performance

Fiscal Note & Building Block follow up report

The Analyst follows up on bills and building blocks from two sessions ago. (Usually it's too soon to report on the immediate past session.) The report consists of:

- **Item Explanation**

What the appropriation is supposed to do. For bills the explanation is the fiscal note.

- **Implementation**

Is the item is being implemented in a timely manner?

- **Accuracy**

Was the fiscal note was accurate? Both the Analyst and the agency are rated.

- **Performance Measures**

Shown and evaluated when appropriate.

- **Follow the Money**

The report traces funding from the original request to the remaining balance.

Red Yellow Green Guidelines

We point out problems, potential trouble, and things going as expected with traffic light colors.

One Size Does not fit all

Early on, we found that what was reasonable for revenue estimates is unreasonable for ordinary bills and building blocks. Our guidelines are less stringent when an agency is asked to do something new and different than their usual fare.

Current Rules

1. Similar to things they already do:

Green - Within 5% of estimate or variances less than \$10,000.

Yellow - Greater than 5% but less than or equal to 10% of estimate and more than \$10,000.

Red - Greater than 10% of estimate and more than \$10,000.

2. Something new and unfamiliar:

Green - Within 10% of estimate or less than \$10,000.

Yellow - Greater than 10% but less than or equal to 20% of estimate and more than \$10,000.

Red - Greater than 20% of estimate and more than \$10,000.

3. Revenue bills:

Green - Within the estimate's margin of error.

Yellow - Greater than margin of error but less than two times margin of error.

Red - Greater than two times margin of error.

4. Implementation:

Green - Implemented within the first month of the bill's effective date. The definition of "implemented" will vary according to the difficulty of the bill's task. Tasks that are too large to be implemented in the first month can be considered "implemented" if the agency has a reasonable plan and they are on schedule.

Yellow - Implemented after the first month but before the fourth month of the bill's effective date.

Red - Implemented after three months of the bill's effective date.

5. Performance Measures:

The Analyst will decide if performance measures are appropriate and will use the "Implementation" guidelines. The Analyst will evaluate the agency's performance measures and recommend alternate measures when necessary.