

**INUTES OF THE
INFRASTRUCTURE AND GENERAL GOVERNMENT
APPROPRIATIONS SUBCOMMITTEE MEETING**

Room 445, State Capitol

February 1, 2013

Members Present: Sen. Wayne A. Harper, Co-Chair
 Rep. Gage Froerer, Co-Chair
 Rep. Jacob L. Anderegg, House Vice-Chair
 Sen. David P. Hinkins
 Sen. Scott K. Jenkins

 Sen. Peter C. Knudson
 Sen. Karen Mayne
 Sen. Kevin T. Van Tassell

 Sen. Evan Vickers
 Rep. Johnny Anderson
 Rep. Kay J. Christofferson
 Rep. Lynn N. Hemingway
 Rep. John Knotwell
 Rep. Douglas V. Sagers
 Rep. R. Curt Webb
 Rep. John R. Westwood

Members Absent:
Rep. Janice M. Fisher
Sen. Lyle W. Hillyard

Staff Present:
Mr. Mark Bleazard, Legislative Fiscal Analyst
Mr. Gary Ricks, Legislative Fiscal Analyst
Ms. Cami Deavila, Secretary

Note: A list of visitors and a copy of handouts are filed with the Subcommittee minutes. A copy of related materials and an audio recording of the meeting can be found <http://le.utah.gov/asp/interim/Commit.asp?Year=2013&Com=APPIGG>

1. Call to Order/No minutes to approve

Co-Chair Harper called the meeting to order at 8:05 a.m.

2. Base Budget Bill

Mark Bleazard, Analyst, Office of the Legislative Fiscal Analyst, stated the base budget is the appropriation from 2013 less any one-time money. The biggest one time money in the Infrastructure Committee was under capital improvements for \$41,739,100. Last year

that included one-time money of \$30 million, which is one of the changes. There is an issue brief for the Transportation Investment Fund Capacity Program. Last year the Legislature passed Senate Bill 225 that combined the Centennial Highway Fund, the Critical Highway Needs Fund, and the Transportation Investment of 2005 Programs. It was discovered during interim that revenues that took care of Debt Service were being double counted by about \$330 million. Funds collected for the Transportation Investment Fund (TIF) go into that fund: \$76 million of transportation fund, \$75 million in licenses and fees, designated sales tax for \$346 million, and a transfer from DOT of \$6 million, which is then appropriated to Debt Service. The balance of that \$504 million is appropriated to the Transportation Investment Fund Capacity Program, which is \$172,722,000. This takes care of the double counting error.

Co-chair Harper stated this had been passed by the House and will be in the Senate in the near future.

3. Higher Education Commissioner, Dave Buhler-Capital Development Requests

Dave Buhler, Commissioner, Utah Higher Education Association, stated that Utah Higher Education Association (UHEAA) has stewardship over a large inventory of the State's land and buildings. The Regents understand there are limited State resources. They have developed a process to recommend priorities to the committee: the physical condition of the facilities, determination of space needs, institutional goals and missions, and long-term strategic planning. A common theme this year is most buildings are related to Science Technology Engineering Math (STEM) or enrollment growth. In order to build capacity of students and graduates in STEM, colleges and universities need proper facilities to train students. The buildings are typically more expensive than a classroom building.

Co-chair Froerer asked why Utah Valley University (UVU) and Weber State University (WSU) science lab are both number one priorities. Mr. Buhler answered that the Legislature funded design and planning for UVU but put it as a lower priority. In institutional order WSU goes first.

Co-chair Harper stated this is the challenge of doing phase funding instead of funding the building all in one time and the committee should be cautious about that in the future.

Sen. Mayne asked for clarification on ranking seven, if it was the school visited in St. George. Mr. Buhler answered that it was, East Elementary. It would be a fantastic deal for the State to get the building for \$1.5 million; the land alone is worth \$1.5 million.

4. Utah Valley University New Classroom Building

Matthew Holland, President, Utah Valley University (UVU), stated the need for a classroom and office building. It is a large building, 244,000 square feet, with over 3,000 classroom seats, including a 1,000-seat auditorium. This facility will have large-scale

classes, lectures, focus study areas, and office space to accommodate faculty. UVU has the smallest space per student than any institution in the system, especially classroom space. The dance class currently practices in the hallway. There are classrooms where the students are sitting on tables. Projection estimates for student attendance is being revised based on the change in age of LDS missionaries. The building would be built in time for an onslaught of returning missionaries. UVU is ranked first priority with WSU. Pres. Holland discussed measures being taken to be less dependent on bricks and mortar but will still need additional classroom space.

Rep. Anderegg asked why UVU has the highest score but is ranked 5th. Co-chair Harper replied there are two scoring tabulations; higher education creates its own list and the Building Board looks at higher education plus all State needs.

Rep. Knotwell asked where the building would rank them in assignable square footage. Pres. Holland answered it would bump them to 56, but would still place them at the bottom.

Co-chair Harper stated that one of the blessings is UVU has some enclosed sidewalks, but still have the challenge of cramped quarters.

5. Dixie State College-East Elementary Purchase

Dr. Stephen D. Nadauld, President, Dixie State College, requested money to buy an existing building. Dixie has seen Growth at more than 70% in the last four years. The East Elementary property is available for \$1.5 million for over seven acres and 52,000 square feet, and is the only large piece of property available surrounding the Dixie campus. The appraisal for the property alone is \$1.5 million. O&M would be around \$238,000 but wouldn't kick in until the building is occupied. The building would house the education department, physical education department, health and recreation, family and consumer science, early childhood education, nutrition and food with a fully equipped working kitchen. In addition, there are play fields for the intramural programs, which have expanded ten fold. The building would be leased back to the elementary school until the new elementary school is built. The city gets a new school, the district builds a new school and Dixie gets the property and existing school for space and land needs.

Sen. Jenkins stated this is a win, win, win and asked if the Legislature could fund it over a couple of years. Pres. Nadauld replied that enough money for an incentive would be needed to move ahead. Sen. Jenkins asked if the Legislature could give a commitment for half that and fund the rest next year. Pres. Nadauld replied that could be an option.

Co-chair Froerer asked for a rating of current infrastructure requirements and what type of capital improvement money Dixie needs. Pres. Nadauld replied that capital improvement money would be used to remodel the old library into classroom and office space. There are no old buildings that need to be upgraded or retrofitted. Co-chair Froerer stated the concern of the committee is capital improvements need to be addressed before

new buildings are built. Pres. Nadauld added their campus is in pretty good shape and they spend about \$1.5 million a year in capital improvements. Sherry Ruesch, Facilities Director, Dixie State College, stated that future improvement requests would be for infrastructure; FY14 improvements include their heating plant, an additional boiler and fire alarm upgrades. Improvement dollars have been used over the years to replace almost the entire heating and cooling systems, which are in excellent condition.

Co-chair Harper stated the request for improvements in FY14 is for \$3.13 million. Ms. Ruesch replied that generally funding is for about \$1.2 million.

Rep. Sagers asked if the election for a bond had taken place. Pres. Nadauld replied there is some money from a previous bond and the school district did not seem worried about getting money to build the school.

Sen. Van Tassell asked how much it would cost to remodel the library. Ms. Ruesch replied \$1.3 million with some funded by the campus.

Sen. Vickers commented that there is a real spirit of cooperation on the project. Pres. Nadauld replied that everyone has worked very hard together. The request is for a modest amount of money that makes a huge difference to the campus in the short run and the long run.

Co-chair Harper drew attention to a handout showing plans to expand on property that is currently owned by businesses and homes. It would be disconcerting to see a home was designated for taking. Ms. Ruesch replied that generally the areas shown for expansion are not homes but are apartment complexes that have been picked up as they become available.

6. Weber State University New Science Lab Building

Chuck White, President, Weber State University (WSU), requested money for a science lab replacement building. The new building will not only support growth in science education and graduates, but will also alleviate life and safety hazards associated with the current facility. The project scored very well on the objective criteria for capital projects. There is substantial support in the form of gifts and the project is WSU's top priority.

Alan Hall, Chairman, WSU Board of Trustees, is anxious to see the building be built. Mr. Hall and a cousin have pledged \$5 million to the construction of the building. The current building will come down in an earthquake. The building is over 40 years old and has serious life risks. WSU presented a DVD showing the disrepair of the current facility and the need for a new building. The project scored as well as any State building on the Board of Regents quantitative list. WSU has one science lab building and when it falls into disrepair there is a huge impact on the College of Science.

Sen. Mayne asked when the building was built and how many times the project had been on the priority list. Pres. White replied the late 1960's and this is the second year.

Co-chair Froerer commented that the committee subjectively looks at the level of community support and donations and thanked Mr. Hall for the generous donation.

Sen. Van Tassell asked if the building should even be in use with all the safety issues. Pres. White replied it should not be occupied but there is no other option.

Rep. Sagers asked if a new building would increase the number of students that graduate. Pres. White stated it would change the way science is taught.

Sen. Van Tassell stated the committee's first opportunity should be for O&M of existing buildings. Co-chair Harper agreed and stated there would be a healthy discussion.

7. Southwest Area Technical College Allied Health & Tech Building

Dana L. Miller, Campus President, Southwest Applied Technology College (SWATC), requested funds for the Allied Health and technology building. Land was purchased in 2007 and programming for the building has been completed. The cost estimate is just over \$17 million and the building will increase capacity by 150 percent and meet needs for 5-6 years. Programs included in the building are: ten Allied Health programs, culinary arts, manufacturing, welding, student services and administration.

Brennan Wood, Director, Cedar City Office of Economic Development, added the building would impact the community with job creation, developing relationships with industries and growing the economy. Mr. Wood explained how the new building would benefit the economic development for the county as well as the State.

Pres. Miller addressed enrollment growth and the need for more space with up to date laboratories and facilities in the Allied Health, welding and manufacturing programs, and culinary arts. Pres. Miller added the O&M cost would be \$518,000. The budget request will include about \$605,000 for the programming portion of the building.

Sen. Mayne was impressed with the support for the project from the roots of the community.

Sen. Vickers stated that existing businesses use SWATC for retraining and up training employees.

8. Courts-Ogden Juvenile Court

Ray Wahl, Deputy State Court Administrator, Utah State Courts, stated the new Ogden Juvenile Courthouse request has been presented seven times and has been prioritized five.

Alyn Lunceford, Facilities Director, Utah State Courts, stated the land bank request is for \$1.75 million to purchase 5-7 acres in Northern Utah County. The Judicial Council's number one request is for \$29.3 million for the new courthouse in Ogden. The committee funded \$1.6 million for the design last year and it is now out for construction bidding. Mr. Lunceford presented an overview of construction costs and problems facing the current court facility, including security. Programs have been initiated to stem the need for additional judicial positions and court facility space. Property was purchased in 2008 and \$4.875 million has already been invested in the project. The request is for \$29.3 million for construction and \$425,000 O&M.

Sen. Van Tassell asked if juvenile courts are a closed court except to family members. Mr. Wahl replied no, it is open unless the judge decides otherwise. Sen. Van Tassell asked if one judge moves with the juvenile for consistency. Mr. Wahl replied yes, it is a national standard to have one judge for one family and the judge hears all hearings for the family. Sen. Van Tassell asked for clarification if security is such that there is no sally port, defendants and plaintiffs pass each other in the hall, and the judge is exposed. Mr. Wahl replied yes.

9. Corrections-CUCF West-1 192 Secure Housing

Jerry Jensen, Facility Manager, Department of Corrections, updated the committee on the West 1 and West 2 facilities project at Gunnison. In FY10 corrections was asked to stop progress with west 1 to help with the shortfall in the State budget. The request is for a \$33 million construction budget. The Department of Corrections will help with \$10 million non-lapsing funds to get the project moving. Mr. Jensen gave an overview of cutbacks to the project to help reduce costs. The completed drawings need to be resubmitted for review, upgrades, and code changes. Jail contracting helps with the shortage of beds. There are currently 1,450 male and 110 female. An additional 325 beds could be open by 2015 with the completion of this project.

Co-chair Harper clarified that the Department of Corrections already has \$10 million and are requesting an additional \$23 million. Mr. Jensen stated that was right.

Co-chair informed the committee that the next committee meeting would start at 7:30 a.m.

Motion: Rep. Hemmingway moved to adjourn. The motion passed unanimously.

Co-chair Harper adjourned the meeting at 9:51 a.m.

Minutes were reported by Cami Deavila, Senate Secretary

Sen. Wayne A. Harper, Co-Chair

Rep. Gage Froerer, Co-Chair