## SUMMARY

This report follows-up on select fiscal notes and budget actions from past legislative sessions. For each item, the report includes a stop light (red, yellow, green) for implementation status, budget accuracy, and, where available, performance. It details original cost and/or revenue estimates, legislative appropriations, and actual experience. It is intended to create a feed-back loop that improves future estimates and initiatives.

The report is organized by Appropriations Subcommittee, year, and type of follow-up item. The report contains items from the 2009 through the 2013 legislative General Sessions, which is indicated in the top left corner of the page. Fiscal notes of bills passed during a legislative session are designated by either “SB” for Senate Bill or “HB” for House Bill in the item number to the right of the year and include the bill sponsor’s name in parenthesis in the title. All other budget items are designated “BB,” “Bills,” or “Oth” in the item number.

## INDEX OF BILLS AND BUDGET ITEMS IN REPORT

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<td>Transportation Revisions</td>
<td>Adams, J. S.</td>
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Appendix A - Guidelines for Scoring Follow-Ups
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**Explanation**

In the past, the Legislature has appropriated one time funding for tuition assistance for qualifying National Guard personnel. This request is for an ongoing appropriation of $500,000.

**Implementation**

This program was already running and the funds were immediately put to use.

**Accuracy**

The Utah National Guard has continually utilized all available tuition assistance to promote continuing education within their ranks. Demand for this program is high and it is expected that funds provided for this program will continue to be fully utilized.

**Performance**

The tuition assistance program has provided aid for nearly 1,500 students over the past three years. Annual assistance has averaged nearly $2,000 per student and all appropriations for this program have been utilized. This program has helped the Utah National Guard rank among the top states in the nation in assigned strength through recruitment and retention.
2012 BB5889 VA - Nursing Home Start-up Costs

<table>
<thead>
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<th>Cost Estimate</th>
<th>Revenue Estimate</th>
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Explanation

The veterans' nursing home operations are funded through patient revenue. This appropriation was intended to offset the start-up and operations costs of the two new nursing homes prior to full occupancy.

Implementation

Due to delays, the new nursing homes did not open until the very end of FY 2013. The department is currently in negotiations with the management contractor and anticipates complete disbursement of these funds by the end of August, 2013.

Accuracy

Negotiations are currently underway with the management contractor but the department anticipates this appropriation will be sufficient to cover start-up costs for both the Ivins and Payson nursing homes.

Performance

No performance data available.
2012   BB5891   VA - Nursing Home Impact Fees

<table>
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**Explanation**

City and utility company impact fees for the construction of the veterans' nursing homes in Ivins and Payson were significantly higher than originally expected. The Department of Veterans' and Military Affairs (UDVA) reports the total combined impact fees for these two nursing homes exceeded $1 million. These funds were appropriated to cover the costs above the original estimate.

**Implementation**

This additional funding was channeled to DFCM and was used to partially offset the large impact fees.

**Accuracy**

The full sum of this appropriation was used as intended.

**Performance**

No performance data available.
FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT

2012  BB4223  GOED - Health Exchange

<table>
<thead>
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<th>Cost Estimate</th>
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Explanation
The legislative appropriation is used to fund the small business health exchange (Avenue H).

Implementation
The exchange was developed to provide a clearinghouse for small businesses to obtain affordable employee health coverage. During the year, the exchange rebranded itself as Avenue H. By bringing small employers together the exchange is able to offer better group rates for small businesses. The program currently covers, 3,000 employees.

Accuracy
Funds were expended to contract with outside technology partners with the expertise necessary to implement and provide the program. Funds were also used to promote the health exchange to Utah small businesses and provide call center assistance all of which were within the scope of the state contract.

Performance
The program currently covers nearly 3,000 employees and their dependents. Approximately 8,000 individuals receive health benefits through the insurance providers operating under Avenue H.
## 2012 BB4233 GOED - Small Business Development Centers

<table>
<thead>
<tr>
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<th>Cost Estimate</th>
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### Explanation

The Small Business Development Centers work with emerging and small businesses to provide counseling, grants and training.

### Implementation

Funds were fully disbursed in FY 2012.

### Accuracy

Salt Lake Community College administers the Small Business Development Center Program. Funds were spent in accordance with the state contract. Federal SBDC funds were reduced by eight percent and as a result overall funding to the program decreased.

### Performance

- Jobs created: 708
- Jobs saved: 245
- Sales increased: $13 million
- Capital infusion: $28.7 million
- Business starts: 118
World Trade Center funding is allocated as a legislative pass through grant to the World Trade Center Utah. In 2012 the funding was shifted from one-time to ongoing.

All funds were distributed as required.

World Trade Center Utah received one-time funding in FY 2008 through FY 2012. Funding was made ongoing in FY 2013. Funds have been used to foster international business partnerships with Utah businesses and provide business consultations and educational events.

World Trade Center Utah hosted international delegations from 27 countries which included over 900 Utah business and government representatives. The WTCU is a co-sponsor with GOED and local businesses to provide trade missions focused on expanding international trade opportunities for local businesses. It is one of 330 World Trade Centers.
**Explanation**

The Manufacturing Extension Partnership (MEP) was formed to improve the business environment for small and medium manufacturing companies, to attract more capital to the State, and promote growth in targeted manufacturing industries. They do this by providing consulting services which help enhance the efficiencies of the various companies they serve. Funds are matched by the companies and the federal government.

**Implementation**

The appropriation was added to the base funding for MEP bringing total funding to $911,900. All funds were disbursed as directed.

**Accuracy**

Funds were matched by federal funding and company fees. Funds were spent as directed by state and federal contracts.

**Performance**

No performance data available.
**Fiscal Note and Budget Item Follow-Up Report**

**2012  BB5873  GOED - Sports Commission**

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**Explanation**

Funding is provided as a legislative pass through grant to the Sports Commission, an organization responsible for the promotion of sports within the State of Utah.

**Implementation**

Funding for the Sports Commission is distributed annually. One-time funding was made ongoing in the 2012 General Session.

**Accuracy**

All funding was distributed as directed by the Legislature. In addition to this appropriation the Sports Commission receives 10 percent of the Tourism Marketing Performance Fund. Ongoing funding from the 2012 General Session amounted to $1,950,000. That amount was increased by $900,000 from the Tourism Marketing Performance Fund and $550,000 in one-time funding for total funding of $3,400,000.

**Performance**

No performance data available.
FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT

2012  BB5886  DCC - Utah Symphony Outreach (Taylorsville City)  Committee: BEDL

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Explanation
Funding was allocated to help pay the cost of providing a free Utah Symphony concert to the community of Taylorsville.

Implementation
Funding was used as directed by contract to pay for the following: stage, lights, sound, advertising, chairs and power.

Accuracy
Funding was used as directed by the Legislature.

Performance
No performance data available.
**2012 BB5887 DCC - Hole in the Rock Foundation**

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<th>Cost Estimate</th>
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**Explanation**

The appropriation was provided to help fund improvements to the Visitor Center, including the co-op store and museum, and provided partial funding for an oral history center.

**Implementation**

The Department of Heritage and Arts developed and implemented rules to accommodate the provision of this appropriation by the effective date.

**Accuracy**

The specifications for the improvements to the Visitor Center and Oral History Center were met by the recipient, and funds issued complied with the Department of Heritage and Arts and legislative pass through grant requirements.

**Performance**

Visitors to the Hole in the Rock Visitor Center have increased by 25%; sales in the gift store have increased and annual donations have increased by 100%.
FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT

2012 BB5888 DCC - Moab Music Festival

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Explanation
Funding was provided as a state contribution to the Moab Music Festival. State funding is used to support the presentation of school assembly programs, artist fees, and the Festival Artist-in-Residence program.

Implementation
Pass through funding was used as directed by state contract for programming and general support.

Accuracy
Funds were used as directed by the Legislature.

Performance
No performance data available.
FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT

2012  BB5890  DCC - Freedom Memorial

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Explanation
The appropriation provided partial funding for the construction of a Freedom Memorial in Sandy Utah. Additional funding for the project came from community and business partners.

Implementation
The Department of Heritage and Arts developed and implemented rules to accommodate the provisions of this appropriation by the effective date. The recipients of the funds needed to secure a site and purchase land for the monument, and raise funds for the monument construction. The project is not yet complete.

Accuracy
Funding for this project was issued in accordance with the Department of Heritage and Arts and legislative pass through grant requirements. As of June 20, 2013, the project is not complete. The recipients of the funds needed to secure a site and purchase land for the monument, and raise funds for the monument construction. State funds have been spent in compliance with the state contract.

Performance
No performance data available.
2012  BB5892  GOED - Sundance Film Festival

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Explanation
Funding is used to help support the annual Sundance Film Festival.

Implementation
Funding was distributed to the Sundance Film Festival as directed.

Accuracy
The Sundance Film Festival spent the funds as directed by contract.

Performance
Attendance: 46,000 (65 percent from outside of Utah, 4,000 from international locations)
$55.6 million in international media exposure
Supported over 1,400 jobs
Approximately $5.8 million in tax revenue

Source: BEBR University of Utah
**FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT**

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**2012  BB5897  INS - Financial Manager Training**

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**Committee:** BEDL  
**Analyst:** Andrea Wilko

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**Explanation**

The appropriation was provided from restricted funds to create a temporary Financial Manager I position. The new hire for this position was trained to replace the agency Administrative Services Director who left the department at the end of March 2013. After the Administrative Services Director left the Commissioner appointed the Financial Manager I incumbent to replace the Director.

---

**Implementation**

The Insurance Department hired a Financial Manager in June 2012 to train for the new position. This financial manager was then promoted to the Agency Administrative Services Director after the former director left in March 2013. During that period, the Financial Manager served as a Co-Director of the Agency Administrative Services Division.

---

**Accuracy**

The Insurance Department hired a Financial Manager in June 2012 to train for a new Administrative Director position. The amount budgeted was utilized fully to fund the position and support costs.

---

**Performance**

No performance data available.
**Explanation**

The Business Marketing Initiative funding is used to increase the marketing budget of Business Development in an attempt to encourage corporate relocation to Utah.

**Implementation**

Funding was distributed to Richter 7 after a request for proposal process. Richter 7 used the funds to develop and implement an advertising plan. Utah's advertisements have been run in major site selection magazines. Funding was also used to provide sponsorships of various events in an attempt to highlight Utah as a business friendly state.

**Accuracy**

Funding was utilized as identified in the state contract.

**Performance**

No performance data available.
2012 BB5913 GOED - Business Resource Centers

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<td>$0</td>
</tr>
</tbody>
</table>

**Explanation**

Business Resource Centers are used as one-stop resources for small businesses including resources related to start-up opportunities, growth, high tech, incubation, and general business support.

**Implementation**

All funds were allocated as specified in the state contract.

**Accuracy**

Funds have been used to provide administrative oversight for the centers and all funds have been matched by local economic development agencies or universities. Funds were spent as directed by state contract.

**Performance**

No performance data available.
Hill Air Force Show funding was provided as a pass through to the Ogden Weber Chamber of Commerce to provide state financial support for the air show.

The Chamber utilized funding from Weber and Davis County businesses in addition to the state funding to fund the show. The bi-annual show was held in May 2012.

All funds were paid as directed by contract.

Gate estimates put attendance for the event at approximately 350,000. The estimated economic impact from the event was approximately $25 million.
**2012 BB9014x  DFI - Examiner Staff**

<table>
<thead>
<tr>
<th>Cost Estimate</th>
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<th>Subtotal</th>
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<td>$210,158</td>
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</table>

**Explanation**

The Department of Financial Institutions requested funding for two additional examiners to maintain adequate supervisory oversight of the institutions under the department's jurisdiction. Beginning FY 2013, the department expects total assets under its supervision to increase anywhere from five to eight percent over the ensuing three years. This request increased the department's FTE employees from 50 to 52.

Any unspent funds laps back to the Financial Institutions Restricted Account and must be appropriated by the Legislature for spending authorization.

**Implementation**

Both examiners are hired.

**Accuracy**

Expenditures on examiner staff were within about six percent of the appropriated amounts from the 2012 General Session.

**Performance**

No performance data available.
**2012 BB9015x  DFI - Clerical Staff**

<table>
<thead>
<tr>
<th>Cost Estimate</th>
<th>Revenue Estimate</th>
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<td>$0</td>
<td>$48,700</td>
<td>$48,106</td>
<td>$594</td>
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</table>

**Explanation**

The Department of Financial Institutions requested funding for one administrative assistant to allow more possibilities of separating duties for sensitive transactions, and to provide opportunities for supervisory staff to obtain assistance on production projects.

Any unspent funds lapse back to the Financial Institutions Restricted Account and must be appropriated by the Legislature to authorize any further expenditures.

**Implementation**

The clerical FTE is in place.

**Accuracy**

Expenditures on this position are within about one percent of the appropriation made during the 2012 General Session.

**Performance**

No performance data available.
### Explanation

The Department of Financial Institutions requested funding to Replace obsolete software and aging hardware for examiners. This entails the purchase of new laptop computers and updating the automated examination program used by examiners to perform their duties.

Any unspent funds lapse back to the Financial Institutions Restricted Account and must be appropriated by the Legislature before expenditures can be made.

### Implementation

The laptop computers have been purchased and the automated examination program is updated.

### Accuracy

Expenditures on computer replacement is within about 27 percent of the appropriated amount from the 2012 General Session. The reason for a green indicator is that expenditures came in under total appropriations. Savings resulted from purchasing computers for less than their estimated costs.

### Performance

No performance data available.
Explanation
Hardware, software, and office supplies to equip new examiners to perform their duties.

Implementation
Hardware and software are purchased.

Accuracy
Expenditures for examiner start-up costs are within about four percent of the total appropriation.

Performance
No performance data available.
### Explanation
The Department of Financial Institutions requested funding for hardware, software, and office supplies to equip a new clerical person to perform outlined duties.

### Implementation
Hardware, software, and office supplies are purchased.

### Accuracy
Expenditures for office tech start-up costs are within about 10 percent of appropriations.

### Performance
No performance data available.
Explaination
The Labor Commission requested funding to purchase five new vehicles for the Utah Division of Occupational Safety and Health. The division has 25 inspectors who share 15 vehicles to perform their duties and this purchase brings the total to 20 vehicles. The $49,000 one-time General Fund appropriation is accompanied by a one-time federal match of $49,000 for a total of $98,000 to purchase the five vehicles.

Implementation
All five vehicles are purchased as of September 2012.

Accuracy
The entire $49,000 appropriation has been used to purchase the vehicles.

Performance

<table>
<thead>
<tr>
<th>Year</th>
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2012  Bills12021  INS - Financial Examiner Retention

<table>
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</table>

<table>
<thead>
<tr>
<th>Experienced</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>$57,000</td>
<td>$0</td>
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</tbody>
</table>

Explaination

The $57,000 ongoing funding was to pay for increased salaries for 6 financial examiners achieving certain professional designations. Achieving the professional designations increased market values for the positions in the private sector. Funding was used to retain the examiners going forward.

Implementation

The Insurance Department increased salaries for all examiners commensurate with experience and merit. The department utilized all funds to provide a level of pay for these examiners that was closer to private sector averages.

Accuracy

Each examiner's salary was moved closer to industry averages and the entire amount was utilized to help retain the examiners.

Performance

The Insurance Department reviews the designations and performance of examiners on company examinations, including time to complete the examinations compared to industry standards.
**2012 Bills12027 DHA - Tracy Aviary**

<table>
<thead>
<tr>
<th>Cost Estimate</th>
<th>Revenue Estimate</th>
<th>Original</th>
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</tr>
</tbody>
</table>

**Explanation**
Funding was allocated to offset the cost of visiting Tracy Aviary for youth and their adult teachers/supervisors/chaperones.

**Implementation**
State funds were used to promote the program to various youth groups to ensure the public is aware of the Tracy Aviary as an opportunity and a resource.

**Accuracy**
Funding was used as directed by the Legislature.

**Performance**
No performance data available.
### Explanation
Funding was provided to help fund the historic and artistic features of the Parley's Trail Project (The Draw in Sugarhouse).

### Implementation
Construction bids were received in November 2012. Construction of the project has recently started.

### Accuracy
Funds have been used as directed by the Legislature.

### Performance
No performance data available.
FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT

### 2012 Bills 12121 ULC - IARA Adjustment

<table>
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<tr>
<th>Cost Estimate</th>
<th>Revenue Estimate</th>
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<td>$143,200</td>
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</tr>
</tbody>
</table>

**Explanation**

The Labor Commission requested this funding to continue and complete its Electronic Data Interchange (EDI) project. The project is divided into two phases where three main items are affected by the EDI project.

Phase I includes the following: 1) microfilm conversion, and 2) high speed scanner and DTS programming costs for electronic submission of First Reports on Injury (FROI).

Phase II includes: Computerization of the Second Report of Injury (SROI.)

**Implementation**

Phase I has been completed except for a few items that DTS is working on (reports, and large file submission errors).

Phase II has been pushed back due to DTS programming issues. It is expected to be implemented during FY 2014 and will build upon Phase I work.

**Accuracy**

All funds have been spent, and according to current information available, are within the $10,000 or 5% threshold.

**Performance**

The $143,200 was spent on the Electronic Data Interchange (EDI) project during FY2013 on the following:

1) $78,750 to State Archives to scan over 2,250 rolls of microfilm;
2) $6,314 to purchase a high-speed scanner for conversion of paper documents into electronic format;
3) $43,200 to Mitchell and Associates, a consulting company, to test in-house programming for this project; and
4) $14,936 to DTS for programming and project management.
Explanation
The Legislature appropriated $77,000 to allow GOED to hire a full time audit specialist in the corporate incentives program.

Implementation
The auditor was hired and is currently functioning in compliance with the legislative intent.

Accuracy
Funding was fully allocated to assist the corporate incentives team complete its due diligence to audit all requests for tax incentive rebates.

Performance
No performance data available.
### 2012 Bills12218 INS - Cost of Financial Examinations

<table>
<thead>
<tr>
<th>Cost Estimate</th>
<th>Revenue Estimate</th>
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<td>$100,000</td>
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#### Explanation
Funding was allocated to correct an error in the way the department had been accounting for travel costs associated with insurance company examinations. Historically, the department had not included these travel costs in its expense budget request. When insurance companies paid for examinations the travel portion was posted as a reimbursement of expenses with the remainder being posted to free revenue in the General Fund. To properly account for travel expenditures related to company examinations in the department expense budget, this increase was provided.

#### Implementation
The department has ensured that all costs related to travel for the Examinations Division were tracked in relation to the appropriated expense budget.

#### Accuracy
During FY 2013, the examination costs related to travel were $22,100. The costs came in lower in FY 2013 than anticipated due partly to fewer examinations being requested. Costs will generally vary depending upon the number of examinations performed and the nature of the examinations. Initial estimates for FY 2014 show a significant increase in the number of examinations being requested. It is likely that funds will be fully utilized in FY 2014.

#### Performance
No performance data available.
**2012 Bills12219 INS - Travel Reimbursement**

<table>
<thead>
<tr>
<th>Cost Estimate</th>
<th>Revenue Estimate</th>
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<td>$50,000</td>
<td>$50,400</td>
<td>($400)</td>
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</tbody>
</table>

**Explanation**

An appropriation was provided to increase the department budget for training and associated travel for participation in on-line and out-of-state training.

**Implementation**

The department was successful in achieving its goal of providing a basic level of training to the department's employees and management including certifications.

**Accuracy**

The Insurance Department utilized all of the funding for training as directed.

**Performance**

No performance data available.
**2012 HB0029S01 Insurance Amendments (Dunnigan, J.)**

<table>
<thead>
<tr>
<th></th>
<th>Cost Estimate</th>
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<td>$310,200</td>
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</table>

**Explanation**

Enactment of this bill will cost the Department of Insurance $311,500 annually to administer the fraud provisions of the bill. The costs are offset by the increased fees provided in the bill.

**Implementation**

The Insurance Department increased the fee schedule amounts collected from companies during the annual fraud assessment. The department collected an additional $310,154 in revenue in FY 2013. With this money the Fraud Division was able to hire 2 new fraud investigators and an attorney.

**Accuracy**

The Insurance Department estimated the additional revenue in accordance with the fee increases and the number of companies at the time of the request. The collected revenues came in $1,300 lower than expected. The Department also came in below the budgeted amount due to the time it took to hire new investigators and the attorney.

**Performance**

The Fraud Division measures performance by the number of cases prosecuted and restitution recovered for victims of insurance fraud. The division has increased the recovered victim restitution in FY 2013 by $100,000.
**Explanation**

Enactment of this bill will cost the Department of Insurance $1,500 one-time from Insurance Department Restricted Account. The cost will be offset by fees assessed in the bill. These fees will be collected every other year.

**Implementation**

The Insurance Department began licensing vendors in FY 2013. Seventeen vendors applied, and paid the $85 fee and were approved for a license in the state. This license is good for two years and will likely be renewed by vendors in FY 2015.

**Accuracy**

The Insurance Department set the fee for vendors to obtain a limited line license at $85 for licensing or renewal. The department collected this fee from 17 different vendors who applied in FY 2013, resulting in $1,445 in revenue.

**Performance**

No performance data available.
### Explanation

Enactment of this bill would cost the Insurance Department an estimated $13,200 one-time from the Insurance Department Restricted Account in FY 2013 for rule development, reviewing filings, and establishing standards. Insurance Department Restricted Account revenues and expenditures affect the annual transfer to the General Fund. Additionally this bill appropriates one-time in FY 2012 from the General Fund $15,000 to the Senate and $25,000 to the House of Representatives for the costs of the Health System Reform Task Force.

### Implementation

The legislation required the Insurance Department to work with the Health System Reform Task Force. The Insurance Department assigned these duties to the Assistant Commissioner and Health Division Director. They helped with study, rule development, review of any filings and establishment of standards. This was done in the allotted time frame and Administrative Rule #R590-266 was adopted effective May 1, 2013.

### Accuracy

Costs to the department were kept at the estimated $13,200 for hours taken to study and prepare standards and recommend rules by the Assistant Commissioner and Health Division Director.

### Performance

No performance data available.
2012 HB0354S02 Alcoholic Beverage Amendments (Wilcox, R.)

<table>
<thead>
<tr>
<th>Cost Estimate</th>
<th>Revenue Estimate</th>
<th>Original</th>
<th>Changes</th>
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<td>$6,423,400</td>
<td>$6,423,400</td>
<td>$0</td>
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</tbody>
</table>

**Explanations**

Enacting this bill will cost the Department of Public Safety $45,600 from the General Fund to staff the committee to study the abuse of alcohol. The bill also transfers approximately $81,000,000 from the Liquor Control Fund to the newly created Mark Up Holding Fund. The bill also appropriates $6,377,800 from the markup account to the Department of Alcoholic Beverage Control to account for current expenditures. The net impact of this provision would be zero, and the uses for these funds would remain the same as for the current Liquor Control Fund.

**Implementation**

DABC has transferred the markup collected to the Markup Holding Fund. The Alcohol Abuse Tracking Committee has been formed under the purview of the Department of Public Safety. The committee has met several times and began collecting data in 2013 for presentation to the Legislature this fall.

**Accuracy**

DABC will transfer $134 million from the Liquor Control Fund to the Markup Holding Fund for FY 2013. After transfers to the School Lunch Program, Alcohol Enforcement, and the Liquor Control Fund, the amount in the fund will be approximately $78 million at fiscal year-end. DABC’s year end profit transfer to the General Fund will be made from this account. The net impact from the bill was zero as identified in the fiscal note.

**Performance**

The Alcohol Abuse Tracking Committee presented to the Business and Labor Interim Committee the implementation plans in October 2012. It will report the data collected from January 1 to June 30, 2013 later this year.
## Explanation

Enacting this bill will cost the Department of Commerce about $8,300 from the Commerce Service Fund annually for investigations. Commerce Service Fund revenues and expenditure affect the annual transfer to the General Fund.

## Implementation

The Department of Commerce implemented the investigations requirements required by the legislation.

## Accuracy

An estimated 250 investigation hours per year as estimated in the fiscal note was accurate for the first year.

## Performance

No performance data available.
**Explanation**

Enacting this bill will cost the Department of Alcoholic Beverage Control about $227,600 from the Liquor Control Fund annually to implement the provisions of the bill. The Attorney General costs are anticipated to be $71,200 annually from the General Fund. Liquor Control Fund revenue and expenditures affect the annual transfer to the General Fund.

**Implementation**

DABC expanded to a seven-member commission and hired an internal auditor. The requirement to be audited by a private firm was changed to the State Auditor in the 2013 General Session. They have started their audit of DABC.

**Accuracy**

The $227,600 appropriated to the department was allocated to pay for the internal auditor and the audit of the department. The internal auditor started March, 2013. The projected annual salary and benefits are $116,000. The State Auditor will bill the department and will have a limit of $100,000.

**Performance**

No performance data available.
## 2012 SB0088 Pharmacy Distribution Amendments (Bramble, C.)

### Cost Estimate and Revenue Estimate

<table>
<thead>
<tr>
<th>Cost Estimate</th>
<th>Revenue Estimate</th>
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<th>Changes</th>
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<th>Experienced</th>
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<td>$39,600</td>
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</tr>
</tbody>
</table>

### Explanation

Costs to the Commerce Department for implementation of the provisions of the bill would be $39,600 ongoing from the Commerce Service Fund. Spending from the Commerce Service Fund affects annual transfers to the General Fund.

### Implementation

An estimated additional staff time of 1,044 hours was expected in order to provide the upgrades to the system and provided the inspections. Investigators had to be trained on the new criteria. The updated database now requires physicians to update drugs they are dispensing for certain drug classifications. Changes have been made as directed by the statute.

### Accuracy

Estimated funding levels were accurate. Investigative time was slightly less than anticipated but DTS development was above the estimated cost for a net zero impact on original estimates.

### Performance

No performance data available.
2012 SB0144 Immigration Consultants (Robles, L.)

<table>
<thead>
<tr>
<th>Cost Estimate</th>
<th>Revenue Estimate</th>
<th>Original</th>
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</tbody>
</table>

**Explanation**

Enactment of this bill will increase annual Commerce Service Fund revenues by $4,600, dedicated credit revenues by $1,000 and annual expenditures by $5,400. Balances in excess of the expenditures are transferred to the General Fund.

**Implementation**

At this time the provisions required in the bill have all been implemented.

**Accuracy**

Consumer Protection collected $4,000 in licensing revenue from 20 potential licensees to the Commerce Service Fund which was $600 less than projected. An additional $1,000 came in in background check revenue. The number of licenses was lower than expected due to the bond requirements.

**Performance**

The department plan is to measure the number of complaints to determine the success of the program.
**FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT**

**2012 SB0161S06 Pharmacy Practice Act Revisions (Vickers, E.)**

<table>
<thead>
<tr>
<th>Cost Estimate</th>
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<td>$0</td>
</tr>
</tbody>
</table>

**Committee:** BEDL  
**Analyst:** Andrea Wilko  

**Explanation**

Costs to the Commerce Department for implementation of the provisions of the bill would be $8,100 ongoing from the Commerce Service Fund. Spending from the Commerce Service Fund affects annual transfers to the General Fund.

**Implementation**

Commerce has implemented the provisions required in the bill as directed.

**Accuracy**

The estimated 210 hours of investigator time was accurate for the first year.

**Performance**

No performance data available.
Explaination

Enactment of this bill would increase revenue to the Commerce Service Fund by $1,000 in FY 2013 and by $1,600 in FY 2014. Costs to the Commerce Department for implementation of the provisions of the bill would be $2,000 ongoing from the Commerce Service Fund and $400 one-time in FY 2013. Spending from the Commerce Service Fund affects annual transfers to the General Fund.

Implementation

Commerce has implemented the procedures and licensing requirements established in the bill.

Accuracy

Actual revenue for the new license established was $900 in year one. Foreign teaching applications had to be created and when received had to be reviewed for the established criteria. The estimate of 70 hours of staff time was accurate.

Performance

Six new licensees have successfully completed this process.
### Explanation

Enactment of this bill would reduce the General Fund transfer from liquor profits by $299,600 in FY 2013 and by $979,000 in FY 2014. When fully phased in (FY2017), the General Fund reduction will be $1,876,700. The bill eliminates funding for the Parents Empowered Program from the Liquor Control Fund and replaces it with funding from the newly created Underage Drinking Prevention Media and Education Campaign Restricted Account.

### Implementation

DABC has transferred .6 percent of retail sales to the Underage Drinking Prevention Media and Education Campaign Restricted Account. The amount transferred including the $299,600 increase for FY 2013 was $1,773,300 and corresponds with the estimate in the fiscal note.

### Accuracy

The transfer amount was in line with the fiscal note.

### Performance

No performance data available.
Explanation

Medicaid ended FY 2012 with unexpected unspent balances of $19.1 million or 5% in unspent General Fund. The surplus is 1.4% due to caseload and 3.6% due to per member per month (PMPM) cost estimates. Additionally this building block includes the following: (1) Estimated increase of 5,900 or 2% clients in FY 2013 and 3,000 or 1% in FY 2014 (a utilization increase of 3% in FY 2013); (2) Forced provider inflation of $6.8 million; (3) Federal medical assistance percentage favorable change of 0.2% for a savings of about $2.7 million; (4) Preferred Drug List additional projected savings of $1.4 million; (5) A 2% State-funded increase in physician rates now to be paid by the federal government for a savings of $0.8 million.

Implementation

The Department used the funds for the cost of the Medicaid program beginning in July 2012.

Accuracy

The Department estimates a surplus of $10 to $15 million General Fund. The midpoint of that estimate, $12.5 million General Fund represents an error rate of 2.6% of the $489 million General Fund estimated for Medicaid statewide.

Performance

The Department estimates a 2.2% increase in caseload which is 0.1% less of an increase compared to consensus projections.
To address increased administrative demands. The department requested additional funding for staffing due to higher caseloads and new federal mandates for the Medicaid program.

The agency used the money to hire the following 8 FTEs: 2 health program representatives, 1 health program specialist I, 1 claims technician, 1 registered nurse, 1 auditor, 1 health economist, and 1 medical review board examiner.

The Department anticipates spending between $180,000 and $190,900 in FY 2013.

No performance data available.
FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT

2012 BB5277 DOH - Medicaid Provider Inflation

<table>
<thead>
<tr>
<th>Cost Estimate</th>
<th>Revenue Estimate</th>
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<td>$4,891,000</td>
<td>$4,700,000</td>
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</tr>
</tbody>
</table>

Explanation

The money is for increases in the cost of Medicaid services that the State cannot control, such as pharmacy drug costs, Clawback payments, Medicare buy-in, and Medicare crossovers.

Implementation

The Department used the funds to meet the costs of the forced provider inflation beginning in July 2012.

Accuracy

The Department anticipates spending between $4.6 to $4.8 million of the $4.9 million appropriation.

Performance

The Department anticipates covering all forced provider inflation with the funding provided.
### 2012 BB5282  DOH - Accountable Care Organizations Run Out

<table>
<thead>
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**Explanation**

FY 2013 cost of starting a pre-payment system while still paying claims for up to 12 months under the old system of fee-for-service.

**Implementation**

The department has spent the money on fee-for-service claim payments arriving after December 2012.

**Accuracy**

The department spent $1.0 million or 12% higher than the appropriation for this purpose. Costs will continue to increase in the coming months.

**Performance**

The Department will pay all run out claims received within FY 2013.
**Explanation**

The Legislature appropriated $200,000 one-time Education Fund to the Utah State Office of Rehabilitation to purchase independent living Assistive Technology devices and services. This funding was combined with $200,000 ongoing Education funds to provide devices and services to additional individuals.

**Implementation**

This $200,000 for the Independent Living Assistive Technology Program funded 98 pieces of equipment for 80 consumers. The state FY 2012 Independent Living Assistive Technology budget also included $200,000 ongoing funds. The entire budget of $400,000 ($200,000 one-time, $200,000 ongoing) funded 205 pieces of equipment for 165 consumers. The number of mobility related devices and services was 43, the number of communication related devices and services was 25, the number of community access-type devices and services was 73, and the number of devices and services functioning as aids to daily living was 64.

**Accuracy**

The $200,000 was distributed during FY 2012.

**Performance**

Assistive Technology devices/services are used to help increase an individual's level of independence to assist them in becoming self-sufficient. The Utah State Office of Rehabilitation has stated that "In FY 12, there were 47 Independent Living consumers who had received AT devices/services, that transitioned into the Vocational Rehabilitation Program. Of those who had transitioned to VR, 4 individuals achieved employment."
### Explanation

This building block for $300,000 in ongoing Education Fund to the Utah State Office of Rehabilitation was for pass through funding for the six independent living centers across the state. These centers are located in St. George, Price, Provo, Salt Lake City, and Ogden but serve wider catchment areas. The request was for additional outreach and independent living specialists.

### Implementation

The $300,000 received by the six Independent Living Centers funded outreach efforts in the form of services to assist new consumers in receiving services, supported ongoing services to other consumers, and provided funding for the addition of new independent living specialists, or more often, promoting some independent living specialists from part time to full time.

### Accuracy

The $300,000 was distributed during FY 2012.

### Performance

The Independent Living Centers have provided the following detail (summarized) as performance measures:
- **Ability First – Provo** - $47,100 - used for two part-time employees who became full-time in order to expand services offered to clients;
- **Red Rock Center – St George** - $51,500 used to increased staffing to provide outreach to consumers in Iron and Garfield counties and also add one additional employee who delivered "783 services to consumers within [the] last fiscal year;"
- **Utah Independent Living Center – Salt Lake City** - $69,500 used to expanded services through outreach to individuals with disabilities living in Tooele, Summit, and outlying areas of Salt Lake County by hiring one additional full-time Outreach Specialist and one additional part-time Independent Living Skill Trainer (who is providing services to youth with disabilities);
- **Roads to Independence (formerly Tri-County Independent Living Center) - Ogden** - $43,300 used to meet increased caseloads over the past three years by hiring an Independent Living Specialist, transitioning "18 individuals out of costly nursing homes [at] a savings of about $700,000," and using funding one-time to assist in relocating the center to a new building due to the previous office space being demolished;
- **Active Re-Entry - Price** - $46,300 used to Increase outreach efforts in the Uintah Basin and fund a low-vision and community integration coordinator for Grand County;
- **OPTIONS for Independence - Logan** - $36,300 used to institute a youth program where "24 youth are participating in the program" and increase outreach efforts in nursing homes by making a part-time employee full time;
- **Utah Statewide Independent Living Council** $6,000 used to provide training and coordination to the six regional advocacy groups located around the state.

The Analyst views the information provided as general descriptions of what was purchased with the funds rather than specific measures of performance.
**2012 BB5636x DWS - Reed Act Funding Re-Employment Services**

<table>
<thead>
<tr>
<th>Cost Estimate</th>
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**Explanation**

The Department of Workforce Services initially requested Unemployment Insurance funding for FY 2012 to use for employment and re-employment efforts.

**Implementation**

The Department of Workforce Services used these funds for front-line staff working to connect potential employees with employers. These activities were also funded by federal Wagner Peyser funds. The department increased these job connection activities beginning in FY 2012 because of the high unemployment rate and because of the high caseloads on public assistance.

**Accuracy**

The $4,567,000 was distributed during FY 2012.

**Performance**


- Average Unemployment Insurance benefits duration rate: 13.2 weeks as of 6/30/2013 (was 14.2 weeks at same time last year, 6-30-2012).

- Rapid re-employment of Unemployment Insurance (UI) claimants (Re-employment Services has contributed to lowering the the average number of weeks Utah claimants remain on UI benefits [Duration Rate] and the percentage of claimants that exhaust their entitlement to UI benefits [Exhaustion Rate]. Average UI duration rate decreased from 14.2 weeks during SFY 2013. One week less duration equates to approximately $16.4 million savings to Utah's UI Trust Fund [funded by Utah employers] in SFY 2013. Approximately 44.8% of UI claimants were exhausting benefits as of June 2012, but this was reduced to 38.1% as of June 2013).
2012 BB5903 DOH - Accountable Care Ongoing Cost

<table>
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**Explanation**

Raise the administration rate paid to Accountable Care Organizations from 7.0% to 8.3% within Medicaid.

**Implementation**

The Department raised the administration rate from 7.0% to 8.3% for accountable care organizations beginning January 2013.

**Accuracy**

The Department anticipates spending all $2,000,000.

**Performance**

The Department paid 8.3% for the administration rate for Accountable Care Organizations for FY 2013.
2012  BB9005x  DOH - Nursing Home Assessment

<table>
<thead>
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Explanation
Increase in the General Fund Restricted - Nursing Care Facilities Restricted Account to increase reimbursement to nursing home provider rates by a net of $4,587,300 or 6.4% due to federal matching funds. The appropriation is funded by a $1,993,800 increase in the assessment paid by nursing facilities.

Implementation
The Department used the money to raise the nursing home rate beginning in July 2012.

Accuracy
The Department anticipates spending between $1.8 to $1.9 million of the $2.0 million appropriation.

Performance
The Department raised rates as per the funding provided.
2012 BB9006x DOH - 2% Increase in Medicaid Physician Rates

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**Explanation**

Restore some of the prior reductions in physician provider reimbursement rates for Medicaid.

**Implementation**

The Department raised Medicaid physician rates by an average of 2% beginning in July 2012.

**Accuracy**

The Department anticipates spending between $700,000 to $764,000.

**Performance**

The Department raised Medicaid physician rates 2% as per the funding provided.
FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT

2012  BB9007x  DOH - CMS Mandated Compliance Projects (one-time)

<table>
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**Explanation**

To comply with federal mandates that require Utah Medicaid to have a billing system that can process ICD-10 claims beginning October 2014. The ICD-10 is a new medical coding system that adds more specificity for what happened in the billing statement.

**Implementation**

ICD-10 has completed the planning phase and is on schedule to meet the ICD-10 compliance date of October 1, 2014.

**Accuracy**

The Department anticipates spending between $150,000 and $175,000 in FY 2013. The Department requested and received nonlapsing authority for the unspent funds so they can be used in FY 2014.

**Performance**

The ICD-10 implementation timeline is on schedule to meet the October 2014 deadline.
### Explanation

Two nurses to manage Medicaid clients with chronic conditions who live in areas not served by managed care plans.

### Implementation

The agency used the money to contract with the Bear River Health Department to develop a rural care coordination model.

### Accuracy

The Department anticipates spending more of the appropriation in future years. This year the contract was developed and implemented.

### Performance

No performance data available.
Explanation

Resource facilitation services and education of professionals that deal with traumatic brain injury clients, and outreach to those recently injured.

Implementation

The Department used the money to link individuals with traumatic brain injuries to community resources.

Accuracy

The money provided for the fund did not necessarily need to be spent in the first year. The fund retains all money that it receives.

Performance

The money paid for 85 individuals with traumatic brain injuries to have help identifying and connecting to community resources.
**2012 Bill46447x DWS - Employee Development Projects**

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**Explanation**

During the 2012 General Session the Legislature appropriated $6,480,000 from the Special Administrative Expense Account (SAEA) to the Department of Workforce Services (DWS) to support job grow projects in Utah. The Special Administrative Expense Account consists of interest and penalties collected in connection with the Utah Unemployment Compensation Fund. For employee development projects, the Department of Workforce Services has standardized how funds would be distributed among three different areas affecting jobs: 1) job creation, 2) job placement, and 3) training programs. DWS has attempted to optimize “how money is used to create new jobs, help public assistance customers find work and develop training programs that align with industry demand.” The department has made efforts to distribute the funding throughout the state and give priority to small businesses and rural programs.

**Implementation**

DWS states, “The Department of Workforce Services uses these funds for various workforce development projects (projects intended to encourage and facilitate the development of new jobs) and for development of training/education programs. These projects are developed with employers and training/education schools through the department’s Economic Service Areas."

**Accuracy**

As of July 2013, actual state expenditures are 69 percent of the original estimated expenditures, or 31 percent below the original estimate. DWS states, “It is important to note that DWS is working on a post-performance and reimbursement basis for programs and grantees external to DWS. This means that before funds can be spent the outcome must have already occurred and the cost has already been paid by the grantee. This ensures that the money is only used where there is a demonstrated allowable cost.”

**Performance**

There are three performance measures for Employment Development Projects. First, actual jobs created. The second is new capacity in education programs that meet the Governor’s 66 percent by 2020 goal. The third is DWS customers placed into employment. For performance measures, see the issue brief Workforce Services Job Growth Projects found at: http://le.utah.gov/interim/2013/pdf/00000759.pdf.
### Explanation

To provide primary medical and dental services for underinsured clients.

### Implementation

One-time funding for three urban agencies and four rural agencies. Of these seven agencies: three provide primary care, three provide dental care, and one provides mental health services. The increased funding went out with the normal grant cycle.

### Accuracy

The Department plans to spend all $200,000.

### Performance

About 4,300 underserved clients received primary care medical and dental services.
Explaination
To provide CPR training, purchase mannequins, and purchase educational materials in high schools.

Implementation
The department provided one-time funding for three school districts (Taylorsville, Delta, and Garfield). The money went out with the beginning of the 2012-2013 school year.

Accuracy
The Department of Health offered CPR funding to all Utah high schools, but only three applied for the funds. The Department spent a little more than half of the money provided. The remaining funding will lapse.

Performance
No performance data available.
**Explanation**

Enacting this bill will cost the Utah State Hospital (USH) $100,000 ongoing from the General Fund for additional treatment and supervision costs in FY 2013 and $200,000 ongoing from the General Fund for FY 2014. Enactment of this bill will also cost local county government and local mental health centers $11,500 ongoing for additional treatment costs beginning in FY 2014. Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses. This bill amends Title 62A, Chapter 15, Substance Abuse and Mental Health Act, by including harmful sexual conduct as grounds for a civil commitment. The bill: defines the term "harmful sexual conduct"; amends the definition of "substantial danger"; and amends the process for civil commitment.

**Implementation**

The Utah State Hospital (USH) hired a Social Worker in FY 2013 to help create a program to treat sex offenders, but the position only stayed filled for 3 months ($77,000 annual cost /4= $19,250). Training materials ($250) have been purchased. No patients have yet been committed to USH under H.B. 14 criteria for harmful sexual conduct. USH is currently recruiting to replace the Social Worker ($77,000) and hire a Psychologist ($100,000) to be prepared to treat sex offenders and meet the treatment needs of other patients. In our current population we do have individuals who are civilly committed that have histories of sexual deviant behavior and the trained professionals will begin working with them as we monitor for admissions under the new H.B.14 criteria.

**Accuracy**

As of July 2013, actual state expenditures resulting from passage of H.B. 14 are 20 percent of the original estimated expenditures, or 80 percent below the original estimate.

**Performance**

The Utah State Hospital has stated, "A sex offender program has been created, but no patients have yet been committed to USH under HB 14 criteria for harmful sexual conduct. Commitment is dependent upon the ruling of judges and decisions from the prison system as to how sex offenders are released or committed. . . The Utah State Hospital is developing Treatment Modalities for individuals who are committed to the hospital under HB 14 criteria for harmful sexual behavior. We do not have a specific "Sex Offender Program". The intent of HB 14 is to treat individuals whose harmful sexual behavior is related to their mental illness. Performance Measures mainly focus on Individual treatment goals such as target behaviors identified in treatment (i.e., boundary violations, sexually inappropriate behaviors, changes in thought processes, etc.). Aggregate data demonstrating the reduction in target behaviors is one way in which performance will be measured. Other measures include those addressing symptoms of mental illness (i.e., Brief Psychiatric Rating Scale; Severe Outcomes Questionnaire).
**FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT**

<table>
<thead>
<tr>
<th>2012</th>
<th>HB0155</th>
<th>Drug Screening for Temporary Assistance for Needy Families Recipients (Wilson, B.)</th>
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**Explanation**

This bill modifies the Employment Support Act by requiring an applicant who otherwise qualifies for cash assistance under Utah’s Family Employment Program to complete a written drug screening questionnaire and meet other requirements in order to receive cash assistance under the program.

**Implementation**

Provisions of this legislation were implemented as required. Workforce Services now requires parents who otherwise qualify for cash assistance under Utah’s Family Employment Program to complete a written questionnaire designed to determine the likelihood of a substance use disorder. If answer(s) in the questionnaire indicate a reasonable likelihood of substance use, then the applicant must submit to a drug test. If determined to be positive, the applicant must enter into and follow an employment plan to continue receiving cash assistance. The plan includes receiving treatment for the substance use disorder; and testing negative on follow-up drug tests for a controlled substance. Failure impacts eligibility for cash assistance.

**Accuracy**

Actual expenditure amounted to $26,400 in FY 2013.

**Performance**

Of the 4,425 individuals screened in FY 2013, 394 took the drug test, 9 tested positive and 5 underwent treatment.
**FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT**

**Explanation**
This bill modifies the Employment Security Act by expanding unemployment benefits eligibility for military spouses under certain circumstances.

**Implementation**
Provisions of this legislation were implemented as required. Workforce Services no longer charges benefit costs to employers for employees receiving unemployment benefits after voluntarily leaving employment to follow a spouse because of a spouse's military assignment. It is distributing unemployment benefits to claimants who voluntarily leave employment to follow their spouses to a new location if the claimant's spouse is a member of the United States armed forces and the claimant's spouse has been relocated by a military assignment on active duty, as stipulated in the legislation.

**Accuracy**
The fiscal note was accurate within $1,000 or less than one percent of the fiscal note's original estimate.

**Performance**
No performance data available.
**2012 HB0272S05 Pilot Program for Autism Spectrum Disorders Services (Bramble, C.)**

<table>
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<tr>
<th>Cost Estimate</th>
<th>Revenue Estimate</th>
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<th>Changes</th>
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**Explanation**

This bill transfers $1,500,000 in General Funds from the Department of Human Services - Child and Family Services to the Department of Health - Medicaid Optional Services one-time in FY 2012. A one-time FY 2012 General Fund appropriation of $3,000,000 is made to the DOH – Medicaid Optional Services. The bill also transfers $1,000,000 from General Fund one-time to the General Fund Autism Restricted account and $1,000,000 from the General Fund Autism Restricted Account to the Children with Special Health Care Needs in FY 2013. The bill also authorizes the Medicaid program to retain up to $4.5 million per year in unspent balances in FY 2012 and in FY 2013 and directs that nonlapsing funds be used to provide services to children with autism spectrum disorder.

The bill also directs the Public Employees Health Plan to use excess funds in the state risk pool contingency reserve to provide services to up to 50 children at a maximum annual benefit of $30,000 each.

The $750,000 in changes shown above are a result of private donations to the Autism Treatment Restricted Account.

**Implementation**

The requirements of this bill were implemented within the timeframes designated.

**Accuracy**

The funding for the Department of Health is to be used in full for the purpose described in this bill. The PEHP pilot program continues through fiscal year 2014 at which time the accuracy of this fiscal note will be measured. Through the end of FY 2013, the Medicaid pilot had spent $387,339, the Autism Treatment Restricted Account had spent $529,651, and PEHP has spent $179,885.

Initial estimates for annual cost per child from ages 3 to 6 was approximately $57,600 and was based on a 2007 Harvard study. While these pilots still in process, early estimates show annual cost per child at approximately $12,500 for the 23 participants with PEHP, $4,700 for the 202 children with Medicaid, and $25,608 for the 34 children with the Autism Treatment Restricted Account.

**Performance**

In addition to the $1 million appropriated by the legislature, the Autism Treatment Account has received an additional $750,000 in private donations. To date, 34 children have received some service through this funding with an average monthly cost of $2,134 per child.

The PEHP pilot has accepted 23 children into the program and has experienced an average monthly cost of approximately $1,000 per month per child.

The two-year Medicaid pilot had spent $387,339 of the $4.5 million appropriation through June 30th, 2013. It has served 258 children and has paid out an average of $393.30 per month per child from the general fund.
2012 HB0393S01 Juvenile Competency Amendments (McIff, K.)

<table>
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**Explanation**

Enactment of this bill will cost the Department of Human Services $268,700 ongoing and $140,000 one-time from the General Fund to comply with additional juvenile competency provisions beginning in FY 2013. The estimated one-time cost will decrease by $85,000 in FY 2014. This bill requires the Department of Human Services to: 1) conduct juvenile competency evaluations in the least restrictive setting and upon a finding of good cause and use a second examiner to evaluate the juvenile and 2) prepare an attainment plan when a minor is found not competent to proceed. The bill also grants the juvenile court jurisdiction over a minor not competent to proceed and defines the following terms: "Mental disorder," "Intellectual disability," "Not competent to proceed," and "Related condition."

**Implementation**

The Department of Human Services states, "Two Divisions . . . are responsible for carrying out Juvenile Competency Evaluations and Attainment services: The Division of Substance Abuse and Mental Health (DSAMH) and the Division of Services for People with Disabilities (DSPD). They have worked closely with the Juvenile Court, the Division of Juvenile Justice Services (DJJS), the Division of Children and Family Services (DCFS) and other agencies and organizations . . . to implement this statute. . . The DSAMH . . . [hired] a Juvenile Attainment and Competency Program Manager . . . Visits have been made to 8 of the 9 Juvenile Court Districts. . . Fact sheets . . . have been distributed to the Juvenile Court, DJJS, DCFS, Defense Attorneys, Guardian Ad-litem and other interested parties . . . A training Conference was held with Evaluators to train on the standards to be used with Juvenile Competency which vary from those used in Adult Competency. . . [T]raining and new contracts were put in place to hire Juvenile Forensic Evaluators. A Juvenile Competency workshop was also presented . . . with over 40 people in attendance. . . A Juvenile Competency Attainment manual has been developed . . . [and] also . . . Written standards and procedures for conducting both initial competency evaluations and a follow-up evaluation for individuals completing the attainment program. Training for program evaluators has been developed and a train the trainer program has been developed and tested."

**Accuracy**

As of July 2013, actual state expenditures resulting from passage of H.B. 393 are 65 percent of the original estimated expenditures, or 35 percent below the original estimate.

**Performance**

The Department of Human Services stated, "To date (6-13-13) 44 juveniles have had 51 competency evaluations. Of those evaluations 27 found the juvenile not competent and 24 found the juvenile competent to proceed. The number of Juveniles ordered by the Court to Competency Attainment services has been less than anticipated in the first year of implementing this bill. This is due to the fact that the Court, the Attorneys and the Evaluators are still learning about who are the individuals that best fit with the new Competency standards made law by H.B. 393. This is also the case with the decision around who may be not competent now but may be able to attain competency through the attainment services."
**Explanation**

Staffing the Traumatic Spinal Cord Injury and Brain Injury Fund Advisory Committee, and preparation and monitoring of the request for proposal for the Fund.

**Implementation**

The Department began holding meetings and issued a request for proposal. The advisory committee approved the needed rule for implementing the legislation in fall 2012 and the rule became effective in December 2012.

**Accuracy**

The Department spent $11,000 on personnel time preparing the request for proposal and staffing meetings. The Department spent less funds in the first year due to the long startup process.

**Performance**

No performance data available.
2012 HB0497S02 Clearance for Direct Patient Access (Last, B.)

<table>
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<th>Cost Estimate</th>
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**Explanation**

The agency estimates $130,000 annual General Fund costs beginning in FY 2013 to implement the provisions of HB 497, Clearance for Direct Patient Access, from the 2012 General Session.

**Implementation**

The Department hired two licensing staff to help with the back log in certifications.

**Accuracy**

The Department intends to use all of the money provided in FY 2013.

**Performance**

The Department intends to measure the number of new employees in the system and how many providers are trained on the new system.
FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT

2012  HB0512  Rural County Health Care Special Service District Retirement Grant Program (Ipson, D.)

<table>
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<th>Cost Estimate</th>
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Committee: SS
Analyst: Russell Frandsen

Explanation
The bill appropriates $900,000 one-time General Fund in FY 2013 to the Department of Health for a grant program for rural county health care special service districts for retirement liabilities. The bill grants nonlapsing authority for the $900,000.

Implementation
Kane County, the only qualifying entity, received all of the funding in July 2012.

Accuracy
The cost matched the fiscal estimate.

Performance
No performance data available.

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7/15/2013
Explanation
Actual caseloads and per member per month costs have been lower than originally forecasted.

Implementation
The funding reflects the ongoing operations of the program.

Accuracy
The Department anticipates additional caseload savings of $300,000 to $700,000 General Fund. The midpoint of $500,000 more savings is a 4% increase over the base of state funding of $13 million.

Performance
The Department estimates a 5.1% decrease in caseload, this is more than the consensus projections.
**Explaination**

The costs to implement the health care exchange due to the mandatory provisions of the Affordable Care Act. The State's eligibility system (eREP) needs to exchange data with the federal insurance exchange. The State will be referring clients to the federal health care exchange and vice versa.

**Implementation**

The department will not spend any money in FY 2013. The department will make the necessary system modifications in FY 2014.

**Accuracy**

The department will not spend any money in FY 2013. The department requested nonlapsing authority for these funds so they can be used in FY 2014.

**Performance**

No performance data available.
Explanation

This is for the implementation costs to prepare eligibility systems and get the necessary infrastructure (equipment, space, etc.) in place for additional FTEs to handle 38,100 more clients due to the mandatory provisions of the Affordable Care Act.

Implementation

The Department created an Advanced Planning Document and submitted it to the federal government for approval. The Department has started to modify its computer systems according to its proposed plan.

Accuracy

The Department spent 56% of the requested amount in FY 2013. The Department requested nonlapsing authority to use the money in FY 2014.

Performance

The Department will judge success by receipt of federal approval of its modifications to the Medicaid eligibility system.
**2013 BB9010x DOH - Credit Monitoring**

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**Explanation**

One additional year of personal credit monitoring to potential victims who experienced loss of Social Security numbers and other sensitive information.

**Implementation**

The department provided a second year of credit monitoring via Experian.

**Accuracy**

Of the 59,400 victims who received the first year of credit monitoring, 56,300 signed up for a second year of monitoring. Additionally, the department received a credit of $56,700 from prior year cancellations.

**Performance**

56,300 victims signed up for a second year of monitoring.
**FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT**

**2013 HB0081S02 Cytomegalovirus Public Health Initiative (Menlove, R.)**

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**Committee:** SS  
**Analyst:** Russell Frandsen

**Explanation**

Create a public education program to inform pregnant women and women who may become pregnant about the occurrence and transmission of Cytomeglovirus.

**Implementation**

The department has begun development of the educational materials.

**Accuracy**

The department anticipates spending all $4,000 by year end.

**Performance**

The department will measure the number of infants that failed their first hearing screening who return with a month for their second hearing screening.
FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT

2011 HB0057 Joint Professional School of Veterinary Medicine (Mathis, J.)

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Explanation
This bill appropriates $1.7 million to establish a veterinary education program at Utah State University.

Implementation
Funding was appropriated to Utah State University to develop and continue operating a cooperative Doctor of Veterinary Medicine (DVM) degree program between Utah State University and Washington State University. FY 2012 was when the program was developed, new faculty was hires, teaching equipment was purchased, and the Anatomy Teaching Lab was remodeled. FY 2013 was the first year of actual teaching.

Accuracy
Development and now implementation of this program has proceeded as planned. The state appropriation, together with tuition collected during FY 2013 has been used as appropriated.

Performance
30 students enrolled in the program. Performance measurements are to designate how many were Utah residents and how many were nonresidents. Additionally, measurements should indicate how many of the total students completed the first year. Students will continue at Utah State University for their second year, then will move to Washington State University for the final two years. A new class will begin this fall (FY 2014).
**2012 BB101 USHE - Institutional Priorities**

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**Explanation**

Funding designated as Institutional Priorities is for programs, departments, or other specific areas that the campus president has identified as important and in need of additional funding. This funding gives some discretion to the campus, as they are able to funnel the money into the programs in most need of the additional resources.

**Implementation**

The approved funding of $4 million was made with the goal of increasing participation, completion, and economic development, by promoting distinct institutional missions. The $4 million was allocated based on a formula. The allocation to the University of Utah was $1,202,200. Completion goals include training retention specialists and increasing undergraduate research opportunities. Economic development goals involve improving post-research award management, which frees researchers from spending time on administrative duties.

Utah State University's allocations was $843,700. Participation goals include increasing summer enrollment and development of STEM workforce. Completion goals include strengthening its retention programs. The economic development goal targets a clean coke project in Price.

The allocation to Weber State University was $412,400, all of which is focused on participation, increasing online courses and providing nursing partnerships with Bridgerland and Mountainland ATCs for Associate Degrees in Nursing.

Southern Utah University's allocation was $188,300. SUU expanded need-based scholarships in the area of participation, instituted a peer mentor program to improve retention and provided academic internships in the area of completion, and added a new position to identify student internship opportunities with area employers as part of the economic development.

Utah Valley University's allocation was $471,000. The participation goal is recruiting and retaining female students. The Completion goals include one in conjunction with UVU's enrollment standards and the staff and advisors needed and the expansion of evening and weekend degree programs. Support for the entrepreneurship program ties into the economic development goals for UVU.

Snow College's allocation was $109,300 and was used to prepare natural resource technicians for rural Utah (participation) and a placement officer serving both Ephraim and Richfield campuses (economic development).

The allocation for Dixie State College was $156,000 and was used for a DegreeWorks program to provide advising and assessment services to students to increase completion rates.

The allocation to Salt Lake Community College was $472,700 and was used for DegreeWorks and to hire various student services staff positions, all in the area of completion.

The State Board of Regents received an allocation of $144,500 and used the funding to establish metrics and provide support for various initiatives associated with the goal of having 66% of the state's adult population with a post-secondary degree or certificate.

**Accuracy**

Allocations of the $4 million were made on a formula basis and were used by the USHE institutions as allocated.

**Performance**

Performance measures specifically tied to this appropriation were not provided. However, new institutional priority funding should result in improvements in traditional measurements such as enrollment, retention and graduation rates.
**Explanation**

Recently, the USHE commissioned a study to determine which institutions had unequitable funding compared to the other institutions. The SBR request includes $6 million divided among 5 USHE institutions to address a portion of this difference. Funding would likely be used to hire faculty to address specific areas where institutions have relied on adjunct faculty as well as staff.

**Implementation**

A total of $4 million was approved starting in FY 2013 to begin to address the discrepancies in funding ratios among the USHE institutions. The distribution was based on the SBR study that looked at funding equity. Utah Valley University and Salt Lake Community College received the largest portions of this funding; Snow College received a minimal amount. Utah State University's regional campuses received a portion of the funding, but the main campus did not, based on the funding equity study.

The allocation to the University of Utah was $344,400 and was used to pay for tours during prospective students' campus visits and staff associated with enrollment management.

Utah State University's allocation was $413,300 and was used for faculty positions in Biology and Business and an additional internal audit position.

Weber State University's allocation was $404,600 and increased the number of online course sections, additional faculty and staff positions.

The allocation to Southern Utah University was $209,900 and was used for staff positions and student internships.

Snow College's allocation was $3,900 and established a placement center on the Richfield campus.

Dixie State College's allocation was $296,000 which was used to convert wage-rated faculty to full-time faculty positions.

The allocation to Utah Valley University was $1,215,700 and was used to hire 11 new faculty positions and four new staff positions.

Salt Lake Community College's allocation of $1,112,200 was used to increase the number of summer sections, 2 new programmer analysts, and to address ADA issues on campus.

**Accuracy**

The allocation of the $4 million was made in accordance with the equity study's recommendations. However, achieving equity among the USHE institutions is not a short-term project. Because of the discrepancies between institutions, targeted funding will improve the situation over a number of years, if not decades.

**Performance**

Performance measures specifically tied to this appropriation were not provided. However, this new funding should result in improvements in traditional measurements such as retention and graduation rates.
FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT

2012 BB5350 USHE - Technology Intensive Courses

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Committee: HED
Analyst: Spencer Pratt

Explanation

In FY 2012, the Legislature provided $2.5 million in one-time funding to develop six statewide, online concurrent enrollment gateway courses and train high school and college faculty in this form of education. These technology-intensive courses include Art 1010 - Introduction to Visual Arts, Chemistry 1110 - Elementary Chemistry, English 1010 - Introduction to Writing, Math 1010 - Intermediate Algebra, Math 1030 - Introduction to Quantitative Reasoning, and Psychology 1010 - General Psychology. Most college majors require these basic courses. This request is for another six courses which will help students meet General Education requirements at a reduced cost to both them and the State.

Implementation

This $1 million (one-time) allowed for the development of a second group of six technology-intensive concurrent enrollment courses that satisfy General Education and/or Career and Technical Education requirements.

Accuracy

With the basic framework in place for online concurrent enrollment courses, the development of the second six courses was done at a lower cost than the previous year.

Performance

Performance measures specifically tied to this appropriation were not provided. However, increasing the availability of courses should result in improvements in traditional measurements such as enrollment, retention and graduation rates.
**Explanation**

The Utah Education Network (UEN) was appropriated $250,000 during the 2012 General Session (phase I of III) for K-6 elementary school circuit connectivity. UEN connects elementary schools to the Internet and the statewide UEN backbone and files for E-rate discounts to reduce ongoing costs. School districts, charter schools, and UEN participate in funding connectivity for elementary schools. Costs for connectivity vary based on when a particular school upgraded to broadband connections. The appropriation will assist in providing equity for connectivity costs for charter and elementary schools throughout the State.

**Implementation**

Since UEN holds the contracts for these circuits, UEN discontinued billing the 18 charter schools on July 1, 2012. In addition, UEN reduced billing to districts for 273 elementary schools to school districts by one-third of the monthly costs of ongoing circuit expenses on July 1, 2012.

**Accuracy**

The $250,000 appropriation was applied to the broadband circuit costs of 291 elementary and charter schools. The 2012 General Session appropriation is phase one of the three-phase process. The $250,000 appropriation was matched with $200,000 of UEN operational efficiencies.

**Performance**

Eighteen K-9 charter schools and 273 elementary schools now have broadband circuit connectivity.
### Explanation

To respond to high demand in Career and Technical Education (CTE) programs where there are waiting lists, the Legislature appropriated $2,381,000 to the eight Utah College of Applied Technology (UCAT) campuses and $119,000 to the Salt Lake Community College (SLCC) School of Applied Technology.

### Implementation

Each UCAT campus received a portion of the $2,381,000 based on need and membership hours. To address waiting lists, campuses generally extended campus hours for key programs such as composites, nursing, CNC machining, welding, and dental assisting.

### Accuracy

Each campus utilized the full appropriation to decrease waiting lists for their respective CTE programs.

### Performance

No performance data available.
**Explanation**

Utah State University received $1 million during the 2012 General Session for enhancements to the University’s regional campuses.

**Implementation**

The main focus of this initiative is to develop a high quality statewide nursing program. In addition to a new Associate Vice Provost for Nursing, five nursing directors have been added, one in each of the following locations: Price, Blanding, Uintah Basin, Moab, and Tooele. Additional lecturers are also teaching at these campuses.

The allocation to the campuses is as follows:

- Eastern (Price) $168,300
- Blanding $102,100
- Brigham City $217,500
- Uintah Basin $216,300
- Southeastern (Moab) $78,200
- Tooele $217,600

**Accuracy**

The allocation of the $1 million was made based on USU's recommendations. Each regional campus' needs were considered in the allocation.

**Performance**

No performance data available. In the next couple of years, there should be an increase in the number of nursing graduates.
Dixie State College received a one-time appropriation of $200,000 during the 2012 General Session to provide continued support of the Southwest Regional Criminal Justice Computer Crime Institute.

The $200,000 funding was approved to replace a loss of grant funding for the Crime Lab. The FY 2013 one-time appropriation allowed the program to continue while working toward obtaining on-going funding.

The $200,000 is the amount of funding previously funded with a grant.

No performance data available.
2012 HB0514S01 Public and Higher Education Technology Amendments (Newbold, M.)

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**Explanation**

Enactment of this bill appropriates $250,000 one-time Education Fund to the State Office of Education, $25,000 one-time General Fund to Salt Lake Community College, and $25,000 one-time General Fund to the Utah College of Applied Technology for implementation of an educational program on the use of information technology.

**Implementation**

The program was first implemented during the 2012-2013 school year, covering costs associated with the Microsoft IT Academy. For the Public Education portion, the program was instituted in 131 high schools; the program also included 8 face-to-face professional development training seminars for 70 teachers and virtual training throughout the school year. The program has also been implemented by SLCC and at all 8 UCAT campuses.

**Accuracy**

USOE spent $249,989 of their $250,000 allocation on licensing and certification exams; SLCC spent all $25,000 of their allocation; and UCAT spent $21,300 of their $25,000 allocation on Microsoft Learning Academy licensing for each of the 8 campuses. UCAT plans to spend the remaining $3,700 for certification costs.

**Performance**

No performance data available.
Explanation
This bill appropriates $500,000 (one-time) from the Education Fund to the State Board of Regents to pay for a college readiness assessment tool.

Implementation
The assessment tool identifies college readiness in mathematics. It establishes standards, determines students' readiness, and provides remediation, where necessary.

Accuracy
The State Board of Regents used the University of Utah’s Request for Proposal process to select the vendor to develop the assessment tool and the remediation materials as applicable to the particular student. This took the bulk of the funding, with minor amounts for the development of standards adopted by the vendor.

Performance
No performance data available. As prospective college students utilize this assessment and remediation, they should be better able to enroll and complete a degree. In the future, participation, retention, and completion rates should all increase.
Explanation
The Department of Environmental Quality (DEQ) has contracted with three law firms to conduct adjudicative proceedings related to appeals of permits.

Implementation
DEQ worked with the Attorney General's Office to draft the contracts. As needed, cases are assigned to one of the law firms to provide any necessary services.

Accuracy
As of early July 2013, DEQ has spent approximately $4,400 on contract services. DEQ currently has four appeals pending that may require appointment of an administrative law judge in the near future. There are also at least three permits that will be issued by the Division of Air Quality and the Division of Water Quality that will likely be appealed. As the number of appeals increase and become more complex, it is anticipated that DEQ will spend the full appropriation.

Performance
No performance data available.
**2012 BB5666 Office of Energy Development New Funding, Moving Expenses**

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**Explanation**

Prior to the initial General Fund allocation provided to support the newly created Office of Energy Development (OED), the Department of Environmental Quality hosted OED in its space in the Multi-Agency State Office Building. When, in the 2012 General Session, the Legislature approved ongoing funding for OED, it approved a one-time moving allowance, to provide OED with the funds required to make a move into its new space in Suite 300 of the World Trade Center at City Creek.

**Implementation**

OED used the funds to pay for normal moving expenses – a moving company, moving supplies, furniture, and office specific needs (space required build-out). OED purchased used furniture when possible.

**Accuracy**

OED’s finances have been handled through DEQ Finance (through 7/1/2013). DEQ Finance reports that the total amount of the moving cost is $69,600.

**Performance**

No performance data available.
### Explaination

The $700,000 appropriation constituted the initial annual General Fund allocation to the Office of Energy Development (OED), a new office created by the 2011 State Legislature. As was anticipated at the time of allocation, the $700,000 base budget for OED supported standard operational expenses such as office space, office supplies, travel expenses and salaries/benefits to support the staff responsible for executing on OED’s core mission and objectives.

### Implementation

The funding was used for basic office operations. This included staff salary, office lease expenses, support of the Research Triangle, motor pool expenses, general office supplies, DTS communications charges, parking space fees, and state travel costs.

### Accuracy

Of the $700,000 appropriation, $107,500 of the building block was unspent. A small portion of the savings was associated with personnel costs. Another portion of the under spending was associated with travel. The building block anticipated $45,000 in travel costs and the office spent about $7,800. The remainder of savings was associated with current expenses.

Office expenses were buffered slightly due to the additional ARRA funds that were available. Because the ARRA grants have been expended and grant funding is significantly reduced, this will not help reduce costs for the next year. Travel costs were lower due to a reduction in both the number of trips planned and out-of-state and international travel changes. Personnel costs were lower due to position vacancies. Those positions have been filled and the personnel costs will be higher in the coming year.

### Performance

No performance data available.
### Explanation
The funding was appropriated by the Legislature to the Division of Wildlife Resources (DWR) as a pass-thru for efforts to remove the wolves from the endangered species list.

### Implementation
The Division of Wildlife Resources issued a Request for Proposal (RFP), and awarded a contract to Big Game Forever on August 2, 2012.

### Accuracy
The full amount was transferred to the contractor in August 2012.

### Performance
No specific performance measures were established by DWR.
Explanation
This funding was used to restore an ongoing General Fund reduction of $228,800 within the Department of Environmental Quality. The funding was for three FTEs (two financial analysts and one division director).

Implementation
The three positions were retained within each respective division.

Accuracy
The appropriation was equivalent to the 2011 General Session cut that the department took.

Performance
No performance data available.
**2012 Bills12280 DNR - Sov Lands Mgt Approp**

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**Explanation**

The funding was a one-time appropriation to offset the absence of funds flowing into the Constitutional Defense Restricted Account from the Land Exchange Distribution Account. The funding was used to support the operations of the office in regards to RS2477 roads, Resource Development Coordinating Committee, archaeology and other public land matters.

**Implementation**

The funds were used to pay operational costs of the office.

**Accuracy**

The amount was proportionate to the decreased amount from the Land Exchange Distribution Account.

**Performance**

The State has filed claims to rights of way to nearly 12,000 roads and is currently in litigation to quiet title to these roads in the name of the State and the respective counties. This is a long-term effort and may take 10-20 years to finally resolve.
**Explanation**

This bill appropriates $750,000 ongoing from the General Fund as follows: $500,000 to the Mule Deer Protection Restricted Account and $250,000 to the Damage Prevention Restricted Account. The bill also appropriates the $500,000 from the Mule Deer Protection Restricted Account to the Division of Wildlife Resources and the $250,000 from the Damage Prevention Restricted Account to the Predatory Animal Control line item.

**Implementation**

This bill carried its own appropriation and the funding was appropriated as directed in the bill.

**Accuracy**

This bill carried its own appropriation and the funding was appropriated as directed in the bill.

**Performance**

No performance data available.
**FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT**


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**Committee:** PED  
**Analyst:** R. Benjamin Leishman

**Explanation**

During the 2011 General Session, the Legislature transferred the Extended Year for Special Educators program from the Related to Basic School Program to Basic School Program - Special Education State Programs. The program is now funded through weighted pupil units and participates in WPU Value increases. A total of 909 WPUs were assigned to the program. The program allows licensed special education teachers and speech-language pathologists to work up to 10 days beyond the contract year and receive a stipend of $200 per day.

**Implementation**

Program funding levels did not change in the transfer from non-WPU to WPU program. Approximately 2,700 educators participate in the stipend program each year.

**Accuracy**

Initially, funding was sufficient to support 2.5 days of additional work per teacher. As the funding amount has grown with the WPU Value and program balances, funding levels allow for approximately 3.5 days of additional work per teacher in the 2012-2013 and 2013-2014 school years.

**Performance**

The Utah State Office of Education tracks the participation rate of LEAs and eligible teachers. Compliance rates for major components of the Individuals with Disabilities Education Act (IDEA) are available annually.
**Explanation**

The Legislature created the Informal Science Education Enhancement (iSEE) - Integrated Student and New Facility Learning program to provide additional opportunities for Utah students to participate in science education programs offered in new museums. A total of $50,000 ongoing from the Education Fund was appropriated to the State Board of Education to contract with current iSEE providers that recently opened new museums.

**Implementation**

The State Board of Education distributed funding to the Natural History Museum of Utah and the Leonardo. Each organization received $25,000 through reimbursement requests.

**Accuracy**

The State Board of Education was able to scale the program expenditures to the amount of funding appropriated by the Legislature.

**Performance**

Participating organizations are required to submit an annual report to the State Board of Education on the use of grant funding. These reports are due in September 2013. Performance metrics will include how funds were used to support the Utah Science Core Standards, the number of student experiences, the number of teacher experiences, impact numbers per LEA, and schedule engagement for statewide implementation in the next three years.
**Explaination**

The Legislature appropriated $800,000 one-time from the Education Fund to the State Board of Education to expand the number of schools participating in the Dual Immersion program.

**Implementation**

The program appropriation allowed for an additional 23 schools to provide dual immersion programs during the 2013-2014 school year. In total, Utah has 98 state supported dual immersion programs, including 28 Mandarin Chinese, 11 French, 5 Portuguese, and 54 Spanish. Twenty school districts and three charter schools participate in the program. The expansion programs were funded with this initial one-time appropriation. During the 2013 General Session, the Legislature provided ongoing funding to continue these programs.

**Accuracy**

The State Board of Education was able to scale the expansion of dual immersion programs to the amount of funding appropriated by the Legislature.

**Performance**

The program includes performance measures to show that students reach age-appropriate levels of proficiency in the languages they are studying and will meet all core content area standards. A final report on the implementation of this program will be completed in fall 2013.
2012HB0015Statewide Adaptive Testing (Hughes, G.)

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Explanation

Enactment of this bill appropriates $6,700,000 ongoing from the Education Fund for costs associated with computer adaptive testing. In addition, the State Office of Education has $4,700,000 in its base budget for the Criterion Reference Test.

Implementation

The procurement process was completed in January 2013, with the first year of the five year contract to be completed in August 2013.

Accuracy

Total expected cost for the five year contract is $39.3 million, with $33.5 million from the ongoing $6.7 million appropriation ($6.7*5 years = $33.5 million) and the remaining $5.8 million from existing USOE Assessment section budget. To date, $1,376,686 has been spent.

Performance

No performance data available.
FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT

2012 HB0115 Peer Assistance and Review Pilot Program (Moss, C.)

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**Explanation**

Enactment of this bill appropriates $300,000 one-time from the Education Fund to the State Office of Education for the newly created Peer Assistance and Review Pilot Program.

**Implementation**

The grant was awarded to Salt Lake City School District. Expenditures to date comprise payments to teachers for taking the time to receive training on the Peer Assistance and Review Pilot Program and payments to trainers for travel and other costs.

**Accuracy**

To date, $72,499 has been spent in Salt Lake City School District (SLCSD) on training and development. Should the pilot program continue to be funded, SLCSD may increase personnel costs to draw down the remainder of the $300,000 one-time funding. The program was allocated an additional $37,500 one-time during the 2013 General Session.

**Performance**

Adopted performance measures include the number of teachers on remediation who are successfully moved to effective status or removed from the system due to the PAR team intervention. The pilot program began last school year, so no figures are available yet.
FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT

2012 HB0149 Online Education Survey (Eliason, S.)

<table>
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<th>Cost Estimate</th>
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Explanation
Enactment of this bill appropriates $40,000 one-time Education Fund for creation of the online education system survey.

Implementation
The RFP was awarded to the Utah Education Policy Center for development of the State of Utah's Online Parent and Student Satisfaction Surveys. Results for the first year are finished and are being evaluated by the Utah Education Policy Center right now for presentation to USOE in September 2013.

Accuracy
Contract value was approximated by appropriated funding at $40,000.

Performance
HB 149 details reporting of survey results once the program is up-and-running. The reporting requirements include how students evaluate their teachers and school administrators, how parents evaluate their children's teachers, children's schools, and themselves, and how teachers evaluate their schools and school administrators. Results will be available in September 2013.
Explaination
Enactment of this bill appropriates $500,000 to the State Office of Education for teacher math training.

Implementation
UOSE has a contract with the University of Utah for the full $500,000 annually.

Accuracy
The entire amount of $500,000 is contracted with University of Utah. The costs represent reimbursement for tuition and stipend costs.

Performance
Performance measures include: (1) recruitment of potential math teachers; (2) the percentage and number of individuals that actually finish the math training program; and (3) teacher effectiveness.
## 2012 HB0397 Charter School Start-up Amendments (Dee, B.)

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### Explanation
Enactment of this bill appropriates $2,500,000 ongoing from the Education Fund to cover charter school startup ($2,300,000) and administration ($200,000) costs.

### Implementation
Start-up and implementation grants (salaries, purchased technical services, property, travel, supplies and materials) of $2,221,024 have been distributed to 19 eligible schools. An additional $47,538 in mentoring program reimbursements has been disbursed and $15,908 in administrative monitoring costs (Utah Charter School Board personnel costs) have been incurred since April 2013.

### Accuracy
In addition to the $2,221,024 start-up costs and the $47,538 mentoring program reimbursements, $15,908 has been spent on administrative monitoring.

### Performance
No performance measures have been created to date.
**FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT**

**2012 HB0513 Early Intervention Program (Newbold, M.)**

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**Committee:** PED  
**Analyst:** Thomas E. Young

**Explanation**

Enactment of this bill appropriates $7,500,000 Education Fund one-time for schools districts’ and charter schools’ kindergarten programs and appropriates $2,500,000 Education Fund one-time for early education adaptive learning technology and assessments.

**Implementation**

Beginning on July 1, 2012 the additional spending ($7.5 million) was allocated to local education agencies based upon a board rule allocation formula. The second portion of the $10 million, the $2.5 million for software for students in grades K to 1, began to be expended in the fall and winter months of the 2012 - 2013 school year. Total participating schools amounted to 257 in 22 school districts and 22 charter schools.

**Accuracy**

Total obligated expenditures amount to $9,998,367.

**Performance**

There are no required kindergarten assessments, and therefore no verifiable evidence of performance ($7.5 million portion). On the $2.5 million software portion, an external evaluation of the effectiveness of the program will be reported in November 2013.
### Explanation

Enactment of this bill appropriates $300,000 from the Education Fund to the Related to Basic School Program in the Minimum School Program to support the Title 1 Schools in Improvement Paraeducators Program.

### Implementation

The Utah State Board of Education implemented Board Rule R277-527 in May 2012. Also in May 2012, the board calculated school-level grant amounts and notified all Local Education Agencies (LEAs) of funding amounts. LEAs submitted a letter of agreement to use the funds as described in statute and Board rule. The State Board of Education began distributing funding to LEAs in July 2012 and participating schools hired paraeducators for the 2012-2013 school year.

### Accuracy

The funding amount allocated to each LEA is dependent on the number of participating schools and the amount of funding appropriated for the program. In the first year, the State Board of Education made grants to 17 Title I schools in the amount of $17,647 per school. In the second year, 15 schools will participate and will receive approximately $20,000 each. The number of paraeducators hired by each school depends on the salary/benefits costs and the number of hours worked. Available funding to each school may provide one or two additional paraeducators. Participating schools that have not used all of their funding allocation during the school year will use the remaining funding for summer school services.

### Performance

Participating schools must provide an annual report to the Utah State Office of Education that includes the following: (1) the number of paraeducators hired with program money; (2) school funding, in addition to funds provided under this rule, the school used to supplement program money to hire paraeducators; and (3) accountability measures, including student test scores and other student assessment elements for students served by the program. The first year of the program just concluded, participating schools are expected to report program performance information later this fall.
**2012 SB0097 Grants for Online Testing (Osmond, A.)**

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**Explanation**

Enactment of this bill appropriates $7,600,000 one-time from the Education Fund to the State Board of Education to develop a matching fund for local education agencies to implement online testing systems.

**Implementation**

Local Education Agencies (LEAs) completed funding applications in June 2012. The Utah State Office of Education processed reimbursements as LEAs submitted requests on completion of approved expenditures. LEAs were required to provide matching funds for qualifying online adaptive assessment infrastructure purchases.

**Accuracy**

Program provisions allowed the Utah State Office of Education to scale funding to LEAs based on the number of participants opting into the program and the amount appropriated. Approximately $5,200 remains unallocated as of June 2013 and all reimbursement requests have been processed.

**Performance**

No performance data available.
FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT

2012 SB0196 Software for Special Needs Children (Niederhauser, W.) Committee: PED

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Explanation
Enactment of this bill appropriates $300,000 one-time from the Education Fund to the State Board of Education to contract with a technology provider as outlined in the bill.

Implementation
The private technology provider TeachTown was selected by the State Board of Education through a request for proposal (RFP) process. The contract was effective for the 2012-2013 school year in the amount of $225,000. The software is available in 89 selected schools within 15 local education agencies (LEAs). Approximately 231 students used the full program. Additional students within the 89 participating schools accessed the social skills component of the software only.

Accuracy
The full appropriation was not used in the first year of the program and $75,000 remains. The State Board of Education will use the remaining funding, and contribute an additional $28,500 from other sources, to extend the contract into the 2013-2014 schoolyear.

Performance
The Utah State Office of Education receives monthly reports on LEA use of the software and student progress. Performance reports include quantitative evaluation data showing the amount of use, fidelity of use, and impact on student outcomes on student social skills and academic achievement. The Utah State Office of Education is compiling a year-end performance report of the software implementation and student achievement. This report will be available later this fall.
### Explanation
This bill amended the existing gambling statute with the possibility that it may impact the courts in the form of additional cases to process. The fiscal note reads "Enactment of this bill may impact the Courts, however it is unquantifiable at this time."

### Implementation
This legislation took effect on April 1, 2010 as defined in the bill.

### Accuracy
The Courts report that while this bill added misconduct to the statute dealing with gambling, it is not a separate section that is trackable. While filings for gambling have generally increased over this time frame, it is inconclusive as to whether it was as a direct result of this legislation.

### Performance
Overall filings related to the gambling statute have increased from 43 - 68 in district court and 7 to 12 in local justice courts of which this legislation may have contributed to, however it is inconclusive at this time.
**FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT**

**2010 HB0250x Criminal Penalties Amendments - Leaving the Scene of an Accident (Herrod, C.)**

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</table>

**Explanation**

This bill increased the penalties for under certain circumstances for offenders who leave the scene of an accident. The fiscal note reads, "The Department of Corrections will require one-time General Funds of $30,600 in FY 2011 and ongoing General Funds of $61,200 in FY 2012 and each year thereafter. The Courts will also require ongoing General Fund appropriations of $1,000 beginning in FY 2011. The Board of Pardons will require one-time General Funds of $500 in FY 2011 and ongoing funds of $1,000 beginning in FY 2012."

**Implementation**

Provisions of this bill were implemented beginning May 11th, 2010.

**Accuracy**

The Department of Corrections (UDC) originally estimated that there would be on average two admissions per year due to the provisions of this bill (except in the first full year of implementation there would only be one admission). Since implementation, there have been five total admissions which corresponds with the estimated 5 admissions in the fiscal note by the end of FY 2013. (Assuming the 2010 cost used at the time of $30,600 per admission, this would equate to approximately $61,200 per year estimated in the fiscal note). Since the $500 cost per hearing in the fiscal note for the Board of Pardons and Parole is linked to the amount of admissions to the Department of Corrections, their costs also parallel the original estimate. The fiscal note estimated costs of about $1,000 per year for the Courts for processing offenders, however the Courts report about $2,800 in average costs per year.

**Performance**

The Department of Corrections reports about 2 admissions per year with the Board of Pardons and Parole performing corresponding hearings for these offenders. The Courts estimate that total filings for provisions of this bill increased on average by more than 35 per year.
FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT

2010 SB0091x Prosecutor Appeals (Liljenquist, D.)  

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Explanation

This bill changes standards for de novo review for certain orders in specified criminal prosecutions. The fiscal note reads "Enactment of this bill will require $9,200 for increased workload costs for the Courts."

Implementation

Provisions of this bill were implemented on May 11th, 2010.

Accuracy

The original fiscal note had a cost of $9,200 for the Courts to process new de novo hearings. The Courts experienced costs of approximately $18,200 on average per year - more than originally projected.

Performance

The Courts originally estimated about 25 new de novo hearings appeals. They experienced about 45 on average per year.
**FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT**

**2011  BB9013x  GAL - Case Mgt. System**

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**Committee:** EOCI  
**Analyst:** Gary Syphus

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**Explanation**

The Guardian ad Litem reports that "In response to a Legislative Audit, the Office of Guardian ad Litem developed a comprehensive case management system called "VOICE" to track both district and juvenile court cases. In FY 2011, the Office of Guardian ad Litem requested a building block in the amount of $150,000 to pay for a portion of the programming costs associated with VOICE and the Legislature appropriated that amount in one-time funding." This item was funded at $150,000.

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**Implementation**

Production of the case management system began in FY 2011 and has been in full use since March of 2012.

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**Accuracy**

The FY 2011 the total costs of the program totalled $167,885.34, of which $150,000 of requested requested to use toward building the program. Carry-over funds financed the remaining $17,885.34.

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**Performance**

The Office of the Guardian ad Litem reports that, "Administration is able to identify global issues throughout the state while attorneys are able to monitor their activities on individual cases."
## Explanation

The Department of Corrections explained their need for additional access to contracted beds with county jail in FY 2011. "In order to address inmate growth, the department will need to increase its jail contract capacity by ten (10) beds per month for male inmates and three (3) beds per month for female inmates (beginning December 2011). Given the cost for accessing the jail contract beds demanded by growth, the department also needs $1,182,300. With the combined cost of the full year funding for the 230 jail contract beds, as well as funding for inmate growth, the total building block request for FY 2012 is $4,970,400." The Legislature funded this request at $4,970,000 ongoing General Fund. This funding level would fund approximately 300 beds.

### Implementation

With the increased funding, the Department of Corrections (UDC) beginning in July 2012, accessed additional county jail beds.

### Accuracy

The original estimated number of additional county jail beds needed for FY 2012 was 300. In FY 2012 The Department of Corrections accessed approximately 242 beds which equates to a funding level for $3,977,500 and have yet to determine expended amounts for FY 2013 which are expected to rise assuming historical trends of consistent increased prison populations.

### Performance

The Department of Corrections originally projected needing 300 beds in county jails and used about 242 for FY 2012. Data for FY 2013 is unavailable.
### 2012 BB9011x DPS - UHP Overtime

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### Explanation

$1,000,000 was estimated to provide approximately 30,000 additional man hours on the roads by troopers for activities such as vehicle stops, DUI arrests, and incident response.

### Implementation

Beginning July 1, 2012, the Department of Public Safety applied funding toward trooper overtime.

### Accuracy

For FY 2012, the Department of Public Safety experienced expenditures of approximately $903,900 toward trooper overtime.

### Performance

One million dollars in funding provides about 30,000 of additional trooper time. The department experienced an estimated 27,117 hours of trooper overtime associated with this funding.
FISCAL NOTE AND BUDGET ITEM FOLLOW-UP REPORT

2012 Bills12051 GOV - Joint Resolution on Severance Tax

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Explanation

This joint resolution of the Legislature proposes to amend the Utah Constitution to require specified percentages of annual severance tax revenue, except revenue that by statute is used for purposes related to federally recognized Indian tribes, to be deposited into the permanent state trust fund.

Implementation

The Severance Tax amendment was included on the 2012 ballot. The amendment was also published in the newspaper and the voter information pamphlet according to statute.

Accuracy

The Lt. Governor’s Office spent $22,437 ($15,252 + $7,185) to fulfill statutory requirements for publishing the amendment. The Lt. Governor’s Office spent $30,505 in printing TWO constitutional amendments in newspaper in every county. Dividing this in half would make the cost $15,252.5 for one amendment. This amendment also took up five pages in the voter information pamphlet. The estimated cost to print and distribute the voter pamphlet statewide was $7,185 ($1,437 per page X 5).

The total amount spent is within $10,000 of the appropriated amount.

Performance

The Severance Tax amendment was included on the 2012 ballot. The amendment was also published in the newspaper and the voter information pamphlet according to statute.
2012  Bills12069  GOV - Joint Resolution - Tax Opinion Question

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**Explanation**
This joint resolution authorizes the Legislature to present an opinion question to the registered voters of the state to impose a state sales and use tax to support and enhance heritage, arts, culture, and museums throughout the state.

**Implementation**
This ballot question was removed from the ballot by SJR401 in the 2012 Fourth Special Session. The funding was also repealed in this bill.

**Accuracy**
This ballot question was removed from the ballot by SJR401 in the 2012 Fourth Special Session. The funding was also repealed in this bill.

**Performance**
No performance data available
### Explanation


### Implementation

Only a minimal amount of the appropriated funds have been spent to-date, but it is anticipated that all of the funds will be used by the end of 2014. Currently, many jurisdictions are conducting their elections by-mail which is allowing the Lt. Governor's office time to collect data for this study. Much of the data will be collected by August 2013, allowing an aggressive study and drafting a major report by September of 2014.

### Accuracy

Insufficient data at this time.

### Performance

No performance data available.
### 2011 HB0110S01 Teacher Salary Supplement Program Amendments

(Poulson, M.)

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#### Explanation

Enactment of this bill was estimated to cost about $27,400 in ongoing General Fund to the Department of Human Resource Management. It was thought that a part time employee would need to be hired to administer the appeals process outlined in the bill.

#### Implementation

Teacher appeals under this program typically fall in a narrow season from June to July. Development of this process was finalized and the program was implemented in July 2012.

#### Accuracy

The department was able to avoid hiring additional staff to administer the appeals process by reclassifying the current staff to reflect the additional responsibilities. The department was able to complete this reclassification and reorganization with the funds appropriated for this bill.

#### Performance

No performance data available.
Beginning in FY 2013, enactment of this bill deposits 10% of the growth in sales tax revenue between fiscal year 2011 and the current fiscal year into a new Federal Fund Replacement Budget Reserve Account. The expected shift from the General Fund to the restricted account is $20 million ongoing beginning in FY 2013. Additional amounts of forgone General Fund revenue will accrue to the restricted account depending upon growth in subsequent fiscal years. The forgone amount estimated for FY 2014 is approximately $9 million.

The bill requires that a portion of year-end General Fund surpluses be deposited into the Federal Fund Replacement Budget Reserve Account and sets priorities relative to other year-end deposits. Deposit amounts will depend upon surplus amounts.

Implementation
Implementation is not applicable. This bill did not pass. The analyst followed-up on this fiscal note in order to gauge its accuracy.

Accuracy
The most recent sales and use tax revenue estimates for FY 2013 are $77 million (3.8%) higher than estimated in the fiscal note on this bill in the 2012 G.S. Taking 10% of this additional sales tax growth would have shifted another $7.7 million to the restricted account, increasing the shift from $20 million to $27.7 million (+39%). Small percentage changes in total revenues lead to larger percentage changes when taking the difference. Based on current estimates the foregone revenue in FY 2014 would have remained at approximately $9 million.

Performance
Performance is not applicable. This bill did not pass.
## 2012 SB0137  Financial Transparency Website (Niederhauser, W.)

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### Explanation
This bill requires that an interlocal entity provide public financial information through the Utah Public Finance Website.

### Implementation
Implementation is nearly complete, as of June 14, 2013, 74 percent of participating interlocal entities have posted the required data to the website.

### Accuracy
The agency has spent the $35,000 one-time appropriated for FY 2013; it has not spent the $11,000 ongoing yet.

### Performance
Administrative Services is tracking the participation of the interlocal entities as required; as of June 14, 2013, 74 percent of participating interlocal entities have posted their data on the website.
**2012  SB0177S01  Government Records Access and Management Act Amendments (Bramble, C.)**

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**Committee:** IGG  
**Analyst:** Gary Ricks

### Explanation

This bill amends provisions of the Public Records Management Act and the Government Records Access and Management Act by providing for the training of records officers, creating the position of a government records ombudsman, and amending provisions relating to the disclosure or protection of records.

### Implementation

The Archives division provides the training and software also enables the ability to train, test, and certify all governmental entities’ records officers annually with appropriate security measures. Connectivity is also provided to post records officers’ contact data and certifications online.

### Accuracy

Cost of implementation is $5,000 more than anticipated.

### Performance

As of June 1, 2013 there have been 459 Records Officers certified. State Archives has identified and verified through Chief Administrative Officers a current pool of 926 records officers with contact information online. Some government entities have more than one records officer and some records officers serve more than one agency.
2012 SB0225 Transportation Revisions (Adams, J. S.)

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**Explanation**
Enactment of this bill will combine all current highway capacity program revenues and expenditures flowing through the Centennial Highway Fund Restricted Account, the Critical Highway Needs Fund, and the Transportation Investment Fund of 2005 into the Transportation Investment Fund of 2005. Enactment of this bill likely will not materially impact the state budget.

**Implementation**
Provisions of this bill were enacted at the beginning of the new fiscal year.

**Accuracy**
The revenue amounts transferred from the Centennial Highway Fund and Critical Highway Needs Fund were within the estimated margin of error for those items.

**Performance**
The accounting required for the Centennial Highway Restricted Account, the Critical Highway Needs Fund, and Transportation Investment Fund of 2005 has been streamlined with enactment of this bill. The Transportation Construction Capacity Program maintains proper oversight yet decreases the number of accounting transactions required to balance the program.
Appendix A - Guidelines for Scoring Follow-ups

**Fiscal Note Building Block Follow-Up Report**
The Analyst follows up on bills and building blocks from two sessions ago.

- **Item Explanation**
  What the appropriation is supposed to do. For bills the explanation is the fiscal note

- **Implementation**
  Is the item being implemented in a timely manner?

- **Accuracy**
  Was the fiscal note 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.

**$10,000 Rule**
The temptation to manage a fiscal note is so great that we give an automatic Yellow to any bill with a fiscal note near $10,000.

**The Director’s Exception**
The Director may draw your attention to any bill or building block with a yellow if the item needs your attention.

**Current Rules**

**Accuracy of Familiar Programs / Processes**
- 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.

**Accuracy of Unfamiliar Programs / Processes**
- Green - Within 10% of estimate or variances 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.

**Accuracy of Revenue Bills**
- Green - Within the estimates 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.

**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.

**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.