

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
APPROPRIATIONS SUBCOMMITTEE**

Room 25 House Building
January 28, 2014

Members Present: Sen. Daniel Thatcher, Co-Chair
Rep. Eric K. Hutchings, Co-Chair
Rep. Keven J. Stratton, House Vice Chair
Sen. Curtis S. Bramble
Sen. Jim Dabakis
Sen. Mark B. Madsen
Sen. Ralph Okerlund
Sen. Stuart C. Reid
Rep. Rich Cunningham
Rep. Richard Greenwood
Rep. Craig Hall
Rep. Gregory H. Hughes
Rep. Brian S. King
Rep. Merrill F. Nelson
Rep. Curtis Oda
Rep. Jennifer M. Seelig

Staff Present: Mr. Gary Syphus, Fiscal Analyst
Mr. Zackery King, Fiscal Analyst
Ms. Jennifer Eyring, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Co-Chair Hutchings called the meeting to order at 2:03 p.m.

1. Approval of Minutes

No minutes were approved.

2. Subcommittee Overview

Mr. Gary Syphus, Fiscal Analyst, reviewed materials available online that pertain to the committee and respective agencies. Information can be accessed at www.le.utah.gov, then selecting the Executive Offices and Criminal Justice Appropriations Subcommittee, and clicking on Meeting Materials. Additional information is found by clicking on Related Links. Meeting materials include S.B. 5 Executive Offices and Criminal Justice Base Budget, Committee overview reports, Appropriations reports, budget reviews, trend analysis, and vacancy measures. The link to S.B. 5 Executive Offices and Criminal Justice Base Budget bill provides links to additional information on budget items, agencies, and programs associated with the budget bill. Related Links also provides links to the Compendium of Budget Information (COBI).

3. Board of Pardons

Mr. Syphus reviewed COBI information concerning the Board of Pardons, noting a new section, Issues/Analysis. He recommended the committee consider reallocating \$90,000 from the closing nonlapsing balance and all or part of unused funds allocated for capital equipment or improvements. The use of those funds has been delayed until decisions are made concerning the relocation of the prison.

Mr. Clark Harms, Chair, and Ms. Angela Micklos, Vice Chair, Board of Pardons and Parole, discussed the challenges encountered with budgeting for employee pay and benefits. Mr. Harms explained that the staff has consisted of many retired people who are not receiving additional retirement benefits. As those staff members leave, they are replaced by employees who qualify for retirement benefits, which raises costs. He requested the committee continue the level of ongoing funding, then reallocating unused nonlapsing balances as needed. Mr. Harms discussed the planned hearing room remodel at the Draper prison. The remodel has been put on hold, pending a decision on relocating the prison.

4. State Treasurer

Mr. Zackery King, Fiscal Analyst, provided an overview of budget, performance, and trend analysis. He noted the nonlapsing fund balance, the Unclaimed Property Expendable Trust Fund, and the Personnel and Vacancies Analysis.

Mr. David Damschen, Chief Deputy, gave a slide presentation that covered Public Treasurer's Investment Fund, Money Management Council, State School and other long term investments, and 2009 SCR 3: Utah Council on Financial and Economic Education, which was set up to encourage financial literacy in the state.

Mr. Dennis Johnston, Deputy, and Administrator of Unclaimed Property, answered questions about the Unclaimed Property program. The claims payout ratio is less than in other states and a building block request will be presented to expand outreach and education.

5. Governor's Office

Mr. King reviewed items under the Governor's Office budget and discussed analyst recommendations. The analyst recommended a \$12,600 reduction to the Public Lands Litigation base budget line item from the Constitutional Defense Restricted Account, with the following intent language:

It is the intent of the Legislature that the Office of Legislative Fiscal Analyst, the Governor's Office of Management and Budget, and the Public Lands Policy Coordination Office meet during the FY 2014 interim to discuss the treatment of the Public Lands Litigation line item and the Constitutional Defense Council line item for budgeting purposes, and make a recommendation for treatment of these line items in the budgeting process to the Executive Offices and Criminal Justice Appropriations Subcommittee, no later than November 1, 2014.

MOTION: Sen. Okerlund moved to approve the intent language as recommended by the analyst. The motion passed unanimously with Sen. Bramble absent for the vote.

Mr. King recommended a one time reduction of \$200,700 to the Character Education line item.

Ms. Tenielle Young, Financial Manager, Governor's Office of Management and Budget (GOMB), stated that some of the funds under Character Education have already been committed.

Mr. King continued the overview of trend analysis and explained the Commission on Federalism line item. He recommended the committee look at nonlapsing balances.

Mr. Jeff Mulitalo, Operational Excellence Consultant, explained the SUCCESS Initiative that helps state agencies increase value and efficiency. Agencies are at varying levels of implementation.

6. Commission on Criminal and Juvenile Justice (CCJJ)

Mr. King provided an overview of budget items, funding and trend analysis.

Mr. Ron Gordon, Executive Director, discussed the use of funds from the State Asset Forfeiture Grant Program, Judicial Performance Evaluation Commission, and the Sexual Exploitation of Children program.

Mr. Dave Walsh, Deputy Director, discussed the Gang Reduction Grant Program funding. He stated they would like to take any unused funding from this program to address the shortfall in the Crime Victim Reparation Fund.

The committee discussed the loss of surcharge funds and the need to address funding shortfalls for Crime Victim Reparation.

Mr. Dan Becker, Court Administrator, commented that the reduction of surcharge revenue is due in large part from a decrease in traffic citations.

Mr. Gordon addressed questions concerning the crime lab and stated that nonlapsing balances are money that is committed but not yet spent.

Mr. Walsh spoke about Federal and State grant programs and where the money is allocated.

Mr. Gordon addressed questions about the use of diversity wording in the Judicial nominating process.

7. Adjourn

MOTION: Rep. Greenwood moved to adjourn. The motion passed unanimously with Sen. Bramble, Sen. Dabakis, Sen. Okerlund, Sen. Reid, Sen. Thatcher, and Rep. Hughes absent for the vote.

Co-Chair Hutchings adjourned the meeting at 5:04 p.m.

Sen. Daniel W. Thatcher, Co-Chair

Rep. Eric K. Hutchings, Co-Chair