

**MINUTES OF THE  
INFRASTRUCTURE AND GENERAL GOVERNMENT APPROPRIATIONS  
SUBCOMMITTEE**

Room 445 State Capitol Building  
February 13, 2014

**Members Present:** Sen. Wayne A. Harper, Co-Chair  
Rep. Gage Froerer, Co-Chair  
Rep. Jacob L. Anderegg, House Vice Chair  
Sen. Lyle W. Hillyard  
Sen. David P. Hinkins  
Sen. Scott K. Jenkins  
Sen. Peter C. Knudson  
Sen. Karen Mayne  
Sen. Kevin T. Van Tassell  
Sen. Evan J. Vickers  
Rep. Johnny Anderson  
Rep. Kay J. Christofferson  
Rep. Janice M. Fisher  
Rep. Lynn N. Hemingway  
Rep. John Knotwell  
Rep. R. Curt Webb  
Rep. John R. Westwood

**Members Absent:** Rep. Douglas V. Sagers

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

**Note:** A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Call to Order**

Co-Chair Harper called the meeting to order at 2:16 p.m.

**2. Unfinished Items from Previous Meetings**

**3. Final Actions on DAS Budgets**

Details for the following motions can be found at:  
<http://le.utah.gov/interim/2014/pdf/00002430.pdf>.

**MOTION:** Co-chair Froerer moved to adopt the following dedicated credits increases for DAS Financial Information Systems Program, FY 2014, \$500,000 and FY 2015, \$500,000; Archives Preservation Services Program, FY 2014, \$126,000; Parental Defense Program, FY 2015, \$20,000.

The motion passed unanimously with Sens. Jenkins and Knudson, Reps. Anderson and Sagers absent for the vote.

**MOTION:** Co-chair Froerer moved to adopt the listed budget correction for DAS DFCM

Administration Program, FY 2014, Transfers (\$28,600), Pass-through (\$3,500), Capital Projects Fund \$32,100.

The motion passed unanimously with Sens. Jenkins and Knudson, and Reps. Anderson and Sagers absent for the vote.

**MOTION:** Co-chair Froerer moved to adopt the Federal Funds to be adjusted to the following amounts for the following programs, DAS Archive Patron Services Program, FY 2015, \$38,900; DTS AGRC Program, FY 2014, \$314,600, FY 2015, \$500,000 (no change, see SB 6, Item 25); DTS CIO Program, FY 2014, \$566,700, FY 2015, \$566,700.

The motion passed unanimously with Sens. Jenkins and Knudson, and Reps. Anderson and Sagers absent for the vote.

**MOTION:** Co-chair Froerer moved to adopt the creation of the DAS Building Board Program Line Item and attendant Funding Transfer from DFCM Administration, Capital Projects Fund, FY 2015, (\$248,000) to the newly created DAS Building Board Program Line Item, Capital Projects Fund, FY 2015, \$248,000.

The motion passed unanimously with Sens. Jenkins and Knudson, and Reps. Anderson and Sagers absent for the vote.

**MOTION:** Co-chair Froerer moved to include the listed DAS Building Board Program Line Item additions: Facilities Conditions Assessments, Capital Projects Fund, FY 2015, \$900,000; Maintenance Auditor, Capital Projects Fund, FY 2015, \$85,000; Vehicle for Maintenance Auditor, One-time funding, Capital Projects Fund, FY 2015, \$20,000.

The motion passed unanimously with Sens. Jenkins and Knudson, and Reps. Anderson and Sagers absent for the vote.

**MOTION:** Co-chair Froerer moved to adopt the listed Internal Service Funds Actions to be adjusted to the following amounts for the following program: DAS Fleet Motor Pool, Capital Outlay, FY 2014 to be adjusted to \$24,054,400 and FY 2015 to be adjusted to \$21,975,000; and increase by one FTE Risk Management Administration in FY 2015.

The motion passed unanimously with Sens. Jenkins and Knudson, and Reps. Anderson and Sagers absent for the vote.

Gary Ricks, Analyst, Office of the Legislative Fiscal Analysts, explained the Risk Management Administration motion to bring greater transparency to the ISF.

**MOTION:** Co-chair Froerer moved to pass the Risk Management Administration – Transparency improvement/Greater Detail FY 2016.

The motion passed unanimously with Sens. Jenkins and Knudson, and Reps. Anderson and Sagers absent for the vote.

**MOTION:** Rep. Anderegg moved to reallocate funds from the General Fund and General Fund, One-Time as listed on the first and second page of the following document:  
<http://le.utah.gov/interim/2014/pdf/00002433.pdf>.

Sen. Van Tassell asked if the Utah Department of Transportation (UDOT) Construction Management Fund was used to fix choke points. Co-chair Harper stated it was. Sen. Van Tassell asked about the Debt Service budget. Mark Bleazard, Analyst, Office of the Legislative Fiscal Analysts, stated \$1.47 million from the construction budget is the only remaining General Fund Appropriation to UDOT. Debt Service requires less General Fund for this fiscal year, which the committee decided to reallocate instead of sending back to Executive Appropriations Committee. Sen. Van Tassell asked if the General Purchasing Fund included airport money. Co-chair Harper stated it was not airport money.

Sen. Van Tassell spoke against the motion, UDOT should have the flexibility to fix choke points as the need arises.

**SUBSTITUTE MOTION:** Sen. Van Tassell moved to remove the Construction Management ongoing funds from the original motion.

Rep. Anderegg stated UDOT approves of the reallocation.

Carlos Braceras, Executive Director, UDOT, presented the history of the Choke Point Program and stated UDOT would manage within their budget to keep projects going.

Co-chair Harper stated the importance of deciding if the available funds would be better utilized for choke points or capital improvements.

Sen. Hillyard stated that it was possible the funds being reallocated were originally education, transportation, or General Fund money. Education money should not be reallocated to fund a public safety building. Mr. Bleazard stated the original money was from the General Fund.

Sen. Van Tassell withdrew the substitute motion.

The original motion passed unanimously with Sen. Knudson and Rep. Sagers absent for the vote.

Co-chair Harper explained the DAS intent language motion.

Sen. Jenkins asked if changes or additions in the intent language motion could be highlighted.

Mr. Ricks highlighted the OIG – DOH Attorney Cost intent language.

**MOTION:** Co-chair Froerer moved to approve intent language as provided in:  
<http://le.utah.gov/interim/2014/pdf/00002439.pdf>.

The motion passed unanimously with Sen. Knudson and Rep. Sagers absent for the vote.

**MOTION:** Rep. Anderegg moved to recommend the transfer of any unencumbered funds in

Fund 8020, Finance Suspense Fund to the Capital Projects Fund for capital improvement projects in Fiscal Year 2015.

Sen. Jenkins asked for the amount of the funds. Co-chair Harper stated about \$122,000.

The motion passed unanimously with Sen. Knudson and Rep. Sagers absent for the vote.

**MOTION:** Rep. Anderegg moved to recommend for inclusion in the appropriations process funds (a.) through (g.), as listed under number (2.), page 1 of the “Off Budget Funds” Issue Brief dated February 1, 2014. These funds will be included as information items only.

<http://le.utah.gov/interim/2014/pdf/00002445.pdf>.

The motion passed unanimously with Sen. Knudson and Rep. Sagers absent for the vote.

Mr. Ricks reviewed changes to the rates and fees schedule. Rep. Anderegg stated that, in statute, rates are to be actual costs for services provided, increases should not be used to cover employee raises and salaries.

**MOTION:** Co-chair Froerer moved to adopt the rates and fees as provided in:

<http://le.utah.gov/interim/2014/pdf/00002451.pdf>.

The motion passed unanimously with Rep. Sagers absent for the vote.

#### **4. Final Actions on DTS Budgets**

**MOTION:** Rep. Anderegg moved to improve accountability in the Department of Technology Services (DTS) Internal Service Fund as written on the attached motion sheet and as listed on the third page of the following document: <http://le.utah.gov/interim/2014/pdf/00002433.pdf>.

Reps. Anderegg and Knotwell clarified details of the motion. The motion included reducing the Enterprise Technology FY 2015 FTE from 800 to 733, reducing the Capital Outlay FY 2015 from \$9,102,800 to \$6,000,000, and reducing the Dedicated Credits FY 2015 by \$8,621,200. The motion also included bringing the Agency Services Division ISF on budget with FY 2014 and FY 2015 Dedicated Credits of \$41,450,100 for each fiscal year, and provided for two new rates, Contract Labor – Actual Cost and Software and Equipment – Actual Cost.

Sen. Mayne asked if the motion would bring transparency, not micromanage DTS.

The motion passed unanimously with Sen. Knudson and Rep. Sagers absent for the vote.

#### **5. Final Actions on DOT Budgets**

Details on DOT motions can be found at: <http://le.utah.gov/interim/2014/pdf/00002411.pdf>.

**MOTION:** Rep. Webb moved to approve \$4,000,000 from the Transportation Fund of 2005 to Maintenance Administration in the Operations and Maintenance line item.

The motion passed unanimously with Sens. Knudson and Van Tassell, and Rep. Sagers absent for the vote.

**MOTION:** Rep. Webb moved to approve \$1,900,000 from the Transportation Fund to the Support Services Data Processing Program.

The motion passed unanimously with Sens. Knudson and Van Tassell, and Rep. Sagers absent for the vote.

**MOTION:** Rep. Webb moved to approve \$5,000,000 from the Aeronautics Fund to increase the Airport Construction Program in the Aeronautics Budget.

The motion passed unanimously with Sens. Knudson and Van Tassell, and Rep. Sagers absent for the vote.

**MOTION:** Rep. Knotwell moved to approve an intent statement to be included with the Aeronautics Budget: “The Legislature intends that the Division of Aeronautics consider using \$300,000 of the one-time airport construction appropriation for a feasibility study at the Ogden Airport. The Legislature also intends that the one-time appropriation of \$5,000,000 to Airport Construction is non-lapsing.”

The motion passed unanimously with Sens. Knudson and Van Tassell, and Rep. Sagers absent for the vote.

**MOTION:** Rep. Knotwell moved to approve intent language for the Department of Transportation as shown on attachment page 4 through page 7.

Mr. Bleazard highlighted an energy corridor study and environmental review for improvements in the Uintah Basin intent statement, all other intent language remains the same as the previous years.

The motion passed unanimously with Sens. Knudson and Van Tassell, and Rep. Sagers absent for the vote.

**MOTION:** Rep. Knotwell moved to approve the FY 2014 and 2015 FTE transfers at the Department of Transportation on attachment page 8 & 9.

The motion passed unanimously with Sens. Knudson and Van Tassell, and Rep. Sagers absent for the vote.

**MOTION:** Sen. Mayne moved to approve the changes to Debt Service as shown of attachment page 10.

The motion passed unanimously with Sens. Knudson and Van Tassell, and Rep. Sagers absent for the vote.

**MOTION:** Sen. Mayne moved to approve an intent statement to be included with the Debt

Service line item.

The motion passed unanimously with Sens. Knudson and Van Tassell, and Rep. Sagers absent for the vote.

## **6. Final Actions on Capital Budgets**

Mr. Bleazard highlighted the Capital Development Projects Priority Committee Poll, Non-State Funded Buildings Recommendation list, State Funded Land Banking Requests, and Requests for Appropriation Priority Poll.

Rep. Anderegg asked for clarification on how the lists would change when duplicates and projects that would be funded through Capital Improvements were removed from the priority list.

Sen. Hillyard asked the committee to realistically look at the State budget, including General Fund, Education Fund, O&M, deficits and ongoing funds, and programmatic costs. It is important to realize there is not enough money to fund every project. Capital improvement should be more important than capital development.

Details on the Capital Budget motions can be found at:  
<http://le.utah.gov/interim/2014/pdf/00002411.pdf>.

**MOTION:** Sen. Mayne move to approve \$57,033,900 of ongoing increases to the Capital Improvements Budget with \$27,033,900 from the General Fund and \$30,000,000 from the Education Fund.

Co-chair Froerer indicated the committee's support for funding capital improvements.

The motion passed unanimously with Sens. Knudson and Van Tassell, and Reps. Sagers, Anderson, and Anderegg absent for the vote.

**MOTION:** Sen. Vickers moved to approve the IGG Rankings for State Funded Capital Development, Land Banking Requests, and Requests for Appropriation on pages 11, 12, & 13.

The motion passed unanimously with Sens. Knudson and Van Tassell, and Reps. Sagers and Anderson absent for the vote.

**MOTION:** Sen. Vickers moved to approve an additional appropriation of \$31,999,700 from the General Fund to be added to the IGG Subcommittee internally funded \$7,800,300, to complete funding of \$39,800,000 for the Unified State Laboratories Module 2.

The motion passed with Sens. Knudson and Van Tassell, and Reps. Sagers and Anderson absent for the vote.

**MOTION:** Sen. Vickers moved to approve item 5 on the State Funded Capital Development list on page 8 National Guard – Camp Williams South Infrastructure Improvements \$3,900,000 from

the General Fund.

The motion passed unanimously with Sens. Knudson and Van Tassell, and Reps. Sagers and Anderson absent for the vote.

**MOTION:** Rep. Hemmingway moved to approve items 1, 2, 4, and 6 on the State Funded Capital Development list on page 11 to be funded from the Education Fund.

The motion passed unanimously with Sens. Knudson and Van Tassell, and Reps. Sagers and Anderson absent for the vote.

**MOTION:** Rep. Hemmingway moved that the IGG Subcommittee fund the Dixie State University – East Elementary Property Purchase for \$1,000,000 from the Education Funds from the Land Banking Requests list.

The motion passed unanimously with Sens. Knudson and Van Tassell, and Reps. Sagers and Anderson absent for the vote.

**MOTION:** Rep. Hemmingway moved that the IGG Subcommittee approve the U of U Lassonde Living Center item as shown on the Non-State Funded Capital Development list on page 9, and approve revenue bond authority for that facility, and approve U of U Alumni House, USU Tooele Science & Technology, MATC Trades Technology Trades Building, DPS/DOT Price Communications Center & Driver License Building, DPS Vernal Driver License Building, Agriculture Nephi AG Lab, and Eighth District Courts Building shown on the Non-State Funded Capital Development list under other funds.

The motion passed unanimously with Sens. Knudson and Van Tassell, and Reps. Sagers and Anderson absent for the vote.

**MOTION:** Rep. Fisher moved to approve intent language for the U of U Utility Distribution Infrastructure.

Co-chair Harper explained the motion authorizes the U of U to spend more than \$2.5 million on a single project, requires use of 60 percent capital improvement money for the infrastructure project, takes \$6.75 million out of other capital improvement money, and \$2.1 million out of the utility surcharge fees; completing the infrastructure project without having to issue a bond.

Sen. Hillyard asked for clarification that the current motion would make the request for \$3.9 million ongoing funding unnecessary. Co-chair Harper stated the \$3.9 million request would be eliminated.

The motion passed unanimously with Sens. Knudson and Van Tassell, and Reps. Sagers and Anderson absent for the vote.

**MOTION:** Sen. Jenkins moved to approve the following items from the General Fund on-time in order: National Guard Camp Williams South Infrastructure Improvements \$3,900,000; Dixie

State University East Elementary Property Purchase \$1,000,000; Weber Valley Multiuse Youth Center Land Purchase \$2,300,000; Wendover Airfield \$250,000; STEM Program \$10,000.

Reps. Christofferson and Hemmingway spoke in support of the STEM Program funding.

Co-chair Harper stated the Business, Labor, and Economic Development Committee approved \$2.1 million for the STEM Program.

Sen. Hillyard spoke against the motion, the committee's priority should be infrastructure.

**SUBSTITUTE MOTION:** Sen. Hillyard moved to remove the \$10,000 for STEM Program funding.

Sen. Jenkins supported the motion.

Rep. Christofferson was unaware of funding the STEM Program had received from other committees.

The substitute motion passed unanimously with Rep. Sagers absent for the vote.

**MOTION:** Rep. Westwood moved to appropriate \$3,000,000 one-time from the Education Fund to retire the remaining 41 years of a 50 year prepaid lease between Snow College and the Sevier School District.

Rep. Westwood explained the Building Board approved the buy-out in the January 8, 2014 meeting.

Co-chair Harper asked how the State would benefit in paying off the lease. Rep. Westwood explained the prepaid lease would free up space for Snow College.

Rep. Anderegg asked if there was an urgency to the request or could it wait until the 2015 Legislative Session and go through the appropriate public vetting process.

Sen. Jenkins asked if there were penalties involved for paying off the lease. Rep. Westwood would look into it.

Sen. Van Tassell spoke against the motion and stated concern for prepaid leases and penalties for cancelling.

**SUBSTITUTE MOTION:** Sen. Jenkins moved to appropriate \$3 million one-time money to pay off the lease with no penalties.

Sen. Hillyard asked where the request would be located on the priority list. Sen. Jenkins stated it would be a separate item from the priority list.

Co-chair Harper spoke against both motions, there was not enough information presented to the committee to make an educated decision about the request.

The substitute motion failed with Reps. Christofferson and Froerer, and Sen. Jenkins voting for the motion. Sens. Hillyard, Hinkins, Knudson, Mayne, and Van Tassell, and Reps. Fisher, Hemingway, Knotwell, and Westwood voting against the motion. Sen. Vickers, and Reps. Anderson, Sagers, and Webb were absent for the vote.

The original motion failed with Rep. Westwood voting for the motion. Sens. Hillyard, Hinkins, Jenkins, Knudson, Mayne, and Van Tassell, and Reps. Christofferson, Fisher, Hemmingway, and Knotwell voting against the motion. Sen. Vickers, and Reps. Anderson, Sagers, and Webb were absent for the vote.

**MOTION:** Sen. Hinkins moved to add to the Requests for Appropriation Priority List item 6, Digital Forms Conversion, to the bottom of the list.

The motion passed unanimously with Sen. Vickers, and Reps. Anderson, Sagers, and Webb absent for the vote.

#### **7. Other Committee Business**

**MOTION:** Sen. Van Tassell moved to adjourn. The motion passed unanimously.

Co-Chair Harper adjourned the meeting at 3:55 p.m.

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Sen. Wayne A. Harper, Co-Chair

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Rep. Gage Froerer, Co-Chair