

CONSOLIDATED MOTIONS
for
EXECUTIVE APPROPRIATIONS COMMITTEE
March 6, 2015

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FEES

I move that we adopt the fees listed on the following pages of the subcommittees' reports:

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<u>Appropriations Subcommittee</u>	<u>Page</u>	<u>Page</u>
Business, Economic Development, and Labor (Tab 2)	21	65
Executive Offices and Criminal Justice (Tab 3)	22	33
Infrastructure and General Government (Tab 5)	23	46
Natural Resources, Agriculture, and Environmental Quality (Tab 6)	30	90
Public Education (Tab 7)	16	18
Retirement and Independent Entities (Tab 8)	4	4
Social Services (Tab 9)	26	70
Social Services (Tab 9)	a-1	a-2
Executive Appropriations Committee (Tab 10)	4	10

With the following Changes:

Infrastructure and General Government

If H.B. 8 and S.B. 8, State Agency Fees and Internal Service Fund Rate Authorization and Appropriations, both pass and become law, the Legislature intends that the rates in the column labeled "Superseding Rate" in the table below replace and supersede the rates in the column labeled "S.B. 8 Rate" that are in S.B. 8.

Name of Rate	Superseding Rate (\$)	S.B. 8 Rate (\$)
Network Services (per device/month)	45.74	45.26
Network Services (other State agencies) (per device/month)	49.30	48.82
Wiring Design and Consulting Labor (per Hour)	91.71	89.92
Security & MDM (per device/month)	17.16	16.94
Desktop Services (per device/month)	65.08	63.51
Hosted Email/Email Encryption (per month)	6.10	6.09
Phone Tech Labor (per hour)	73.08	71.64
Voice Monthly Service (URATE) (per dial tone/month)	29.86	29.58
High Speed Laser Printing (per image)	0.0297	0.0296
Hosting Services - Processing (per CPU Core/month)	80.10	79.80
Hosting Services - System Administration (per OS/month)	398.67	390.55
Hosting Services - Storage (per GB/month)	0.2233	0.2222
Hosting Services - Storage Encryption (per GB/month)	0.3089	0.3082
Mainframe Consulting Charge (per hour)	77.87	76.00
Database Consulting (per hour)	77.87	76.00
Application Support/Project Management (per hour)	77.87	76.00
DTS Consulting Charge (per hour)	77.87	76.00

Natural Resources

Include the following fees for the Division of Water Rights (existing fees, erroneously left off the fee schedule):

1. 14 years or more after the date of approval of the application 150.00
2. Fixed time periods 150.00
3. For each certification of copies 10.00
4. A reasonable charge for preparing copies of any and all documents Variable
5. Application to segregate a water right 50.00
6. Groundwater Recharge Permit 2,500.00
7. Notification for the use of sewage effluent or to change the point of discharge 750
8. Diligence claim investigation 500.00
9. Report of Water Right Conveyance Submission 40.00
10. Protest Filings 15.00
11. Livestock Watering Certificate 150.00
12. Well Driller Permit
13. Initial 350.00
14. Renewal (Annual) (per year) 100.00
15. Late renewal (Annual) (per year) 50.00
16. Drill Rig Operator Registration
17. Initial 100.00
18. Renewal (Annual) (per year) 50.00
19. Late Renewal (Annual) (per year) 50.00
20. Pump Installer License
21. Initial 200.00
22. Renewal (Annual) (per year) 75.00
23. Late renewal (Annual) (per year) 50.00
24. Pump Rig Operator Registration
25. Initial 75.00
26. Renewal (Annual) (per year) 25.00
27. Late renewal (Annual) (per year) 25.00
28. Stream Alteration
29. Commercial 2,000.00
30. Government 500.00
31. Non-Commercial 100.00

Public Education

Replace fee items 1 and 2 on page 7-16 with the following:

- 1. Indirect Cost Pool – Utah State Office of Education
 - Restricted Funds
 - Percentage of personal service costs 10%
 - Unrestricted Funds
 - Percentage of personal service costs 18%

- 2. Indirect Cost Pool – Utah State Office of Rehabilitation
 - Unrestricted Funds
 - Percentage of personal service costs 14%

Retirement and Independent Entities

- 1. Do not adopt fee #5, Core HR Services, on page 8-4 of the subcommittee report.
- 2. Modify the following fees in the subcommittee’s report:
 - a. Change rate #3, HR Services, from \$703 per FTE to \$590 per FTE
 - b. Change rate #4, Payroll Services, from \$54 per FTE to \$50 per FTE

INTENT LANGUAGE

I move that we adopt the intent language listed on the following pages of the subcommittees' reports:

	From	To
<u>Appropriations Subcommittee</u>	<u>Page</u>	<u>Page</u>
Business, Economic Development, and Labor (Tab 2)	16	20
Executive Offices and Criminal Justice (Tab 3)	18	21
Higher Education (Tab 4)	21	25
Infrastructure and General Government (Tab 5)	18	22
Natural Resources, Agriculture, and Environmental Quality (Tab 6)	25	29
Public Education (Tab 7)	14	15
Retirement and Independent Entities (Tab 8)	3	3
Social Services (Tab 9)	14	25
Executive Appropriations Committee (Tab 10)	3	3

With the following Changes:

Business, Economic Development, and Labor:

The Legislature intends that up to \$4,000,000 of the Industrial Assistance Fund allocation to economic opportunities be allowed as incentive for a television series.

Under Section 63J-1-603 of the Utah Code, the Legislature intends that unspent funds available from Temporary Permit Fees paid to the Motor Vehicle Enforcement Division shall transfer at the close of Fiscal Year 2015 to the new restricted fund created for the deposit of these fees.

The Legislature intends that:

- (1) Under Section 63J-1-603, the appropriation for Sichuan Province Organization is nonlapsing at the close of FY 2016;
- (2) GOED ensure that this appropriation is spent to create and organize a legal entity to promote business, education, and investment between Utah and Sichuan, China;
- (3) GOED may delegate the task of creating and organizing the entity to the World Trade Center Utah;
- (4) In creating and organizing the entity, GOED shall consult with the World Trade Center Utah, the co-chairs of the Business and Labor Interim Committee, and the co-chairs of Utah International Relations and Trade Commission;
- (5) GOED may only release money to the entity after it is legally created; and
- (6) The new entity, with the assistance of GOED and World Trade Center Utah shall:
 - (a) report to the Business and Labor Interim Committee, and the Utah International Relations and Trade Commission by October 31, 2015;
 - (b) provide an accounting of the expenditure of this appropriation; and
 - (c) provide proposed legislation to that committee and commission to formally create, or authorize the creation of, the entity in statute.

The Legislature intends that any non-lapsing balances remaining from the Comprehensive Health Insurance Pool after the program close out lapse to the General Fund.

Executive Offices and Criminal Justice:

Under section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided to the Governor's Office - Public Lands Litigation in Item 14, Chapter 14, and Item 2, Chapter 282, Laws of Utah 2014 not lapse at the close of Fiscal Year 2015.

The Legislature intends that funds appropriated to the LeRay McAllister Critical Land Conservation Program in FY 2016 be used exclusively for protection of sage grouse habitat.

The Legislature intends that \$1.5 million of the appropriation for E-911 Emergency Radio System be used to carry out a study on implementing provisions of House Bill 343.

Infrastructure and General Government:

The Legislature intends that the Division of Fleet Operations discontinue charging agencies a flat rate for fuel, and that the fuel pass-through charged by the Division be actual cost as reflected in Senate Bill 8, State Agency Fees and Internal Service Fund Rate Authorization and Appropriations.

The Legislature intends that, if revenues deposited in the Land Exchange Distribution Account exceed appropriations from the account, the Division of Finance distribute the excess deposits according to the formula provided in UCA 53C-3-203(4). [FY15 and FY16]

The Legislature intends that Utah State University transfer \$350,000 from its Contingency Reserve Fund from state-funded projects to its Project Reserve Fund.

The Legislature intends that the Division of Aeronautics use funds from the Aeronautics Restricted Account to conduct an audit of the Utah Based Aircraft Database and Aircraft Registration program to evaluate the existing process for collecting based aircraft data, accuracy of information, and to make recommendations for improvement.

Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that the appropriation of \$3,417,000 provided to the Department of Administrative Services – DFCM Administration in Chapter 211, Laws of Utah 2014, shall not lapse at the close of FY 2015. Expenditures of these funds are limited to prison relocation purposes as stated in the intent language following the appropriation in Chapter 211, Laws of Utah 2014.

Under Section 63J-1-603 of the Utah Code, the Legislature intends that the FY 2015 appropriation of \$50,000 for the Executive Branch Ethics Commission shall not lapse at the close of FY 2015.

Natural Resources, Agriculture, and Environmental Quality:

The Legislature intends that, if Senate Bill 244 passes, upon closing FY 2015, all nonlapsing balances for the Division of Radiation Control and for the Division of Solid and Hazardous Waste be established as beginning nonlapsing balances for the new Division of Waste Management and Radiation Control.

Under Section 63J-1-603 of the Utah Code, the Legislature intends that \$300,000 appropriated to assist with Geological Survey shortfall not lapse at the close of FY 2015.

Public Education

Replace the intent statement 7 on page 7-15 with the following:

The Legislature intends that the Utah State Board of Education use any nonlapsing balances generated from the licensing of Student Assessment of Growth and Excellence (SAGE) questions to other states to develop additional assessment questions and provide professional learning for Utah educators.

Eliminate intent statement 6 on page 7-15.

Retirement and Independent Entities:

The Legislature intends that Utah Futures provide a report of the performance measures used to measure the program's effectiveness to the Legislative Fiscal Analyst and to the Legislative Auditor General by September 1, 2015.

Social Services

Exclude the intent language #41 on page 9 – 20.

The Legislature intends that all one-time appropriations provided in fiscal year 2016 for the building block entitled "Pilot Program for Assistance for Children with Disabilities and Complex Medical Conditions" is for funding the three years' cost of the pilot program. The funding is limited to a pilot program for assistance for children with disabilities and complex medical conditions to be used in similar amounts over three years with the goal of serving a similar number of clients over three years.

Alter intent language #50 on page 9 – 21 by striking "September 1" and replacing it with "June 1".

The Legislature intends that the one-time General Fund appropriation of \$6,400,000 to the Department of Human Services for Local Authority Mental Health Medicaid Match is provided to assist local mental health authorities for one year until they can find ways to provide their own matching funds in the future. The Legislature further intends the local mental health authorities report their plans to provide their own matching funds in the future to the Office of the Legislative Fiscal Analyst by September 1, 2015.

The Legislature intends that if funding is appropriated for the building block titled, "Intermediate Care Facilities - Intellectually Disabled," the Department of Health shall:

- 1) Direct funds to increase the salaries of direct care workers;
- 2) Increase only those rates which include a direct care service component, including respite;
- 3) Monitor providers to ensure that all funds appropriated are applied to direct care worker wages and that none of the funding goes to administrative functions or provider profits;

In conjunction with Intermediate Care Facilities - Intellectually Disabled providers, report to the Office of the Legislative Fiscal Analyst no later than September 1, 2015 regarding: 1) the implementation and status of increasing salaries for direct care workers, 2) a detailed explanation with supporting

documentation of how Intermediate Care Facilities - Intellectually Disabled providers are reimbursed, including all accounting codes used and the previous and current rates for each accounting code, and 3) a conceptual explanation of how Intermediate Care Facilities - Intellectually Disabled providers realize profit within the closed market of providing Intermediate Care Facilities - Intellectually Disabled services.

BUDGETS

I move that we adopt the budget adjustments listed under the column heading “Subcommittee Adjustment” on the following pages of the subcommittees’ reports:

	From	To
	<u>Page</u>	<u>Page</u>
<u>Appropriations Subcommittee</u>		
FY 2016 Business, Economic Development, and Labor (Tab 2)	4	15
FY 2015 Business, Economic Development, and Labor (Tab 2)	Supp 1	Supp 5
FY 2016 Executive Offices and Criminal Justice (Tab 3)	5	17
FY 2015 Executive Offices and Criminal Justice (Tab 3)	Supp 1	Supp 9
FY 2016 Higher Education (Tab 4)	5	20
FY 2016 Infrastructure and General Government (Tab 5)	3	17
FY 2015 Infrastructure and General Government (Tab 5)	Supp 1	Supp 10
FY 2016 Natural Resources, Agriculture, and Environmental Quality (Tab 6)	3	24
FY 2015 Natural Resources, Agriculture, and Environmental Quality (Tab 6)	Supp 6	Supp 9
FY 2016 Public Education (Tab 7)	4	13
FY 2015 Public Education (Tab 7)	Supp 1	Supp 8
FY 2016 Social Services (Tab 9)	6	13
FY 2015 Social Services (Tab 9)	Supp 1	Supp 13

With changes as shown on the following pages.

Motion Sheet

Business, Economic Development, and Labor Appropriations Subcommittee

OTHER BUDGET MOTIONS:

1. I move that we shift the \$908,400 Zoos allocation currently appropriated to GOED – Administration to the DNR – Pass Through line item.
2. I move to exclude the General Fund, One-time changes on page 2-18 and 2-Supplemental-3 as funding for Industrial Assistance Fund and Tourism Marketing Performance Fund has been provided elsewhere.

Motion Sheet

Executive Offices and Criminal Justice Appropriations Subcommittee

OTHER BUDGET MOTIONS:

1. I move to increase the FY 2015 appropriation from the Department of Public Safety Restricted Account by \$400,000 one-time for the Driver License Division to help plan, design, and construct a Driver License Building in Vernal as authorized in Senate Bill 9, 2014 and 2015 General Sessions.
2. I move to transfer \$3,740,600 from Fund 1253 Unified Statewide Emergency Service Account, to the Utah Communications Authority Administrative Services Division in FY 2015.
3. I move to move the Public Lands Litigation Constitutional Defense Council line item from the Governor's Office to the Public Lands Policy Coordinating Office.

Motion Sheet

Infrastructure and General Government Appropriations Subcommittee

OTHER BUDGET MOTIONS:

1. I move that we shift the Jail Reimbursement appropriation in DAS – Finance Mandated to a separate line item in the Governor’s Office – Commission on Criminal and Juvenile Justice.
2. I move to reduce the FY 2015 appropriation from the General Fund Restricted – Land Exchange Distribution Account by \$8,000,000 (from \$11,200,000 to \$3,200,000) in FY 2015 to the Division of Finance to more accurately reflect anticipated revenues.
3. I move to approve creation of a new appropriation unit in the Department of Administrative Services - Division of Archives line item for the Open Records program, and that we shift \$730,000 of the appropriation to the Archives Administration program to the Open Records program.

Motion Sheet

Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee

OTHER BUDGET MOTIONS:

1. I move to add for the Division of Forestry, Fire, and State Lands \$500,000 one-time from the GFR – Sovereign Lands Management Account in FY 2016 for Phragmites removal on the Great Salt Lake.
2. I move the following appropriation reallocation in the Department of Environmental Quality for FY 2015:
 - a. From Petroleum Storage Tank Loan Fund (173,300)
 - b. From Petroleum Storage Tank Trust Fund 173,300
3. I move on pages 6-3 and 6-10, to change the \$250,000 “GFR – Wildlife Resources” to \$20,000 “GFR – Wildlife Habitat.”
4. I move the following adjustments to the Agriculture Loan Program in FY 2016:
 - a. From Agri Rural Dev Loan Fund: (200)
 - b. From Utah Rural Rehab State Fund: 200

Motion Sheet
Public Education Appropriations Subcommittee

OTHER BUDGET MOTIONS:

1. I move to make the following revenue source change in the FY 2015 budget:
 - a. Minimum School Program – Basic School Program – Grades 1-12
 - i. From Uniform School Fund (\$4,200,000)
 - ii. From Education Fund \$4,200,000
2. I move to transfer the non-cash piece of Child Nutrition Commodities that are currently in the Child Nutrition line item into a separate line item in the amount of \$19,159,300 for FY 2016.

Motion Sheet
Social Services Appropriations Subcommittee

OTHER BUDGET MOTIONS:

1. I move to authorize \$12,000 in spending authority in FY 2015 for the Department of Workforce Services' Permanent Community Impact Bonus Fund from the General Fund Restricted - Land Exchange Distribution Account.
2. I move to increase the ongoing appropriation to the Department of Health from the General Fund Restricted Nursing Care Facilities Account by \$2,593,600 and \$6,144,900 from federal funds in FY 2016. This has the effect of increasing assessments on nursing homes by 0.6% (from 5.1% to 5.7% of revenues). Of the increase \$143,400 from the General Fund Restricted Nursing Care Facilities Account and \$339,800 federal funds is authorized for the Medicaid Optional Services line item to offset the State increased cost for hospice care reimbursement as stipulated in HB 397 Medicaid Program Amendments from the 2010 General Session. The remainder is appropriated to the Medicaid Mandatory Services line item. This would have the effect of maintaining the net reimbursement statewide to nursing homes at fiscal year 2015 levels.
3. I move to remove Priority #24 on the one-time list entitled "Good Samaritan Kidney Donor Program" on page 9 – 5 as it was abandoned by the sponsor.
4. I move to approve the motions and letters included on pages a-3 through a-7 except the following:
 - a. #1, #2, #3, #4 on pages a-3 and a-4.
 - b. Exclude the intent language #5c on page a – 4 and add the following language:
 The Legislature intends that 5% of all funds provided in the Medicaid program for managed care dental plans be used for contracted plan administration and that any funds provided for the Affordable Care Act premium tax not be included in that 5% administrative funds amount.
5. I move to increase the cost estimate for the item entitled "(DOH) Medicaid Caseload Growth" on page 9 – 3 by \$11,400,000 ongoing for FY 2016 and \$11,100,000 one-time for FY 2015 to reflect the February 2015 Medicaid consensus estimates.
6. I move to increase federal funds for FY 2015 in the Department of Workforce Services as follows:

To Department of Workforce Services – Operations and Policy	
From Federal Funds	14,438,600
Schedule of Programs:	
Eligibility Services (NJP)	5,054,000
Refugee Assistance (NJG)	2,188,600
Temporary Assistance to Needy Facilities (NJF)	7,196,000
7. I move to change the funding source for the following amounts on the following pages for the Department of Workforce Services to be from Unemployment Compensation Fund instead of from the American Recovery and Reinvestment Act: \$10,000 on page 9-9, \$1,800,000 on page 9-10, and \$190,000 on page 9-11.

8. I move to transfer \$50,000 one-time for FY 2016 as a technical reallocation between line items in the Department of Workforce Services for Special Administrative Expense Account funds. The transfer is from the Workforce Development program in the Operations and Policy Line Item to the Administration line item as follows: 1) \$7,000 to the Executive Director's Office, 2) \$4,000 to the Communications Unit, 3) \$7,000 to the Human Resources Unit, 4) \$29,000 to the Administrative Support, and 5) \$3,000 to the Internal Audit Unit for a transfer total of \$50,000.

Motion Sheet
Executive Appropriations Committee

OTHER BUDGET MOTIONS:

1. I move to adopt Utah National Guard, Veterans' and Military Affairs, Capitol Preservation Board, and Legislature non-General Fund budget changes as shown in budget briefs presented to the committee on February 18, 2015.
2. I move to reallocate \$50,000 General Fund One-time from the Legislature (\$25,000 from the Senate and \$25,000 from the House) in FY 2015 to the DAS – Executive Branch Ethics Commission line item.