

CONSOLIDATED MOTIONS FOR SENATE BILL 3

March 8, 2017

Executive Appropriations Committee

I move to approve appropriation changes and intent language as shown below:

Business, Economic Development, and Labor

1. As indicated on the funding items list, transfer \$1,666,000 from the Wildland Fire Suppression Fund as follows (FY 2017):
 - \$833,000 to Industrial Assistance Fund
 - \$728,900 to Disaster Recovery Account
 - \$104,100 to Local Government Emergency Response Loan Fund
2. As House Bill 109, Public Utility Regulatory Restricted Account Amendments passed, adjust the Department of Commerce's FY 2018 budget to reduce the appropriations that relate to the Public Utilities Regulation Fee that was moved to the new Public Utility Regulatory Restricted Account.
3. If Senate Bill 130, Universal Service Fund Amendments passes, approve the following intent language:

The Legislature intends that the Division of Finance transfer at FY 2017 year-end to the Universal Public Telecommunications Service Support Fund any amounts remaining from surcharges on residential and business telephone numbers imposed by the Public Service Commission, as provided in UCA 54-8b-10, prior to May 9, 2017, including any nonlapsing amounts per UCA 63J-1-602.3.
4. If Senate Bill 130, Universal Service Fund Amendments passes, reduce Dedicated Credits in FY 2018 as appropriated in House Bill 4, item 36, by \$715,000 and move to the Universal Public Telecommunications Service Support Fund.
5. Change the internal service fund adjustments for the Tax Processing Division line item, as made in Senate Bill 8, by reallocating the charges from dedicated credits to State Tax Administration Charge Account.
6. Change the reduction of the Rural Healthcare Facilities Distribution in Senate Bill 2, items 64 and 174, from \$336,200 to \$336,100.
7. Change the appropriations of \$500,000 General Fund One-time in Senate Bill 2, item 66 appropriated to USTAR Research on Medical Marijuana to the Research Capacity Building line item instead.

Add the following intent statements:

8. *The Legislature intends that \$50,000 of the General Fund One-time allocated to the Governor's Office of Economic Development Administration be utilized to conduct or contract an analysis of*

the life sciences industry.

9. *The Legislature intends that the funds appropriated for the Engineering Initiative be allocated to institutions based on the proportional increases in graduates from engineering, computer science, and technology degree programs since Fiscal Year 2014. It is further the intent of the Legislature that Engineering Initiative funds support undergraduate programs that meet workforce needs for the highest demand occupations. Recommendations for appropriation and follow-up reporting on program success shall be reviewed by the Business, Economic Development, and Labor Appropriations Subcommittee and the Higher Education Appropriations Subcommittee.*

10. *The Legislature intends that the Department of Alcoholic Beverage Control use \$974,400 ongoing Liquor Control Fund appropriated to the Department of Alcoholic Beverage Control-DABC Operations in State Agency and Higher Education Compensation Appropriations (House Bill 8, 2017 General Session) to implement the provisions of Alcohol Beverage Control Budget Amendments (Senate Bill 155, 2017 General Session).*

Executive Offices and Criminal Justice

1. Transfer \$313,400 General Fund allocated to the Department of Corrections – Programs and Operations line item to the Salt Lake Community College – Education and General line item, which provides the education programming for offenders (FY 2018).

2. Approve a correction to backfill the appropriations in the compensation bill for the Indigent Defense Commission with General Fund transfer to the Indigent Defense Resources Account with the following changes.
 - (\$4,700) ongoing General Fund to the Indigent Defense Commission
 - \$16,200 ongoing General Fund to the Indigent Defense Resources Account
 - \$2,500 one-time General fund to the Indigent Defense Resources Account

3. Transfer \$155,000 General Fund one-time previously appropriated for the funding item “Case Settlements” in House Bill 3, item 1, from the Lieutenant Governor's Office to the Attorney General's Office.

4. Approve the following FY 2017 supplemental federal funds requests for the Attorney General's Office, Juvenile Justice Services, and Public Safety:
 - Attorney General's Office - \$319,000
 - Juvenile Justice Services - \$359,600
 - Public Safety - \$733,000.

5. Approve \$181,800 dedicated credits increase as an FY 2017 supplemental for the Commission on Criminal and Juvenile Justice.

6. Reverse a double-count of reduction in Tobacco Settlement Fund for Drug Courts in the amount of \$174,700 (FY 2018).
7. Switch funding to Public Safety from the Transportation Fund to the Transportation Fund Restricted – Public Safety Account for \$862,900 (FY 2018).
8. Allocate the approved funding for House Bill 200, Sexual Assault Kit Processing Amendments, as follows:
 - Attorney General: \$182,800
 - Public Safety: \$1,022,300

Add the following intent statement:

9. *Notwithstanding intent language passed in Senate Bill 2 item 18, the Legislature intends that under provisions of Section 67-8-2, Utah Code Annotated, salaries for District Court judges for the fiscal year beginning July 1, 2017 and ending June 30, 2018 shall be \$162,250. Other judicial salaries shall be calculated in accordance with the formula set forth in Section 67-8-2 and rounded to the nearest \$50.*

Higher Education

1. Transfer the \$313,400 General Fund allocated to the Department of Corrections for Corrections Education Programming to Salt Lake Community College, which provides the education programming for offenders (FY 2018).
2. Appropriate \$4,000 one-time in FY 2017 from the General Fund to Utah State University for Streambed Access Mapping.
3. Approve a transfer of the remaining \$1,000 one-time FY 2017 funding and \$495,000 ongoing FY 2018 funding in Finance Mandated – Strategic Workforce Investments to the Education Fund for distribution to the Strategic Workforce Investments grant recipients.
4. Approve a transfer of the \$500,000 ongoing funding in State Board of Regents – Education Excellence (Senate Bill 2, item 115) to the Education Fund for distribution to the Strategic Workforce Investments grant recipients.

5. Approve the following Strategic Workforce Investment grant recipients:

	Ongoing	One-time
Utah State University - Southeastern Continuing Education Center:	113,000	0
Weber State University – Education and General:	285,000	0
Salt Lake Community College - Education and General:	272,300	250,600
Ogden Weber ATC:	220,400	340,600
Tooele ATC:	250,000	0

Add the following intent statements:

6. *The Legislature intends that Utah State University use \$4,000 from this appropriation for mapping streambeds in the state.*

7. *The Legislature intends that construction for the Weber State University Social Science Building Renovation project proceed as soon as practicable following signature of the governor on Senate Bill 2. If construction-related payments for this project are necessary prior to Fiscal Year 2018, such payments may be made from the portion of the project budgeted from gifts to Weber State University.*

8. *The Legislature intends that the funds appropriated for the Engineering Initiative be allocated to institutions based on the proportional increases in graduates from engineering, computer science, and technology degree programs since Fiscal Year 2014. It is further the intent of the Legislature that Engineering Initiative funds support undergraduate programs that meet workforce needs for the highest demand occupations. Recommendations for appropriation and follow-up reporting on program success shall be reviewed by the Business, Economic Development, and Labor Appropriations Subcommittee and the Higher Education Appropriations Subcommittee.*

9. *The Legislature intends that Dixie State University (DSU) use \$100,000 ongoing appropriated to the DSU – Education and General line item in Senate Bill 2 item 108 and \$50,000 ongoing appropriated in this line item for DSU to foster interest in, and develop a pipeline of students for science, technology, engineering, and math (STEM).*

10. *The Legislature intends that the \$2,000,000 General Fund, one-time appropriation made in Senate Bill 2, New Fiscal Year Supplemental Appropriations Act, item 94, be used toward the Fiscal Year 2018 bond payment for phase 1 of the cancer clinical research hospital facility as authorized in 63B-10-301(4).*

11. *The Legislature intends that the Division of Finance consolidate the appropriations made in House Bill 1, Higher Education Base Budget, item 12, and those made in Senate Bill 2, New Fiscal Year Supplemental Appropriations Act, Item 96, in so doing rename the “university of Utah – Health Sciences” line item “University of Utah – Cancer Research and Treatment.”*

Infrastructure and General Government

1. Change the internal service fund compensation adjustments for the Financial Information Systems line item, as made in Senate Bill 8, by reallocating the charges from the Transportation Fund and the ISF Overhead Reimbursement Accounts to dedicated credits instead.
2. Amend line 2410, found in Senate Bill 8, by striking out the rate name "IT Architect (per hour)" and replacing it with the rate name, "Application Services Tier 4 (per hour)".
3. Approve the following corrections to the Department of Transportation which net to \$0 within each line item:
 - Support Services - Buildings and Grounds: \$500,000 from closing nonlapsing balances in FY 2017 and (\$500,000) from beginning nonlapsing balances in FY 2018;
 - Support Services - Ports of Entry: (\$500,000) from closing nonlapsing balances in FY 2017 and \$500,000 from beginning nonlapsing balances in FY 2018;
 - Engineering Services - Program Development: \$300,000 from closing nonlapsing balances in FY 2017 and (\$300,000) from beginning nonlapsing balances in FY 2018;
 - Engineering Services - Preconstruction Admin program: (\$300,000) from closing nonlapsing balances in FY 2017 and \$300,000 from beginning nonlapsing balances in FY 2018.
4. Appropriate (\$185,500) ongoing and (\$53,500) one-time from Transportation Fund in FY 2018 to Operations/Maintenance Management – Shops for compensation adjustments.

Add the following intent statements:

5. *Under terms of Utah Code Annotated Section 63J-1-603(3)(a), the Legislature intends that appropriations provided for Equipment Management in Item 7, Chapter 9, Laws of Utah 2016, shall not lapse at the close of FY 2017 and that the nonlapsing amount be moved to the Operations/Maintenance Management – Equipment Purchases program. Expenditures of these funds are limited to equipment purchases: \$200,000.*
6. *The Legislature intends that as resources allow, the Department of Transportation may expend no more than \$5,500,000 from the Transportation Investment Fund to reimburse a county of the second class for general fund disbursements made in the previous two fiscal years for a state highway project.*
7. *The Legislature intends that \$2,400,000 from FY 2018 Transportation Fund appropriations to the Construction Management - Federal Construction - New program be directed to Davis County and Taylorsville City as lead agencies for roadway-related environmental, design, engineering and improvements for proposed bus rapid transit routes with Davis County and Taylorsville City each receiving \$1,200,000.*

Natural Resources, Agriculture, and Environmental Quality

1. Reallocate \$500,000 from funding item "DNR Pass Through Account for Continuation of Contract" to "Greater Sage-Grouse Litigation" (FY 2018).
2. Reallocate \$4,900 ongoing and \$700 one-time from the Land Grant Management Fund in the School and Institutional Trust Lands Administration from the Lands Stewardship and Restoration line item to the SITLA line item (FY 2018).
3. Approve appropriation changes for FY 2017 as shown below for additional federal reimbursements to the Department of Environmental Quality related to the Gold King Mine Release:
 - Executive Directors Office - Federal Revenue \$ 36,400
 - Water Quality - Federal Revenue \$160,000
4. Approve the following FY 2017 supplemental federal funds requests for the Department of Environmental Quality:
 - Environmental Quality - \$17,000
 - Air Quality - \$1,951,100
 - Drinking Water - \$3,200
 - Environmental Response and Remediation - \$77,500
 - Water Quality - \$1,471,000
5. Appropriate \$2.2 million from the Sovereign Lands Management Restricted Account for FY 2017 to the Division of Forestry, Fire, and State Lands.

Add the following intent statements:

6. *The Legislature intends that the \$2.2 million appropriation from the Sovereign Lands Management Restricted Account to the Division of Forestry, Fire, and State Lands not lapse at the close of Fiscal Year 2017. The Legislature intends that the division use the appropriation to engage the Division of Facilities Construction and Management to design and build an Interagency Fire Dispatch Center in Richfield. The Legislature further intends the return of funds to the Sovereign Lands Management Restricted Account be accomplished by entities occupying the Interagency Fire Dispatch Center paying their proportionate share of leased space based on the construction cost amortized over a 25-year period.*
7. *The Legislature intends that the Department of Natural Resources use the appropriation to satisfy any outstanding obligations on the existing sage grouse contract. Any funds not required for the existing contract shall be used, at the discretion of the department and consistent with state procurement requirements, for any renewal or extension of services relating to the sage*

grouse, and for the issues of wolves, wild horses, and other public lands issues. The Legislature also intends that the department obtain a financial report of the expenditures of the sage grouse contractor and make that report available to the Executive Appropriations Committee.

8. *The Legislature intends that the appropriation of \$300,000 to the Constitutional Defense Restricted Account in Senate Bill 2, item 178 be used for settlement of disputed lands in Duchesne County.*
9. *Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Executive Director's Office in Item 18, Chapter 3, Laws of Utah 2016, shall not lapse at the close of FY 2017. Expenditures of these funds are limited to funding the one time general fund reductions for personnel savings \$82,000.*
10. *Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Division of Air Quality in Item 19, Chapter 3, Laws of Utah 2016, shall not lapse at the close of FY 2017. Expenditures of these funds are limited funding the one time general fund reductions for personnel savings \$56,500.*
11. *Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for Water Quality in Item 21, Chapter 3, Laws of Utah 2016, shall not lapse at the close of FY 2017. Expenditures of these funds are limited to funding the one time general fund reductions for personnel savings \$65,000.*
12. *Notwithstanding the intent language included in House Bill 3, item 111, Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for Executive Director's Office in Item 18, Chapter 3, Laws of Utah 2016, shall not lapse at the close of FY 2017. Expenditures of these funds are limited to high level nuclear waste opposition \$10,000; capital improvements/maintenance, DP Software, and equipment \$450,000; administrative law judge \$150,000.*
13. *Approve a reallocation of FY 2017 nonlapsing balances in the amount of \$117,200 from the DEQ – Executive Director's Office to the DEQ – Division of Waste Management and Radiation Control.*
14. *Notwithstanding the Radioactive Waste Disposal Annual fee in Senate Bill 8 under "Radioactive Waste Disposal (licenses specifically authorizing the receipt of waste radioactive material from other persons for the purpose of commercial disposal by land by the licensee)" with an annual fee of \$2,099,200, the Legislature intends to reduce the Radioactive Waste Disposal Annual fee from \$2,099,200 to \$1,982,000 for Fiscal Year 2018 and that \$117,200 of the Fiscal Year 2017 nonlapsing balance from the Executive Director's Office be used to reimburse the Division of Waste Management and Radiation Control for the reduction in revenue from the fee.*

Public Education

Add the following intent statements:

1. *The Legislature intends that the State Board of Education use \$125,000 ongoing Education Fund appropriated to the State Board of Education – State Administrative Office in Public Education Budget Amendments (House Bill 2, 2017 General Session) to implement the provisions of Suicide Prevention Programs (House Bill 346, 2017 General Session).*
2. *The Legislature intends that the State Board of Education use \$2,642,000 ongoing Education Fund appropriated to the State Board of Education – State Administrative Office in Public Education Budget Amendments (House Bill 2, 2017 General Session) to implement the provisions of Student Assessment and School Accountability Amendments (Senate Bill 220, 2017 General Session).*
3. *The Legislature intends that the State Board of Education use \$200,000 one-time of the funds appropriated to Special Education in this line item for the purchase of interactive tools designed to treat social and behavioral issues with children on the autism spectrum. The Board shall distribute these funds to local education agencies or schools under a 50% matching grant program, and may use up to 5% of this appropriation for administering the program.*

Social Services

1. Reduce the appropriation from the Tobacco Settlement Restricted Account by \$1,083,200 in Fiscal Year 2017 for the Department of Health's Children's Health Insurance Program line item.
2. Change \$6,049,600 in funding for the Tobacco Settlement Restricted Account from ongoing to one-time for the Medicaid Services line item in FY 2018.
3. Approve the following FY 2017 supplemental federal funds requests for the Department of Human Services:
 - Executive Director Operations - \$1,306,900
 - Division of Substance Abuse and Mental Health - \$3,168,600
 - Division of Services for People with Disabilities - \$250,000
 - Office of Recovery Services - \$391,200
 - Division of Child and Family Services - \$3,624,600
 - Division of Aging and Adult Services - \$2,106,800

4. Approve the following one-time changes to Medicaid funding:

Note: One of the two new Medicaid eligibility groups (homeless/JRI/substance abuse/mental health) from HB H.B. 437 Health Care Revisions from the 2016 General Session (reference <http://le.utah.gov/lfa/fnotes/2016/HB0437S03.fn.pdf>) will not start until January 1, 2018, a delay of six months.

<u>Sources</u>	<u>General Fund FY 2018 One-time</u>	<u>Notes</u>
\$ (1,900,000)	Health - Medicaid Services	Delay of payment for hospital upper payment limit gap for six months.
\$ (3,409,900)	Health - Medicaid Expansion Fund	Delay of services six months.
\$ (5,309,900)	Total	
<u>Uses</u>	<u>General Fund FY 2018 One-time</u>	<u>Notes</u>
\$ 100,000	Corrections - Department Medical Services	Backfill of unrealized savings due to delay in start date six months.
\$ 909,900	Human Services - Substance Abuse and Mental Health	Backfill of unrealized savings due to delay in start date six months.
\$ 100,000	Human Services - Child and Family Services	Backfill of unrealized savings due to delay in start date six months.
\$ 1,109,900	Total	

5. Approve a \$718,600 increase in ongoing transfers and \$2,155,800 in ongoing federal funds for the Department of Health’s Medicaid and Health Financing line item (FY 2018).

Add the following intent statements:

6. *The Legislature intends that all the nonlapsing authority approved for retaining funds in FY 2018 that were appropriated in FY 2017 for the Department of Health’s Medicaid Optional Services, Medicaid Mandatory Services, and Medicaid Expansion 2017 line items be authorized for use in the new line item in the Department of Health in FY 2018 entitled Medicaid Services.*
7. *The Legislature intends that the fiscal year 2018 ending balances in the General Fund Restricted - Office of Rehabilitation Transition Restricted Account (Fund 1288) not lapse at the close of fiscal year 2018. The Legislature further intends the Division of Finance transfer any remaining balances in the General Fund Restricted - Office of Rehabilitation Transition Restricted Account (Fund 1288) into the Department of Workforce Services - State Office of Rehabilitation line item at the time the Office of Rehabilitation Transition Restricted Account is repealed (July 1, 2018).*

Executive Appropriations Committee

1. *The Legislature intends that, when preparing the Fiscal Year 2019 base budget bills, the Legislative Fiscal Analyst shall include \$9,000,000 one-time from the General Fund in the Employability to Careers Program Restricted Account and \$9,000,000 one-time from the Employability to Careers Program Restricted Account in the Governor’s Office of Management and Budget line item and (\$9,000,000) one-time from the General Fund in the Capital Development – Higher Education line item.*

2. *The Legislature intends that, when preparing the Fiscal Year 2019 base budget and compensation bills, the Legislative Fiscal Analyst shall include in the compensation bill \$1,158,200 ongoing from the General and Education Funds to replace one-time appropriations of the same amount made in the Fiscal Year 2018 budget.*

3. *The Legislature intends that, when preparing the Fiscal Year 2019 base budget and compensation bills, the Legislative Fiscal Analyst shall include in the compensation bill a 75% General Fund-Education Fund / 25% Dedicated Credits mix for each Education and General line item and other instructional line items containing General Fund, Education Fund, and Dedicated Credits, with the exception that the Salt Lake Community College School of Applied Technology line item shall include 100% General Fund-Education Fund. The Legislature also intends that the Legislative Fiscal Analyst shall include in the compensation bill for the Utah College of Applied Technology 100% General Fund-Education Fund.*