

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

Thursday, February 1, 2018 • 8:00 a.m. • 25 House Building

**Members Present:**

Sen. Daniel W. Thatcher, Senate Chair  
Rep. Eric K. Hutchings, House Chair  
Rep. Bruce R. Cutler, House Vice Chair  
Sen. Curtis S. Bramble  
Sen. Margaret Dayton  
Sen. Lincoln Fillmore  
Sen. Jani Iwamoto  
Rep. Cheryl K. Acton  
Rep. James A. Dunnigan  
Rep. Brian M. Greene  
Rep. Ken Ivory

Rep. Brian S. King  
Rep. Angela Romero  
Rep. Logan Wilde

**Members Absent:**

Sen. Peter C. Knudson  
Sen. Ralph Okerlund

**Staff Present:**

Ms. Linda Service, Committee Secretary  
Mr. Gary R. Syphus, Fiscal Analyst  
Mr. Alexander R. Wilson, Fiscal Analyst

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 . 8:00 am: Call to Order/Approval of Minutes**

House Chair Hutchings called the meeting to order at 8:15 a.m.

**2 . - Utah Commission Authority**

Mr. Gary Syphus introduced the Utah Communications Authority (UCA)

Mr. Dave Edmunds, Executive Director, UCA, and Quinn Stephens, Deputy Director and General Counsel, discussed UAC 's tasks and responsibilities and distributed a handout "Utah Communications Authority."

Along with Mr. Edmunds, Mr. Stephens clarified questions from Rep. Hutchings related to the UCA's 911 Division and the Radio Network Division.

Mr. Edmunds resumed his presentation.

Senate Chair Thatcher assumed the chair.

Mr. Stephens responded to a question from Chair Cutler requesting clarification on the Emergency Service Account.

Mr. Syphus responded to a question from Chair Thatcher regarding restricted funds.

Mr. Edmunds and Mr. Stephens responded to Rep. Ivory's request for more information on UCA's strategic plan.

**3 . - Utah State Courts**

Mr. Syphus discussed the items for consideration: (1) Reduction in the amount of judicial positions within the Second Judicial District and (2) Fall report of the Guardian ad Litem.

[3-Courts Presentation - 2-1-2018](#)

Mr. Rick Schwermer, State Court Administrator, and Mr. Ray Wahl, Deputy State Court Administrator, presented an agency background, performance, analyst recommendations, and reported on the updates State Courts have made.

Chair Thatcher requested Mr. Schwermer address the possibility of taking funding from a judgeship that is no longer necessary based on case load and redirect those funds to a new judge.

Mr. Schwermer and Mr. Wahl responded to a question from Sen. Dayton related to survey taking at the courts.

Mr. Syphus responded to a question from Rep. Dunnigan concerning the funding of judgeships and the possibility of reassigning funds. Senate Chair Thatcher commented that the judicial is its own branch. Rep. Dunnigan clarified his position.

#### **4 . - Utah State Auditor**

Mr. Alex Wilson introduced the Utah State Auditor's Office.

Mr. John Dougall, Utah State Auditor, reported on the office and discussed requests.

#### [4-Auditor's Office Presentation - 2-1-2018](#)

Mr. Wilson commented on the proposed intent language for performance measures.

#### **5 . - EOCJ Proposed Intent Language for Performance Measures**

#### [5-Issue Brief - 2018 General Session - Intent Language for Performance Measures - Executive Offices](#)

**MOTION:** Rep. Cutler moved to approve the intent language outlined in the document entitled "Intent Language for Performance Measures" included in today's meeting materials and be included in House Bill 6, "Executive Offices and Criminal Justice Base Budget." The motion passed with a vote of 10 - 0 - 6 .

#### Yeas-10

Rep. C. Acton  
Sen. C. Bramble  
Rep. B. Cutler  
Sen. M. Dayton  
Rep. J. Dunnigan  
Sen. L. Fillmore

#### Nays-0

#### Absent-6

Rep. B. Greene  
Rep. E. Hutchings  
Rep. K. Ivory  
Sen. P. Knudson  
Sen. R. Okerlund  
Rep. L. Wilde

Sen. J. Iwamoto  
Rep. B. King  
Rep. A. Romero  
Sen. D. Thatcher

**6 . - EOCJ Base Budget Discussion/Voting**

**7 . - Budget Requests - Department of Public Safety**

**MOTION:** Rep. Cutler moved to approve the following intent language: For Item 38 Department of Public Safety - Programs and Operations: The Legislature intends that the Department of Public safety explore opportunities for reimbursement for state and local search and rescue services, including costs incurred by the Department of Public safety - Aero Bureau and local governments on federal public lands and report to the Executive Offices and Criminal Justice Appropriations Subcommittee by the end of the 2018 Interim. The motion passed with a vote of 10 - 0 - 6 .

Yeas-10

Rep. C. Acton  
Sen. C. Bramble  
Rep. B. Cutler  
Sen. M. Dayton  
Rep. J. Dunnigan  
Sen. L. Fillmore  
Sen. J. Iwamoto  
Rep. B. King  
Rep. A. Romero  
Sen. D. Thatcher

Nays-0

Absent-6

Rep. B. Greene  
Rep. E. Hutchings  
Rep. K. Ivory  
Sen. P. Knudson  
Sen. R. Okerlund  
Rep. L. Wilde

Mr. Wilson explained the Base Budget Technical Correction

**MOTION:** Rep. Cutler moved to replace information on Item 42, Attorney General Litigation Fund, in House Bill 6 "Executive Offices an Criminal Justice Base Budget" with Table 1 below. The motion passed with a vote of 10 - 0 - 6 .

Yeas-10

Rep. C. Acton  
Sen. C. Bramble  
Rep. B. Cutler  
Sen. M. Dayton  
Rep. J. Dunnigan  
Sen. L. Fillmore

Nays-0

Absent-6

Rep. B. Greene  
Rep. E. Hutchings  
Rep. K. Ivory  
Sen. P. Knudson  
Sen. R. Okerlund  
Rep. L. Wilde

Sen. J. Iwamoto  
Rep. B. King  
Rep. A. Romero  
Sen. D. Thatcher

**MOTION:** Rep. Cutler moved to approve the list of items for reduction as listed in the document entitled "Co-Chairs List - EOCJ Reduction Options" dated February 1, 2018 and include them in House Bill 6 "Executive Offices and Criminal Justice Base Budget."

**SUBSTITUTE MOTION:** Rep. Greene moved to adopt the Co-Chairs List - EOCJ Reduction Options as our starting point for budget reduction discussion today. The Substitute motion passed with a vote of 13 - 0 - 3 .

Yeas-13

Rep. C. Acton  
Sen. C. Bramble  
Rep. B. Cutler  
Sen. M. Dayton  
Rep. J. Dunnigan  
Sen. L. Fillmore  
Rep. B. Greene  
Rep. K. Ivory  
Sen. J. Iwamoto  
Rep. B. King  
Rep. A. Romero  
Sen. D. Thatcher  
Rep. L. Wilde

Nays-0

Absent-3

Rep. E. Hutchings  
Sen. P. Knudson  
Sen. R. Okerlund

**MOTION:** Rep. Greene moved to recover the one time monies listed on Lines #38, #40, #41, and #43. Rep. Greene removed his motion.

**MOTION:** Rep. Greene moved to not just take the \$14 million ongoing but to recover all of the one time listed for JJS operations.

**SUBSTITUTE MOTION:** Rep. Cutler moved to reclaim all the one time money with the exception of #41 and #38 which needs to be corrected to \$10,000. The Substitute motion passed with a vote of 14 - 0 - 2 .

Yeas-14

Rep. C. Acton  
Sen. C. Bramble  
Rep. B. Cutler  
Sen. M. Dayton

Nays-0

Absent-2

Sen. P. Knudson  
Sen. R. Okerlund

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Rep. J. Dunnigan  
Sen. L. Fillmore  
Rep. B. Greene  
Rep. E. Hutchings  
Rep. K. Ivory  
Sen. J. Iwamoto  
Rep. B. King  
Rep. A. Romero  
Sen. D. Thatcher  
Rep. L. Wilde

**MOTION:** Rep. Cutler moved to remove the funding from Legislative Legal Cost Efficiencies line. The motion failed with a vote of 11 - 3 - 2 .

Yeas-11

Rep. C. Acton  
Rep. B. Cutler  
Sen. M. Dayton  
Rep. J. Dunnigan  
Sen. L. Fillmore  
Rep. B. Greene  
Rep. E. Hutchings  
Rep. K. Ivory  
Rep. B. King  
Rep. A. Romero  
Rep. L. Wilde

Nays-3

Sen. C. Bramble  
Sen. J. Iwamoto  
Sen. D. Thatcher

Absent-2

Sen. P. Knudson  
Sen. R. Okerlund

**MOTION:** Rep. Ivory moved to eliminate #5, County Incentive Grant Program Funds Recovery, and remove it from the Base Budget The motion passed with a vote of 14 - 0 - 2 .

Yeas-14

Rep. C. Acton  
Sen. C. Bramble  
Rep. B. Cutler  
Sen. M. Dayton  
Rep. J. Dunnigan  
Sen. L. Fillmore  
Rep. B. Greene  
Rep. E. Hutchings  
Rep. K. Ivory  
Sen. J. Iwamoto

Nays-0

Absent-2

Sen. P. Knudson  
Sen. R. Okerlund

Rep. B. King  
Rep. A. Romero  
Sen. D. Thatcher  
Rep. L. Wilde

**MOTION:** Rep. Cutler moved that Line #10, Courts Second Judicial District Court Judgeship, in the amount of \$441,000 remain in the budget and not be defunded in the Base Budget.

**SUBSTITUTE MOTION:** Rep. Hutchings moved to make this a budget deep dive item for interim study this year and change Line #10 to red. The Substitute motion passed with a vote of 14 - 0 - 2 .

Yeas-14

Nays-0

Absent-2

Rep. C. Acton  
Sen. C. Bramble  
Rep. B. Cutler  
Sen. M. Dayton  
Rep. J. Dunnigan  
Sen. L. Fillmore  
Rep. B. Greene  
Rep. E. Hutchings  
Rep. K. Ivory  
Sen. J. Iwamoto  
Rep. B. King  
Rep. A. Romero  
Sen. D. Thatcher  
Rep. L. Wilde

Sen. P. Knudson  
Sen. R. Okerlund

**MOTION:** Rep. Ivory moved to remove Line #46, Constitutional Defense Restricted Account Modifications, from the Base Budget.

**MOTION:** Rep. Hutchings moved to not remove funding from the Base Budget for #14, End Drug Offender Reform Act (DORA), #18, Jail Contracting Treatment Rate Reduction from 89% to 86%, and #31, Guardian ad Litem Recruitment and Retention. The motion passed with a vote of 14 - 0 - 2 .

Yeas-14

Nays-0

Absent-2

Rep. C. Acton  
Sen. C. Bramble  
Rep. B. Cutler  
Sen. M. Dayton  
Rep. J. Dunnigan  
Sen. L. Fillmore

Sen. P. Knudson  
Sen. R. Okerlund

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Rep. B. Greene  
Rep. E. Hutchings  
Rep. K. Ivory  
Sen. J. Iwamoto  
Rep. B. King  
Rep. A. Romero  
Sen. D. Thatcher  
Rep. L. Wilde

**MOTION:** Rep. Dunnigan moved to change #2, Legislative Legal Cost Efficiencies, to red and not be taken from the Base Budget and then adopt the Co-Chairs List, as amended, be adopted as the Base Budget for this committee.

**SUBSTITUTE MOTION:** Rep. Hutchings moved that #2 be removed from the Base Budget in the amount of \$263,500 and that the Base Budget be approved as amended. The Substitute motion passed with a vote of 12 - 2 - 2 .

Yeas-12

Rep. C. Acton  
Sen. C. Bramble  
Rep. B. Cutler  
Rep. J. Dunnigan  
Sen. L. Fillmore  
Rep. B. Greene  
Rep. E. Hutchings  
Rep. K. Ivory  
Sen. J. Iwamoto  
Rep. B. King  
Rep. A. Romero  
Rep. L. Wilde

Nays-2

Sen. M. Dayton  
Sen. D. Thatcher

Absent-2

Sen. P. Knudson  
Sen. R. Okerlund

**MOTION:** Rep. Cutler moved to approve the Base Budget Bill for the EOCJ Subcommittee, House Bill 6" Executive Offices and Criminal Justice Base Budget" and forward to Executive Appropriations Committee for their consideration. The motion passed with a vote of 14 - 0 - 2 .

Yeas-14

Rep. C. Acton  
Sen. C. Bramble  
Rep. B. Cutler  
Sen. M. Dayton  
Rep. J. Dunnigan

Nays-0

Absent-2

Sen. P. Knudson  
Sen. R. Okerlund

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Sen. L. Fillmore  
Rep. B. Greene  
Rep. E. Hutchings  
Rep. K. Ivory  
Sen. J. Iwamoto  
Rep. B. King  
Rep. A. Romero  
Sen. D. Thatcher  
Rep. L. Wilde

**MOTION:** Rep. Greene discussed the issue of the imbalance within the Department of Public Safety.

**MOTION:** Sen. Bramble moved to adjourn. The motion passed with a vote of 12 - 0 - 4 .

Yeas-12

Rep. C. Acton  
Sen. C. Bramble  
Rep. B. Cutler  
Sen. M. Dayton  
Rep. J. Dunnigan  
Sen. L. Fillmore  
Rep. B. Greene  
Rep. E. Hutchings  
Rep. K. Ivory  
Sen. J. Iwamoto  
Rep. A. Romero  
Sen. D. Thatcher

Nays-0

Absent-4

Rep. B. King  
Sen. P. Knudson  
Sen. R. Okerlund  
Rep. L. Wilde

Chair Thatcher adjourned the meeting at 10:52 a.m.