



# MINUTES

## HIGHER EDUCATION APPROPRIATIONS SUBCOMMITTEE

Wednesday, February 19, 2020 | 4:00 p.m. | 445 State Capitol

**Members Present:**

Sen. Keith Grover, Senate Chair  
Rep. Michael K. McKell, House Chair  
Rep. Susan Duckworth, House Vice Chair  
Sen. Deidre M. Henderson  
Sen. Lyle W. Hillyard  
Sen. Karen Mayne  
Rep. Melissa G. Ballard  
Rep. Kelly B. Miles  
Rep. Candice B. Pierucci  
Rep. Rex P. Shipp  
Rep. Mark A. Strong

Rep. Mark A. Wheatley

**Members Absent:**

Sen. Ann Millner  
Sen. Jerry W. Stevenson  
Sen. Evan J. Vickers  
Rep. Jon Hawkins

**Staff Present:**

Sean C. Faherty, Finance Officer  
Ben Leishman, Finance Manager  
Lorna Wells, Committee 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).

Chair Grover called the meeting to order at 4:00 p.m.

### 1 . Higher Education Governance Changes Update

Utah System of Higher Education (USHE)

Rich Amon, Associate Commissioner, USHE discussed the Performance Funding Update.

#### [3a-USHE Performance Funding Presentation](#)

Utah System of Technical Colleges (UTECH)

Jared Haines, Interim Commissioner, UTECH gave a presentation regarding Performance Funding with the assistance of Zachary Barrus, Assistant Commissioner for Institutional Research

#### [3b-UTech Performance Funding Presentation](#)

Sen. Hillyard asked how open-enrollment impacts the metrics calculation. Zachary Barrus and Jared Haines responded.

### 2 . Higher Education Governance Changes Update

Rep. McKell gave a brief update indicating that funding requests will be impacted because of the governance changes proposed by Sen. Millner in S.B. 111.

### 3 . A Performance Audit of State and Higher Education Building Costs

Office of the Legislative Auditor General Presentation

Ben Buys, Audit Manager gave an overview of the audit.

#### [4a-Performance Audit of State and Higher Education Building Costs](#)

Jake Dinsdale, Audit Supervisor gave a presentation about the audit.

#### [4c-OLAG Audit Presentation](#)

Sen. Mayne asked for clarification on the O & M funding for buildings which had expanded their scope after legislative approval. Benjamin Buys and Jake Dinsdale responded.

Rep. Strong asked how the O & M shortfalls are made up. Jake Dinsdale responded.

Seán Faherty added additional clarifying information about O & M funding.

There was additional committee discussion regarding the process for O & M funding.

Sen. Hillyard mentioned that it would be financially beneficial to spend more money on building upkeep and capital facilities improvements each year. Jake Dinsdale responded. They continued with more discussion regarding this topic.

#### Agency Response to Audit

Jim Russell, Director of the Division of Facilities Construction and Management gave an update regarding the audit.

#### [4b-DFCM Audit Presentation](#)

Rich Amon gave a response to the audit.

Rep. Pierucci stated that the audit recommendations were very helpful.

### **4 . Request for Appropriation - Natural History Markers of Utah**

#### [5a-RFA - Natural History Markers of Utah - Request for Appropriation Materials](#)

Becky Menlove, Executive Director, introduced Beth Mitchell, Director of External Relations and Chris Eisenberg, Director of Philanthropy, Natural History Museum of Utah, who explained this request for appropriation (RFA).

### **5 . Prioritization of Budget Items and Voting**

Chair Grover discussed the prioritization process for both the Senate and House. He gave some instructions to committee members about the materials presented.

#### [6a-Subcommittee Budget List](#)

Rep. McKell informed committee members that the prioritization will be done by sections as shown on the budget list.

Rep. Perucci asked for clarification about the process.

Chair Grover explained the columns labeled "Ongoing" and "One-Time."

Chair Grover explained Section 1 "USHE" & "UTech" (Lines 1-3) on the budget list.

There was committee discussion about this section of the list.

**MOTION:** Sen. Hillyard moved to approve Section 1 USHE & UTech Lines 1-3 on the budget list with the condition that the Chairs could determine any funding adjustments for items under consideration by the Executive Appropriations Committee (EAC).

Sen. Mayne asked a clarifying question about the last section on the budget list. Chair Grover responded.

Sen. Hillyard's motion to accept Section 1 Lines 1-3 passed with a vote of 12 - 0 - 4.

Yeas-12

Rep. M. Ballard  
Rep. S. Duckworth  
Sen. K. Grover  
Sen. D. Henderson  
Sen. L. Hillyard  
Sen. K. Mayne  
Rep. M. McKell  
Rep. K. Miles  
Rep. C. Pierucci  
Rep. R. Shipp  
Rep. M. Strong  
Rep. M. Wheatley

Nays-0

Absent-4

Rep. J. Hawkins  
Sen. A. Millner  
Sen. J. Stevenson  
Sen. E. Vickers

Rep. McKell discussed Section 2 "UTech Items" (Lines 1-5) on the budget list.

Seán Faherty explained the "Employer-Driven Program Expansion/Student Support" request and Rep. McKell discussed the other items in this section.

**MOTION:** Sen. Hillyard moved to approve Section 2 "UTech Items" Lines 1 -5 on the budget list with the condition that the Chairs could determine any funding adjustments for items under consideration by EAC. The motion passed with a vote of 12 - 0 - 4.

Yeas-12

Rep. M. Ballard  
Rep. S. Duckworth  
Sen. K. Grover  
Sen. D. Henderson  
Sen. L. Hillyard  
Sen. K. Mayne  
Rep. M. McKell  
Rep. K. Miles  
Rep. C. Pierucci  
Rep. R. Shipp  
Rep. M. Strong  
Rep. M. Wheatley

Nays-0

Absent-4

Rep. J. Hawkins  
Sen. A. Millner  
Sen. J. Stevenson  
Sen. E. Vickers

Chair Grover explained Section 3 "USHE Items" (Lines 1-7) on the budget list.

Sen. Hillyard expressed concern about funding growth. He mentioned that the Public Education Subcommittee did not recommend funding for the College Access Advisors program. Rep. McKell responded to both of these comments.

Sen. Henderson mentioned the importance of having some institutions as open access which makes funding growth important.

**MOTION:** Sen. Hillyard moved to approve Section 3 "USHE Items" Lines 1 - 7 on the budget list with the condition that the Chairs could determine any funding adjustments for items under consideration by EAC.

The motion passed with a vote of 12 - 0 - 4.

Yeas-12

Rep. M. Ballard  
Rep. S. Duckworth  
Sen. K. Grover  
Sen. D. Henderson  
Sen. L. Hillyard  
Sen. K. Mayne  
Rep. M. McKell  
Rep. K. Miles  
Rep. C. Pierucci  
Rep. R. Shipp  
Rep. M. Strong  
Rep. M. Wheatley

Nays-0

Absent-4

Rep. J. Hawkins  
Sen. A. Millner  
Sen. J. Stevenson  
Sen. E. Vickers

Rep. McKell discussed Section 4 "Requests for Appropriations: Both" Lines 1-6 on the budget list.

Seán Faherty discussed why some of the requests are shown in red.

Rep. Miles asked for more clarification about the items shown in red. Seán Faherty explained that these items have a delayed implementation.

Sen. Hillyard asked about the Educational Administration Financial Management Certificate because Public Education funded this in a different way. He expressed concern about duplication.

**MOTION:** Sen. Hillyard moved to approve Section 4 "Requests for Appropriations" Both" Lines 1-6 on the budget list with the condition that the Chairs could determine any funding adjustments for items under consideration by EAC and that the Chairs would coordinate with Public Education if there is duplication in the last program.

Rep. Strong asked for more clarification about funding mental health out of education dollars. Sen. Henderson and Chair Grover responded.

Sen. Hillyard was in support of Sen. Henderson's comments.

Sen. Hillyard's motion to approve Section 4 passed with a vote of 12 - 0 - 4.

Yeas-12

Rep. M. Ballard  
Rep. S. Duckworth  
Sen. K. Grover  
Sen. D. Henderson  
Sen. L. Hillyard  
Sen. K. Mayne  
Rep. M. McKell  
Rep. K. Miles  
Rep. C. Pierucci  
Rep. R. Shipp  
Rep. M. Strong  
Rep. M. Wheatley

Nays-0

Absent-4

Rep. J. Hawkins  
Sen. A. Millner  
Sen. J. Stevenson  
Sen. E. Vickers

Chair Grover explained Section 5 "Requests for Appropriations - (Ongoing)" Lines 1-3 on the budget list.

**MOTION:** Sen. Hillyard moved to approve Section 5 "Requests for Appropriations - (Ongoing)" Lines 1-3 on the budget list.  
The motion passed with a vote of 12 - 0 - 4.

Yeas-12

Rep. M. Ballard  
Rep. S. Duckworth  
Sen. K. Grover  
Sen. D. Henderson  
Sen. L. Hillyard  
Sen. K. Mayne  
Rep. M. McKell  
Rep. K. Miles  
Rep. C. Pierucci  
Rep. R. Shipp  
Rep. M. Strong  
Rep. M. Wheatley

Nays-0

Absent-4

Rep. J. Hawkins  
Sen. A. Millner  
Sen. J. Stevenson  
Sen. E. Vickers

Rep. McKell discussed Section 6 "Requests for Appropriations - (One-Time)" Lines 1 - 10.

**MOTION:** Sen. Hillyard moved to approve Section 6 "Requests for Appropriations - (One-Time)" Lines 1 - 10 on the budget list but asked the Chairs that if funding cuts need to be made to start at the bottom of this section and go up.

Rep. Pierucci mentioned that of these requests may be funded by private industry. Rep. McKell responded to her question and discussed some possible actions that could be taken.

Sen. Hillyard's motion to approve Section 6 passed with a vote of 12 - 0 - 4.

Yeas-12

Rep. M. Ballard  
Rep. S. Duckworth  
Sen. K. Grover  
Sen. D. Henderson  
Sen. L. Hillyard  
Sen. K. Mayne  
Rep. M. McKell  
Rep. K. Miles  
Rep. C. Pierucci  
Rep. R. Shipp  
Rep. M. Strong  
Rep. M. Wheatley

Nays-0

Absent-4

Rep. J. Hawkins  
Sen. A. Millner  
Sen. J. Stevenson  
Sen. E. Vickers

Chair Grover discussed the Section 7 "Items Typically Funded in Other Subcommittees" on the budget list.

Rep. McKell stated that this section was not ranked.

Rep. Shipp asked about the request for the Aviation Mechanics program in Price. He felt that this would be a duplication because the program at SUU has been very successful and services the state.

**MOTION:** Rep. Shipp moved to change the requested funding amount for USU Eastern Aviation Mechanics program to \$0.

Sen. Mayne spoke against the motion, stating that Price needs some additional attention, energy and funding.

**MOTION:** Sen. Hillyard moved to approve Section 7 "Items Typically Funded in Other Subcommittees" with the following provisions:  
- The Chairs present these items to EAC and if they are not funded, then they are removed from the list.  
- Be aware that EAC might fund some of the items and not others.

- If EAC appropriated a specific amount of money for these items, the Chairs could decide how to allocate this money.

Rep. Shipp expressed concern about the substitute motion.

Rep. Pierucci spoke against the substitute motion.

Sen. Hillyard's motion to approve Section 7 passed with a vote of 7 - 5 - 4.

Yeas-7

Rep. M. Ballard  
Sen. K. Grover  
Sen. L. Hillyard  
Sen. K. Mayne  
Rep. M. McKell  
Rep. K. Miles  
Rep. M. Wheatley

Nays-5

Rep. S. Duckworth  
Sen. D. Henderson  
Rep. C. Pierucci  
Rep. R. Shipp  
Rep. M. Strong

Absent-4

Rep. J. Hawkins  
Sen. A. Millner  
Sen. J. Stevenson  
Sen. E. Vickers

Rep. McKell told subcommittee members that discussion on these items will continue throughout the remainder of the session.

Rep. Strong expressed concern about these items. He would like to support keeping taxes low. Chair Grover responded.

Sen. Henderson expressed concern about the list. She thought the subcommittee could possibly reconsider this motion because these items should not be coming from the Higher Education Subcommittee.

Rep. Pierucci expressed concern about giving approval for the Mental Services Request from Sen. Thatcher because the intent of this request has been changed, and the new intent is unknown. Chair Grover and Rep. McKell responded.

Rep. Ballard had concern about the prioritization process. She offered some considerations for next year.

Sen. Mayne commented about Rep. Ballard's remarks. She has trust in the Chairs to take the sentiments of the subcommittee to EAC.

Rep. McKell also responded to Rep. Ballard's comments.

[6b-Subcommittee Motions](#)

**MOTION:** Sen. Henderson moved to approve all thirteen motions on the "Subcommittee Motion" sheet with the verbal amendment that the date on Item #13 be corrected to February 19, 2020. The motion passed with a vote of 11 - 0 - 5.

Yeas-11

Rep. M. Ballard  
Rep. S. Duckworth  
Sen. K. Grover  
Sen. D. Henderson  
Sen. L. Hillyard  
Sen. K. Mayne  
Rep. M. McKell  
Rep. K. Miles  
Rep. C. Pierucci  
Rep. R. Shipp  
Rep. M. Strong

Nays-0

Absent-5

Rep. J. Hawkins  
Sen. A. Millner  
Sen. J. Stevenson  
Sen. E. Vickers  
Rep. M. Wheatley

Rep. McKell gave some concluding remarks about the unique fiscal year. He thanked the subcommittee and asked them to continue to discuss these requests with the Chairs.

Chair Grover thanked committee members and the USHE and UTECH institutions. He also thanked the agency's who came and presented the RFAs.

Sen. Hillyard thanked the staff for their hard work.

**MOTION:** Rep. Pierucci moved to adjourn. The motion passed with a vote of 11 - 0 - 5.

Yeas-11

- Rep. M. Ballard
- Rep. S. Duckworth
- Sen. K. Grover
- Sen. D. Henderson
- Sen. L. Hillyard
- Sen. K. Mayne
- Rep. M. McKell
- Rep. K. Miles
- Rep. C. Pierucci
- Rep. R. Shipp
- Rep. M. Strong

Nays-0

Absent-5

- Rep. J. Hawkins
- Sen. A. Millner
- Sen. J. Stevenson
- Sen. E. Vickers
- Rep. M. Wheatley

Senate Chair Grover adjourned the meeting at 5:54 p.m.