CONSOLIDATED MOTIONS
Executive Appropriations Committee

March 11, 2020

Adopt revenue, appropriation, and intent language changes as shown below:

Statewide

1. Approve the following additional revenue sources:
    a. $12,000,000 one-time FY 2020 from Minimum School Program Balances
    b. $18,640,000 one-time in FY 2020 from PEHP Rebate (SCR 10)

Business, Economic Development, and Labor

1. Approve the following intent language: The Legislature intends that up to $2 million of the economic opportunities allocation under UCA 63N-1-103 be used to help fund a capital project or operations for a private nonprofit organization dedicated to the year-round discovery and development of independent artists and audiences.

2. Approve the following intent language: The Legislature intends that the pass-through dollars from the 2019 General Session in the amount of $500,000 to Zion's National Park 100th Anniversary Celebration be given to KUED-TV (PBS Channel 7). The Legislature further intends that the full appropriation of $500,000 be used for direct costs and not administrative overhead.

3. Appropriate $750,000 one-time from the Transit Transportation Investment Fund to the Governor's Office of Economic Development – Point of the Mountain Authority for an environmental study.

4. Adjust appropriations in the Governor's Office of Economic Development from the Outdoor Recreation Infrastructure Account as follows:
    a. Zero out $1,000,000 appropriated in FY 2020
    b. Zero out ($1,000,000) appropriation in S.B. 3, Item 147, and House Bill 2, Item 207, 2020 General Session, in FY 2020 and FY 2021 respectively.

5. Should Senate Bill 123 pass, appropriate $150,000 ongoing in Dedicated Credits to the Governor's Office of Economic Development for fees authorized in the bill.

6. Reallocate $74,000 appropriated ongoing from the Financial Institutions Restricted Account in FY 2021 from Financial Institutions – Financial Institutions Administration – Administration to Financial Institutions – Financial Institutions Administration – Building Operations and Maintenance for rent payments.

7. Appropriate $9,428,600 one-time in Dedicated Credits Revenue in FY 2020 and $9,421,700 ongoing in Dedicated Credits Revenue in FY 2021 to Public Service Commission – Universal Public Telecom Service. Appropriate additional nonlapsing balances to Public Service Commission – Universal Public Telecom Service as follows: ($672,300) in Closing Nonlapsing Balances in FY 2020, $672,300 in Beginning Nonlapsing Balances for FY 2021, and ($1,344,600) in

Closing Non Lapsing Balances for FY 2021.

Executive Offices and Criminal Justice

1. Approve the following intent language: The Legislature intends that the following intent language in H.B. 2, Item 6, 2020 General Session, is deleted: “To the extent that funding is available, the Legislature intends to increase ongoing appropriations to fully fund the certified correctional staff pay plan to the amount of $8,439,600 in yearly increments of $2,813,200 over the next three years.”

2. Approve the following intent language: The Legislature intends that the Department of Corrections is authorized to charge the following fees:

Fee Name	Fee Explanation	Fee Amount
Odd size photocopies	Fee entitled "Odd size photocopies" applies to the entire Department of Corrections.	Actual Cost
Document Certification	Fee entitled "Document Certification" applies to the entire Department of Corrections.	$ 2
Local document faxing	Fee entitled "Local Document Faxing" applies to the entire Department of Corrections.	$ .50
Long distance document faxing	Fee entitled "Long Distance Document Faxing" applies to the entire Department Of Corrections.	$ 2
Staff time to search, compile, and otherwise prepare record	Fee entitled "Staff time to search, compile, and otherwise prepare record" applies to the entire Department of Corrections.	Actual Cost
Mail and ship preparation, plus actual postage costs	Fee entitled "Mail and ship preparation, plus actual postage costs" applies to the entire Department of Corrections.	Actual Cost
CD Duplication	Fee entitled "CD Duplication" applies to the entire Department of Corrections.	$ 5
DVD Duplication	Fee entitled "DVD Duplication" applies to the entire Department of Corrections.	$ 10
Other media	Fee entitled "Other Media" applies to the entire Department of Corrections.	Actual Cost
Other services	Fee entitled "Other Services" applies to the entire Department of Corrections.	Actual Cost
8.5 x 11 photocopy	Fee entitled "8.5 x 11 photocopy" applies to the entire Department of Corrections.	$ .25
OSDC Supervision Collection	Fee entitled "OSDC Supervision Collection" applies for the entire Department of Corrections.	$ 30
Resident Support	Fee entitled "Resident Support" applies for the entire Department of Corrections.	$ 6
Restitution for Prisoner Damages	Fee entitled "Restitution for Prisoner Damages" applies for the entire Department of Corrections.	Actual Cost

False Information Fines	Fee entitled "False Information Fines" applies for the entire Department of Corrections.	Range $1 - $84,200
Sale of Services	Fee entitled "Sale of Services" applies for the entire Department of Corrections.	Actual Cost
Inmate Leases & Concessions	Fee entitled "Inmate Leases & Concessions" applies for the entire Department of Corrections.	$ 11
Patient Social Security Benefits Collections	Fee entitled "Patient Social Security Benefits Collections" applies for the entire Department of Corrections.	Amount Based on Actual Collected
Sale of Goods and Materials	Fee entitled "Sale of Goods & Materials" applies for the entire Department of Corrections.	Actual Cost
Buildings Rental	Fee entitled "Building Rental" applies for the entire Department of Corrections.	Contractual
Victim Rep Inmate Withheld	Fee entitled "Victim Rep Inmate Withheld" applies for the entire Department of Corrections.	Range $1 - $50,000
Sundry Revenue Collection	Fee entitled "Sundry Revenue Collection" applies for the entire Department of Corrections.	Miscellaneous Collections
Offender Tuition Payments	Fee entitled "Offender Tuition Payments" applies to the entire Department of Corrections.	Actual Cost
Prisoner Various Prostheses Co-pay		1/2 Cost
Inmate Support Collections		Actual Cost
Sale of Goods and Materials		Cost plus profit
Sale of Services		Cost plus profit

3. Approve the following intent language: The Legislature intends that under Section 64-13e-105 that the final state daily incarceration rate be set at $74.98 for FY2021.

4. Appropriate $200,000 one-time from the General Fund to the Attorney General's Office in FY 2020 Office resulting from funds that lapsed to the General Fund at the end of FY 2019.

5. Reallocate appropriations to create the following budget structure for the Indigent Defense Commission:

   Line Item: CCJJ - Indigent Defense Commission (CFDA)

   Appropriation Unit: Office of Indigent Defense Services (CFD)

   - Federal Funds: $212,900
   - Indigent Defense Resources: $7,686,800
   - Beginning Nonlapsing: $502,500

   Appropriation Unit: Indigent Appellate Defense Division

- General Fund: $500,000

Appropriation Unit: Child Welfare Parental Defense Program
- General Fund: $95,200
- Dedicated Credits: $45,000
- Transfers: $9,000

Fund: IDC – Child Welfare Parental Defense Fund #1411
- General Fund: $6,500
- Interest Income: $1,000
- Beginning Nonlapsing: $45,200

Fund: IDC – Indigent Defense Resources Account #2090
- General Fund: $7,674,500
- General Fund One-time: $3,200
- Beginning Nonlapsing: $9,100
- Transfers: $7,686,800

Fund: IDC – Indigent Inmate Trust Fund #7260
- Dedicated Credits: $25,300
- Beginning Balance: $897,600
- Current Expense: $88,000

6. Approve the following intent language: The Legislature intends that the Indigent Defense Commission is authorized to transfer funds to the Division of Child and Family Services in order to draw down Federal IV-E funds in the following amounts:

Indigent Defense Commission

Source	FY 2020 Supplemental	FY 2021 Ongoing
Revenue Transfers	($150,000)	($300,000)
Revenue Transfers	$300,000	$600,000
Expendable Receipts	$150,000	$300,000

Division of Child and Family Services

Source	FY 2020 Supplemental	FY 2021 Ongoing
Revenue Transfers	$150,000	$300,000
Federal Funds	$150,000	$300,000
Revenue Transfers	($300,000)	($600,000)

7. Reallocate the following appropriations within the Attorney General's Office budget to restore payments for the State's Criminal Appeals Team:
   a. From Attorney General - ISF General Fund ($1,209,800)
   b. To Attorney General - Civil $1,209,800

8. Approve the following intent language for FY 2020: The Legislature intends that the Department of Corrections, Division of Prison Operations, be able to purchase one vehicle with Department funds.

9. Approve the following intent language for FY 2020: The Legislature intends that, if the Department of Corrections is able to reallocate resources internally to fund two additional Lieutenants in the Department's Division of Prison Operations Inmate Placement Program, the Legislature grants authority to purchase two vehicles with Department funds.

10. Amend intent language in H.B. 2, Item 3, 2020 General Session as follows: The Legislature intends that the Attorney General's Office report on the following performance measures for the Utah Prosecution Council (UPC), whose mission is "to provide training and continuing legal education and provide assistance for state and local prosecutors": (1) The percentage of prosecutors whose continuing legal education credits come solely from UPC conferences; (2) The number of prosecutors who use a trauma expert in a jury trial; (3) The number of prosecutors who proceed to trial <u>in domestic violence cases</u> without the cooperation of the victim by October 15, 2021 to the Executive Offices and Criminal Justice Appropriations Subcommittee.

Higher Education

1. Reallocate $392,400 one-time General Fund in FY 2020 from the Legislature – Legislative Services line item to Utah Valley University for the Federalism Index Project, with the following intent language:
   The Legislature intends that funds appropriated in this item to Utah Valley University be used for the Federalism Index Project. The Legislature further intends that Utah Valley University report quarterly to the Federalism Commission on use of the funds.

2. Reallocate $1,500,000 ongoing in FY 2021 from the Education Fund from the University of Utah – School of Medicine line item to the Dixie State University – Education and General Line Item.

3. Eliminate the $107,900 one-time General Fund cut to Utah Valley University in S.B. 2, item 110, 2020 General Session and adjust the one-time Education Fund amount from $300,300 to $192,400. This corrects a funding source reallocation associated with the Attorney General's internal service fund.

4. Approve the following intent language in the Dixie State University – Education and General line item:
   a. The Legislature intends that $1,500,000 ongoing, from the Education Fund in the Dixie State University - Education and General Line Item be used for development of programs that will eventually be wholly operated by Dixie State University.
   b. The Legislature further intends that Dixie State University annually approve a proposed program budget prior to disbursal of any of these funds for program development by

the University of Utah.

5. Approve the following intent language: The Legislature intends that all funds allocated in FY 2021 in the performance funding program be distributed to institutions using the Board of Regents performance funding allocation formula as defined in 53B-7-706 and that the funds may be used by the institutions to support institutional priorities. Any funds not earned by institutions may be utilized by the State Board of Regents on a one-time basis in FY 2021 for cyber security needs within the system as determined by the Regents. These ongoing funds will be available for performance funding allocation in the FY 2022 budget cycle.

Infrastructure and General Government

1. Reallocate appropriations to the Division of Risk Management in H.B. 2 and S.B. 3:

   a. Reverse the appropriations to ISF - Risk Management - Liability (FRF):

ITEM 13 To Department of Administrative Services Internal Service Funds - Risk Management		
From Risk Management - Workers Compensation Fund, One-Time		(1,000,000)
From Risk Management Internal Service Fund, One-Time		(630,000)
From Risk Management-Property, One-Time		(3,000,000)
Schedule of Programs:		
ISF - Risk Management Administration	(630,000)	
ISF - Workers' Compensation	(1,000,000)	
Risk Management - Property	(3,000,000)	

   b. Appropriate the funding to Risk Management - Liability Fund (6920):

INFRASTRUCTURE AND GENERAL GOVERNMENT		
ITEM 16 To Risk Management-Liability		
From Risk Management - Workers Compensation Fund, One-Time		1,000,000
From Risk Management Internal Service Fund, One-Time		630,000
From Risk Management-Property, One-Time		3,000,000
Schedule of Programs:		
Risk Management - Liability Fund	4,630,000	

2. Reallocate $2,000,000 appropriated one-time in FY 2021 from the General Fund to Transportation – Engineering Services in H.B. 2, Item 50, 2020 General Session for "Rural Electric Vehicle Infrastructure" to Transportation – Pass-Through and adopt the following intent language:
   The Legislature intends that the Department of Transportation report to the Infrastructure and

General Government Appropriations Subcommittee by October 15, 2020 on its plan for spending $2,000,000 one-time appropriated in this item for Rural Electric Vehicle Charging Infrastructure.

3. Reallocate $1,000,000 appropriated ongoing in FY 2021 from the General Fund to Transportation – Pass-Through in H.B. 2, Item 59, 2020 General Session for "Technical Planning Assistance" to Transportation – Engineering Services.

4. Approve the following intent language: The Legislature intends that the Department of Transportation not use $10 million of the authorized $24 million in bond proceeds to issue a State Infrastructure Bank loan for the purpose authorized in Section 63B-27-101(3)(a).

5. Appropriate $43.5 million one-time in FY 2021 from the Capital Development Fund to the Division of Facilities Construction and Management for the Taylorsville State Office Complex.

Natural Resources, Agriculture, and Environmental Quality

1. Approve the following intent language: The Legislature intends that the Governor's Office of Energy Development is authorized to charge an application fee for the Well Recompletion Workover Tax Credit certificate in the amount of $10 per application.

2. Reallocate the appropriation of $1,100 from in H.B. 2, Item 193, 2020 General Session, from "Trust and Agency Funds" to "Land Grant Management Fund".

3. Reallocate the appropriation of $2,000,000 General Fund one-time for Carbon Capture Demonstration in H.B. 2, Item 180, 2020 General Session, from the Department of Natural Resources – DNR Pass Through to the Office of Energy Development.

4. Reallocate the appropriation for Regulatory Management Computer System Reimbursement funding appropriated to the Department of Agriculture and Food in S.B. 3, Items 115 and 117, 2020 General Session, as follows:
    a. Department of Agriculture and Food – Administration: $447,100
    b. Department of Agriculture and Food – Plant Industry: ($447,100)

5. Reallocate the ongoing $824,700 Dedicated Credits appropriation in House Bill 2, Item 166, 2020 General Session from the Plant Industry line item to the Industrial Hemp line item.

6. Appropriate $950,000 ongoing in FY 2021 from the Qualified Production Enterprise Fund to the Department of Agriculture – Medical Cannabis line item.

Public Education

1. Reallocate $3,000,000 appropriated in S.B. 2, 2020 General Session, as follows:
    a. Reverse the $3,000,000 ongoing from the Education Fund to USBE in Item 8.

b. Appropriate $3,000,000 ongoing from the General Fund in FY 2021 to the School Readiness Restricted Account.
c. Appropriate the $3,000,000 ongoing from the School Readiness Restricted Account to the Department of Workforce Services – Operations and Policy – Workforce Development.

2. Reallocate appropriations made in S.B. 8, Item 171, 2020 General Session, as follows:

From General Fund	($700)
From General Fund, One-Time	($100)
From Education Fund	$101,200
From Education Fund, One-Time	$11,200
From Federal Funds	($87,000)
From Federal Funds, One-Time	($9,700)
From Dedicated Credits Revenue	($12,300)
From Dedicated Credits Revenue, One-Time	($1,400)
From General Fund Restricted – Mineral Lease	($1,100)
From General Fund Restricted – Mineral Lease, One-Time	($100)

3. Reallocate appropriations made in S.B. 8, Item 166, 2020 General Session, as follows:

From Federal Funds	($16,400)
From Federal Funds, One-Time	($2,800)
From Liquor Tax	$16,800
From Liquor Tax, One-Time	$2,800
Education Fund	($400)

4. Approve the following intent language: The Legislature intends that if the Uniform School Fund Restricted – Growth in Student Population Account is renamed to the Uniform School Fund Restricted – Public Education Economic Stabilization Restricted Account, the Division of Finance retain all balances within the account through the renaming process.

5. Approve the following intent language: The Legislature intends that local education agencies (LEA) expend one-time funding received through the Flexible Allocation – WPU Distribution Program to meet school level priorities, first to address one-time student and school safety priorities and second to meet other one-time school level priorities. The Legislature further intends that LEAs report expenditures to the State Board of Education and the State Board of Education report to the Public Education Appropriations Subcommittee on these expenditures by February 1, 2021.

6. Approve the following intent language: The Legislature intends that the State Board of Education use $200,000 appropriated to Professional Outreach Programs in the Schools (POPS) to increase participation of schools and students through a symphony in the schools outreach

program.

7. Approve the following intent language: Under Item 8 in S.B. 2, Public Education Budget Amendments, the Legislature intends that the State Board of Education use $500,000 one-time appropriated in FY 2021 to contract with a provider to offer an online course that meets the state's financial literacy standards.

Social Services

1. Reallocate the $6,000,000 appropriation from the General Fund Restricted -- Homeless to Housing Reform Restricted Account made in H.B. 440, Item 1, 2020 General Session, from Department of Workforce Services – Homeless to Housing Reform Program to Department of Workforce Services – Homeless Committee.

Executive Appropriations Committee

1. Reallocate $392,400 one-time General Fund in FY 2020 from the Legislative Services line item to Utah Valley University for the Federalism Index Project.

2. Effective FY 2001, reorganize appropriations to the Legislative Services line item as follows:
    a. Change Appropriation Unit AHA name from "Human Resources" to "Administration". Reallocate funding to this appropriation unit for personnel, associated travel, training, and current expenses.
    b. Change Appropriation Unit AHC name from "Administration" to "Pass-Through". Reallocate funding to this appropriation unit for contracts, licenses, dues, initiatives, utilities, and other legislative branch enterprise expenses.

3. Approve the following intent language: Under terms of Section 63J-1-603(3)(a) Utah Code Annotated, the Legislature intends that appropriations provided for the Department of Veterans and Military Affairs in Item 25, Chapter 6, Laws of Utah 2019 not lapse at the close of Fiscal Year 2020. Use of any nonlapsing funds is limited to veterans outreach, cemetery, First Time Home Buyer Program, up to $50,000 for USS Utah commissioning, and other one-time operations costs.

Coronavirus State Response

Adopt appropriations and intent language as shown below:

1. The Legislature intends that the following intent language in S.B. 3, Item 90, 2020 General Session, is deleted: "Under Section 63J-1-603 of the Utah Code the Legislature intends that up to $16,000,000 General Fund provided in this line item for the Department of Health's Emergency Disease Response line item shall not lapse at the close of Fiscal Year 2020. The use of any nonlapsing funds is limited to state response to coronavirus."

2. The Legislature intends that the Department of Health coordinate any spending including federal funds on the state's response to coronavirus with the Department of Administrative Services.

3. Reallocate $16.0 million one-time General Fund in FY 2020 from the Department of Health's Emergency Disease Response line item to the Administrative Services' Finance - Mandated - Emergency Disease Response program with the following intent language:
    a. Under Section 63J-1-603 of the Utah Code the Legislature intends that up to $19,000,000 General Fund provided for Public Health Emergency Response shall not lapse at the close of Fiscal Year 2020. The funding is to be used for the state response to coronavirus.

4. Approve appropriations to the Administrative Services' Finance - Mandated - Emergency Disease Response program of $4.0 million one-time in FY 2020 and FY 2021 from the State Disaster Recovery Restricted Account and $1.0 million one-time in FY 2020 and FY 2021 from the Department of Public Safety Restricted Account, with the following intent language:
    a. The Legislature intends that the Division of Finance Mandated - Emergency Disease Response spend combined for FY 2020 and FY 2021 no more than a total of $4 million from the State Disaster Recovery Restricted Account and no more than a total of $1 million from the Department of Public Safety Restricted Account.

5. The Legislature intends that approximately $3.0 million of the General Fund appropriated in this item be used specifically to support seniors, through programs such as Meals on Wheels, food boxes similar to the federal Commodity Supplemental Food Program, in-home medical testing and care, Aging Alternatives, and coronavirus intensive response.

6. The Legislature intends that the Department of Administrative Services submit to the Office of the Legislative Fiscal Analyst and the Governor's Office of Management and Budget a monthly accounting of any transfer or expenditure of the funds provided by 63J-1-206 (3)(b).