LEGISLATIVE GENERAL COUNSEL

H.B. 194 1st Sub. (Buff)

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 ▲ 01-18-00 8:45 AM ▲

Representative Martin R. Stephens proposes to substitute the following bill:

1	APPROPRIATION AND SPENDING
2	LIMITATION CAP - CENTENNIAL HIGHWAY
3	FUND
4	2000 GENERAL SESSION
5	STATE OF UTAH
6	Sponsor: Martin R. Stephens
7	AN ACT RELATING TO APPROPRIATIONS AND TAX LIMITATIONS; INCLUDING
8	APPROPRIATIONS TO AND FROM THE CENTENNIAL HIGHWAY FUND FOR THE
9	PURPOSE OF CALCULATING APPROPRIATION LIMITS; AND MAKING TECHNICAL
10	CORRECTIONS.
11	This act affects sections of Utah Code Annotated 1953 as follows:
12	AMENDS:
13	63-38c-103, as last amended by Chapters 12 and 270, Laws of Utah 1998
14	Be it enacted by the Legislature of the state of Utah:
15	Section 1. Section 63-38c-103 is amended to read:
16	63-38c-103. Definitions.
17	As used in this chapter:
18	(1) (a) "Appropriations" means actual unrestricted capital and operating appropriations
19	from unrestricted General Fund, Uniform School Fund, and Transportation Fund sources as
20	presented in the governor's executive budgets.
21	(b) "Appropriation" includes appropriations that are contingent upon available surpluses
22	in the General Fund, Uniform School Fund, or Transportation Fund.
23	(c) "Appropriation" includes appropriations made to the Centennial Highway Fund from
24	unrestricted General Fund and Transportation Fund revenues.
25	[(c)] (d) "Appropriations" does not mean:

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26 (i) debt service expenditures; 27 (ii) emergency expenditures; 28 (iii) expenditures from all other fund or subfund sources presented in the executive 29 budgets; 30 (iv) transfers into, or appropriations made to, the Budgetary Reserve Account established 31 in Section 63-38-2.5; or 32 (v) monies appropriated to fund the total one-time project costs for the construction of 33 capital developments as defined in Section 63A-5-104[; or]. 34 (vi) appropriations made to the Centennial Highway Fund from sources other than the 35 unrestricted General Fund and Transportation Fund revenues created by Section 72-2-118. 36 (2) "Base year real per capita appropriations" means the result obtained for the state by 37 dividing the fiscal year 1985 actual appropriations of the state less debt monies, less \$55 million 38 appropriated for flooding and less \$14.2 million appropriated for capital projects in Section 3 of 39 Chapter 265, Laws of Utah 1985 General Session, by: 40 (a) the state's July 1, 1983 population; and 41 (b) the fiscal year 1983 inflation index divided by 100. 42 (3) "Calendar year" means the time period beginning on January 1 of any given year and 43 ending on December 31 of the same year. 44 (4) "Fiscal emergency" means an extraordinary occurrence requiring immediate 45 expenditures and includes the settlement under Chapter 4, Laws of Utah 1988, Fourth Special Session. 46 47 (5) "Fiscal year" means the time period beginning on July 1 of any given year and ending 48 on June 30 of the subsequent year. 49 (6) "Fiscal year 1985 actual base year appropriations" means fiscal year 1985 actual capital 50 and operations appropriations from general, uniform school, and transportation fund sources, less 51 debt monies, less \$55 million appropriated for flooding, and less \$14.2 million appropriated for 52 capital projects in Section 3, Chapter 265, Laws of Utah 1985. 53 (7) "Inflation index" means the change in the general price level of goods and services as 54 measured by the Gross National Product Implicit Price Deflator of the Bureau of Economic 55 Analysis, U.S. Department of Commerce calculated as provided in Section 63-38c-202. 56 (8) (a) "Maximum allowable appropriations limit" means the appropriations that could be,

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57 or could have been, spent in any given year under the limitations of this chapter.

(b) "Maximum allowable appropriations limit" does not mean actual appropriations spent
 or actual expenditures.

60 (9) "Most recent fiscal year's inflation index" means the fiscal year inflation index two
61 fiscal years previous to the fiscal year for which the maximum allowable inflation and population
62 appropriations limit is being computed under this chapter.

(10) "Most recent fiscal year's personal income" means the fiscal year personal income two
fiscal years previous to the fiscal year for which the maximum allowable personal income
appropriations limit is being computed under this chapter.

66 (11) "Most recent fiscal year's population" means the fiscal year population two fiscal
67 years previous to the fiscal year for which the maximum allowable inflation and population
68 appropriations limit is being computed under this chapter.

69 (12) "Personal income" means the total personal income of the state as calculated by the
70 Office of Planning and Budget according to the procedures and requirements of Section
71 63-38c-202.

(13) "Population" means the number of residents of the state as of July 1 of each year as
calculated by the Office of Planning and Budget according to the procedures and requirements of
Section 63-38c-202.

(14) "Revenues" means the revenues of the state from every tax, penalty, receipt, and other
monetary exaction and interest connected with it that are recorded as unrestricted revenue of the
General Fund, Uniform School Fund, and Transportation Fund, except as specifically exempted
by this chapter.

(15) "Security" means any bond, note, warrant, or other evidence of indebtedness, whether
or not the bond, note, warrant, or other evidence of indebtedness is or constitutes an "indebtedness"
within the meaning of any provision of the constitution or laws of this state.