

28 confidential draft copy of his proposed budget recommendations to the Office of the
29 Legislative Fiscal Analyst.

30 (3) (a) The budget shall contain a complete plan of proposed expenditures and
31 estimated revenues for the next fiscal year based upon the current fiscal year state tax laws and
32 rates.

33 (b) The budget may be accompanied by a separate document showing proposed
34 expenditures and estimated revenues based on changes in state tax laws or rates.

35 (4) The budget shall be accompanied by a statement showing:

36 (a) the revenues and expenditures for the last fiscal year;

37 (b) the current assets, liabilities, and reserves, surplus or deficit, and the debts and
38 funds of the state;

39 (c) an estimate of the state's financial condition as of the beginning and the end of the
40 period covered by the budget;

41 (d) a complete analysis of lease with an option to purchase arrangements entered into
42 by state agencies;

43 (e) the recommendations for each state agency for new full-time employees for the next
44 fiscal year; which recommendation should be provided also to the State Building Board under
45 Subsection 63A-5-103(2);

46 (f) any explanation the governor may desire to make as to the important features of the
47 budget and any suggestion as to methods for the reduction of expenditures or increase of the
48 state's revenue; and

49 (g) the information detailing certain regulatory fee increases required by Section
50 63-38-3.2.

51 (5) The budget shall include an itemized estimate of the appropriations for:

52 (a) the Legislative Department as certified to the governor by the president of the
53 Senate and the speaker of the House;

54 (b) the Executive Department;

55 (c) the Judicial Department as certified to the governor by the state court administrator;

56 (d) payment and discharge of the principal and interest of the indebtedness of the state;

57 (e) the salaries payable by the state under the Utah Constitution or under law for the
58 lease agreements planned for the next fiscal year;

59 (f) other purposes that are set forth in the Utah Constitution or under law; and

60 (g) all other appropriations.

61 (6) Deficits or anticipated deficits shall be included in the budget.

62 (7) (a) (i) For the purpose of preparing and reporting the budget, the governor shall
63 require from the proper state officials, including public and higher education officials, all heads
64 of executive and administrative departments and state institutions, bureaus, boards,
65 commissions, and agencies expending or supervising the expenditure of the state moneys, and
66 all institutions applying for state moneys and appropriations, itemized estimates of revenues
67 and expenditures. The entities required by this Subsection (7)(a)(i) to submit itemized
68 estimates of revenues and expenditures to the governor, shall also report to the Utah
69 Information Technology Commission created in Title 63D, Chapter 1, Information Technology
70 Act, before October 30 of each year. The report to the Information Technology Commission
71 shall include the proposed information technology expenditures and objectives, the proposed
72 appropriation requests and other sources of revenue necessary to fund the proposed
73 expenditures and an analysis of:

74 (A) the entity's need for appropriations for information technology;

75 (B) how the entity's development of information technology coordinates with other
76 state or local government entities;

77 (C) any performance measures used by the entity for implementing information
78 technology goals; and

79 (D) any efforts to develop public/private partnerships to accomplish information
80 technology goals.

81 (ii) (A) The governor may also require other information under these guidelines and at
82 times as the governor may direct.

83 (B) These guidelines may include a requirement for program productivity and
84 performance measures, where appropriate, with emphasis on outcome indicators.

85 (b) The estimate for the Legislative Department as certified by the presiding officers of
86 both houses shall be included in the budget without revision by the governor. Before preparing
87 the estimates for the Legislative Department, the Legislature shall report to the Information
88 Technology Commission the proposed information technology expenditures and objectives, the
89 proposed appropriation requests and other sources of revenue necessary to fund the proposed

90 expenditures, including an analysis of:

- 91 (i) the Legislature's implementation of information technology goals;
- 92 (ii) any coordination of information technology with other departments of state and
93 local government;
- 94 (iii) any efforts to develop public/private partnerships to accomplish information
95 technology goals; and
- 96 (iv) any performance measures used by the entity for implementing information
97 technology goals.

98 (c) The estimate for the Judicial Department, as certified by the state court
99 administrator, shall also be included in the budget without revision, but the governor may make
100 separate recommendations on it. Before preparing the estimates for the Judicial Department,
101 the state court administrator shall report to the Information Technology Commission the
102 proposed information technology expenditures and objectives, the proposed appropriation
103 requests and other sources of revenue necessary to fund the proposed expenditures, including
104 an analysis of:

- 105 (i) the Judicial Department's information technology goals;
- 106 (ii) coordination of information technology statewide between all courts;
- 107 (iii) any efforts to develop public/private partnerships to accomplish information
108 technology goals; and
- 109 (iv) any performance measures used by the entity for implementing information
110 technology goals.

111 (d) Before preparing the estimates for the State Office of Education, the state
112 superintendent shall report to the Information Technology Commission the proposed
113 information technology expenditures and objectives, the proposed appropriation requests and
114 other sources of revenue necessary to fund the proposed expenditures, including an analysis of:

- 115 (i) the Office of Education's information technology goals;
- 116 (ii) coordination of information technology statewide between all public schools;
- 117 (iii) any efforts to develop public/private partnerships to accomplish information
118 technology goals; and
- 119 (iv) any performance measures used by the Office of Education for implementing
120 information technology goals.

121 (e) Before preparing the estimates for the state system of Higher Education, the
122 commissioner shall report to the Information Technology Commission the proposed
123 information technology expenditures and objectives, the proposed appropriation requests and
124 other sources of revenue necessary to fund the proposed expenditures, including an analysis of:

- 125 (i) Higher Education's information technology goals;
- 126 (ii) coordination of information technology statewide within the state system of higher
127 education;
- 128 (iii) any efforts to develop public/private partnerships to accomplish information
129 technology goals; and
- 130 (iv) any performance measures used by the state system of higher education for
131 implementing information technology goals.

132 (f) The governor may require the attendance at budget meetings of representatives of
133 public and higher education, state departments and institutions, and other institutions or
134 individuals applying for state appropriations.

135 (g) The governor may revise all estimates, except those relating to the Legislative
136 Department, the Judicial Department, and those providing for the payment of principal and
137 interest to the state debt and for the salaries and expenditures specified by the Utah
138 Constitution or under the laws of the state.

139 (8) The total appropriations requested for expenditures authorized by the budget may
140 not exceed the estimated revenues from taxes, fees, and all other sources for the next ensuing
141 fiscal year.

142 (9) If any item of the budget as enacted is held invalid upon any ground, the invalidity
143 does not affect the budget itself or any other item in it.

144 (10) (a) In submitting the budgets for the Departments of Health and Human Services
145 and the Office of the Attorney General, the governor shall consider a separate recommendation
146 in his budget for funds to be contracted to:

- 147 (i) local mental health authorities under Section 62A-15-110;
- 148 (ii) local substance abuse authorities under Section 62A-15-110;
- 149 (iii) area agencies under Section 62A-3-104.2;
- 150 (iv) programs administered directly by and for operation of the Divisions of Substance
151 Abuse and Mental Health and Aging and Adult Services;

152 (v) local health departments under Title 26A, Chapter 1, Local Health Departments;
153 and

154 (vi) counties for the operation of Children's Justice Centers under Section 67-5b-102.

155 (b) In his budget recommendations under Subsections (10)(a)(i), (ii), and (iii), the
156 governor shall consider an amount sufficient to grant local health departments, local mental
157 health authorities, local substance abuse authorities, and area agencies the same percentage
158 increase for wages and benefits that he includes in his budget for persons employed by the
159 state.

160 (c) If the governor does not include in his budget an amount sufficient to grant the
161 increase described in Subsection (10)(b), he shall include a message to the Legislature
162 regarding his reason for not including that amount.

163 (11) (a) In submitting the budget for the Division of Services for People with
164 Disabilities, the Division of Child and Family Services, and the Division of Youth Corrections
165 within the Department of Human Services, the governor shall consider an amount sufficient to
166 grant employees of corporations that provide direct services under contract with those
167 divisions, the same percentage increase for cost-of-living that he includes in his budget for
168 persons employed by the state.

169 (b) If the governor does not include in his budget an amount sufficient to grant the
170 increase described in Subsection (11)(a), he shall include a message to the Legislature
171 regarding his reason for not including that amount.

172 (12) (a) The Families, Agencies, and Communities Together Council may propose to
173 the governor under Subsection 63-75-4(4)(e) a budget recommendation for collaborative
174 service delivery systems operated under Section 63-75-6.5.

175 (b) The Legislature may, through a specific program schedule, designate funds
176 appropriated for collaborative service delivery systems operated under Section 63-75-6.5.

177 (13) The governor shall include in his budget the state's portion of the budget for the
178 Utah Communications Agency Network established in Title 63C, Chapter 7, Utah
179 Communications Agency Network Act.

Legislative Review Note

as of 2-12-03 9:20 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0350

Fiscal Year Appropriation Limit

13-Feb-03

12:16 PM

State Impact

It is estimated that provisions of this bill can be implemented with existing resources.

Individual and Business Impact

To be determined based upon individual cases.

Office of the Legislative Fiscal Analyst