

MINUTES OF THE JOINT EXECUTIVE APPROPRIATIONS COMMITTEE MEETING
February 9, 2004 at 4:00 p. m.
Room W135, West Office Building,, State Capitol Complex

CORRECTED

Members Present: Sen. Lyle Hillyard, Committee Co-Chair
 Rep. Ron Bigelow, Committee Co-Chair
 Sen. Ron Allen
 Sen. Gene Davis
 Sen. Mike Dmitrich
 Sen. Dan Eastman
 Sen. Beverly Evans
 Sen. Karen Hale
 Sen. Peter Knudson
 Pres. John Valentine
 Rep. Jeff Alexander
 Rep. Ralph Becker
 Speaker Greg J. Curtis
 Rep. Ben C. Ferry
 Rep. Patricia W. Jones
 Rep. Brad King
 Rep. Roz McGee
 Rep. Stephen H. Urquhart

 Sen. Curtis Bramble, Vice-Chair
 Rep. David Clark, Vice Chair

Staff Present: John Massey, Legislative Fiscal Analyst
 Michael Kjar, Deputy Director, Office of Legislative Fiscal Analysts
 Bonnie Brinton, Secretary
 Norda Shepard, Secretary

Others Speakers: Sen. Al Mansell
 Rep. Craig W. Buttars
 Sen. Sheldon L. Killpack
 Rep. Merlynn T. Newbold
 Sen. Harold A. Stephenson
 Rep. Gordon E. Snow
 Sen. Gregory Bell
 Rep. Kory M. Holdaway
 Sen. David L. Thomas
 Rep. David L. Hogue
 Sen. John W. (Bill) Hickman
 Sen. Thomas Hatch
 Rep. Bradley T. Johnson
 Sen. Mark B. Madsen
 Rep. Peggy Wallace
 Sen. Scott K. Jenkins
 Rep. David Ure
 Rep. Todd E. Kiser

A list of visitors and handouts are filed with the committee minutes.

Committee Co-Chair Hillyard called the meeting to order at 4:15 p.m.

Co-Chair Hillyard indicated that, due to time restraints, the committee will not accept hand outs during committee meetings. He stated distribution should be made either before or after meetings.

Analyst John Massey explained the make up of the binders.

1. **Approval of Minutes**

MOTION: Sen. Ron Allen moved to approve the minutes of December 15, 2005.

The motion passed unanimously with Sen. Dmitrich absent for the vote.

2. **Subcommittee Reports and Approval of Base Budgets, Fees, and Intent Language**

Co-Chair Hillyard indicated the compensation would be heard after the subcommittee presentation and that motions would be taken after each presentation.

Economic Development and Human Resources

Sen. Mansell and Rep. Buttars presented the subcommittee's recommendations.

MOTION: Co-Chair Bigelow move to approve the Economic Development and Human Resources Joint Appropriations Subcommittee's recommended base budget found on page 1 of tab 4 and also moved to approve the intent language found on page 2 and the fees found on page 2 along with funding and expenditure schedules and other recommendations for all departments, agencies and programs as described in the Committee report found behind tab 4.

The motion passed unanimously with Sen. Dmitrich absent for the vote.

Health and Human Services

Sen. Killpack and Rep. Newbold presented the subcommittee's recommendations.

MOTION: Co-Chair Bigelow moved to approve the Health and Human Services Joint Appropriations Subcommittee's recommended base budget for the Department of Human Services found on page 1 of tab 7 and also moved to approve the intent language found on page 2 and the fees found on pages 2 and 3 along with funding and expenditure schedules and other recommendations for all departments, agencies and programs as described in the Committee report found behind tab 7.

The motion passed unanimously.

MOTION: Co-Chair Bigelow moved to approve the Health and Human Services Joint Appropriations Subcommittee's recommended base budget for the Department of Health found on page 1 of tab 6 and also moved to approve the intent language found on page 2 and the fees found on pages 2 through 27 along with funding and expenditure schedules and other recommendations for all departments, agencies and programs as described in the Committee report found behind tab 6.

The motion passed unanimously.

Public Education

Sen. Stephenson and Rep. Snow presented the subcommittee's recommendations.

MOTION: Rep. Alexander moved to request a report from schools receiving additional funding for the reading program as to how the money was spent and the results of their programs. He also moved to have this report to the Executive Appropriations Committee in June, 2005.

The motion passed unanimously.

MOTION: Co-Chair Bigelow moved to approve the Public Education Joint Appropriations Subcommittee's recommended base budget found on page 1 of tab 9 and moved to approve the Minimum School Program statutory language found on page 20 and the fees found on page 2 along with funding and expenditure schedules and other recommendations for all department, agencies and programs as described in the Committee report found behind tab 9.

The motion passed unanimously.

Higher Education

Sen. Bell and Rep. Holdaway presented the subcommittee's recommendations.

MOTION: Co-Chair Bigelow moved to approve the Higher Education Joint Appropriations Subcommittee's recommended base budget found on pages 1 and 7 (Medical Education Program), 9 through 76 (Utah System of Higher Education), and 77 through 80 (Utah Education Network) of tab 5 along with funding and expenditure schedules and other recommendations for all institutions, agencies and programs as described in the Committee report found behind tab 5.

The motion passed unanimously with Sen. Allen absent for the vote.

MOTION: Co-Chair Bigelow moved to transfer \$375,000 in Uniform School Fund revenue appropriated for the University of Utah Reading Clinic in the Minimum School Program to the University of Utah E & G line item.

The motion passed unanimously.

Executive Offices and Criminal justice

Sen. Thomas and Rep. Hogue presented the subcommittee's's recommendations.

MOTION: Speaker Curtis moved to reduce the fee increases for notaries.

SUBSTITUTE MOTION: Rep. Alexander moved to not approve the increase in fees for Notary Commission Filing Fees, Notary Certification, Rider, and Apostils/Duplicate Certificate.

The substitute motion passed with Rep. King voting in opposition.

MOTION: Co-Chair Bigelow moved to approve the Executive Office and Criminal Justice Joint

Appropriations Subcommittee's recommended base budget found on pages 1 and 2 of tab 1 and also moved to approve the intent language found on pages 3 through 5 and the fees found on pages 6 through 8 along with funding and expenditure schedules and other recommendations for all departments, agencies and programs as described in the Committee report found behind tab 1.

The motion passed unanimously with Sen. Allen absent for the vote.

Capital Facilities and Administrative Services

Sen. Hickman presented the subcommittee's recommendations.

MOTION: Co-Chair Bigelow moved to approve the Capital Facilities and Administrative Services Joint Appropriations Subcommittee's recommended base budget found on page 1 of tab 2 and also moved to approve the intent language found on pages 3 and 4 and the fees found on pages 4 through 23 along with funding and expenditure schedules and other recommendations for all departments, agencies and programs as described in the Committee report found behind tab 2.

The motion passed unanimously with Sen. Allen, Sen. Eastman, Pres. Valentine, and Rep. Ferry absent at the time of the vote.

Natural Resources

Sen. Hatch and Rep. Johnson presented the subcommittee's recommendations.

MOTION: Co-Chair Bigelow moved to approve the Natural Resources Joint Appropriations Subcommittee's recommended base budget found on page 1 of tab 8 and also moved to approve the intent language found on pages 3 through 5, **with the exception of intent paragraph number 4 on page 3**, and the fees found on pages 5 through 32 along with funding and expenditure schedules and other recommendations for all departments, agencies and programs as described in the Committee report found behind tab 8.

The motion passed unanimously with Sen. Allen absent for the vote.

Commerce and Revenue

Sen. Madsen and Rep. Wallace presented the subcommittee's recommendations.

MOTION: Co-Chair Bigelow moved to approve the Commerce and Revenue Joint Appropriations Subcommittee's recommended base budget found on page 1 of tab 3 and also moved to approve the intent language found on page 3 and the fees found on pages 3 through 31 along with funding and expenditure schedules and other recommendations for all departments, agencies and programs as described in the Committee report found behind tab 3.

The motion passed unanimously with Sen. Allen and Sen. Dmitrich absent for the vote.

Transportation, Environmental Quality, and National Guard

Sen. Jenkins and Rep. Ure present the subcommittee's recommendations. Rep. Kiser talked about the accomplishments, service projects, and active duties performed by the National Guard on behalf of the citizens of Utah.

MOTION: Co-Chair Bigelow moved to amend intent paragraphs #8 on page 3 and #9 on page 4 of tab 10 as follows: strike "it is the intent of the Legislature that" from the first paragraph of each of the intent statements.

The motion passed unanimously with Sen. Allen and Sen. Dmitrich absent at the time of the vote.

MOTION: Co-Chair Bigelow moved to approve the Transportation, Environmental Quality and National Guard Joint Appropriations Subcommittee's recommended base budget found on page 1 of tab 10 and also moved to approve the intent language found on pages 3 and 4, as amended, and the fees found on pages 4 through 21, along with funding and expenditure schedules and other Committee report found behind tab 10 and including the subcommittee's action to include a \$95,000,000 General Fund increase for Centennial Highway.

The motion failed with Co-Chair Hillyard, Sen. Davis, Sen. Eastman, Sen. Evans, Sen. Hale, Sen. Knudson, Pres. Valentine, Rep. Becker, Rep. Jones, Rep. King, Rep. McGee voting in opposition; and Co-Chair Bigelow, Rep. Alexander, Speaker Curtis, Rep. Ferry and Rep. Urquhart voting in favor with Sens. Allen and Dmitrich absent for the vote.

MOTION: Co-Chair Bigelow moved to approve the Transportation, Environmental Quality and National Guard Joint Appropriations Subcommittee's budget as constructed in FY 2005.

The motion passed unanimously with Sens. Allen and Dmitrich absent for the vote.

MOTION: Pres. Valentine moved to reconsider the actions of the committee regarding Transportation, Environmental Quality and National Guard Joint Appropriations Subcommittee.

The motion failed in the House with Sens. Allen and Dmitrich absent for the vote.

MOTION: Sen. Davis moved to approve the Recommendations of the Appropriations Subcommittee for the Legislature of \$14,810,000 for the year ending June 30, 2006.

The motion passed unanimously with Sens. Allen and Dmitrich absent for the vote.

3. Compensation

State Agencies and Higher Education - Health and Dental Benefits

MOTION: Co-Chair Bigelow moved that health and dental insurance benefits increases be paid as recommended by Group Insurance.

The motion passed unanimously with Sens. Allen and Dmitrich absent for the vote.

MOTION: Co-Chair Bigelow moved that the cost for the State termination pool and life insurance be funded in FY 2006.

The motion passed unanimously with Sens. Allen and Dmitrich absent for the vote.

State Agencies and Higher Education - Salaries

MOTION: Co-Chair Bigelow moved that the Legislature fund a 2.5 percent cost of living allowance for

state and higher education employees effective July 2, 2005.

SUBSTITUTE MOTION: Rep. Becker moved that the Legislature fund a 3 percent cost of living allowance for state and higher education employees effective July 2, 2005.

The substitute motion failed in the Senate with Sens. Allen and Dmitrich absent for the vote.

The original motion passed unanimously with Sens. Allen and Dmitrich absent for the vote.

4. Additional Funding Items for Appropriations Act

MOTION: Co-Chair Bigelow moved to add to the appropriate Subcommittee base budgets, as amended by this committee, the non-compensation related items shown in the "Appropriations Act" column of the pink sheet entitled "Proposal for New Funding Items to be Included in Base Budget Bills" and dated February 9, 2005.

The motion passed with Sen. Hale voting in opposition to the motion and Sens. Allen and Dmitrich absent for the vote.

5. Public Education Compensation and Additional Funding Items

MOTION: Co-Chair Bigelow moved to approve the Minimum Program Act funding as shown in the "FY 2006 EAC" column of the green sheet entitled "Minimum School Program" and dated February 9, 2005. This includes compensation increases and enrollment growth such that the Weighted Pupil Unit value equals \$2,258 and the Basic Tax Levy is 0.001702 and includes the previous action on transferring the University of Utah reading program to higher education.

The motion passed unanimously with Sens. Allen and Dmitrich absent for the vote.

6. Minimum School Program

MOTION: Co-Chair Bigelow moved to approve the following intent language:

The Legislature intends that of additional funds appropriated in the school finance act for FY 2006 there is included in the weighted pupil unit value an increase of two and one half (2 1/2%) percent for all increases in salaries; one (1%) percent for medical and dental insurance premium increases; and \$28,518,400 for student growth. The Legislature supports the discretion of local school districts to use funds within statutory guidelines as may be needed in each school district. The Utah Board of Education will report, annually, to the Public Education Appropriations Subcommittee, by school district, the actual increase in salaries, medical and dental, additional teachers hired and other costs identified by type. They will also include the amount of local funds used for these same items.

The motion passed with Sen. Hale voting in opposition and Sens. Allen, Davis and Dmitrich absent for the vote.

MOTION: Pres. Valentine moved to reconsider the actions of the committee regarding Transportation, Environmental Quality and National Guard Joint Appropriations Subcommittee.

The motion passed with Sens. Allen, Davis and Dmitrich absent for the vote.

MOTION: Pres. Valentine moved to accept the Transportation, Environmental Quality and National Guard Joint Appropriations Subcommittee's recommended base budget found on page 1 of tab 10 and also moved to approve the intent language found on pages 3 and 4, as amended, and the fees found on pages 4 through 21, along with funding and expenditure schedules and other Committee report found behind tab 10 and including \$70,000,000 General Fund increase for Centennial Highway.

The motion passed with Sen. Hale and Reps. Becker, Jones, King and McGee voting in opposition and Sens. Allen, Davis and Dmitrich absent for the vote.

7. Bill Preparation

MOTION: Co-Chair Bigelow moved to authorize the Legislative Fiscal Analyst to prepare the Appropriations Act and the School Finance Act based upon actions of the Executive Appropriations Committee today. The Legislative Fiscal Analyst, in consultation with the Co-Chairs of the Executive Appropriations Committee, would hereby be authorized to make any technical and non-substantive corrections as necessary. In preparation of the various appropriations bills, the Legislative Fiscal Analyst is authorized to make the appropriate adjustments between funding sources and fiscal years in order to balance the overall budget.

The motion passed unanimously with Sens. Allen and Dmitrich absent for the vote.

MOTION: Co-Chair Bigelow moved to adjourn.

The meeting adjourned at 7:25 p.m.

Minutes reported by Bonnie Brinton and Norda Shepard, Committee Secretaries.

Sen. Lyle W. Hillyard, Co-Chair

Rep. Ron Bigelow, Co-Chair

Handouts: Requests for Additional Funding, Natural Resources Appropriations Subcommittee
Reprint from the New York Times, "The Mentally Ill as 'Frequent Fliers'"
CD "Our Family Serving Your Family" from the Utah National Guard