

H.B. 391

BUDGETARY PROCEDURES ACT REVISIONS

HOUSE FLOOR AMENDMENTS

AMENDMENT 2

MARCH 9, 2009 4:53 PM

Representative **Ron Bigelow** proposes the following amendments:

1. *Page 10, Lines 298 through 300:*

298 (f) (i) The commission may not make a grant ~~{-or loan-}~~ from the ~~[fund]~~ program that
299 exceeds \$1,000,000 until after making a report to the Legislative Management Committee
300 about the grant ~~{-or loan-}~~ .

2. *Page 32, Line 986 through Page 33, Line 992:*

986 (8) ~~{-(a)-}~~ The Division of Finance shall, through statistical sampling methods or other
987 means, audit all claims against the state for which an appropriation has been made.
988 ~~[(e)] {-(b)- Notwithstanding the requirements of Subsection (8)(a), the [director] Division~~
989 ~~of Finance need only certify the availability of funds when the requisitions or proposed~~
990 ~~expenditures are:~~
991 ~~——(i) for the judicial branch; or~~
992 ~~——(ii) to pay the salaries or compensation of officers fixed by law. }~~

3. *Page 35, Lines 1054 through 1059:*

1054 (b) If an Education Fund budget deficit or a General Fund budget deficit exists and the adopted
estimated revenues were prepared in consensus with the Governor's Office of Planning and Budget , the
1055 governor shall:
1056 (i) direct state agencies to reduce commitments and expenditures by an amount
1057 proportionate to the amount of the deficiency; and
1058 (ii) direct the Division of Finance to reduce allotments to institutions of higher
1059 education by an amount proportionate to the amount of the deficiency.

4. *Page 36, Lines 1087 through 1102:*

1087 (2) Each fee agency shall:
1088 (a) adopt a schedule of fees assessed for services provided by the fee agency that are:
1089 (i) reasonable, fair, and reflect the cost of services provided; and
1090 (ii) established according to a cost formula determined by the director of the
1091 Governor's Office of Planning and Budget and the director of the Division of Finance in
1092 conjunction with the agency seeking to establish the ~~[regulatory]~~ fee;
1093 ~~[(b) conduct a public hearing on any proposed regulatory fee and]~~

1094 (b) (i) present each proposed fee at a public hearing, subject to the requirements of
1095 Title 52, Chapter 4, Open and Public Meetings Act; and
1096 (ii) increase [or], decrease [the], or affirm each proposed [regulatory] fee based [upon]
1097 on the results of the public hearing;
1098 (c) except as provided in Subsection (6), submit the fee schedule to the Legislature as
1099 part of the agency's annual appropriations request; **and**
1100 (d) where necessary, modify the fee schedule to implement the Legislature's actions {;
1101 **and**
1102 ~~——(e) deposit all [regulatory] fees collected under the fee schedule into the General Fund }~~ .

5. *Page 39, Lines 1198 through 1199:*

1198 (1) The following revenue collections, { ~~funds, accounts,~~ } appropriations from a fund or
1199 account, and appropriations to a program are nonlapsing:

6. *Page 46, Lines 1403 through 1404:*

1403 (2) No revenue collection, { ~~fund, account,~~ } appropriation from a fund or account, or
1404 appropriation to a program may be treated as nonlapsing unless: