

**MINUTES OF THE
EXECUTIVE APPROPRIATIONS COMMITTEE**
Friday, March 2, 2012 - 4:00 p.m. - Room 210 Senate Building

Members Present:

Sen. Lyle W. Hillyard, Co-Chair
Rep. Melvin R. Brown, Co-Chair
Rep. John Dougall, Vice Chair
Sen. Scott K. Jenkins
Sen. Patricia W. Jones
Sen. Peter C. Knudson
Sen. Ben McAdams
Sen. Karen W. Morgan
Sen. Wayne L. Niederhauser
Sen. Ross I. Romero
President Michael G. Waddoups
Rep. Brad L. Dee
Rep. Gregory H. Hughes
Rep. Brian King

Rep. David Litvack
Speaker Rebecca D. Lockhart
Rep. Ronda Rudd Menlove
Rep. Jennifer M. Seelig
Rep. Christine Watkins

Members Excused:

Sen. Kevin T. Van Tassell, Vice Chair

Staff Present:

Mr. Jonathan Ball, Legislative Fiscal Analyst
Mr. Steven Allred, Deputy Director
Ms. Greta Rodebush, Legislative Secretary
Ms. Karen Mitchell, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

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

1. Call to Order/Approval of Minutes

Co-Chair Brown called the meeting to order at 5:22 p.m. There were no minutes to approve.

Mr. Ball reviewed the two supplementary packets that were added to the committee binders. The blue packet, "Consolidated Motions for Executive Appropriations Committee" and dated March 2, 2012, contained motions that approve budget changes, intent language and fees (along with changes), and additional budget actions proposed by the appropriations subcommittees. The green packet, "Potential Funding Items - Ongoing" and "Potential Funding Items - One-time," contains proposed new spending as additions to the base budget bills.

2. Budget Actions (all subcommittees and agencies reporting to EAC)

MOTION: Sen. Hillyard moved to approve the motions for appropriations subcommittees' budgets, intent language, and fees, and additional budget actions, as shown in the blue packet entitled, "Consolidated Motions for Executive Appropriations Committee" and dated today, March 2, 2012 with the following changes:

Page 20, Item 1, paragraph 2:

The Legislature intends that the FY 2013 appropriation of \$750,000 from the State Disaster Recovery Restricted Account be used by the Department of Public Safety - Emergency Management Division ~~only~~ for Weber River Mitigation Project including flood prevention in the Ogden Bird Refuge area.

Page 17, delete the statement:

Replace Intent statement 2,4,6,8,10,12,14, and 16 on pages 4-65 through 4-67 of the Higher Education Subcommittee report with the following:

The Legislature intends that funds in this appropriation be used to reduce or eliminate any programmatic tuition surcharge to students in engineering programs.

Sen. Hillyard recommended that this intent language be held out and possibly put back after the EAC has had a chance to talk about it.

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

Sen. Knudson stated that the chair of the Executive Offices and Criminal Justice Appropriations Subcommittee had asked him to present this motion, which would take care of some medical expenses that need to be covered.

MOTION: Sen. Knudson moved to transfer \$1,500,000 one-time from the General Fund from the Department of Corrections Programs and Operations line item to the Medical Services line item for FY 2012.

President Waddoups stated that he was a member of that subcommittee and had not heard about the proposed change. He asked fiscal analyst Gary Syphus to explain the motion.

Mr. Syphus understood that this request came as a result of some updated projections. The Department of Corrections had expected to cover their medical expenses. However, due to the costliness of a few cases of botulism, the department anticipates that they are not going to be able to cover all of their costs for the current fiscal year. President Waddoups wanted to know how this will impact programs and operations. Mr. Syphus indicated that the money would have gone to nonlapsing balances.

Co-Chair Brown called for a vote on the motion. The motion passed unanimously.

MOTION: Rep. Litvack moved to adopt the following intent language:

The Legislature intends the Department of Health, the Utah State Office of Rehabilitation and the Utah State Office of Education (Special Education) use funds previously transferred to support the Access Utah program to instead contract with a private human services directory database entity to provide a free information and referral service statewide for individuals with disabilities.

Rep. Litvack stated that he would also be amending some intent language under the Social Services Tab 9 in a separate motion.

The motion passed unanimously.

MOTION: Rep. Litvack moved to strike the words "within each of these three state-governed agencies" from the intent language found as Item 1 on page 9-89, Item 10 on page 9-90, and Item 18 on page 9-91 of the report titled, "Recommendations of the Appropriations Subcommittee for Social Services" to read:

The Legislature intends the Department of Health, the Utah State Office of Rehabilitation and the Utah State Office of Education (Special Education) use funds previously transferred to support the UDDC information and referral phone/website to instead provide direct client services to individuals with disabilities ~~{within each of these three state-governed agencies}~~. The Legislature further intends the Utah Development Disability Council (UDDC), as a federally-established and federally-governed agency, use its federal funds to support its information and referral phone/website.

The motion passed unanimously.

MOTION: Rep. Litvack moved to adopt the following intent language:

The Legislature intends that the ongoing reduction of \$97,900 beginning FY 2013 to the Department of Workforce Services General Assistance be taken from the administration costs of the program.

The motion passed unanimously.

MOTION: Sen. Niederhauser moved to add \$36,200 from the General Fund to the Success Stipend Program.

Sen. Niederhauser explained that the passage of H.B. 285, Repeal of Higher Education Tuition Assistance Program, 2012 General Session, freed up \$36,200 funded from the General Fund. His intent language moves the \$36,200 over to the Success Stipend Program.

Speaker Lockhart pointed out that H.B. 285 has a fiscal note that the caucus may or may not prioritize.

Sen. Niederhauser withdrew his motion.

MOTION: Sen. Hillyard moved to adopt the ongoing and one-time changes as shown in the green-colored packet entitled, "Potential Funding Items - Ongoing" and "Potential Funding Items - One-time" and dated today, March 2, 2012 with one change on page 5, Item 127, replace {~~SUU~~} - Crime Lab with DSC - Crime Lab.

The motion passed unanimously.

MOTION: Sen. Hillyard moved to authorize legislative staff to prepare and number:

- Senate Bill 3, Current Fiscal Year Supplemental Appropriations
- House Bill 2, New Fiscal Year Supplemental Appropriations Act, and
- House Bill 9, State Agency and Higher Education Compensation Appropriations

as Executive Appropriations Committee bills. Staff shall include in these bills the actions of the Executive Appropriations Committee to date. In consultation with the co-chairs of the Executive Appropriations Committee, the Legislative Fiscal Analyst may make any technical changes necessary.

The motion passed unanimously.

MOTION: Sen. Hillyard moved to authorize legislative staff to prepare and number:

- Senate Bill 2 - Public Education Budget Amendments
- House Bill 7 - Current School Year Supplemental Public Education Budget Amendments

as Executive Appropriations Committee bills. Staff shall include in these bills the actions of the Executive Appropriations Committee to date. In consultation with the co-chairs of the Executive Appropriations Committee, the Legislative Fiscal Analyst may make any technical changes necessary.

The motion passed unanimously.

MOTION: Sen. Jenkins moved to remove the first Item 102, Labor - UOSH Vehicles, Item 103, GOED - Utah Defense Alliance, and Item 104, DCC - Shakespearean Festival on page 4 of the green sheet with the intent of adding them back on later.

The motion passed unanimously.

Sen. Romero wanted to know how much money is left unallocated and how much are they contemplating having in the Rainy Day Fund.

Sen. Hillyard indicated that while EAC authorizes appropriations, every fiscal note bill has to go on its own. There may be a fiscal note bill EAC has approved the financing for, which does not pass. If that happens, there is allocated money that will need to be reallocated if at all. Sen. Hillyard thought he would have a better idea of what has been funded or not been funded on the final night of session when they are doing the bill.

Sen. Romero said that it was his understanding that there is still \$39 million available. He indicated that there are still some critical needs out in the community. He understood that the budget is still be worked on. He thanked the co-chairs and staff for their effort.

3. House Bill 8: Revenue Bond and Capital Facilities Authorizations

This agenda item was not heard.

4. Other Business

MOTION: Sen. Hillyard moved to adjourn. The motion passed unanimously.

Co-Chair Brown adjourned the meeting at 5:46 p.m.