

**MINUTES OF THE  
EXECUTIVE OFFICES, CRIMINAL JUSTICE & LEGISLATURE  
JOINT APPROPRIATIONS SUBCOMMITTEE**

ROOM 423 STATE CAPITOL BUILDING  
February 18, 1998

**Members Present:**           **Sen. Michael Waddoups, Co-Chair**  
                                  **Rep. Blake D. Chard, Co-Chair**  
                                  Sen. Robert Muhlestein  
                                  Rep. Patrice Arent  
                                  Rep. Steve Barth  
                                  Rep. Ron Bigelow  
                                  Rep. Katherine Bryson  
                                  Rep. Greg J. Curtis  
                                  Rep. David L. Zolman

**Members Excused:**        Sen. Robert Steiner

**Staff Present:**            Bill Dinehart, Fiscal Analyst  
                                  Andrea Wilko, Fiscal Analyst  
                                  Beverly Weeks, Committee Secretary

**Visitors List:**            List filed with Committee Minutes

Representative Blake D. Chard called the subcommittee to order at 4:21 p.m.

Analyst Bill Dinehart presented the updated status sheet to the subcommittee. He told the subcommittee about a claim against the State that was received too late to put into the budget, he recommended that the claim be forwarded to the Executive Committee for action.

Senator Waddoups introduced Kay Cornaby, Chairman of the Honorary Colonels Association, who spoke briefly to the subcommittee and thanked them for the consideration given to the Highway Patrol. He mentioned the need for increased Highway Patrol in the years to come.

**MOTION:**            Sen. Waddoups moved that the subcommittee refer to the Executive Appropriations Committee for their disposition in the amount of \$9,985.40 submitted by Mr. Irvin R. Nelson for recovery of funds approved by the Board of Examiners December 19, 1997.

The motion passed unanimously.

Analyst Bill Dinehart presented the subcommittee with the wish list listed by agency. He also advised the subcommittee that he had been advised by General Council that an intent language passed by the subcommittee cannot be put into the Appropriations Act. The intent language dealing with a request to do a study of security in the Juvenile Courts. Their advise is that it is not proper in this subcommittee because it is related to a bill. If the bill does not pass there is no task force and therefore you are

appropriating and instructing in an area that should be handled in another area. They recommend you find another avenue.

Mr. Becker spoke to the subcommittee regarding the matter.

The Analyst referred the subcommittee to intent language on O/M.

MOTION: Rep. Arent moved to approve the following intent language:

“It is the intent of the Legislature that no State agencies and institutions use facility operational and maintenance (O/M) funding for anything other than (O/M) purposes.” To be placed in all areas this subcommittee funds.

The motion passed unanimously.

MOTION: Rep. Barth moved the following intent language:

**Proposed Language for FY 1999:**

“It is the intent of the Legislature that these funds (for Division of Youth Corrections) be non-lapsing.”

**Proposed Language for FY 1998:**

“It is the intent of the Legislature that the FY 1998 Supplemental Appropriation for Youth Corrections be non-lapsing.”

**Proposed use of Non-Lapsing Funds (not in priority order):**

Mentoring	\$ 65,000
OSHA Standards / Testing	85,000
Technology (Security / Computers)	200,000
Capital Improvements	150,000
Productivity Enhancements	150,000

Rep. Chard asked that the voting be divided.

For FY1999 the motion failed.

The motion for FY1998 Supplemental Appropriations for Youth Corrections passed unanimously.

MOTION: Rep. Bigelow moved to make FY1998 funds for PS and Corrections lapsing.

The motion was withdrawn after lists were found in the minutes.

MOTION: Sen. Waddoups moved the following intent language:

“It is the intent of the Legislature that funds allocated to the Juvenile Court allocated to the Juvenile Court for State Supervision in item 37, Chapter 273, Laws of Utah 1997, shall be non-lapsing and used for State Supervision in FY 1999.”

The motion passed unanimously.

MOTION: Sen. Waddoups moved the following intent language:

“Funds allocated for improvements to the Murray Courts house for FY 1998 and not expended due to construction delays, shall be considered non-lapsing and carried forward to FY 1999 to complete the project.”

The motion passed unanimously.

MOTION: Rep. Curtis moved the following:

He moved to reinstate the Juvenile Court line item in to the Courts’ main line item. The lease and contracts line item is to remain separate.

It is the request that for the FY 2000 budget, the Analyst present to the subcommittee the program detail on the Juvenile Court provided by the Courts.

The motion passed with Sen. Muhlestein and Rep. Chard voting in opposition.

MOTION: Rep. Curtis moved that JCC be moved back to the Auditor’s Office.

The motion failed with Sen. Muhlestein, and Reps. Arent, Bigelow, Zolman and Chard voting in opposition.

MOTION: Rep. Curtis moved to take \$211,000 from JCC and put \$150,000 to CCP and \$50,000 in the Board of Pardons.

SUBSTITUTE MOTION: Rep. Zolman moved to take \$211,000 from JCC and move to Jury and Witness.

The motion failed with Sen. Waddoups & Muhlestein, and Reps. Arent, Barth, Bigelow, Bryson, Curtis and Chard voting in opposition

SUBSTITUTE MOTION: Rep. Bigelow moved that \$25,000 be moved from Building Blocks, tab33, page 3, item 2.2, Leases and Contracts to Public Safety for Community Crime Prevention.

The motion passed unanimously.

MOTION: Sen. Waddoups moved to take \$50,000 from Jail Reimbursement Building Blocks and go to Community Crime Prevention.

SUBSTITUTE MOTION: Rep. Barth moved to take \$50,000 for Constitutional Defense fund for the Council on Crime Prevention.

The motion failed with Sen. Waddoups & Muhlestein and Rep. Zolman voting in opposition.

**SUBSTITUTE MOTION:** Rep. Curtis moved to take \$50,000 from JCC to Community Crime Prevention.

The motion failed with Sen. Waddoups and Muhlestein voting in opposition.

Sen. Waddoups original motion was voting on and passed with Rep. Barth voting in opposition.

**MOTION:** Rep. Barth moved that Department of Corrections Non-lapsing authority be limited to the following.

**Department of Corrections - Administration**

Description	Authorize Amt.
OTRACK	\$200,000
Computers	100,000
Office Equipment & Supplies	25,000
Communication Equipment	25,000
Capital Improvements	20,000

**Field Operations**

Computers & Improvements	\$350,000
Capital Improvements	200,000
Communication Equipment	300,000
Office Equipment & Supplies	350,000
Security Equipment & Supplies	150,000

**Institutional Operations**

Inmate Expenses (food, clothing)	\$500,000
Security Equipment & Supplies	225,000
Communication Equipment	475,000
Household Equipment	800,000
Computers & Improvements	350,000
Capital Improvements	500,000

**Clinical Services**

Medications	\$150,000
Office Equipment & Supplies	75,000
Communication Equipment	80,000
Computers & Improvements	180,000
Capital Improvements	200,000

The motion passed with Sen. Muhlestein & Rep. Zolman voting in opposition.

MOTION: Sen. Waddoups moved in the Department of Correction to place Privatized Prison in number 1 on the wish list.

SUBSTITUTE MOTION: Rep. Barth moved to approve the wish list in the following order:  
Jail Contracting as number 1 with Privatized Prison as Number 2.

The motion passed with Sen. Muhlestein voting in opposition.

MOTION: Rep. Zolman moved to take \$150,000 from the Governor's Office and place in Jury and Witness.

SUBSTITUTE MOTION: Rep. Bigelow moved to make all previous votes final with the exception of prioritization of the wish list.

The motion passed with Rep. Zolman voting in opposition.

MOTION: Rep. Barth moved to reconsider the wish list, to add, subtract and prioritize.

SUBSTITUTE MOTION: Sen. Waddoups moved to saunter for five minutes.

The motion passed with Sen. Muhlestein voting in opposition.

The meeting reconvened at 5:25 p.m.

MOTION: Rep. Barth moved to prioritize the wish list as follows:

1.	Corrections	Jail Contracting	\$1,400,000
2.	Youth Corrections	Training	390,000
3.	Youth Corrections	Community Based Programs	900,000
4.	Public Safety	Liquor Law Enforcement	250,000
5.	Board of Pardons	Protems	15,000
6.	Board of Pardons	Personal Services	35,000
7.	Corrections	Privatized Prisons	1,900,000
8.	Correction	Presentencing	300,000
9.	Youth Corrections	Out of State Placement	1,950,000
10.	Courts	Contracts and Leases	1,000,000
11.	Courts	Law Clerks	300,000
12.	Public Safety	UHP Clothing	92,000
13.	Public Safety	CCP	144,700
14.	Attorney General	Tax Prosecutor	80,000
15.	Corrections	Day Center	1,000,000
16.	Corrections	Substance Abuse	500,000

SUBSTITUTE MOTION: Rep. Curtis moved that item number 10 be made number 7 and renumber the remaining.

The motion failed with Rep. Curtis voting in favor.

SUBSTITUTE MOTION: Rep. Arent moved to switch number 10 and 11.

The motion failed.

Voting was held on the original motion. The motion passed with Sen. Muhlestein and Rep. Arent voting in opposition.

MOTION: Sen. Waddoups moved the following intent language:

“It is the intent of the Legislature that funds allocated to Youth Corrections for State Supervision for FY 98 shall be non-lapsing and used for State Supervision in FY 1999.”

The motion passed unanimously.

MOTION: Sen. Muhlestein moved to adjourn. The motion passed unanimously and the subcommittee adjourned at 5:40 p.m.

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Senator Michael Waddoups, Co-Chair

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Representative Blake D. Chard, Co-Chair