

**MINUTES OF THE  
EXECUTIVE OFFICES & CRIMINAL JUSTICE  
JOINT APPROPRIATIONS SUBCOMMITTEE  
ROOM W015, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX  
January 25, 2006**

**Members Present:** Sen. David L. Thomas, Co-Chair  
Rep. David L. Hogue, Co-Chair  
Sen. Brent Goodfellow  
Sen. Darin Peterson  
Rep. Douglas C. Aagard  
Rep. Eric K. Hutchings  
Rep. Curtis Oda  
Rep. Larry B. Wiley

**Members Absent:** Rep. Brad King  
Rep. Mark W. Walker

**Staff Present:** Gary Ricks, Fiscal Analyst  
Derek Byrne, Fiscal Analyst  
Carrie Griffith, Committee Secretary

**Visitors List:** List filed with committee minutes

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

Sen. Thomas called the meeting to order at 2:13 p.m.

**Department of Corrections Building Block Priority List**

Derek Byrne, Fiscal Analyst, noted the \$800,000 request for Natural Gas is being considered at the EAC level. This committee doesn't need to make an additional recommendation.

In no particular order of importance, the following motions were made to place requests for the Department on the priority list.

**MOTION:** Sen. Peterson moved to place on the Priority List an Ongoing Request for FY 2007 a 5.5 percent increase in **Salaries for Correctional Officers**. The motion passed unanimously, with Rep. King and Rep. Walker absent for the vote.

**MOTION:** Sen. Peterson moved to place on the Priority List an Ongoing Request for FY 2007 in the amount of \$4,106,400 and a One-Time Request for FY 2007 in the amount of \$172,900 for the **Gunnison Facility**. The motion passed unanimously, with Rep. King and Rep. Walker absent for the vote.

MOTION: Sen. Peterson moved to place on the Priority List an Ongoing Request for FY 2007 in the amount of \$4,259,700 and a One-Time Supplement Request for FY2006 in the amount of \$3,474,900 for **Jail Reimbursement Growth**. The motion passed unanimously, with Rep. King and Rep. Walker absent for the vote.

MOTION: Sen. Peterson moved to place on the Priority List an Ongoing Request for FY2007 in the amount of \$658,700 for the **Jail Core Rate**. The motion passed unanimously, with Rep. King and Rep. Walker absent for the vote.

Scott Carver, Executive Director, Department of Corrections, responded to questions by committee members concerning the above motion.

MOTION: Rep. Hutchings moved to place the **DORA Pilot Project** Ongoing Fund and the Sex Offender Registration/Enforcement on the Priority List.

A division on the motion was requested.

MOTION: Sen. Peterson moved to place on the Priority List a One-Time Request for FY2007 in the amount of \$251,000 for the **DORA Pilot Project**. The motion passed unanimously, with Rep. King and Rep. Walker absent for the vote.

MOTION: Sen. Peterson moved to place on the Priority List an Ongoing Request for FY2007 in the amount of \$470,000 for **Sex Offender Registration and Three Vehicles**.  
The motion passed unanimously, with Rep. King and Rep. Walker absent for the vote.

Mr. Carver responded to questions by committee members concerning the above motion.

MOTION: Rep. Oda moved that the committee would amend the building block already put on the Priority List to have the **concealed weapon funds** go directly to fund the BCI. The motion passed unanimously, with Sen. Peterson and Rep. King absent for the vote.

Richard Ellis, Director GOPB, and Rich Amon, Gov. Office Planning and Budget, responded to questions raised by the committee concerning BCI issues.

MOTION: Rep. Hogue moved to place on the Priority List an Ongoing Request for FY2007 in the amount of \$650,000 for **Sex Offender Treatment**. The motion passed unanimously, with Sen. Peterson and Rep. King absent for the vote.

To help clarify some intent language, the following motion was made:

**MOTION:** Rep. Hogue moved that the intent language under “sex registration/enforcement” would be **“up to 3 vehicles.”** The motion passed unanimously, with Sen. Peterson and Rep. King absent for the vote.

### **Other Business**

Rick Wyss, Chief Administrative Officer, Department of Public Safety, addressed the committee to answer questions raised during the January 23, 2006 Appropriations meeting by Sen. Goodfellow concerning 911 and the OMNI-Link issues. He referred to a booklet the Department distributed titled, “State of Utah Department of Public Safety 9-1-1 Committee Legislative Report FYE 2005, November 29, 2005.” In the appendix, it shows legislation detailing what the 9-1-1 funding can and cannot be used for—indicating that funding would not be available to use for the OMNI-Link Building Block.

Referring to a motion made during the January 23, 2006 appropriations meeting, Mr. Wyss clarified an issue about placing on the Priority List \$300,000 for the Crime Lab. He indicated he had misspoken, and the actual request was for \$106,000—not \$300,000. He stated that if the Department receives funding for the overtime they are requesting, they would be able to address some of the issues in the crime lab with overtime funding.

As a follow up to a question raised during the January 23, 2006 Appropriations meeting concerning concealed weapon permits, and whether some of that funding could be used towards laptops for UHP cars, Mr. Wyss referred to a handout titled, “Proposal For Concealed Weapon Permits.” He briefly explained items on the handout and answered questions raised by committee members.

### **Board of Pardons and Parole**

Derek Byrne, Fiscal Analyst, discussed a handout titled “Budget Brief—Board of Pardons and Parole.” Mr. Byrne reviewed the Analyst’s recommendations and budget details, stating the need for the Department to hire two new hearing officers and an office specialist to handle increasing caseloads.

Don Blanchard, Chairman, assisted by Keith Hamilton, Vice Chair, introduced several members of their Department. Mr. Blanchard clarified that one of their vehicles is used by all hearing officers and staff and is totally accessible to them, based on availability.

Mr. Blanchard stated that there is a direct correlation that exists between the Department of Corrections and The Board of Pardons and Parole and their respective workloads. He discussed

the fundamental points of difference between the two Departments, explaining in detail the difference between determinate and indeterminate sentencing systems.

A handout titled "Utah Board of Pardons and Parole Budget Presentation" was explained by Mr. Blanchard. He expressed a desire for committee members to grant the Department's request in hiring two new hearing officers and an office specialist.

### **Governor's Office**

Gary Hebert, Lt. Governor, assisted by Sandy Naegle, Budget and Accounting Officer, introduced several members of their office to the committee. Referring to a handout titled "Governor's Office Requests to the Executive Offices and Criminal Justice Appropriations Subcommittee January 25, 2006," the Lt. Governor detailed those requests. The handout states six issues the Office would like the committee to consider. Mr. Herbert and Ms. Naegle responded to questions raised by committee members.

Joe Denn, Lt. Governor's Office, answered questions by committee members concerning the annexation issues and the hiring of an annexation officer in the Lt. Governor's Office.

Gary Ricks, Fiscal Analyst, explained a handout titled "Budget Brief—Office of the Governor, reviewing the Analyst's issues and recommendations. He noted that SB 60, which has been put before the Legislature, has a fiscal note for the \$850,000, to be used in the Western States Presidential Primary. This may be of concern and interest to the committee.

Ms. Naegle responded to questions by the committee, indicating \$850,000 would be a one-time funding request that would come up every four years.

Mr. Ricks further explained the budget brief, reviewing accountability detail, budget detail, legislative action, and budget detail table. Mr. Herbert responded to questions and concerns raised by the committee.

### **Commission on Criminal and Juvenile Justice (CCJJ)**

Michelle Christiansen, Director CCJJ, assisted by David Walsh, Budget Director CCJJ, introduced staff and described the purpose of CCJJ. Handouts titled "Fiscal Year 2007 Review of CCJJ Building Blocks," and "CCJJ 2005 Annual Report" were explained in detail by Ms. Christiansen. The Department's priorities and issues were discussed with the committee. They include: Switch in Funding for CCJJ from Crime Victim Reparations Trust Fund to General Fund; Additional Claims Technician for the Office of Crime Victim Reparations; and Creation of the Racial and Ethnic Fairness Commission. Ms. Christiansen responded to questions raised by the committee.

Dan Becker, State Court Administrator, Keith Hamilton, Board of Pardons, Co-Chair Racial and Ethnic Fairness Commission, and Dan Becker, State Court Administrator, answered questions by committee members regarding the above issues.

### **Guardian ad Litem**

Derek Byrne, Fiscal Analyst, briefly explained a handout titled “Budget Brief—Guardian ad Litem.” Mr. Byrne responded to questions raised by committee members regarding caseload statistics.

Debra Moore, Chair GAL Oversight Commission, assisted by Kristin Brewer, Director GAL Office, introduced several members of the Department. Ms. Moore distributed handouts titled “Office of Guardian ad Litem History and Current Statistics,” and “Child Welfare Legislative Oversight Panel 2005 Annual Report.” These handouts were discussed in detail. Ms. Moore explained the duties and role of the Guardian ad Litem program and requested funding to help with additional staffing. Ms. Moore and Ms. Brewer responded to questions and concerns raised by committee members concerning the program.

### **Other Business**

Sen. Thomas indicated the committee passed a bill last year with regard to bicycle safety that went into Public Safety as One-Time funding. There is a request for approximately \$20,000 for that program, which has to do with sharing the road and other bicycle safety issues. This was brought to the attention of the committee in case someone wants to make a motion at the next meeting to put it on the priority list.

MOTION: Sen. Goodfellow moved to adjourn.

Sen. Thomas adjourned the meeting at 4:46 p.m.

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Sen. David. L. Thomas, Co-Chair

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Rep. David L. Hogue, Co-Chair