

**MINUTES OF THE
TRANSPORTATION, ENVIRONMENTAL QUALITY & NATIONAL GUARD
APPROPRIATIONS SUBCOMMITTEE
Room W010, West Office Building, State Capitol Complex
Monday, January 30, 2006**

MEMBERS PRESENT: Sen. Scott Jenkins, Co-Chair
Rep. David Ure, Co-Chair
Sen. Fred Fife
Sen. Michael Waddoups
Rep. David N. Cox
Rep. Glenn A. Donnelson
Rep. Neil A. Hansen
Rep. Ann W. Hardy
Rep. Neal B. Hendrickson
Rep. Todd E. Kiser
Rep. Joseph G. Murray

STAFF PRESENT: Mark C. Bleazard, Fiscal Analyst
Rosemary Young, Committee Secretary

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

Sen. Jenkins called the meeting to order at 2:12 p.m.

MOTION: Rep. Murray moved to approve the minutes of the January 26, 2006 meeting. The motion passed unanimously with Rep. Ure absent for the vote.

National Guard

Mark Bleazard, Fiscal Analyst, explained the summary of the committee actions to date. Col. Scott Olsen, Utah National Guard, reminded the committee of the request for a vehicle for the Veterans' Nursing Home and that they request that the tuition assistance funds be nonlapsing.

MOTION: Rep. Kiser moved that the committee include in the National Guard budget intent language that tuition assistance be nonlapsing. The motion passed unanimously with Rep. Ure absent for the vote.

Col. Olsen informed the committee that Gen. Tarbet's priorities are as follows: 1. Tuition Assistance, 2. Utilities Cost Increases, 3. Facility Insurance Cost Increases, and 4. Veterans' Affairs Outreach Program.

MOTION: Rep. Ure moved to finalize the tentative votes on the National Guard Budget as follows:

Utility Cost Increases, FY06 & FY07	\$216,000
Facility Insurance Cost Increases, FY06 & FY07	27,500
Veteran's Affairs Outreach Program	100,000
Tuition Assistance, one time	750,000

Intent Language:

Funds for the Veterans' Affairs program are nonlapsing
Funds for the Veterans' Cemetery program are nonlapsing
Funds for the Veterans' Nursing Home are nonlapsing
Funds for Tuition Assistance are nonlapsing
Approval for a vehicle for the Veterans' Nursing Home

Under terms of Section 63-38-8.1 Utah Code Annotated, item 205 of Chapter 8 Laws of Utah 2005 is made nonlapsing with the use of any nonlapsing funds limited to the following:

Armory Maintenance	\$50,000
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The motion passed with Sen Waddoups voting in opposition.

Department of Environmental Quality

The Fiscal Analyst reviewed the summary of committee action to date.

Dianne R. Nielson, Executive Director Department of Environmental Quality, accompanied by Bill, Sinclair, Deputy Director, distributed two budget issue papers containing Governor's budget recommendations which she explained to the committee. The first was a request to restore \$70,000 from the General Fund which was cut in FY03 when budget cuts were made. These funds in the past were provided to local health departments for delivery of environmental health services. The second was a request for \$200,000 from the General Fund to initiate an air quality study of animal feeding operations to determine whether the operations are in compliance with the Clean Air Act. They currently have \$750,000 in Federal money available for this study but need the additional \$200,000. There was a discussion of the current status of the opposition to high level nuclear waste storage in Utah.

The Director listed her priorities from the General Fund as follows: 1. High Level Nuclear Waste, 2. Local Health Department Assistance, 3. Animal feeding operations air quality study.

MOTION: Rep. Ure moved to prioritize the DEQ budget items as follows:

1. High Level Nuclear Waste, one time	\$ 250,000
2. Animal feeding operations air quality study, one time	200,000
3. Underground Storage Tank Recovery	43,600
4. Drinking Water Loans Funding Change, FY06/FY07	73,000
5. Hazardous Substance Mitigation Funds, one time	400,000

SUBSTITUTE

MOTION: Sen. Fife moved to add into the list of the previous motion as item 2 the \$70,000 requested for local health department assistance. The motion passed with Sen. Jenkins voting in

opposition and Rep. Hansen and Rep. Ure absent for the vote.

Rep. Hunsaker came before the committee with a fiscal note requesting \$800,000 from the General Fund FY06 to be used to take care of costs associated with a landslide from UDOT land into a personal residence in Logan. Pictures of the area and the slide were handed out. The funds would cover cleanup costs, repairs, and some preventative maintenance. UDOT thinks that the cause of the landslide is leakage from a nearby canal owned by Logan Northern Canal Co. This property is owned by UDOT because it was given to them over 20 years ago by USU when a similar problem occurred. There was discussion as to who is legally responsible to take care of the problem.

The Fiscal Analyst also mentioned a request of Sen. Knudsen concerning funds for the Veterans' Outreach Program which he proposed should come from increases in vehicle registration fees for light trucks and cars. Those funds are constitutionally earmarked for transportation projects at the present time. The committee has already approved an appropriation for this request.

Department of Transportation

The Fiscal Analyst explained the actions the committee has taken to date. He also explained a request of the Department that Engineering Services line items: Traffic Safety/Tramway, Sign Operations, and Traffic Operations Center with total funds of \$7,348,400 and 77 FTEs and Equipment Management line item: Maintenance Planning with total funds of \$1,192,700 and 15 FTEs be transferred to Operations/Maintenance Management where they more logically belong.

John Njord, Executive Director of the Department of Transportation, explained the handout concerning Lake Powell Ferry Fee Rates. One of the concerns was that the fee schedule was complicated and difficult to communicate rapidly as people approached the ferry. The proposed new fee schedule represents a slight increase, but it will still be necessary to subsidize the operation. There is also a new agreement with the management of the ferry that results in a reduction in the ferry service schedule during the off-season. Ferry use has decreased in recent years due to the falling lake level, but it is anticipated that usage will increase with rising lake levels.

MOTION: Rep. Hendrickson moved that the committee approve the DOT budget and fees including the transfers, intent language, and nonlapsing language as found in appendices A, B, C, D, and E. The motion also includes the change in ferry fees on Lake Powell as follows:

Foot Passengers	\$ 5.00
Bicyclists would be considered foot passengers.	
Children under 5 accompanied by an adult would be free.	
Motorcycles	\$10.00
Vehicles under 20'	\$ 20.00
Vehicles over 20'	\$ 1.25/foot

The motion passed unanimously with Sen. Waddoups, Rep. Donnelson, Rep. Hansen, and Rep. Ure absent for the vote.

MOTION: Rep. Kiser moved that the committee approve a one time appropriation of \$800,000 from the General Fund to address the problem of the landslide in Logan. The motion passed unanimously with Sen. Waddoups, Rep. Donnelson, and Rep. Hansen absent for the vote.

It was determined that the committee will meet again on Thursday to prioritize budget items.

Sen. Jenkins explained a chart which was handed out showing the huge shortfall in funding as compared to estimated needs in transportation out to year 2030.

Kevin Womack, Professor of Civil and Environmental Engineering at Utah State University and Director of the Utah Transportation Center at USU came to the committee with a request for \$500,000 ongoing funding to match federal funds to the Transportation Center for two federal programs: Innovative Bridge Research and Deployment program and Long Term Bridge Monitoring program. The goal of both programs is to reduce construction and maintenance costs. John Njord responded to questions concerning UDOT's participation in research and ties to Utah universities in the area of research. It was suggested that this discussion be continued at Thursday's meeting.

Chuck Chappell, Wasatch Front Regional Council, and Darrell Cook, Mountainland Association of Governments requested the committee appropriate \$140,000 from the General Fund for operating expenses for MAG Metropolitan Planning Organization for Transportation Planning. In the past three years these funds came from the Community Impact Board. Since the Wasatch Front Counties are not mineral lease producing counties, it doesn't seem appropriate that the funds continue to come from the CIB. Craig Peterson, CAP Consulting, clarified the responsibilities of the CIB to rural AOGs.

Rep. Ure adjourned the meeting at 4:45 p.m.

Rep. David Ure, Co-Chair

Sen. Scott Jenkins, Co-Chair

