

**Governor's Summary of
Legislative Action
for
1988-1989**

State of Utah

Office of Planning and Budget

GOVERNOR'S SUMMARY OF LEGISLATIVE ACTION
FOR FISCAL YEAR 1988-89

Prepared by the
OFFICE OF PLANNING AND BUDGET

MAY 1988

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NORMAN H. BANGERTER
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GOVERNOR'S REPORT TO THE PEOPLE OF UTAH

After forty-five days of review, meetings, and debate, the legislature essentially adopted the budget I recommended (see Table II). It also passed 39 of the 41 bills I actively supported. The FY 1989 appropriations reflect my continued emphasis on greater efficiency in government while stressing public education and jobs.

EFFICIENCY IN GOVERNMENT

I have achieved two 1986 efficiency goals:

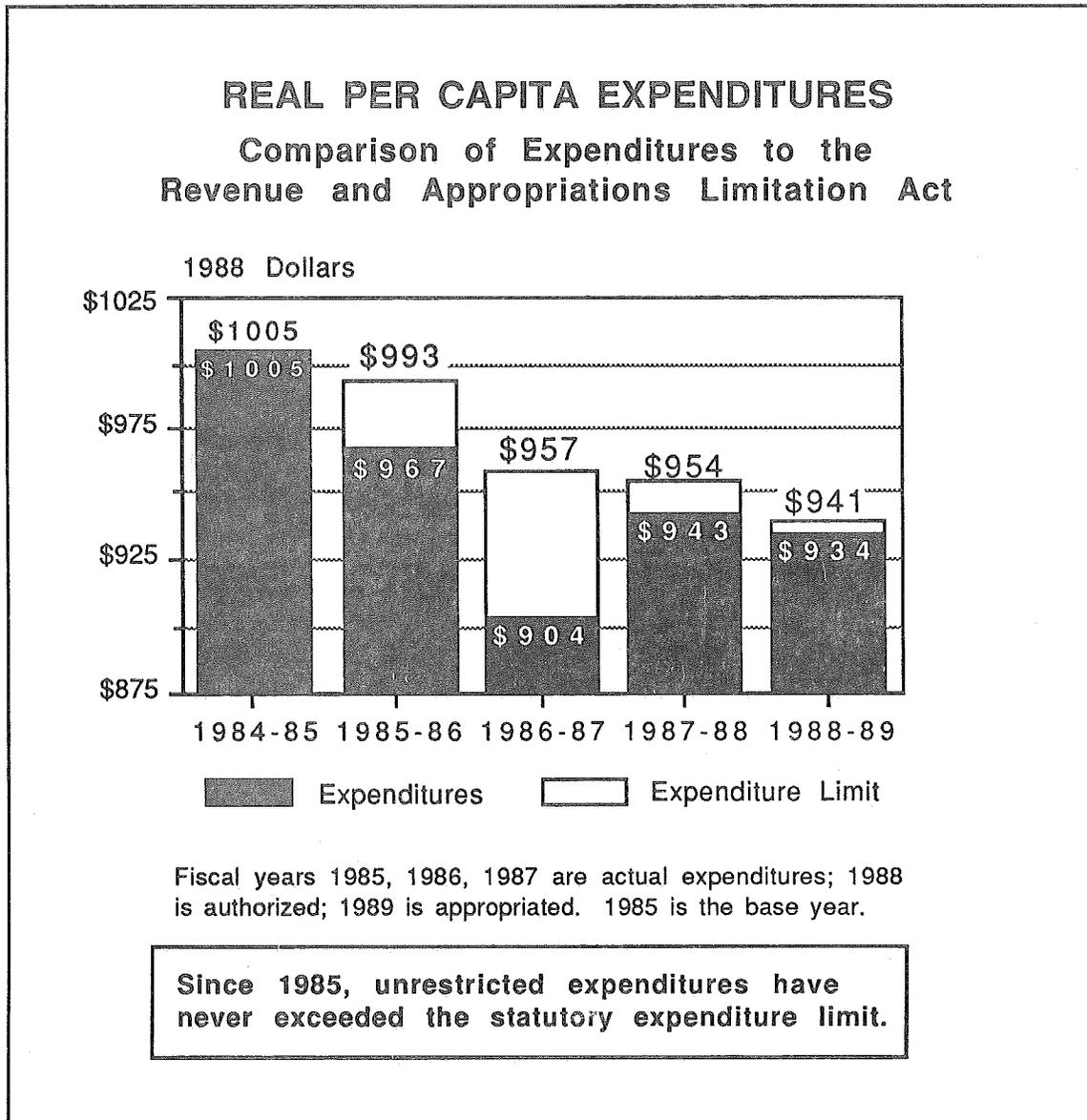
1. State employment will decrease as a percentage of total nonagricultural employment.

In 1986, total state government employment was 6.0 percent of total nonagricultural employment. The 1987 percentage is 5.9 percent. The decrease is significant when compared to the dramatic increase in service demands. Public education enrollment is projected to be up 10 percent (39,500 students) over FY 1985. Prison population for FY 1989 is estimated to be up 65 percent. And, caseloads in the Departments of Social Services and Health are up 26 percent over FY 1985.

2. The state budget, on average, will not show an increase greater than the growth in population and inflation during this administration.

The budget is defined as mineral lease revenues and General, Uniform School, and Transportation Funds. In FY 1985, state appropriations were \$1.516 billion. Fiscal year 1989 appropriations are \$1.665 billion, an increase of \$149 million. Adjusting for estimated inflation and population growth, this appropriation is a decrease of 7.1 percent. In other words, state government is spending \$71 less per person in real terms than when I came into office.

FIGURE 1

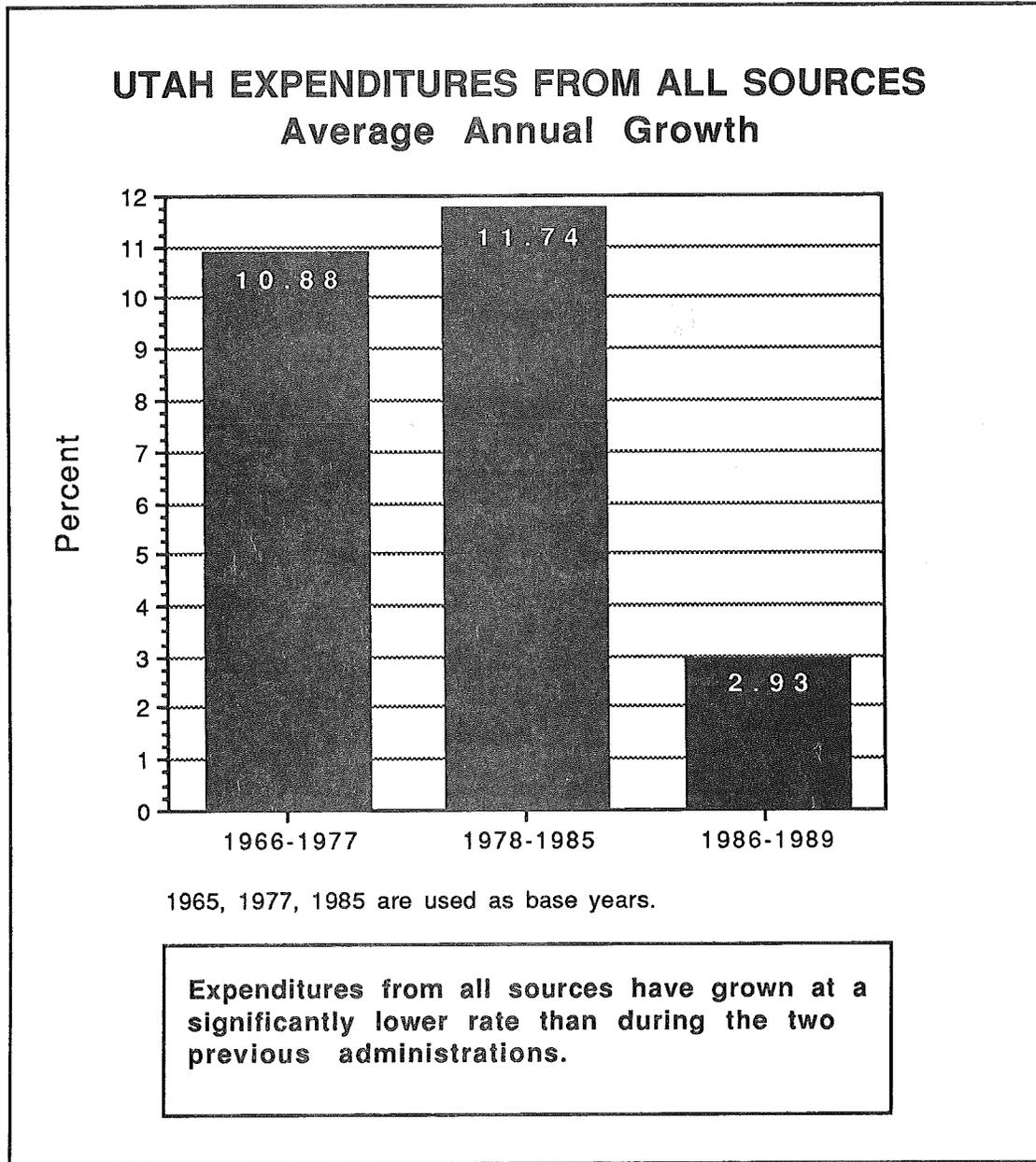


In 1979, a revenue and appropriations limitation bill was enacted but never implemented. The FY 1989 budget is \$13 million lower than the maximum permitted by that act, had the act been implemented when I took office, or \$7 lower per person (see Figure 1). Had the budget kept pace during my administration with inflation and population growth, it would be \$127 million higher.

Efficiencies generated by my program are also reflected in a comparison of expenditure growth rates. During the period between 1966-77, state expenditures from all sources increased an average of 10.88 percent annually. During the 1978-85 administration, expenditures increased an average of 11.74 percent annually. During my tenure,

expenditures from all sources, including the tax increase, are estimated to increase an average of only 2.93 percent annually (see Figure 2).

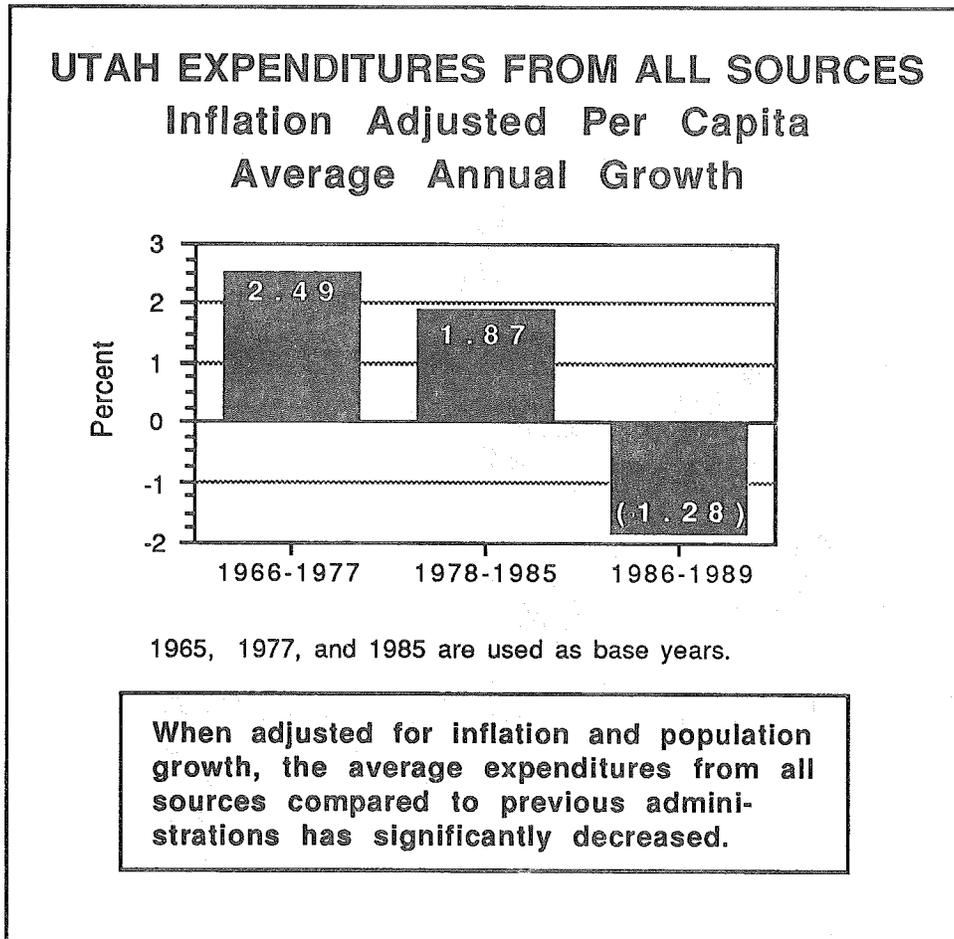
FIGURE 2



Between 1966-77, yearly expenditure growth averaged 2.49 percent above inflation and population growth. Between 1978-85, yearly expenditure growth averaged 1.87 percent. Under the adopted FY 1989 funding level, yearly expenditures are estimated to decline an average of 1.28 percent per year during my administration (see Figure 3).

During my administration, the private sector has grown faster than state government. In FY 1985, total state appropriations were 14.8 percent of state personal income. For FY 1989, total state appropriations are projected to be 14.2 percent of state personal income.

FIGURE 3



EDUCATION

Education continues to be my budget centerpiece. In FY 1985, education received 59.8 percent of state revenues. Public education received 42.1 percent and higher education 17.7 percent. For FY 1989, education will receive 66.1 percent of the state General/Uniform School Fund budget; 48.0 percent to public education and 18.1 percent to higher education.

Public Education

State funding for the Minimum School Program increased \$14.6 million in FY 1989. Local funding decreased \$7.4 million due to lower assessed valuation. This \$7.2 million net increase in state and local funding is enough to pay for student enrollment growth but does not keep up with inflation.

In a move toward greater budget flexibility, I recommended a pilot block grant program to be conducted in five school districts. My recommendation was adopted by the legislature. This block grant program will permit local people to solve local problems. Student achievement should increase. Accountability will improve.

Utah's public school system and its teachers deserve our appreciation. In the face of challenging economic conditions, quality education is being maintained while more and more students are being educated. Student achievement remains above the national average.

Reform has been initiated. Education has been moving to year-round schools and requiring more efficient use of school buildings. During the past two years, total state, local, and federal school expenditures have increased by less than one percent. However, the proportion of funds for operating schools has increased dramatically. Districts have shifted funds from building construction and debt service into classrooms. For example, 18 positions were cut from the State Office of Education during the last budget cycle. That is more than 10 percent of the non-federally funded positions. At my recommendation, administrative costs have been reduced 10 percent. School districts are seriously discussing consolidation.

But we must go further. New delivery systems must be developed to assure our schools remain internationally competitive. Student achievement must improve. I encourage schools and school districts to provide report cards of their progress. Accountability will improve performance. I encourage, where warranted, continued movement to year-round options, differentiated staffing, and early graduation.

Higher Education

As I recommended, higher education received a \$2.4 million increase in state funding to partially meet enrollment growth and reimbursed overhead reallocation mandated by the legislature. The legislature also endorsed the Board of Regents' decision to increase college and university tuitions. The 7 percent average tuition increase will provide \$5 million primarily for libraries and mandated cost increases.

JOBS

A strengthened and broadened economic base will provide jobs to help solve Utah's current fiscal challenges. The legislature adopted my recommendation to continue last year's funding level of nearly \$4 million for the Centers of Excellence Program. The program's 16 research centers attracted \$35 million from 123 private companies and 14 federal agencies in FY 1987.

I recommended a separate line item appropriation of \$593,000 for the Utah Technology Finance Corporation (UTFC). The legislature authorized \$500,000. I also recommended a FY 1988 supplemental appropriation of \$500,000. The legislature increased that amount to \$800,000.

Utah has been aggressive in its efforts to: 1) increase jobs by helping Utah companies prosper and expand, and 2) attract new business to the state. Expansion of existing companies accounts for 80 to 90 percent of job growth in Utah. Utah ranked 10th nationally in job creation between 1980 and 1986. Long-term projections from the Office of Planning and Budget indicate an annual average employment growth rate of 2.2 percent from 1987 to 2000. National employment growth, by comparison, is expected to be only 1.5 percent

annually. Continued efforts to expand and diversify Utah's economy are necessary to provide jobs for our growing population.

All fifty states undertake economic development activities. However, the most powerful economic forces under a state's control are: 1) education of its population, 2) development and maintenance of its infrastructure, and 3) creation of a stable fiscal, legal, and regulatory environment. I have discussed education. I will briefly mention the other two.

INFRASTRUCTURE

During my first year in office, I instituted a plan to address Utah's infrastructure needs through a combination of state funding and prudent bonding of \$30 to \$40 million annually. I recommended and the legislature appropriated \$33 million of the budget surplus to fund capital projects for FY 1989, rather than incur additional general obligation bonds. More than \$70 million in additional projects were funded from university, private, and federal funds.

I have reduced Utah's general obligation debt from eleven years to six years. The last payment is due in July, 1994. My debt restructure program has reduced debt payments more than \$13 million with a net present value savings exceeding \$4 million. My plan has maintained Utah's AAA bond rating during recent fiscal challenges. Only seven states have this prestigious and highest bond rating.

Transportation infrastructure affects more people than any other single issue. This year I went to Washington and secured \$65 million in federal discretionary highway funds. Those funds are included in the FY 1988 and FY 1989 construction budgets. The legislature again approved enhanced funding for the highway maintenance and rehabilitation program.

Water development and management is one of our most important tasks as we enter the 1990s. Federal participation is diminishing. During the past three years, 88 water conservation and development projects have been constructed in 27 counties to meet expanding demands by municipalities, industries, agriculture, and recreation. A comprehensive water planning process has been initiated among federal, state, local, and private water interests. The State Water Plan is proceeding. A mechanism is in place to sell part of the state's loan portfolio and reinvest the money in water projects. The Central Utah Project is scheduled to receive its final installment of federal funds in the mid 1990s.

REGULATORY ENVIRONMENT

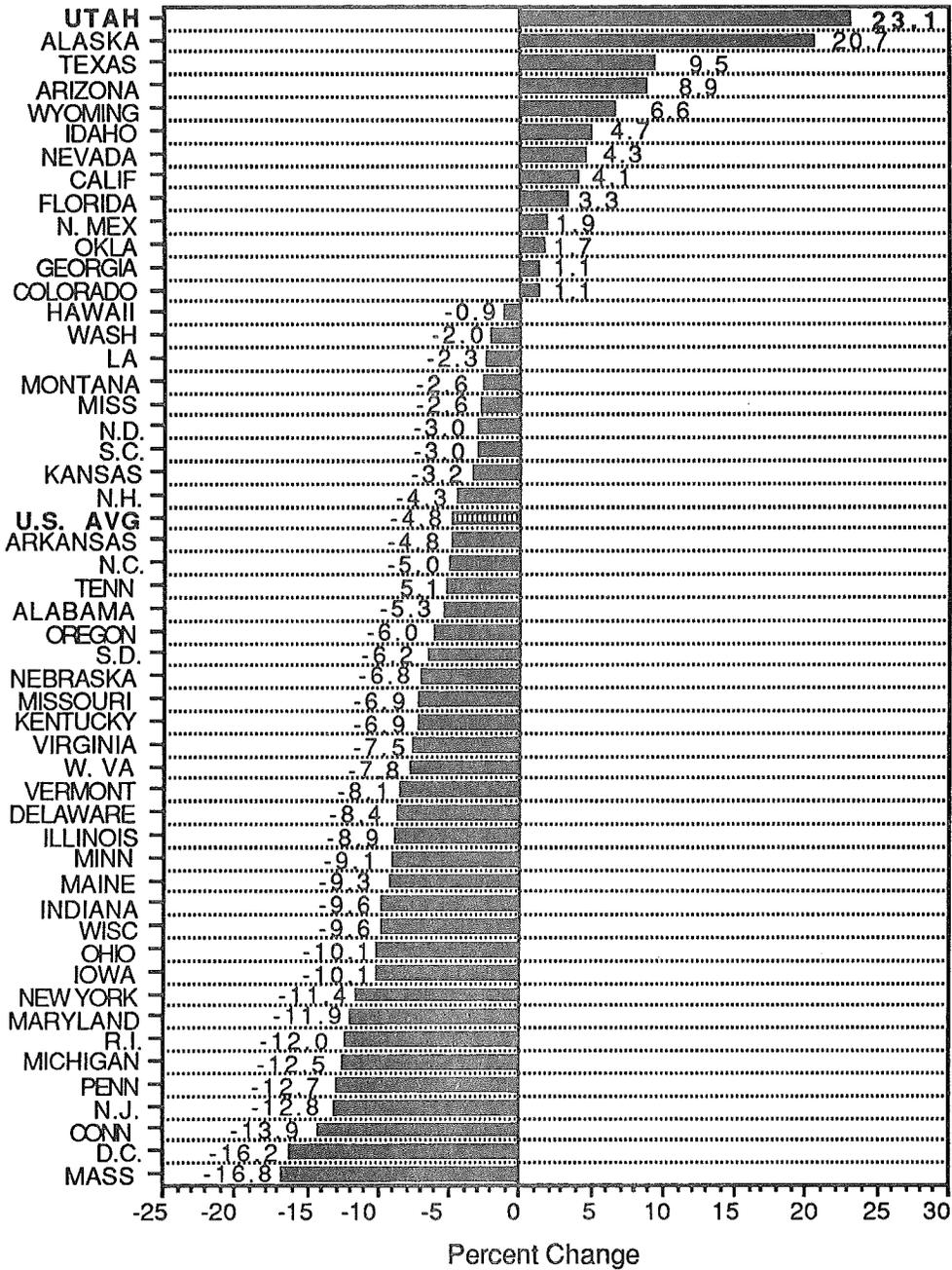
The number of administrative rules has been reduced more than 60 percent since I took office. The FY 1989 budget includes funds to continue that process of creating a better environment for business. I have instructed departments to work with the Office of Planning and Budget to carefully assess new rules and review existing rules. The impacts of each rule on citizens, businesses, state government, and local governments will be determined. The best interest of the state is served by necessary, clear, and concise rules which protect public health, safety, and welfare; promote economic development; and facilitate the orderly implementation of state statutes.

DEMOGRAPHICS

Between 1980 and 1986, Utah had the fastest growing school-age population in the nation (see Figure 4). However, during the last three years, the number of births has

FIGURE 4

PERCENT CHANGE IN SCHOOL AGE
POPULATION (AGES 5-17): 1980-86

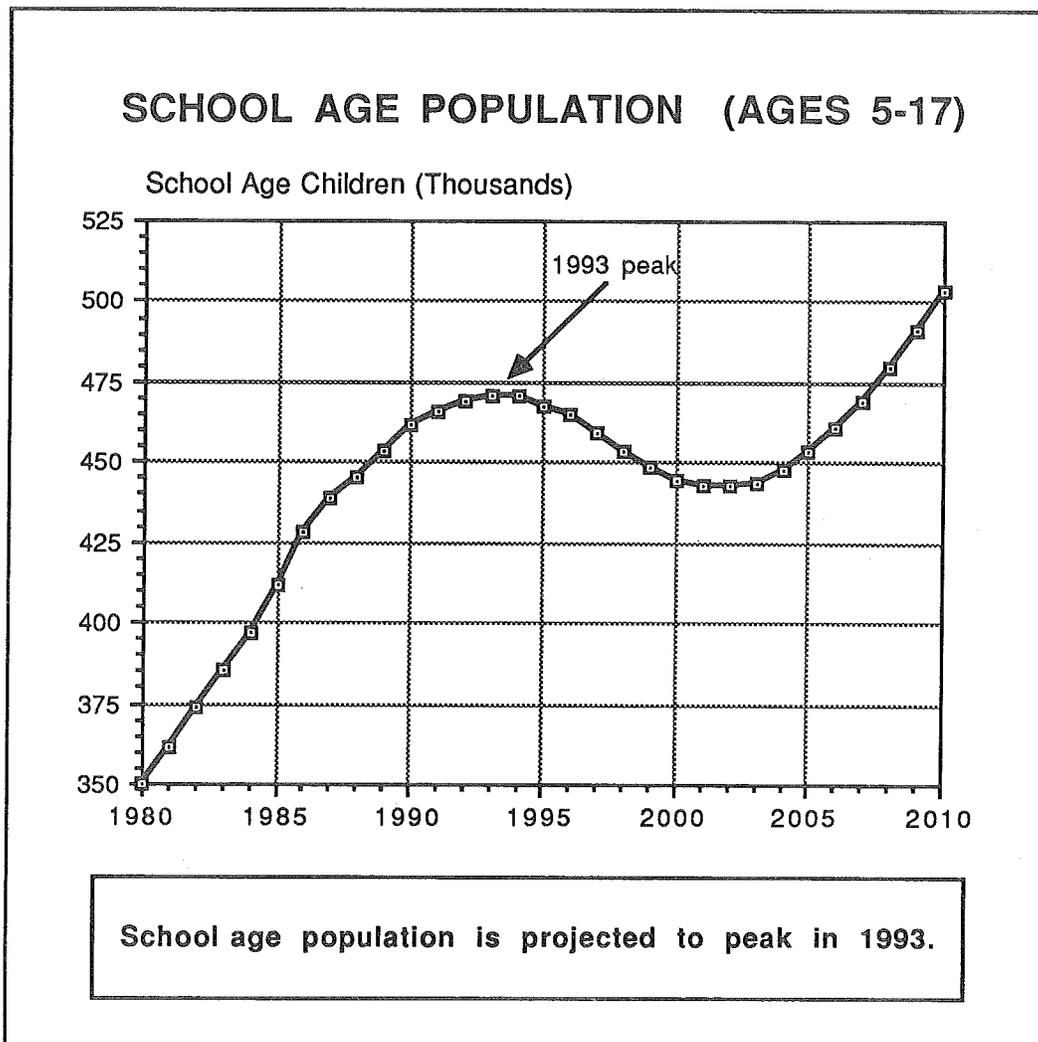


Utah's school age population is growing faster than that of any other state in the nation.

dropped dramatically. Because of this decline, projections now show school-age population slowing significantly. By 1993, school-age population is projected to peak and start to decline (see Figure 5).

Equally important is the fact that over the next several years Utah's adult working age population will grow faster than the school-age population. Between now and the year 2000, school-age population is expected to shrink from 26 percent to 22 percent of Utah's total population. Working age adults will increase from 55 percent to 59 percent. The demographic shifts will spread public education funding over a broader base. This should be welcome news. Utahns now have the highest school-age dependency ratio in the nation, 22.6 percent higher than second place Idaho.

FIGURE 5



FUTURE

Utah has a bright future for several reasons:

- Local economic disruptions caused by the international market have been addressed by cooperation between state government and farsighted businessmen. Because of this cooperation, Kennecott Copper and Geneva Steel are back in business.
- Industries around the Great Salt Lake are alive and well due to flood control efforts.
- Utah is a national leader in the transition to a service economy. It ranked tenth nationally in the growth of service jobs between 1980 and 1986. In the last three years, Utah has created over 40,000 service sector jobs, more than offsetting job decreases in other sectors.
- This year's rate of job growth is triple last year's growth rate.
- Utah's March 1988 unemployment rate is 5.5 percent. It is currently the lowest level in eight years except for a brief period in 1985. There are nearly 5,000 fewer Utahns filing for unemployment benefits today compared with last year.
- Demand for major public education funding increases will slow as the growth in the school-age population declines after 1993.
- Utah citizens convey today the same determination as the pioneers who settled this state 140 years ago. Utahns harbor a commitment to meet the challenge of a new global economy.
- Between now and 2000, Utah will have one of the fastest growing workforces in the nation. Utah's civilian workforce will grow more than twice as fast as the nation's as a whole.
- The Tax Commission recently released information confirming an improving economy. Revenues are up significantly. From income tax alone, revenues have improved by \$50 to \$75 million. Sales tax collections have also improved.
- I have called a special session for June to return the extra revenue to you the people through a permanent tax cut.

Utah's future is bright. But, we must continue to adjust to the trends toward an international economy and service-producing society. We must be and are becoming more competitive.

Utah is positioned for an exciting future in this rapidly changing world. Please join me in facing and overcoming these challenges.

TABLE I
STATE FISCAL PLAN
Fiscal Year 1986-87 to Fiscal Year 1988-89
General Fund/Uniform School Fund
(In Thousands of Dollars)

	Actual 1986-87	Authorized 1987-88	Percentage Change	Appropriation 1988-89	Percentage Change
Expenditures					
Operating Budget	1,229,614	1,315,177	7.0	1,336,722	1.6
Capital Budget	3,809	13,998	267.5	43,290	209.3
Debt Service	50,300	51,129	1.6	59,147	15.7
Total Appropriation	1,283,723	1,380,304	7.5	1,439,159	4.3
Lapsing Balances	(4,436)	0		0	
TOTAL EXPENDITURES	1,279,287	1,380,304	7.9	1,439,159	4.3
Revenues					
Beginning Balance	1,808	29,207	0.0	13,053	(55.3)
General Fund	679,245	729,150	7.3	751,900	3.1
Uniform School Fund	622,875	635,000	1.9	654,400	3.1
Overhead Allocation	2,417	0	0.0	0	0.0
Transfers	22,198	0	0.0	0	0.0
TOTAL REVENUES	1,328,543	1,393,357	4.9	1,419,353	1.9
SURPLUS	49,256	13,053	(73.5)	(19,806)	(251.7)
Budget Reserve Transfer	(20,049)	0		20,049	
ENDING BALANCE	29,207	13,053	(55.3)	243	(98.1)

TABLE II
STATE OF UTAH
COMPARISON OF GOVERNOR'S RECOMMENDATIONS
WITH APPROPRIATIONS
General Fund/Uniform School Fund

	Authorized 1987-88	Governor's Original Recommendation 1988-89	Appropriated 1988-89	Difference Gov./Approp. 1988-89	Percent Difference
Business, Labor, and Agriculture	15,200,600	15,584,800	15,499,800	(85,000)	(0.55)
Community and Economic Development	20,223,100	18,163,700	18,286,100	122,400	0.67
Corrections	67,191,900	68,775,900	69,358,800	582,900	0.85
Courts	28,487,700	30,251,000	34,275,100	4,024,100	13.30
Elected Officials	9,984,322	9,978,800	9,854,700	(124,100)	(1.24)
Government Operations	37,839,900	33,987,400	34,037,600	50,200	0.15
Health	66,063,000	67,234,300	67,752,000	517,700	0.77
Higher Education	257,218,300	259,464,700	259,613,700	149,000	0.06
Legislature	5,494,000	5,799,600	5,952,800	153,200	2.64
National Guard	1,630,000	1,657,700	1,661,500	3,800	0.23
Natural Resources	21,481,600	21,515,100	20,083,700	(1,431,400)	(6.65)
Public Education	675,099,300	683,456,100	691,623,100	8,167,000	1.19
Public Safety	7,294,000	6,954,500	6,943,800	(10,700)	(0.15)
Social Services	100,878,500	102,600,000	100,835,500	(1,764,500)	(1.72)
Transportation	942,000	947,700	943,600	(4,100)	(0.43)
Operations Budget	1,315,028,222	1,326,371,300	1,336,721,800	10,350,500	0.78
Capital Budget	13,998,200	10,397,400	43,289,900	32,892,500	316.35
Debt Service	51,129,200	59,231,300	59,147,000	(84,300)	(0.14)
TOTAL	1,380,155,622	1,396,000,000	1,439,158,700	43,158,700	3.09

1 The appropriation to the courts is \$4,009,700 above the governor's recommendation because of the passage of S.B. 146, District Court Act. The governor supported the bill.

2 The legislature transferred the Preschool Handicapped Program from the Department of Social Services to the Department of Health and to Public Education. This transfer accounts for most of the difference.

3 The legislature replaced \$1,000,000 in General Fund with one-time funds for the West Desert Pumping Project. The governor had recommended using General Fund for the project.

4 Updated revenue estimates allowed the legislature to increase public education funding by \$6 million over the governor's original recommendations. The governor approved the additional funding. The transfer of the Preschool Handicapped Program also accounts for part of the difference.

5 The governor recommended \$33 million in supplemental funds to use for capital projects in FY 1987-88. The legislature chose to appropriate the funds for FY 1988-89.

The legislature essentially adopted Governor Bangert's recommended budget.

TABLE III
STATE OF UTAH
SUMMARY OF APPROPRIATIONS
General Fund/Uniform School Fund

	Actual 1986-87	Authorized 1987-88	Percent Change	Appropriated 1988-89	Percent Change
Business, Labor, and					
Agriculture	15,500,700	15,200,600	(1.9)	15,499,800	2.0
Community and Economic					
Development	15,830,600	20,223,100	27.7	18,286,100	(9.6)
Corrections	56,375,300	67,191,900	19.2	69,358,800	3.2
Courts	27,009,400	28,487,700	5.5	34,275,100	20.3
Elected Officials	10,017,400	9,984,322	(0.3)	9,854,700	(1.3)
Government Operations	36,069,300	37,839,900	4.9	34,037,600	(10.0)
Health	57,939,300	66,063,000	14.0	67,752,000	2.6
Higher Education	244,577,300	257,218,300	5.2	259,613,700	0.9
Legislature	5,494,000	5,642,700	2.7	5,952,800	5.5
National Guard	1,519,510	1,630,000	7.3	1,661,500	1.9
Natural Resources	19,084,306	21,481,600	12.6	20,083,700	(6.5)
Public Education	636,032,600	675,099,300	6.1	691,623,100	2.4
Public Safety	6,703,000	7,294,000	8.8	6,943,800	(4.8)
Social Services	96,412,500	100,878,500	4.6	100,835,500	0.0
Transportation	1,056,000	942,000	(10.8)	943,600	0.2
Operations Budget	1,229,621,216	1,315,176,922	7.0	1,336,721,800	1.6
Capital Budget	3,809,200	13,998,200	267.5	43,289,900	209.3
Debt Service	50,300,000	51,129,200	1.6	59,147,000	15.7
TOTAL	1,283,730,416	1,380,304,322	7.5	1,439,158,700	4.3

TABLE IV
STATE OF UTAH
SUMMARY OF APPROPRIATIONS
Expenditures from All Sources

	Actual 1986-87	Authorized 1987-88	Percent Change	Appropriated 1988-89	Percent Change
Business, Labor, and Agriculture	61,974,500	62,307,000	0.5	59,639,100	(4.3)
Community and Economic Development	52,381,800	54,588,600	4.2	41,973,900	(23.1)
Corrections	62,487,400	71,083,700	13.8	73,545,600	3.5
Courts	27,184,100	28,829,100	6.1	34,350,400	19.2
Elected Officials	15,325,800	17,068,922	11.4	16,957,100	(0.7)
Government Operations	57,603,100	60,200,000	4.5	58,705,900	(2.5)
Health	291,987,300	289,743,900	(0.8)	280,604,900	(3.2)
Higher Education	325,439,700	340,620,700	4.7	347,948,900	2.2
Legislature	5,622,900	5,859,300	4.2	6,370,800	8.7
National Guard	2,920,910	2,774,700	(5.0)	2,895,800	4.4
Natural Resources	50,814,202	61,851,100	21.7	56,892,800	(8.0)
Public Education	941,512,800	1,011,429,600	7.4	1,020,230,200	0.9
Public Safety	42,009,800	39,327,500	(6.4)	39,799,300	1.2
Social Services	256,231,000	274,362,300	7.1	267,849,700	(2.4)
Transportation	113,042,700	128,038,200	13.3	136,431,300	6.6
Operations Budget	2,306,538,012	2,448,084,622	6.1	2,444,195,700	(0.2)
Capital Budget	257,361,500	358,057,400	39.1	324,117,800	(9.5)
Debt Service	77,270,400	53,569,500	(30.7)	65,015,000	21.4
Flooding	41,700,000	0	0.0	0	
TOTAL	2,682,869,912	2,859,711,522	6.6	2,833,328,500	(0.9)

The total FY 1988-89 budget is 0.9 percent less than the current year's budget.

G.F. 25.9 %
 FF 22.2 %
 USP 24.8 %
 TF 7.0 %
 Debt 7.1 %

} 87% → + Prop. Tax = 37.8% 95%

ST 20.9% of Total Budget

Inc Tax 20.3%

Fuel Tax 6.8%

TABLE V

FEBRUARY REVENUE ESTIMATES
Fiscal Years 1987 to 1989
(In Thousands of Dollars)

	Actual 1986-87	February Estimate 1987-88	Change 87/88	Percent Change 87/88	February Estimate* 1988-89	Change 88/89	Percent Change 88/89
General Fund							
Sales and Use Tax	541,256	522,500	(18,756)	(3.47)	533,100	10,600	2.03
Reserve Account Transfer	12,000	10,900	(1,100)	(9.17)	11,100	200	1.83
1/2 Cent Tax Increase	6,000	57,900	51,900	865.00	59,200	1,300	2.25
Liquor Profits	17,111	17,300	189	1.10	17,500	200	1.16
Insurance Premiums	27,762	31,400	3,638	13.10	33,000	1,600	5.10
Beer, Cig., and Tobacco	21,195	20,000	(1,195)	(5.64)	19,900	(100)	(0.50)
11 Cents Tax Increase	2,800	9,800	7,000	250.00	9,700	(100)	(1.02)
Oil Occupation Tax	20,775	25,500	4,725	22.74	25,000	(500)	(1.96)
Metal Occupation Tax	755	3,000	2,245	297.35	3,400	400	13.33
Inheritance Tax	2,318	3,500	1,182	50.99	3,000	(500)	(14.29)
Investment Income	3,836	5,000	1,164	30.34	5,000	0	0.00
Other	24,679	25,000	321	1.30	25,300	300	1.20
Property and Energy Credits	(1,242)	(1,000)	242	(19.48)	(800)	200	(20.00)
Subtotal	679,245	730,800	51,555	7.59	744,400	13,600	1.86
Uniform School Fund							
Individual Income Tax	518,390	552,000	33,610	6.48	577,000	25,000	4.53
Voluntary Overwithholding	NA	20,000	20,000	NA	10,000	(10,000)	(50.00)
Involuntary Overwithholding	14,800	0	(14,800)	NA	0	0	NA
Refunds on Overwithholding	0	(14,800)	(14,800)	NA	0	14,800	NA
Refunds Reserve Account	NA	(20,000)	(20,000)	NA	(10,000)	10,000	(50.00)
Corporate Franchise Tax	56,698	66,000	9,302	16.41	65,000	(1,000)	(1.52)
Corporate Tax Surcharge	1,700	500	(1,200)	(70.59)	0	(500)	(100.00)
Corporate Acceleration	10,500	10,500	0	0.00	0	(10,500)	(100.00)
School Land Income	7,940	0	(7,940)	(100.00)	0	0	NA
Permanent Fund Interest	NA	1,400	1,400	NA	1,900	500	35.71
Gross Receipts Tax	510	4,500	3,990	782.35	5,000	500	11.11
Other	12,337	9,100	(3,237)	(26.24)	10,200	1,100	12.09
Subtotal	622,875	629,200	6,325	1.02	659,100	29,900	4.75
TOTAL BOTH FUNDS	1,302,120	1,360,000	57,880	4.45	1,403,500	43,500	3.20
Transportation Fund							
Motor Fuel Tax	95,485	96,000	515	0.54	96,000	0	0.00
5 Cents Tax Increase	4,500	34,300	29,800	662.22	34,300	0	0.00
Special Fuel Tax	19,127	19,700	573	3.00	20,000	300	1.52
5 Cents Tax Increase	1,500	7,000	5,500	366.67	7,100	100	1.43
Proposed Fee Increase	NA	NA	NA	NA	600	600	NA
Other	34,838	35,800	962	2.76	36,200	400	1.12
Subtotal	155,450	192,800	37,350	24.03	194,200	1,400	0.73
TOTAL ALL FUNDS	1,457,570	1,552,800	95,230	6.53	1,597,700	44,900	2.89
Mineral Lease Payments	22,385	27,500	5,115	22.85	24,500	(3,000)	(10.91)
GRAND TOTAL	1,479,955	1,580,300	100,345	6.78	1,622,200	41,900	2.65

* Does not reflect actual legislative action.

TABLE VI

STATE OF UTAH
Appropriations Summary

	General Fund	Uniform School Fund	Transportation Fund	Federal Funds	Dedicated Credits	Mineral Lease	Restricted and Trust Funds	Other	Property Tax	Certificates of Participation	Total
Business, Labor, and Ag.											
Actual 86-87	15,500,700	0	0	2,135,600	2,512,600	0	42,340,300	(514,700)	0	0	61,974,500
Authorized 87-88	15,200,600	0	0	1,856,800	1,989,300	0	43,155,500	104,800	0	0	62,307,000
Appropriated 88-89	15,499,800	0	0	1,961,300	2,472,500	0	39,586,300	119,200	0	0	59,639,100
Community and Economic Dev.											
Actual 86-87	15,830,600	0	114,800	23,890,600	3,156,200	0	373,500	9,016,100	0	0	52,381,800
Authorized 87-88	20,223,100	0	118,000	20,446,900	3,195,600	0	308,500	10,296,500	0	0	54,588,600
Appropriated 88-89	18,286,100	0	183,000	19,889,300	3,179,100	0	349,700	86,700	0	0	41,973,900
Corrections											
Actual 86-87	56,375,300	0	0	191,400	4,944,700	0	75,000	901,000	0	0	62,487,400
Authorized 87-88	67,191,900	0	0	0	3,482,200	0	88,000	321,600	0	0	71,083,700
Appropriated 88-89	69,358,800	0	0	94,000	3,829,800	0	88,000	175,000	0	0	73,545,600
Courts											
Actual 86-87	27,009,400	0	0	17,800	165,800	0	0	(8,900)	0	0	27,184,100
Authorized 87-88	28,487,700	0	0	0	341,400	0	0	0	0	0	28,829,100
Appropriated 88-89	34,275,100	0	0	46,000	29,300	0	0	0	0	0	34,350,400
Elected Officials											
Actual 86-87	10,017,400	0	0	1,733,900	3,268,600	0	720,000	(414,100)	0	0	15,325,800
Authorized 87-88	9,984,322	0	0	3,272,000	2,948,100	0	775,300	89,200	0	0	17,068,922
Appropriated 88-89	9,854,700	0	0	3,174,800	3,081,300	0	801,300	45,000	0	0	16,957,100
Government Operations											
Actual 86-87	23,090,000	12,979,300	6,898,700	249,800	7,458,000	0	210,000	6,717,300	0	0	57,603,100
Authorized 87-88	24,010,700	13,829,200	7,217,400	189,700	7,159,300	0	210,000	7,583,700	0	0	60,200,000
Appropriated 88-89	23,125,900	10,911,700	6,389,100	186,000	8,805,000	0	210,000	9,078,200	0	0	58,705,900
Health											
Actual 86-87	57,939,300	0	0	200,658,200	28,506,200	0	801,100	4,082,500	0	0	291,987,300
Authorized 87-88	66,063,000	0	0	197,898,700	24,448,800	0	784,500	548,900	0	0	289,743,900
Appropriated 88-89	67,752,000	0	0	188,836,700	23,100,300	0	103,400	812,500	0	0	280,604,900
Higher Education											
Actual 86-87	244,251,200	326,100	0	5,315,400	63,008,600	5,214,000	188,800	7,135,600	0	0	325,439,700
Authorized 87-88	256,888,300	330,000	0	5,035,700	64,169,700	5,226,400	602,700	8,367,900	0	0	340,620,700
Appropriated 88-89	259,268,400	345,300	0	5,035,800	69,069,100	5,430,100	602,700	8,197,500	0	0	347,948,900
Legislature											
Actual 86-87	5,494,000	0	0	0	258,000	0	0	(129,100)	0	0	5,622,900
Authorized 87-88	5,642,700	0	0	0	100,000	0	0	116,600	0	0	5,859,300
Appropriated 88-89	5,952,800	0	0	0	180,000	0	0	238,000	0	0	6,370,800

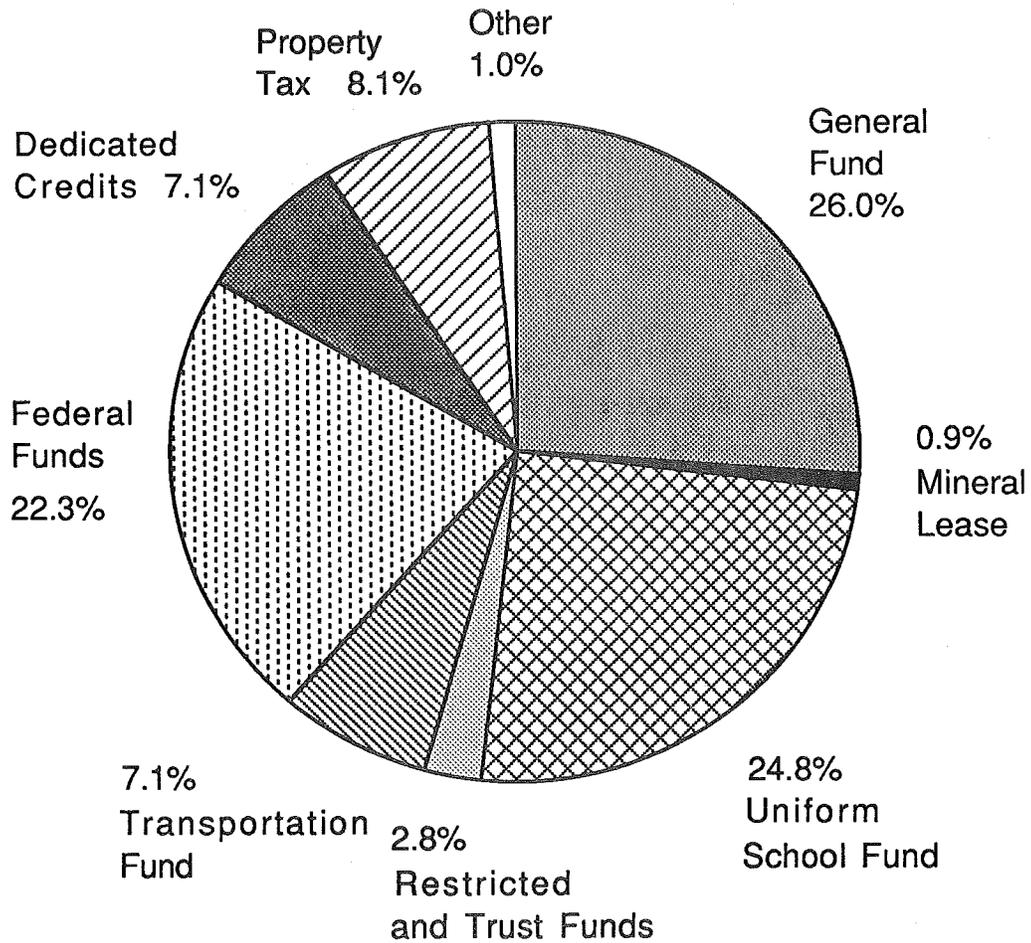
FF 22.2%
GF 25.9%
HSA 24.8%

TABLE VII
STATE OF UTAH
MINERAL LEASE ACCOUNT
Estimated Allocations

	Legislative Estimate 1987-88	Legislative Estimate 1988-89
PLAN OF FINANCING		
Beginning Balance	483,800	1,763,300
Mineral Lease Receipts	23,250,000	22,000,000
Mineral Lease Bonus	1,750,000	1,750,000
TOTAL AVAILABLE	25,483,800	25,513,300
MANDATED APPROPRIATIONS		
Community Impact Fund		
Mineral Lease (32.5%)	7,556,300	7,150,000
Mineral Bonus (70.0%)	1,225,000	1,225,000
Total Community Impact Fund	8,781,300	8,375,000 *
Board of Regents	4,837,100	4,935,100
Board of Education (2.25%)	523,100	495,000
Geological/Mineral Survey (2.25%)	523,100	495,000
USU Water Research Labs (2.25%)	523,100	495,000
UDOT--(S.B. 165) Special Districts	2,000,000	2,000,000
Payment in lieu of Taxes (H.B. 273)		233,300
Subtotal	17,187,700	17,028,400
DISCRETIONARY APPROPRIATIONS		
Critical School Building Program	6,232,800	6,458,000
DFCM - Capital Maintenance	0	1,400,000
DFCM - Green River Tailings	300,000	
Subtotal	6,532,800	7,858,000
TOTAL ALLOCATIONS	23,720,500	24,886,400
Ending Balance	1,763,300	626,900
* House Bill 327 (Items 85 and 86) appropriates \$8,900,000 from the Permanent Community Impact Fund. Based on legislative revenue estimates, the appropriation exceeds by \$525,000 the amount allocated through the formula in UCA 65B-1-1 (2).		

FIGURE 6

**APPROPRIATED REVENUE
SOURCES FOR FY 1988-89**

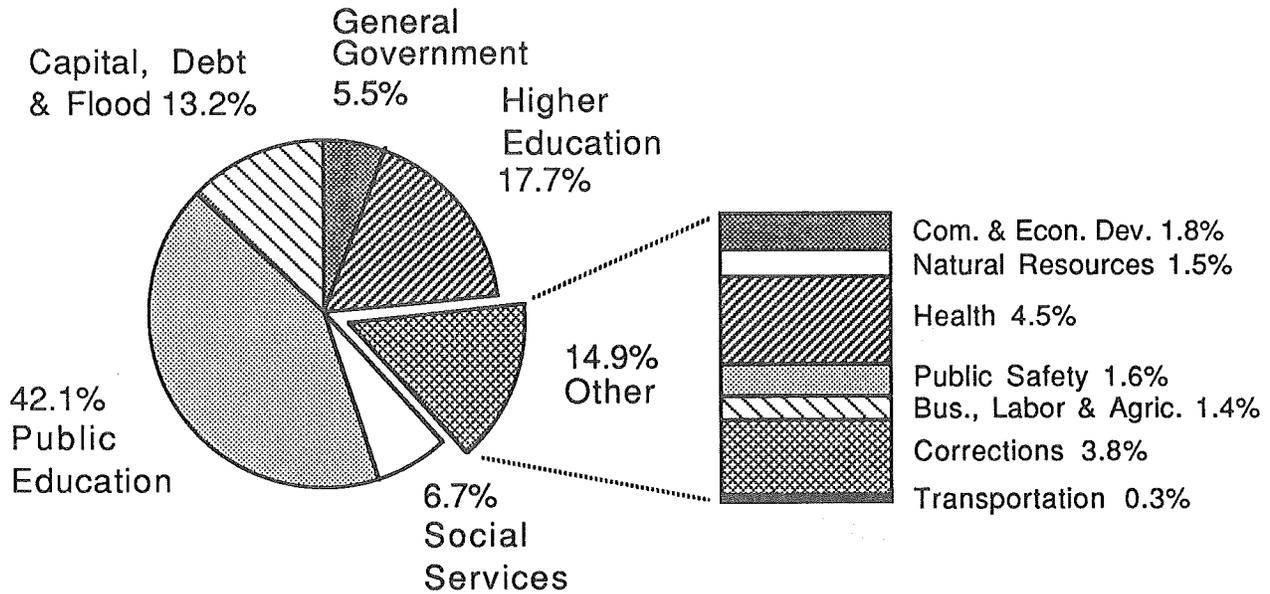


The majority of the General Fund consists of sales and use taxes. Income tax makes up most of the Uniform School Fund.

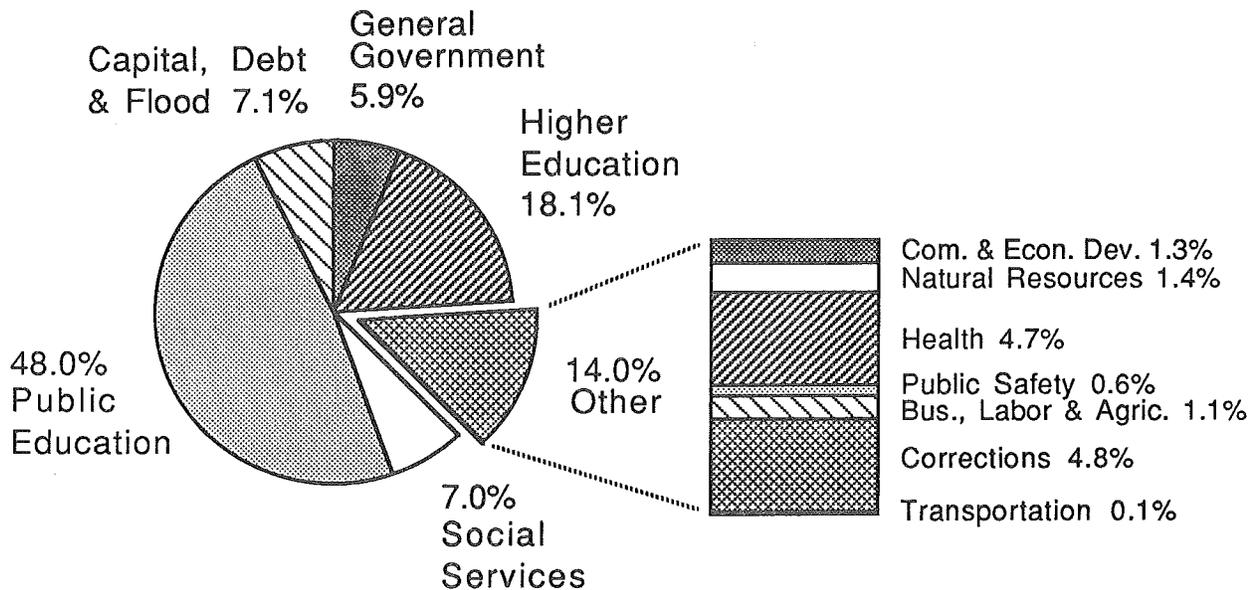
FIGURE 7

**EXPENDITURES BY FUNCTION
GENERAL FUND AND UNIFORM SCHOOL FUND**

Actual Expenditures FY 1984-85



Appropriated Expenditures FY 1988-89



Expenditures for education have increased from 59.8 percent of the state budget in FY 1984-85 to 66.1 percent in FY 1988-89. Public Education alone has gone from 42.1 percent to 48 percent.

APPROPRIATIONS BY DEPARTMENT

FY 1989

BUSINESS, LABOR, AND AGRICULTURE

Major Legislation

Senate Bill 67 amends restrictions on the purchase and consumption of alcoholic beverages at restaurants. The bill permits table service of alcoholic beverages by trained restaurant personnel, and permits the server to refuse service under certain circumstances. Senate Bill 68 creates an alcoholic beverage control task force to examine all alcoholic beverage control laws and recommend changes to the governor and the legislature.

House Bill 218, Second Injury Fund Eligibility Amendments, modifies the criteria to determine eligibility for benefits from the fund and improves the solvency of the fund which is administered by the Industrial Commission.

House Bill 237, Industrial Commission Oversight of Mines, clarifies the Industrial Commission's jurisdiction over mine safety in relation to federal jurisdiction.

Appropriations Summary

Appropriations for FY 1989 total \$59,639,100, a 4.3 percent decrease overall from FY 1988, and a 2.0 percent increase in General Fund support.

Supplemental appropriations for FY 1988 included, in the Department of Agriculture, a shift of \$305,000 in non-lapsing funds from the Insect Infestation program to the Agriculture Resource Development Loan (\$250,000) and to other operational programs in that department. The Department of Business Regulation was appropriated \$37,600 in dedicated credits to fund the installation of a new computer system in the Division of Corporations.

Appropriations for FY 1989 include funding to support the Department of Agriculture's increased workloads for restaurant inspections and seed analysis, increased support to administer the Agriculture Resource Development Loan program, the "Utah Works" marketing campaign, the junior livestock shows, and the state ground-water purity survey. Also, \$54,000 was appropriated to replace some obsolete equipment in the department's chemical laboratory.

Appropriations to the Department of Business of Regulation include \$85,400 to the Division of Occupational and Professional Licensing for participation in the national "health care provider" database as required by new federal law. The Regulated Carrier Section of the Division of Public Utilities received increased dedicated credits of \$227,000 for additional personnel to regulate this segment of the transportation industry.

The Industrial Commission received \$31,000 to improve the condition and administration of the Uninsured Employers' Fund.

The budget for the Workers' Compensation Fund (WCF), an enterprise fund which operates as a state-owned insurance company, is not included in the summary figures for 1989. The legislature will continue to approve the WCF budget, but will no longer include the WCF in the appropriations act. WCF operations will not be affected.

BUSINESS, LABOR, AND AGRICULTURE
Appropriations Summary

	General Fund	Federal Funds	Dedicated Credits	Mineral Lease	Restricted and Trust Funds	Other	Total
Agriculture							
Actual 86-87	4,743,400	819,300	709,900	0	780,200	218,200	7,271,000
Authorized 87-88	4,599,900	768,000	679,700	0	827,400	55,300	6,930,300
Appropriated 88-89	5,015,400	797,000	600,300	0	856,300	72,100	7,341,100
Alcoholic Beverage Control							
Actual 86-87	0	0	0	0	8,491,400	0	8,491,400
Authorized 87-88	0	0	0	0	8,885,600	0	8,885,600
Appropriated 88-89	0	0	0	0	8,745,600	0	8,745,600
Business Regulation							
Actual 86-87	5,705,200	44,200	1,743,700	0	343,400	(664,200)	7,172,300
Authorized 87-88	5,748,600	43,400	1,295,600	0	328,700	0	7,416,300
Appropriated 88-89	5,532,900	43,400	1,855,200	0	333,300	0	7,764,800
Citizens' Council on Alcoholic Beverage							
Actual 86-87	0	0	0	0	7,800	0	7,800
Authorized 87-88	0	0	0	0	7,000	0	7,000
Appropriated 88-89	0	0	0	0	6,300	0	6,300
Employment Security							
Actual 86-87	0	0	0	0	27,217,000	0	27,217,000
Authorized 87-88	0	0	0	0	27,217,000	0	27,217,000
Appropriated 88-89	0	0	0	0	27,867,300	0	27,867,300
Financial Institutions							
Actual 86-87	0	0	0	0	1,518,900	0	1,518,900
Authorized 87-88	0	0	0	0	1,506,300	0	1,506,300
Appropriated 88-89	0	0	0	0	1,597,900	0	1,597,900
Industrial Commission							
Actual 86-87	2,274,200	1,272,100	0	0	146,000	51,600	3,743,900
Authorized 87-88	2,104,200	1,045,400	0	0	157,500	45,000	3,352,100
Appropriated 88-89	2,171,400	1,120,900	0	0	179,600	47,100	3,519,000
Insurance							
Actual 86-87	1,776,600	0	16,700	0	0	(65,300)	1,728,000
Authorized 87-88	1,782,100	0	9,000	0	0	4,500	1,795,600
Appropriated 88-89	1,797,100	0	12,000	0	0	0	1,809,100
Public Service Commission							
Actual 86-87	1,001,300	0	42,300	0	0	(55,000)	988,600
Authorized 87-88	965,800	0	5,000	0	0	0	970,800
Appropriated 88-89	983,000	0	5,000	0	0	0	988,000
Workers' Compensation Fund							
Actual 86-87	0	0	0	0	3,835,600	0	3,835,600
Authorized 87-88	0	0	0	0	4,226,000	0	4,226,000
Appropriated 88-89	0	0	0	0	0	0	0
TOTAL OPERATIONS BUDGET							
Actual 86-87	15,500,700	2,135,600	2,512,600	0	42,340,300	(514,700)	61,974,500
Authorized 87-88	15,200,600	1,856,800	1,989,300	0	43,155,500	104,800	62,307,000
Appropriated 88-89	15,499,800	1,961,300	2,472,500	0	39,586,300	119,200	59,639,100

CAPITAL BUDGET AND DEBT SERVICE

Appropriations Summary

The capital budget includes funding for projects in several areas. Appropriations for these include:

Community Assistance	\$ 14,906,000
Critical School Building Program	6,458,000
Water Development	6,368,000
Park Development and Improvement	1,575,000
Wildlife Resource Development	2,802,300
Highway Construction	244,197,600
State Building Program	<u>47,810,900</u>
TOTAL	<u>\$324,117,800</u>

The legislature appropriated \$12.4 million to the state building program for capital improvements, \$3 million over the governor's recommendation. Of the amount appropriated, \$3 million was earmarked for improvements at the state fairgrounds. The balance will be allocated at the discretion of the Building Board. The governor also recommended three capital development projects. Funding included \$19.6 million in surplus funds and \$3 million in transportation funds. The legislature adopted the governor's recommendations and added nine projects because of increased revenue estimates. The legislative plan of finance included \$30.6 million from surplus, \$3 million from transportation funds, and \$1.5 million from other funds. The list of capital development projects includes:

Regional Corrections Facility	\$ 16,900,000
Medical Examiner Facility	2,663,000
Liquor Store Acquisition	500,000
Snow College Career Center	2,756,200
Hill Air Force Base Museum	2,000,000
UU Animal Research/Care Facility	3,100,000
USU Old Main Renovation	2,000,000
Youth Corrections Housing	707,000
Transportation Maintenance Facility	3,053,300
Ogden Regional Center Parking Structure	900,000
State Parks - Restroom Construction	276,400
National Guard Armory Projects	300,000

The legislature also provided \$255,000 to study facility needs for college libraries, court buildings, and consolidation of the schools for the deaf and blind.

Appropriations for debt service totalled \$65,015,000.

**CAPITAL BUDGET AND DEBT SERVICE
Appropriations Summary**

	General Fund	Uniform School Fund	Transporta- tion Fund	Dedicated Credits	Restricted and Trust Funds	Other	Total
Capital Budget							
Actual 86-87	2,651,200	1,158,000	64,381,100	8,467,000	2,150,300	178,553,900	257,361,500
Authorized 87-88	13,773,000	225,200	84,728,100	14,010,000	927,000	244,394,100	358,057,400
Appropriated 88-89	43,289,900	0	83,073,500	14,883,000	368,800	182,502,600	324,117,800
TOTAL CAPITAL BUDGET							
Actual 86-87	2,651,200	1,158,000	64,381,100	8,467,000	2,150,300	178,553,900	257,361,500
Authorized 87-88*	13,773,000	225,200	84,728,100	14,010,000	927,000	244,394,100	358,057,400
Appropriated 88-89	43,289,900	0	83,073,500	14,883,000	368,800	182,502,600	324,117,800
Debt Service							
Actual 86-87	50,300,000	0	10,249,400	8,426,600	0	8,294,400	77,270,400
Authorized 87-88	51,129,200	0	0	3,137,400	0	(697,100)	53,569,500
Appropriated 88-89	59,147,000	0	4,000,000	999,700	0	868,300	65,015,000
TOTAL DEBT SERVICE							
Actual 86-87	50,300,000	0	10,249,400	8,426,600	0	8,294,400	77,270,400
Authorized 87-88	51,129,200	0	0	3,137,400	0	(697,100)	53,569,500
Appropriated 88-89	59,147,000	0	4,000,000	999,700	0	868,300	65,015,000
* Includes \$30,723,400 in unallocated gas tax revenue.							

COMMUNITY AND ECONOMIC DEVELOPMENT

Major Legislation

The Approval of Interlocal Cooperation Agreement Resolution, Senate Concurrent Resolution 1, authorized the state to join with Salt Lake City and County to put additional public funds into the maintenance and operation of the Bicentennial Arts Complex. The Fine Arts Facilities Appropriation Act, Senate Bill 25, appropriated \$335,000 for FY 1988 to fund the state's one-third share of the agreement.

The Establishment of Enterprise Zones Act, House Bill 51, provides tax credits for designated businesses which build or expand in counties meeting certain criteria for low economic activity. The Economic Development Committee and Senate and House Rules Resolutions create an additional standing committee which will focus on economic development issues.

Appropriations Summary

The legislature appropriated a total of \$41,973,900 for community and economic development programs, compared with \$54,588,600 for FY 1988. The three major reasons for the decrease are: 1) a reduction of \$2.3 million in retained earnings for the Utah Technology Finance Corporation; 2) an \$8 million reduction in beginning balances for completion of flood relief projects; and 3) a reduction of \$2.1 million in beginning balances for the Centers of Excellence Program. The appropriation of General Fund decreased 9.6 percent from \$20,223,100 in FY 1988 to \$18,286,100 in FY 1989.

Projections of increased revenue allowed the legislature to appropriate \$190,000 above the governor's recommendation for the Division of Business and Economic Development. The International Program received \$274,000 more than the governor's recommendation, a 43.8 percent increase over FY 1988. This increase will strengthen the state's promotion efforts in the Pacific Rim area. The Division of Travel Development received \$150,000 less for advertising than recommended by the governor.

The Utah Technology Finance Corporation received a supplemental appropriation of \$800,000 for FY 1988, an increase of 134.9 percent over the original appropriation. The corporation received an appropriation of \$500,000 for FY 1989, \$93,000 less than recommended by the governor.

The Division of Fine Arts received \$88,000 more than the governor's recommendation, restoring grants and outreach programs to their FY 1987 level. The State Library Division received \$80,000 more than the governor's recommendation to pass through to local public libraries, an increase of 66.7 percent over FY 1988. The Division of Community Development received \$80,000 more than the governor's recommendation to pass through to the Hogle and Willow Park Zoos, an increase of 17.8 percent over FY 1988.

COMMUNITY AND ECONOMIC DEVELOPMENT
Appropriations Summary

	General Fund	Federal Funds	Dedicated Credits	Mineral Lease	Restricted and Trust Funds	Other	Total
Administration							
Actual 86-87	281,800	12,200	0	0	23,700	365,900	683,600
Authorized 87-88	147,800	0	0	0	0	32,500	180,300
Appropriated 88-89	184,000	9,000	0	0	0	0	193,000
Job Training							
Actual 86-87	950,000	16,199,000	0	0	0	(1,600)	17,147,400
Authorized 87-88	1,000,000	12,691,500	0	0	0	0	13,691,500
Appropriated 88-89	571,300	11,961,900	0	0	0	0	12,533,200
Travel Development							
Actual 86-87	3,533,800	0	89,400	0	0	114,800	3,738,000
Authorized 87-88	3,357,800	0	80,000	0	0	118,000	3,555,800
Appropriated 88-89	3,128,000	0	110,000	0	0	183,000	3,421,000
Business and Economic Development							
Actual 86-87	4,522,500	27,800	20,000	0	0	1,288,400	5,858,700
Authorized 87-88	8,248,500	112,500	20,000	0	0	2,432,100	10,813,100
Appropriated 88-89	8,063,300	112,500	20,000	0	0	86,700	8,282,500
UTFC							
Actual 86-87	91,800	0	0	0	0	85,000	176,800
Authorized 87-88	1,393,100	0	0	0	0	2,301,800	3,694,900
Appropriated 88-89	500,000	0	0	0	0	0	500,000
Minority Affairs							
Actual 86-87	192,200	0	0	0	48,900	(16,200)	224,900
Authorized 87-88	195,300	0	5,000	0	57,000	0	257,300
Appropriated 88-89	196,600	0	0	0	55,700	0	252,300
Expositions							
Actual 86-87	167,100	0	1,544,500	0	0	(42,300)	1,669,300
Authorized 87-88	182,800	0	1,540,000	0	0	45,900	1,768,700
Appropriated 88-89	193,000	0	1,609,100	0	0	0	1,802,100
History							
Actual 86-87	1,059,900	388,900	182,100	0	0	(13,700)	1,617,200
Authorized 87-88	955,800	397,400	137,500	0	0	50,900	1,541,600
Appropriated 88-89	941,100	441,800	147,300	0	0	0	1,530,200
Fine Arts							
Actual 86-87	1,626,000	455,700	122,800	0	0	6,100	2,210,600
Authorized 87-88	1,517,900	465,000	105,000	0	0	55,700	2,143,600
Appropriated 88-89	1,602,700	437,900	105,000	0	0	0	2,145,600
Library							
Actual 86-87	2,054,900	985,500	1,169,800	0	0	(26,700)	4,183,500
Authorized 87-88	1,994,700	1,058,200	1,300,100	0	0	26,700	4,379,700
Appropriated 88-89	2,024,000	1,050,400	1,179,700	0	0	0	4,254,100
Community Development							
Actual 86-87	1,350,600	5,821,500	27,600	0	300,900	7,371,200	14,871,800
Authorized 87-88	1,229,400	5,722,300	8,000	0	251,500	5,350,900	12,562,100
Appropriated 88-89	882,100	5,875,800	8,000	0	294,000	0	7,059,900
TOTAL OPERATIONS BUDGET							
Actual 86-87	15,830,600	23,890,600	3,156,200	0	373,500	9,130,900	52,381,800
Authorized 87-88	20,223,100	20,446,900	3,195,600	0	308,500	10,414,500	54,588,600
Appropriated 88-89	18,286,100	19,889,300	3,179,100	0	349,700	269,700	41,973,900

CORRECTIONS

Major Legislation

The 1988 legislature passed several bills which impact adult and youth corrections. House Bill 213, Criminal Execution Amendments, changes the procedures for carrying out a death sentence. In addition to requiring the defendant to select the method of execution at the time of sentencing, it gives the Department of Corrections the authority to set the time of the execution within the appointed day determined by the judge. The legislature also passed two bills which provide additional benefits to those officers killed in the line of duty.

House Bill 372, Health Insurance Coverage, allows the Division of Personnel Management to set rules governing sick leave conversion in cases of death in the line of duty.

Senate Bill 226, Benefits for Families of Peace Officers, provides life insurance or retirement benefits to families of police officers killed in the line of duty.

The legislature enacted Senate Bill 112, Confinement of Juveniles in Adult Facilities. The bill reduces the number of hours that a juvenile can be confined in an adult jail from 16 hours to 6 hours to comply with federal law.

Two bills passed relating to the Board of Pardons. Senate Bill 105, Board of Pardons Procedures, provides funding so that sex offenders can receive an independent psychological evaluation prior to release from prison. The bill carries its own appropriation of \$53,000. House Bill 142, Board of Pardons Notification, provides that the victim will be given the opportunity to speak at board hearings.

Appropriations Summary

The legislature approved a total General Fund budget of \$69,358,800 for Corrections, a 3.2 percent increase over the FY 1988 budget. The legislature appropriated \$1,004,500 more for Youth Corrections than recommended by the governor. The additional funds are for secure facilities, community programs, and treatment of the mentally ill.

The legislature approved a recommended \$2.2 million FY 1988 supplemental appropriation to Youth Corrections to offset the loss of federal medicaid funds.

The legislature provided \$463,900 less in general funding to Adult Corrections than recommended by the governor. The major differences result from the legislature budgeting less for jail reimbursement and funding the Iron County Resource Center with \$175,000 from FY 1988 funds. The legislature also reduced funding in field operations for lease agreements and contractual services and used the money to fund a pre-release facility.

CORRECTIONS
Appropriations Summary

	General Fund	Federal Funds	Dedicated Credits	Mineral Lease	Restricted and Trust Funds	Other	Total
Adult Corrections							
Actual 86-87	44,776,300	191,400	1,088,100	0	0	995,700	47,051,500
Authorized 87-88	51,533,300	0	617,000	0	0	5,300	52,155,600
Appropriated 88-89	53,062,000	0	657,400	0	0	175,000	53,894,400
Jail Reimbursement							
Actual 86-87	975,000	0	0	0	0	0	975,000
Authorized 87-88	600,000	0	0	0	0	0	600,000
Appropriated 88-89	500,000	0	0	0	0	0	500,000
Jail Contracts							
Actual 86-87	500,000	0	0	0	0	(44,900)	455,100
Authorized 87-88	0	0	0	0	0	0	0
Appropriated 88-89	0	0	0	0	0	0	0
Correctional Industries							
Actual 86-87	0	0	1,593,200	0	0	0	1,593,200
Authorized 87-88	0	0	2,697,000	0	0	0	2,697,000
Appropriated 88-89	0	0	2,957,100	0	0	0	2,957,100
Board of Pardons							
Actual 86-87	553,500	0	100	0	0	(15,900)	537,700
Authorized 87-88	654,200	0	0	0	0	0	654,200
Appropriated 88-89	720,300	0	0	0	0	0	720,300
Youth Corrections							
Actual 86-87	9,570,500	0	2,263,300	0	75,000	(33,900)	11,874,900
Authorized 87-88	14,404,400	0	168,200	0	88,000	316,300	14,976,900
Appropriated 88-89	15,076,500	94,000	215,300	0	88,000	0	15,473,800
TOTAL OPERATIONS BUDGET							
Actual 86-87	56,375,300	191,400	4,944,700	0	75,000	901,000	62,487,400
Authorized 87-88	67,191,900	0	3,482,200	0	88,000	321,600	71,083,700
Appropriated 88-89	69,358,800	94,000	3,829,800	0	88,000	175,000	73,545,600

COURTS

Major Legislation

Senate Bill 146, the District Court Act, creates a state district court system with provisions for including county district courts. First and second class counties (Davis, Weber, Utah, Salt Lake) are required to join the state district court system on January 1, 1989. All other counties have an option to enter the system. The bill also amends the court fee structure and provides for the court administrator's office to contract with local law enforcement for bailiffs and courtroom security. Equipment used by county employees in support of the court shall be transferred to the state. The state will initially be obligated to lease facilities from the county.

The legislature also enacted House Bill 209, Court Boundaries Amendments. This act creates eight judicial districts, eliminating overlapping boundaries for the Juvenile Court, Circuit Court, and District Court. In addition to providing better management of resources, the new boundaries will reduce from 26 to 9 the number of commissions needed to nominate judges.

House Bill 319 provides that salary limits for the courts be set annually in the general appropriations act. The bill also adds a member of the Utah State Bar to the Executive and Judicial Compensation Commission and requires that the commission make salary recommendations in odd-numbered years.

Appropriations Summary

The legislature approved a total General Fund budget of \$34,275,100 for the state courts, a 20.3 percent increase over the FY 1988 budget. The majority of this increase is due to the passage of the District Court Act and increases in judges' salaries. The FY 1989 General Fund appropriation level is \$4,024,100 more than recommended by the governor. The legislature appropriated \$4,009,700 to implement the District Court Act. The act was supported by the governor but not included in his budget recommendations. The legislature reduced the governor's personal services and current expense recommendations, but increased funding in the Circuit Court by \$94,000 for seven additional clerks.

COURTS
Appropriations Summary

	General Fund	Uniform School Fund	Federal Funds	Dedicated Credits	Restricted and Trust Funds	Other	Total
Court Administration/ Judicial Council							
Actual 86-87	26,584,400	0	17,800	165,800	0	(8,400)	26,759,600
Authorized 87-88	27,672,700	0	0	341,400	0	0	28,014,100
Appropriated 88-89	34,275,100	0	46,000	29,300	0	0	34,350,400
Court Administration/ Juror and Witness Fees							
Actual 86-87	425,000	0	0	0	0	(500)	424,500
Authorized 87-88	815,000	0	0	0	0	0	815,000
Appropriated 88-89	0	0	0	0	0	0	0
TOTAL OPERATIONS BUDGET							
Actual 86-87	27,009,400	0	17,800	165,800	0	(8,900)	27,184,100
Authorized 87-88	28,487,700	0	0	341,400	0	0	28,829,100
Appropriated 88-89	34,275,100	0	46,000	29,300	0	0	34,350,400

ELECTED OFFICIALS

Major Legislation

House Bill 127 defines the responsibilities of a state financial advisor within the Office of the State Treasurer.

Senate Bill 81 requires the governor to submit his list of nominees to appointed positions to the president of the senate and the Office of Legislative Research and General Counsel.

House Bill 60 requires the Commission on Criminal and Juvenile Justice to conduct a study of management issues involving jails operated by local governments.

Appropriations Summary

The FY 1989 General Fund appropriation is \$9,854,700, 1.4 percent less than the current year's appropriation. Included in the appropriation are: (1) an increase in the Lieutenant Governor's budget to cover election year responsibilities, (2) funding for the settlement of various claims against the state, and (3) funding for an administrative rules review capability within the Office of Planning and Budget (OPB). OPB is charged by executive order to implement an executive branch review of administrative rules.

**ELECTED OFFICIALS
Appropriations Summary**

	General Fund	Federal Funds	Dedicated Credits	Mineral Lease	Restricted and Trust Funds	Other	Total
Governor							
Actual 86-87	3,131,900	556,800	137,700	0	0	(104,700)	3,721,700
Authorized 87-88	3,092,700	692,100	182,900	0	0	9,100	3,976,800
Appropriated 88-89	3,080,200	461,800	155,500	0	0	20,000	3,717,500
Lt. Governor							
Actual 86-87	380,600	0	5,300	0	0	24,200	410,100
Authorized 87-88	304,900	0	5,000	0	0	5,600	315,500
Appropriated 88-89	438,200	0	0	0	0	25,000	463,200
Auditor							
Actual 86-87	1,755,100	0	363,800	0	0	(88,400)	2,030,500
Authorized 87-88	1,437,300	0	193,000	0	0	0	1,630,300
Appropriated 88-89	1,437,200	0	225,000	0	0	0	1,662,200
Treasurer							
Actual 86-87	389,800	0	109,000	0	186,700	(73,500)	612,000
Authorized 87-88	407,500	0	154,200	0	254,000	(20,000)	795,700
Appropriated 88-89	457,500	0	155,000	0	253,100	0	865,600
Attorney General							
Actual 86-87	4,010,300	0	2,649,400	0	300,000	(131,000)	6,828,700
Authorized 87-88	4,344,922	427,600	2,413,000	0	330,000	94,500	7,610,022
Appropriated 88-89	4,046,000	0	2,545,800	0	330,000	0	6,921,800
Justice Commission							
Actual 86-87	349,700	1,177,100	3,400	0	0	34,700	1,564,900
Authorized 87-88	397,000	2,152,300	0	0	0	0	2,549,300
Appropriated 88-89	395,600	2,713,000	0	0	0	0	3,108,600
Victim Reparations							
Actual 86-87	0	0	0	0	233,300	(75,400)	157,900
Authorized 87-88	0	0	0	0	191,300	0	191,300
Appropriated 88-89	0	0	0	0	218,200	0	218,200
TOTAL OPERATIONS BUDGET							
Actual 86-87	10,017,400	1,733,900	3,268,600	0	720,000	(414,100)	15,325,800
Authorized 87-88	9,984,322	3,272,000	2,948,100	0	775,300	89,200	17,068,922
Appropriated 88-89	9,854,700	3,174,800	3,081,300	0	801,300	45,000	16,957,100

GOVERNMENT OPERATIONS

Major Legislation

House Bill 81 regulates budgeting and appropriations procedures for internal service funds (ISF). As a result, ISF agencies must obtain detailed information from customers regarding any changes or anticipated service needs which might require capital outlay or increased personnel. This information must be incorporated in the annual budget process in order to accurately establish ISF rates and predict revenues and expenses.

House Bill 274 removes the Division of Personnel Management from the Department of Administrative Services and establishes a Department of Human Resource Management with an advisory committee.

House Bill 38, Use of State Vehicles, provides for annual status reports for owned or leased state vehicles and a process for dealing with complaints of vehicle misuse or fraud.

Appropriations Summary

Government Operations includes Administrative Services, Human Resources Management, the Tax Commission, retirement systems, and the Personnel Review Board. The total appropriation to these entities is \$58,705,900, 0.3 percent over the governor's recommendation.

The Tax Commission was appropriated \$34,519,400, slightly more than recommended by the governor. An additional 1.5 FTEs was included in the appropriation of \$33,900 for implementation of Senate Bill 161, Control of Exempt Plates. Approval of Senate Bill 69, Sales Tax - Vehicle Dealerships, added another \$79,000 to the Tax Commission revenues. Passage of House Bill 212, Insurance Survey Repeal, resulted in a \$158,000 budget reduction.

The legislature approved a budget of \$12,714,600 for the Department of Administrative Services, \$23,900 above the budget recommended by the governor. The appropriation included a clerical FTE for the director's office and 3 FTEs in Personnel Management for classification and compensation duties. An additional \$383,000 was appropriated to the payroll program in the Division of Finance for mainframe computer space for the Human Resource Management System (personnel, payroll data, and leave accounting).

Legislative intent directed that funds for unemployment compensation and worker's compensation premiums be included in agency budget requests as a percent of salaries and wages beginning in FY 1989. As a result, the appropriation to the Division of Finance for mandated expenditures was reduced by \$1,320,000 for worker's compensation and \$677,000 for unemployment compensation.

The Retirement Board was appropriated \$11,380,900, 1.4 percent above the governor's recommendation. The budget includes 2 FTEs for deferred compensation programs and a loan officer position. The legislature approved a budget of \$91,000 for the Personnel Review Board, slightly less than the governor's recommendation.

**GOVERNMENT OPERATIONS
Appropriations Summary**

	General Fund	Uniform School Fund	Transportation Fund	Dedicated Credits	Restricted and Trust Funds	Other	Total
Tax Commission							
Actual 86-87	9,086,200	12,852,800	6,252,700	5,633,300	210,000	(467,500)	33,567,500
Authorized 87-88	9,407,800	13,702,700	6,358,700	5,475,600	210,000	189,700	35,344,500
Appropriated 88-89	10,984,600	10,911,700	5,957,900	6,330,100	210,000	125,100	34,519,400
DAS - Executive Director							
Actual 86-87	285,500	0	0	0	0	0	285,500
Authorized 87-88	308,800	0	0	0	0	0	308,800
Appropriated 88-89	331,000	0	0	0	0	0	331,000
DAS - Archives							
Actual 86-87	1,158,000	0	0	52,000	0	(200)	1,209,800
Authorized 87-88	1,137,900	0	0	59,200	0	0	1,197,100
Appropriated 88-89	1,162,800	0	0	39,200	0	0	1,202,000
DAS - Administrative Rules							
Actual 86-87	154,500	0	0	0	0	0	154,500
Authorized 87-88	167,400	0	0	0	0	0	167,400
Appropriated 88-89	168,500	0	0	0	0	0	168,500
DAS - DFCM							
Actual 86-87	4,004,500	0	0	45,000	0	234,700	4,284,200
Authorized 87-88	4,245,600	0	0	0	0	0	4,245,600
Appropriated 88-89	4,273,600	0	0	0	0	0	4,273,600
DAS - Finance							
Actual 86-87	5,563,500	126,500	646,000	197,700	0	63,000	6,596,700
Authorized 87-88*	6,704,300	126,500	858,700	223,500	0	77,800	7,990,800
Appropriated 88-89	4,031,400	0	431,200	194,900	0	0	4,657,500
DAS - Purchasing							
Actual 86-87	386,600	0	0	102,600	0	50,500	539,700
Authorized 87-88	706,700	0	0	18,000	0	0	724,700
Appropriated 88-89	720,300	0	0	18,000	0	0	738,300
Human Resource Management							
Actual 86-87	1,047,800	0	0	113,600	0	114,800	1,276,200
Authorized 87-88	1,158,300	0	0	143,300	0	0	1,301,600
Appropriated 88-89	1,262,700	0	0	81,000	0	0	1,343,700
Personnel Review Board							
Actual 86-87	86,400	0	0	0	0	(1,100)	85,300
Authorized 87-88	87,900	0	0	0	0	0	87,900
Appropriated 88-89	91,000	0	0	0	0	0	91,000
Retirement Board							
Actual 86-87	1,317,000	0	0	1,313,800	0	6,972,900	9,603,700
Authorized 87-88	86,000	0	0	1,239,700	0	7,505,900	8,831,600
Appropriated 88-89	100,000	0	0	2,141,800	0	9,139,100	11,380,900
TOTAL OPERATIONS BUDGET							
Actual 86-87	23,090,000	12,979,300	6,898,700	7,458,000	210,000	6,967,100	57,603,100
Authorized 87-88	24,010,700	13,829,200	7,217,400	7,159,300	210,000	7,773,400	60,200,000
Appropriated 88-89	23,125,900	10,911,700	6,389,100	8,805,000	210,000	9,264,200	58,705,900

* Includes a \$446,800 transfer from General Fund to the Early Retirement Savings Account, S.B. 216, Item #44.

HEALTH

Major Legislation

Senate Bill 29 gives the Department of Health authority to develop broad criteria for the siting of hazardous waste facilities. Within these broad guidelines, counties may develop specific criteria. This measure assures that all relevant factors are considered before hazardous waste facilities, particularly incinerators, are permitted. Senate Bill 125 increases the fees charged for the disposal of hazardous waste from the current \$3 per ton for all users to \$6 per ton for in-state users and \$9 per ton for out-of-state users.

House Bill 277 allows the Department of Health to charge local health providers for vaccines purchased with state funds. This legislation will help the department offset the dramatic price increases for vaccines that have occurred over the past five years.

House Bill 16 places the Division of Health Care Financing in statute and outlines its purpose. This measure makes it clear that cost containment is an objective of the division.

The voluntary registration of radiation-producing machines is currently administered by the Department of Health. House Bill 123 establishes mandatory registration of radiation sources, particularly X-ray machines.

Appropriations Summary

The General Fund appropriation to the Department of Health for FY 1989 is \$67,752,000, a 0.8 percent increase over the governor's budget recommendation and a 2.6 percent increase over the FY 1988 appropriation of \$66,063,000.

Increased funding was provided for three areas: 1) \$70,000 to local health departments for environmental health needs; 2) \$90,000 to expand AIDS control efforts; and 3) \$187,000 to establish a Ground Water Quality Protection Program.

Two other critical funding needs were addressed by the legislature. A projected \$400,000 shortfall in the cost of vaccines was accommodated with the passage of House Bill 277 described above. Anticipated utilization and inflation increases in the Medical Assistance program (Medicaid and Utah Medical Assistance Program or UMAP) would create an estimated \$11.4 million (\$3 million in General Fund) shortfall if the program were to remain at current funding levels. The legislature approved a one year agreement for participating hospitals to accept reduced reimbursement for UMAP patients. This reimbursement reduction will temporarily offset the majority of the anticipated shortfall in the program. However, because of yearly increases in inflation and utilization and the temporary nature of the reduced UMAP reimbursement agreement with hospitals, this issue will likely come before the legislature again.

HEALTH
Appropriations Summary

	General Fund	Federal Funds	Dedicated Credits	Mineral Lease	Restricted and Trust Funds	Other	Total
Administration and Planning							
Actual 86-87	4,657,000	251,900	1,725,200	0	0	(15,200)	6,618,900
Authorized 87-88	4,552,500	340,900	1,860,000	0	0	(75,100)	6,678,300
Appropriated 88-89	4,558,500	206,000	1,840,000	0	0	12,500	6,617,000
Environmental Health							
Actual 86-87	3,038,300	22,000,600	3,163,200	0	92,000	79,900	28,374,000
Authorized 87-88	3,624,700	13,564,900	2,266,300	0	99,500	(14,000)	19,541,400
Appropriated 88-89	3,908,700	4,246,000	1,609,400	0	103,400	0	9,867,500
Community Health							
Actual 86-87	3,679,900	1,468,200	808,900	0	709,100	(172,500)	6,493,600
Authorized 87-88	3,922,800	1,887,400	801,700	0	685,000	404,600	7,701,500
Appropriated 88-89	4,176,800	1,890,000	707,500	0	0	800,000	7,574,300
Family Health							
Actual 86-87	2,056,800	20,378,200	1,097,600	0	0	(1,500)	23,531,100
Authorized 87-88	3,615,600	21,813,300	1,064,800	0	0	(35,500)	26,458,200
Appropriated 88-89	4,078,200	21,692,300	1,074,500	0	0	0	26,845,000
Medical Assistance--Admin.							
Actual 86-87	4,989,100	10,439,500	2,356,600	0	0	(303,600)	17,481,600
Authorized 87-88	4,686,600	11,080,500	3,293,000	0	0	265,600	19,325,700
Appropriated 88-89	4,745,800	10,374,400	2,703,900	0	0	0	17,824,100
Medical Assistance--Services							
Actual 86-87	38,173,700	145,968,100	19,354,700	0	0	4,495,400	207,991,900
Authorized 87-88	45,660,800	149,211,700	15,163,000	0	0	3,300	210,038,800
Appropriated 88-89	46,284,000	150,428,000	15,165,000	0	0	0	211,877,000
Debt Service							
Actual 86-87	1,344,500	151,700	0	0	0	0	1,496,200
Authorized 87-88	0	0	0	0	0	0	0
Appropriated 88-89	0	0	0	0	0	0	0
TOTAL OPERATIONS BUDGET							
Actual 86-87	57,939,300	200,658,200	28,506,200	0	801,100	4,082,500	291,987,300
Authorized 87-88	66,063,000	197,898,700	24,448,800	0	784,500	548,900	289,743,900
Appropriated 88-89	67,752,000	188,836,700	23,100,300	0	103,400	812,500	280,604,900

HIGHER EDUCATION

Appropriations Summary

Higher Education was appropriated \$347,948,900 for FY 1989, a 2.2 percent (\$7.3 million) increase over the previous year. State funding was increased 0.9 percent or \$2.4 million. Tuition was increased, 8 percent at four-year schools and 6 percent at two-year schools, yielding \$4.9 million in new revenue.

The governor recommended an increase of \$7.4 million. His recommendation was based on additional tuition revenue generated by higher student enrollments, more mineral lease revenue, and an increase of \$2.1 million in state funds.

This appropriation will fund an enrollment increase of approximately 650 full-time students, 480 fewer than recommended by the governor. The governor recommended replacing \$600,000 in research overhead collections with state funds. The legislature exceeded the governor's recommendation and appropriated \$765,300. Overhead funds will now be used to support economic development programs.

The governor recommended \$2.3 million for increased salaries. The legislature made no appropriation for compensation. Intent language prohibits institutions from making across-the-board salary increases but allows selective salary adjustments if funds are available.

The governor recommended covering mandated cost increases through internal reallocation. The legislature, however, appropriated \$4.5 million to cover the increases.

**HIGHER EDUCATION
Appropriations Summary**

	General and USF Funds	Federal Funds	Dedicated Credits	Mineral Lease	Land Trust Funds	Other	Totals
University of Utah							
Actual 86-87	108,106,900	0	27,451,200	1,847,100	188,800	5,663,600	143,257,600
Authorized 87-88	113,675,700	0	28,452,500	1,802,300	502,100	5,242,400	149,675,000
Appropriated 88-89	114,423,800	0	30,691,800	1,851,800	502,100	5,045,500	152,515,000
Utah State University							
Actual 86-87	57,607,200	3,485,100	11,707,000	1,440,900	0	2,351,600	76,591,800
Authorized 87-88	60,539,300	3,425,200	11,693,600	1,395,100	100,600	2,639,300	79,793,100
Appropriated 88-89	60,987,200	3,425,200	12,524,500	1,450,300	100,600	2,703,500	81,191,300
Weber State University							
Actual 86-87	28,965,200	424,800	8,749,400	648,300	0	(540,200)	38,247,500
Authorized 87-88	30,713,600	321,000	8,896,800	674,900	0	74,400	40,680,700
Appropriated 88-89	30,916,400	321,000	9,561,900	688,900	0	73,700	41,561,900
Southern Utah State College							
Actual 86-87	8,776,700	163,000	2,072,700	178,400	0	5,900	11,196,700
Authorized 87-88	9,209,200	49,500	2,085,900	200,800	0	22,900	11,568,300
Appropriated 88-89	9,428,400	49,500	2,304,100	209,100	0	21,900	12,013,000
Snow College							
Actual 86-87	4,988,800	282,900	972,500	86,400	0	(262,300)	6,068,300
Authorized 87-88	5,228,500	162,000	1,005,800	91,400	0	2,500	6,490,200
Appropriated 88-89	5,285,400	162,000	1,084,300	102,300	0	2,000	6,636,000
Dixie College							
Actual 86-87	5,259,300	57,600	1,316,500	124,400	0	(35,100)	6,722,700
Authorized 87-88	5,503,800	130,000	1,375,100	137,800	0	63,100	7,209,800
Appropriated 88-89	5,585,500	130,000	1,523,900	147,100	0	62,200	7,448,700
College of Eastern Utah							
Actual 86-87	4,453,100	313,600	841,600	86,100	0	(89,500)	5,604,900
Authorized 87-88	4,668,200	270,700	816,300	97,900	0	16,200	5,869,300
Appropriated 88-89	4,779,100	270,700	901,100	100,900	0	14,500	6,066,300
Utah Valley Community College							
Actual 86-87	10,764,800	512,100	4,594,100	370,200	0	265,600	16,506,800
Authorized 87-88	11,213,300	597,300	4,890,000	389,200	0	59,400	17,149,200
Appropriated 88-89	11,500,900	597,400	5,241,000	422,100	0	57,500	17,818,900
Salt Lake Community College							
Actual 86-87	12,489,100	15,000	5,303,600	432,200	0	(112,300)	18,127,600
Authorized 87-88	13,141,700	15,000	4,953,700	437,000	0	0	18,547,400
Appropriated 88-89	13,421,500	15,000	5,236,500	457,600	0	0	19,130,600
Regents/Statewide Programs							
Actual 86-87	3,166,200	61,300	0	0	0	(111,700)	3,115,800
Authorized 87-88	3,325,000	65,000	0	0	0	247,700	3,637,700
Appropriated 88-89	3,285,500	65,000	0	0	0	216,700	3,567,200
TOTAL OPERATIONS BUDGET							
Actual 86-87	244,577,300	5,315,400	63,008,600	5,214,000	188,800	7,135,600	325,439,700
Authorized 87-88	257,218,300	5,035,700	64,169,700	5,226,400	602,700	8,367,900	340,620,700
Appropriated 88-89	259,613,700	5,035,800	69,069,100	5,430,100	602,700	8,197,500	347,948,900

LEGISLATURE

Major Legislation

House Bill 117 was passed changing the membership of the legislative administrative rules review committee. The change allows the committee to include the chairmen of the relevant standing and appropriations committees to be ex officio members of the rules review committee.

Senate Bill 242 creates a task force to advise the governor on issues regarding thrift failures and related litigation. The legislation carried its own appropriation of \$35,000 from the General Fund.

The legislature also created an additional standing committee to focus on economic development issues.

Appropriations Summary

The legislature received a General Fund appropriation of \$5,952,800, a 5.5 percent increase over FY 1988. The increase included an additional FTE for the Office of the Legislative Fiscal Analyst to review fiscal notes. It also included \$130,000 to increase staff for the legislative administrative rules review committee.

LEGISLATURE
Appropriations Summary

	General Fund	Federal Funds	Dedicated Credits	Mineral Lease	Restricted and Trust Funds	Other	Total
Senate							
Actual 86-87	619,100	0	0	0	0	(10,600)	608,500
Authorized 87-88	638,000	0	0	0	0	0	638,000
Appropriated 88-89	601,100	0	0	0	0	20,000	621,100
House							
Actual 86-87	1,034,100	0	0	0	0	(28,000)	1,006,100
Authorized 87-88	1,125,700	0	0	0	0	0	1,125,700
Appropriated 88-89	1,004,100	0	0	0	0	74,000	1,078,100
Legislative Printing							
Actual 86-87	292,100	0	255,800	0	0	(52,100)	495,800
Authorized 87-88	299,000	0	100,000	0	0	0	399,000
Appropriated 88-89	343,600	0	180,000	0	0	0	523,600
Legislative Research and General Counsel							
Actual 86-87	1,683,100	0	0	0	0	(66,000)	1,617,100
Authorized 87-88	1,703,500	0	0	0	0	55,100	1,758,600
Appropriated 88-89	1,990,600	0	0	0	0	84,000	2,074,600
Legislative Fiscal Analyst							
Actual 86-87	789,100	0	0	0	0	48,200	837,300
Authorized 87-88	806,600	0	0	0	0	21,900	828,500
Appropriated 88-89	877,200	0	0	0	0	15,000	892,200
Legislative Auditor General							
Actual 86-87	917,700	0	2,200	0	0	(22,300)	897,600
Authorized 87-88	899,300	0	0	0	0	37,600	936,900
Appropriated 88-89	945,500	0	0	0	0	43,000	988,500
National Conference of State Legislatures Dues							
Actual 86-87	47,000	0	0	0	0	0	47,000
Authorized 87-88	51,200	0	0	0	0	0	51,200
Appropriated 88-89	54,200	0	0	0	0	0	54,200
Council of State Legislatures Dues							
Actual 86-87	39,700	0	0	0	0	0	39,700
Authorized 87-88	43,400	0	0	0	0	0	43,400
Appropriated 88-89	46,500	0	0	0	0	0	46,500
Constitutional Revision Commission							
Actual 86-87	53,100	0	0	0	0	300	53,400
Authorized 87-88	56,000	0	0	0	0	0	56,000
Appropriated 88-89	60,000	0	0	0	0	0	60,000
Commission on Judicial Conduct							
Actual 86-87	19,000	0	0	0	0	1,400	20,400
Authorized 87-88	20,000	0	0	0	0	2,000	22,000
Appropriated 88-89	30,000	0	0	0	0	2,000	32,000
TOTAL OPERATIONS BUDGET							
Actual 86-87	5,494,000	0	258,000	0	0	(129,100)	5,622,900
Authorized 87-88	5,642,700	0	100,000	0	0	116,600	5,859,300
Appropriated 88-89	5,952,800	0	180,000	0	0	238,000	6,370,800

NATIONAL GUARD

Major Legislation

House Bill 361, Utah Military Code and Military Law Provisions, amended Utah National Guard law. The bill created a code of military justice for the National Guard that includes procedures, offenses, and penalties. The bill also amended the scope of functions within the Utah National Guard and afforded the guard court marshal authority where it previously did not exist.

Appropriations Summary

The legislature appropriated a total of \$2,895,800 to the National Guard, a 4.4 increase over its total FY 1988 budget, and a 1.9 percent increase in General Fund.

**NATIONAL GUARD
Appropriations Summary**

	General Fund	Transporta- tion Fund	Federal Funds	Dedicated Credits	Restricted and Trust Funds	Other	Total
National Guard							
Actual 86-87	1,519,510	0	1,395,900	13,200	0	(7,700)	2,920,910
Authorized 87-88	1,630,000	0	1,129,700	15,000	0	0	2,774,700
Appropriated 88-89	1,661,500	0	1,219,300	15,000	0	0	2,895,800
TOTAL OPERATIONS BUDGET							
Actual 86-87	1,519,510	0	1,395,900	13,200	0	(7,700)	2,920,910
Authorized 87-88	1,630,000	0	1,129,700	15,000	0	0	2,774,700
Appropriated 88-89	1,661,500	0	1,219,300	15,000	0	0	2,895,800

NATURAL RESOURCES

Major Legislation

State land law was significantly revised by the passage of House Bill 273. Two members were added to the board of state lands, increasing membership from nine to eleven. The additional board seats were given to District 6 (Box Elder, Cache, Davis, and Weber Counties) and District 7 (Salt Lake, Tooele, and Utah Counties).

The land law revision also requires the state to make payment-in-lieu of taxes to counties for lands owned by certain state agencies. Payments are to be made from mineral lease revenues according to the following schedule:

<u>Fiscal Year</u>	<u>Payment Per Acre</u>	<u>Approximate Cost</u>
FY 1988-89	\$.06	\$ 233,300
FY 1989-90	\$.15	582,900
FY 1990-91	\$.30	1,165,800
FY 1991-92	\$.40	1,554,400
FY 1992 . . .	\$.52	2,020,700

The Division of Parks and Recreation was given responsibility for the Veteran's Memorial Park Cemetery. House Bill 196 transfers the responsibility for the cemetery from the National Guard to Parks and Recreation.

Senate Bill 14 lowered the big game hunting age from 16 to 14 years old. This action brings Utah's hunting age requirements in line with those of surrounding states.

Appropriations Summary

The appropriation for FY 1989 totals \$56,892,800, a decrease over the FY 1988 budget of 8.0 percent. General Fund support declined by 6.5 percent.

The legislature appropriated \$2,026,700 to operate the West Desert Pumping Project during FY 1989. Funding for the project comes from \$1,026,700 in General Fund and \$1,000,000 in one time carry forward balances. The governor recommended funding the project with \$2,460,000 in General Fund.

The department's budget also includes a \$50,000 appropriation to the Bear Lake Regional Commission. In past years, the commission was funded through the Department of Community and Economic Development. Intent language states that the FY 1989 appropriation is ". . . contingent on the State of Idaho participating at a similar funding level."

**NATURAL RESOURCES
Appropriations Summary**

	General Fund	Federal Funds	Dedicated Credits	Mineral Lease	Restricted and Trust Funds	Other	Total
Department Administration							
Actual 86-87	2,370,337	0	5,300	0	0	(41,124)	2,334,513
Authorized 87-88	2,402,600	0	0	0	0	0	2,402,600
Appropriated 88-89	2,495,900	0	0	0	0	0	2,495,900
State Lands and Forestry							
Actual 86-87	926,580	206,000	292,500	0	3,115,000	(802,280)	3,737,800
Authorized 87-88	971,300	174,000	271,200	0	2,347,600	67,100	3,831,200
Appropriated 88-89	1,006,800	228,400	277,900	233,300	2,017,600	10,000	3,774,000
Oil, Gas, and Mining							
Actual 86-87	1,669,400	2,903,100	30,700	0	0	(285,600)	4,317,600
Authorized 87-88	1,646,600	3,164,300	30,000	0	0	(30,000)	4,810,900
Appropriated 88-89	1,617,100	2,986,500	30,000	0	0	(30,000)	4,603,600
Wildlife Resources							
Actual 86-87	1,661,765	2,591,300	498,400	0	12,539,000	(756,100)	16,534,365
Authorized 87-88	1,454,600	2,704,200	565,700	0	14,706,200	327,100	19,757,800
Appropriated 88-89	1,550,100	2,691,800	357,000	0	13,276,500	12,000	17,887,400
Parks and Recreation							
Actual 86-87	5,758,624	866,800	2,289,000	0	1,412,900	(310,400)	10,016,924
Authorized 87-88	5,319,400	293,500	2,371,300	0	2,037,800	1,440,500	11,462,500
Appropriated 88-89	5,248,000	499,700	2,512,300	0	2,409,700	15,000	10,684,700
Geological and Mineral Survey							
Actual 86-87	1,188,200	474,300	64,700	467,400	0	113,000	2,307,600
Authorized 87-88	1,271,100	407,400	74,900	427,500	0	186,900	2,367,800
Appropriated 88-89	1,265,100	269,900	46,400	495,000	0	102,500	2,178,900
Water Resources							
Actual 86-87	1,509,000	0	0	0	1,043,300	1,235,200	3,787,500
Authorized 87-88	1,905,000	0	0	0	1,036,600	477,300	3,418,900
Appropriated 88-89	1,924,600	575,000	0	0	1,140,800	125,000	3,765,400
West Desert Pumping							
Actual 86-87	0	0	0	0	0	0	0
Authorized 87-88	2,500,000	0	0	0	0	0	2,500,000
Appropriated 88-89	1,026,700	0	0	0	0	1,000,000	2,026,700
Water Rights							
Actual 86-87	3,613,300	0	287,300	0	0	(64,400)	3,836,200
Authorized 87-88	3,654,900	0	286,500	0	0	0	3,941,400
Appropriated 88-89	3,590,200	0	299,700	0	0	0	3,889,900
Utah Energy Office							
Actual 86-87	387,100	1,941,600	1,100	0	1,099,500	512,400	3,941,700
Authorized 87-88	356,100	1,716,600	0	0	5,285,300	0	7,358,000
Appropriated 88-89	359,200	1,504,700	0	0	0	3,722,400	5,586,300
TOTAL OPERATIONS BUDGET							
Actual 86-87	19,084,306	8,983,100	3,469,000	467,400	19,209,700	(399,304)	50,814,202
Authorized 87-88	21,481,600	8,460,000	3,599,600	427,500	25,413,500	2,468,900	61,851,100
Appropriated 88-89	20,083,700	8,756,000	3,523,300	728,300	18,844,600	4,956,900	56,892,800

PUBLIC EDUCATION

Major Legislation

School District Consolidation and Remediation - City school districts may consolidate with county school districts and school districts may consolidate or reorganize across county boundaries. Incentives to school districts to consolidate were also enacted.

Services to the Handicapped - A State Office of Rehabilitation under the policy direction of the State Board for Vocational Education was created. The responsibility for the preschool handicapped program was transferred from the Department of Social Services to the State Board of Education. The legislation guarantees a free, appropriate public education to handicapped students between the ages of 3 and 22.

Remediation - School districts are required to establish remediation programs for students who do not meet State Board of Education competency levels in English, mathematics, science, and social studies.

Distribution of State Funds - The governor's recommendation to establish block grants to school districts will be studied in FY 1989. Under the block grant program, school districts would determine how funds may be spent within the Minimum School Program.

Textbooks and Supplies - The legislature amended the income tax law to allocate revenues collected in FY 1988 in excess of \$545 million (maximum of \$4 million) to the State Board of Education for textbooks and supplies. The state will return income tax revenues in excess of \$555 million to the taxpayers.

Appropriations Summary

Total FY 1989 appropriations to public education programs increased by \$8.8 million over the amount for FY 1988. Due to a drop in local property tax revenues and other changes in funding for education programs, state support from the Uniform School Fund increased by \$16.5 million.

The governor recommended a .2 percent increase in the Minimum School Program over the amount appropriated for FY 1988. The legislature funded the major elements of the governor's program. Because of improved revenue estimates available to the legislature in February, the legislature funded the special purpose optional programs which were transferred to the grades 1-12 basic program in the governor's budget. The legislative program increased total spending .8 percent over the amount estimated to be expended in FY 1988. State funding increased by 2.3 percent.

For FY 1988 and FY 1989, the legislature allowed school districts to retain 20 percent of savings realized from 1987 early retirements. Total savings retained by districts are expected to total \$2.9 million in FY 1988 and \$3.5 million in FY 1989.

Other changes in the public education budget include the transfer of the preschool handicapped program from the Department of Social Services to the State Board of Education and an increase in funding for the Schools for the Deaf and Blind to adjust the teacher salary schedule.

**PUBLIC EDUCATION
Appropriations Summary**

	Uniform School Fund	Federal Funds	Dedicated Credits	Restricted and Trust Funds	Other	Property Tax	Total
State Office of Education							
Actual 86-87	13,139,300	75,596,500	275,100	11,393,000	612,500	0	101,016,400
Authorized 87-88	12,684,200	79,089,200	440,200	11,390,700	3,738,500	0	107,342,800
Appropriated 88-89	12,676,200	82,634,600	207,200	11,626,800	1,269,800	0	108,414,600
Custom Fit Training Program							
Actual 86-87	750,000	0	0	0	(336,300)	0	413,700
Authorized 87-88	750,000	0	0	0	1,289,900	0	2,039,900
Appropriated 88-89	550,000	0	0	0	0	0	550,000
AVC's and Skills Center							
Actual 86-87	9,565,800	1,846,700	3,224,200	0	44,200	0	14,680,900
Authorized 87-88	9,813,900	913,600	3,279,000	0	115,500	0	14,122,000
Appropriated 88-89	9,756,800	1,287,100	3,186,600	0	0	0	14,230,500
Schools for the Deaf and Blind							
Actual 86-87	6,910,700	1,900	68,000	0	701,900	0	7,682,500
Authorized 87-88	6,988,900	0	60,100	0	682,200	0	7,731,200
Appropriated 88-89	7,337,400	0	401,600	0	0	0	7,739,000
Fine Arts/Hansen Planetarium							
Actual 86-87	793,700	0	0	0	0	0	793,700
Authorized 87-88	776,700	0	0	0	0	0	776,700
Appropriated 88-89	756,200	0	0	0	0	0	756,200
State Training School, Hospital, and Preschool Handicapped Program							
Actual 86-87	1,809,500	0	0	0	0	0	1,809,500
Authorized 87-88	1,660,200	0	0	0	0	0	1,660,200
Appropriated 88-89	4,065,300	0	0	0	0	0	4,065,300
Capital Outlay and Debt Service							
Actual 86-87	0	0	0	0	0	0	0
Authorized 87-88	500,000	0	0	0	0	0	500,000
Appropriated 88-89	0	0	0	0	0	0	0
Educational Excellence							
Actual 86-87	0	0	0	0	371,700	0	371,700
Authorized 87-88	0	0	0	0	0	0	0
Appropriated 88-89	0	0	0	0	0	0	0
Minimum School Program							
Actual 86-87	603,063,600	0	0	0	0	211,680,800	814,744,400
Authorized 87-88	641,925,400	0	0	0	0	235,331,400	877,256,800
Appropriated 88-89	656,481,200	0	0	0	0	227,993,400	884,474,600
TOTAL OPERATIONS BUDGET							
Actual 86-87	636,032,600	77,445,100	3,567,300	11,393,000	1,394,000	211,680,800	941,512,800
Authorized 87-88	675,099,300	80,002,800	3,779,300	11,390,700	5,826,100	235,331,400	1,011,429,600
Appropriated 88-89	691,623,100	83,921,700	3,795,400	11,626,800	1,269,800	227,993,400	1,020,230,200

PUBLIC SAFETY

Major Legislation

Senate Bill 95 allows the Driver's License Division to test an applicant's ability to read and comprehend simple english used in highway signs. The legislature also authorized the Driver's License Division to suspend the license of an individual convicted of committing an assault with a motor vehicle. House Bill 212 repeals the motor vehicle insurance verification survey program which the legislature established two years ago. Not only was the program inconvenient for many citizens, it was difficult to administer and failed to significantly reduce the number of uninsured motorists.

Senate Bill 123 formalized an agreement between the legislative committee and the department to reclassify Protective Services officers (capitol security) to special function officers. This change resulted from a study by the Auditor General. The department has two years to implement the reclassification.

The January 1988 death of a state correctional officer in Marion, Utah spawned legislation providing for an insurance policy in the amount of \$50,000 to be paid to the dependent spouse of any state law enforcement officer killed in the line of duty.

Appropriations Summary

The legislature approved a total budget of \$39,799,300 for the Department of Public Safety for FY 1989, an overall increase of 1.2 percent over the department's current year budget, and a 1.3 percent increase in state funds (General and Transportation Funds).

Major program changes include the consolidation of Medicaid Fraud, the Narcotics and Liquor Law Enforcement Bureau, and the Organized Crime and Criminal Information Bureau into a single Division of Investigative Services. The Utah Highway Patrol was authorized to increase staffing at three of its Ports of Entry. The five additional FTEs will be funded by an anticipated increase in fee collections resulting from expanded operations. Eight additional FTEs recommended by the governor were approved by the legislature to fully staff the newly consolidated Weber Communications/Dispatch Center. These FTEs will be funded by fees imposed upon local users of the dispatch service.

The legislature also approved an increase in the fee charged for motor vehicle records, from \$2 to \$3. This change is expected to generate an additional \$600,000 per year for the Transportation Fund. It is the legislature's and the governor's intent that this new money be used toward the badly needed replacement of the Driver's Records System.

Intent language in this year's appropriations act allows the Department of Public Safety to utilize some of the funds forfeited as a result of drug related seizures. Any money remaining in the account in excess of \$150,000 at the end of each fiscal year will lapse to the General Fund. The department is required to make a full, annual accounting of these expenditures to the legislature.

PUBLIC SAFETY
Appropriations Summary

	General Fund	Transportation Fund	Federal Funds	Dedicated Credits	Certificates of Participation	Other	Total
Emergency Management							
Actual 86-87	396,200	0	6,124,300	47,000	0	0	6,567,500
Authorized 87-88	376,600	0	3,474,600	62,500	0	0	3,913,700
Appropriated 88-89	312,500	0	3,583,700	0	0	0	3,896,200
Highway Patrol							
Actual 86-87	552,200	17,211,800	274,900	489,200	1,250,000	263,100	20,041,200
Authorized 87-88	561,800	16,416,600	266,200	385,300	0	296,700	17,926,600
Appropriated 88-89	506,700	16,786,500	553,300	361,100	0	0	18,207,600
Safety Promotion							
Actual 86-87	102,900	0	0	0	0	(200)	102,700
Authorized 87-88	102,100	0	0	0	0	0	102,100
Appropriated 88-89	107,100	0	0	0	0	0	107,100
POST							
Actual 86-87	0	0	0	112,900	0	921,000	1,033,900
Authorized 87-88	0	0	0	63,000	0	937,200	1,000,200
Appropriated 88-89	0	0	0	64,100	0	937,200	1,001,300
Investigative Services							
Actual 86-87	1,658,800	0	415,300	191,600	0	(19,000)	2,246,700
Authorized 87-88	1,848,000	0	484,000	63,600	0	11,300	2,406,900
Appropriated 88-89	1,819,900	0	471,400	31,300	0	0	2,322,600
Law Enforcement							
Actual 86-87	1,463,900	0	0	39,100	0	(900)	1,502,100
Authorized 87-88	1,375,200	0	0	27,200	0	0	1,402,400
Appropriated 88-89	1,527,100	0	0	29,500	0	0	1,556,600
Commissioner							
Actual 86-87	1,281,500	0	0	115,900	0	5,800	1,403,200
Authorized 87-88	1,278,700	150,500	0	60,100	0	0	1,489,300
Appropriated 88-89	1,252,400	162,400	0	78,400	0	0	1,493,200
Driver License							
Actual 86-87	226,200	5,964,100	0	9,700	0	(90,100)	6,109,900
Authorized 87-88	254,100	6,066,600	100,000	18,000	0	0	6,438,700
Appropriated 88-89	241,100	6,607,300	100,000	10,000	0	0	6,958,400
Highway Safety							
Actual 86-87	83,500	0	1,005,100	0	0	260,500	1,349,100
Authorized 87-88	82,100	0	1,182,400	0	0	0	1,264,500
Appropriated 88-89	83,400	0	1,174,800	0	0	0	1,258,200
Communications							
Actual 86-87	419,700	238,700	0	217,200	258,000	(16,900)	1,116,700
Authorized 87-88	940,300	1,626,800	0	300,300	0	0	2,867,400
Appropriated 88-89	625,000	1,456,900	0	389,500	0	0	2,471,400
Fire Marshal							
Actual 86-87	518,100	0	13,400	11,200	0	(5,900)	536,800
Authorized 87-88	475,100	0	0	40,600	0	0	515,700
Appropriated 88-89	468,600	0	0	58,100	0	0	526,700
TOTAL OPERATIONS BUDGET							
Actual 86-87	6,703,000	23,414,600	7,833,000	1,233,800	1,508,000	1,317,400	42,009,800
Authorized 87-88	7,294,000	24,260,500	5,507,200	1,020,600	0	1,245,200	39,327,500
Appropriated 88-89	6,943,800	25,013,100	5,883,200	1,022,000	0	937,200	39,799,300

SOCIAL SERVICES

Major Legislation

Senate Bill 30 recodifies and clarifies all Utah Code sections relating to the Department of Social Services. The passage of this bill completes several years of extensive effort to update and consolidate statutory references to social services. House Bill 285 creates a trust account for the homeless which will be funded from an income tax check-off.

Several bills affecting minors were approved by the legislature. House Bill 4 requires the court to order the Division of Family Services to investigate and report if an allegation of child abuse arises in the course of a divorce proceeding. Final award of custody or visitation cannot be rendered until the report is received by the court. House Bill 86 requires courts to order joint legal custody if both parents agree, appear capable of implementing joint custody, and if it is in the best interest of the child. House Bill 217 allows involuntary commitment of minors to a treatment facility or program licensed to provide drug or alcohol treatment or rehabilitation. Before the youth can be committed, the situation must first be reviewed by a neutral and detached fact finder.

House Bill 333 states that within legislative appropriations and federal Medicaid requirements, services provided to handicapped individuals will be in the least restrictive and most enabling environment. Senate Bill 109 transfers responsibility for early intervention programs for handicapped children ages 0 to 2 years to the Department of Health. The State Board of Education will be responsible for handicapped individuals from ages 3 through 22 who have not graduated from high school.

Appropriations Summary

The General Fund appropriation of \$100,835,500 for FY 1989 is 2.2 percent greater than that of the original FY 1988 appropriation of \$98,619,000. This increase, as well as a \$2,259,500 General Fund supplemental appropriation, help make up the loss of federal Medicaid funds. Several divisions in the Department of Social Services received matching federal funds under a temporary Medicaid waiver. When the waiver expired, some services could not requalify for Medicaid funding. The yearly loss of Medicaid funding, excluding Youth Corrections, was estimated to be \$2.5 million.

Additional funding was provided to increase the Aid to Families with Dependent Children caseload to 16,158 cases per month, to increase General Assistance caseloads to 2,031 cases per month, and to maintain the Emergency Work Program at six months for singles and couples.

SOCIAL SERVICES
Appropriations Summary

	General Fund	Federal Funds	Dedicated Credits	Mineral Lease	Restricted and Trust Funds	Other	Total
Executive Director							
Actual 86-87	3,415,200	5,355,300	1,948,000	0	0	(79,600)	10,638,900
Authorized 87-88	4,344,500	8,043,500	1,397,700	0	0	24,900	13,810,600
Appropriated 88-89	4,161,500	4,877,900	822,900	0	0	526,400	10,388,700
Community Operations							
Actual 86-87	19,579,700	20,055,900	5,393,100	0	0	(989,500)	44,039,200
Authorized 87-88	18,339,100	19,311,700	5,918,900	0	0	0	43,569,700
Appropriated 88-89	18,467,700	19,453,100	5,983,900	0	0	0	43,904,700
Mental Health							
Actual 86-87	23,279,700	1,972,000	7,363,500	0	0	(137,300)	32,477,900
Authorized 87-88	23,194,300	2,007,300	6,809,700	0	0	151,600	32,162,900
Appropriated 88-89	22,937,700	1,917,300	6,799,000	0	0	0	31,654,000
Alcoholism and Drugs							
Actual 86-87	6,110,500	2,105,700	143,900	0	720,000	(316,000)	8,764,100
Authorized 87-88	5,805,300	3,250,700	0	0	500,000	0	9,556,000
Appropriated 88-89	5,794,600	1,640,200	0	0	500,000	0	7,934,800
Assistance Payments							
Actual 86-87	24,589,000	61,170,300	2,075,200	0	0	(47,200)	87,787,300
Authorized 87-88	27,052,100	64,181,800	1,812,300	0	0	0	93,046,200
Appropriated 88-89	28,253,200	66,993,800	1,870,300	0	0	0	97,117,300
Services to Handicapped							
Actual 86-87	13,176,900	2,380,500	24,263,700	0	0	(81,000)	39,740,100
Authorized 87-88	15,966,700	2,464,500	27,617,900	0	0	34,000	46,083,100
Appropriated 88-89	13,305,300	2,364,900	26,634,100	0	0	0	42,304,300
Recovery Services							
Actual 86-87	0	7,449,800	5,567,400	0	0	0	13,017,200
Authorized 87-88	0	7,456,800	6,181,700	0	0	0	13,638,500
Appropriated 88-89	0	7,267,800	6,103,900	0	0	0	13,371,700
Family Services							
Actual 86-87	3,842,600	6,171,600	2,328,000	0	225,000	(794,700)	11,772,500
Authorized 87-88	3,506,400	7,417,500	1,780,700	0	225,000	1,344,900	14,274,500
Appropriated 88-89	5,203,800	7,131,100	490,000	0	275,000	0	13,099,900
Aging and Adult Services							
Actual 86-87	2,418,900	5,189,100	501,300	0	0	(115,500)	7,993,800
Authorized 87-88	2,670,100	5,340,800	209,900	0	0	0	8,220,800
Appropriated 88-89	2,711,700	5,326,600	36,000	0	0	0	8,074,300
TOTAL OPERATIONS BUDGET							
Actual 86-87	96,412,500	111,850,200	49,584,100	0	945,000	(2,560,800)	256,231,000
Authorized 87-88	100,878,500	119,474,600	51,728,800	0	725,000	1,555,400	274,362,300
Appropriated 88-89	100,835,500	116,972,700	48,740,100	0	775,000	526,400	267,849,700

TRANSPORTATION

Major Legislation

Senate Bill 174, Outdoor Advertising, eliminated significant provisions regulating the placement of outdoor advertising signs. This measure conflicts with federal regulations established to control outdoor advertising in rural areas. The Federal Highway Administration has imposed sanctions on the Utah Department of Transportation (UDOT) because SB 174 could allow the re-erection of unlawfully placed signs previously removed with federal funds.

Senate Bill 36, State Highway System Amendments, placed in statute additions and deletions to the state highway system. These changes are proposed by the Utah Transportation Commission to the legislature on a biennial basis.

With the passage of House Bill 356, the legislature approved \$100,000 in transportation funds to assess the feasibility of building dikes along the Great Salt Lake. The Department of Transportation, in cooperation with other state agencies, will assist in data collection, design review, and selection of a test site for the feasibility study.

Senate Bill 165, Mineral Lease Road Program, appropriated mineral lease funds to the Department of Transportation to be distributed to special service districts for constructing, repairing, or maintaining roads. The department is to be allocated \$2 million in FY 1989, \$4 million in FY 1990, \$6 million in FY 1991, and 25 percent of deposits made to the Mineral Lease Account in FY 1992 and every year thereafter. The Transportation Commission must allocate these funds in amounts proportionate to the amount of federal mineral lease money generated by the county in which a special service district is located.

Appropriations Summary

The legislature approved a total operating budget of \$136,431,300 for the Department of Transportation for FY 1989, an overall increase of 6.6 percent over the department's current year budget. This appropriation represents a .3 percent decrease in state funds (General and Transportation Funds).

TRANSPORTATION
Appropriations Summary

	General Fund	Transportation Fund	Federal Funds	Dedicated Credits	Other	Certificates of Participation	Total
Support Services							
Actual 86-87	521,600	6,898,100	1,195,900	2,789,600	(320,200)	137,000	11,222,000
Authorized 87-88	475,000	6,664,400	1,298,700	3,178,500	0	0	11,616,600
Appropriated 88-89	438,500	8,163,900	890,300	3,010,100	0	0	12,502,800
Engineering Services							
Actual 86-87	534,400	3,822,700	10,854,700	56,900	2,193,700	0	17,462,400
Authorized 87-88	467,000	9,566,300	8,888,000	1,178,500	45,000	0	20,144,800
Appropriated 88-89	493,100	9,389,000	8,094,600	944,100	45,000	0	18,965,800
Construction							
Actual 86-87	0	551,900	10,714,000	300	3,606,900	0	14,873,100
Authorized 87-88	0	3,064,100	12,565,500	0	0	0	15,629,600
Appropriated 88-89	0	3,608,300	10,858,800	0	0	0	14,467,100
District Management							
Actual 86-87	0	5,965,000	3,661,900	765,500	737,600	0	11,130,000
Authorized 87-88	0	6,530,400	3,203,700	579,100	0	0	10,313,200
Appropriated 88-89	0	7,122,500	2,350,200	1,109,300	0	0	10,582,000
Equipment Management							
Actual 86-87	0	1,128,500	32,500	575,400	(2,574,800)	7,105,000	6,266,600
Authorized 87-88	0	4,381,600	0	1,762,100	0	0	6,143,700
Appropriated 88-89	0	1,791,300	0	9,642,500	0	0	11,433,800
Maintenance							
Actual 86-87	0	41,065,800	1,448,500	40,500	(989,600)	0	41,565,200
Authorized 87-88	0	51,796,500	603,600	0	0	0	52,400,100
Appropriated 88-89	12,000	51,707,300	569,600	0	0	0	52,288,900
Aeronautics Division							
Actual 86-87	0	0	4,926,000	210,100	5,387,300	0	10,523,400
Authorized 87-88	0	0	5,012,900	248,900	6,528,400	0	11,790,200
Appropriated 88-89	0	0	10,000,000	329,700	5,861,200	0	16,190,900
TOTAL OPERATIONS BUDGET							
Actual 86-87	1,056,000	59,432,000	32,833,500	4,438,300	8,040,900	7,242,000	113,042,700
Authorized 87-88	942,000	82,003,300	31,572,400	6,947,100	6,573,400	0	128,038,200
Appropriated 88-89	943,600	81,782,300	32,763,500	15,035,700	5,906,200	0	136,431,300

SUMMARY OF 1988 LEGISLATION

Aeronautics

- SB 96 **Aeronautical Regulatory Act Amendments** Defines "antique aircraft" and allows aircraft meeting this definition to be registered one time for a single fee of \$50 in lieu of the annual registration required of other aircraft.
- SB 148 **Exchange of Private Property Near Federal Airports** Requires the state of Utah to exchange state-owned property for privately-owned property which has been affected by measures designed to protect continued operation of federal airports.

Agriculture

- HB 219 **Amendments to Utah Agricultural Code** Amends the definition of livestock to include furbearers. The commissioner of agriculture is permitted, rather than required, to divide the state into brand inspection districts.
- SB 41 **Trespassing Animals Amendments** Allows cattle to be transported between brand inspection districts without a transport permit. Counties are authorized to intervene in livestock trespass cases and recover their costs. A provision relating to the ranging of bulls is repealed and reenacted. The Department of Agriculture is authorized to spend unclaimed proceeds withheld at a livestock market.

Banks, Banking, and Financial Institutions

- SB 2 **Penalties for Bad Checks** Provides for reasonable compensation, as approved by the court, for time expended personally pursuing the collection of a dishonored check.
- SB 5 **Bad Check Collection Fee** Increases the service charge on dishonored checks from \$10 to \$15. Any contractual option of charging a higher amount is eliminated.
- SB 183 **Financial Institutions Fee Schedules** Changes the fee schedule of the Department of Financial Institutions and modifies the application procedure for establishing branch offices.
- SB 242 **Thrifths Task Force** Creates a task force to consider failed thrift issues and related litigation. The task force is to advise the governor.

Cities, Towns, and Subdivisions

- HB 5 **Municipal Special Service District Amendments** Allows special service districts to assess penalties, within limits, when fees and charges are not paid when due.
- HB 65 **Disclosure of Campaign Contributions** Requires all candidates for elective county office or for elective municipal office in first and second class cities to file verified financial statements of campaign contributions received exceeding \$50 and an aggregate listing of contributions less than \$50. The financial statement must be filed with the county clerk or city recorder within 30 days after the election or the

candidate is guilty of a class B misdemeanor. Candidates eliminated in a primary election must file the financial statement within 30 days after the date of the primary.

- HB 239 **Public Transit District Act Amendments** Expands the bonding provisions to provide for the issuance of tax and revenue anticipation notes and allows municipalities as well as counties to provide funding to operate the public transit and to appoint members to the board. The bill also expands the tax exempt status of district property and increases the limits of public bidding requirements.
- SB 3 **Utah Municipal Code Amendments** Provides a procedure for electing municipal officers at the same time as the incorporation election.
- SB 23 **Elderly Residential Facility Zoning** Provides for definitions of "elderly" and "residential facility for elderly persons." A residential facility is allowed for elderly persons in any residential area other than those zoned exclusively for single family dwellings as a permitted use and as a conditional use in areas zoned exclusively for single family dwellings. A local government may impose conditions for a facility to be allowed as permitted use. Mileage restrictions within which a residential facility for the elderly may be located are provided.
- SB 63 **Municipality and County Business Tax** Provides for a Phase II recodification of the municipal and county business license taxing authority, repealing outdated code sections. A municipality may tax for the purpose of regulation and general revenue and a county may levy a business license tax only for the purpose of regulation and revenue.
- SB 73 **Special Service District Amendments** Provides time frames in which written protests and withdrawals of protests in service district establishment proceedings may be filed.
- SB 122 **Improvement District Amendments** Makes technical corrections and clarifies provisions dealing with municipal and county improvement districts.
- SB 140 **Uniform Fiscal Procedures Act for Taxing Districts** Establishes a uniform fiscal procedure for special taxing districts.
- SB 175 **Business License Information to County Assessors** Requires counties and municipalities to submit information from business license applications to the county assessor.

Commerce and Trade

- HB 11 **Charitable Solicitations Amendments** Excludes the state and its political subdivisions from the definition of "charitable organization." An exemption from the Charitable Solicitations Act is given for bona fide veterans' organizations and organizations whose gross receipts from solicitations total less than \$5000. A charitable organization is excluded from the definition of "professional fund raiser."
- HB 33 **Credit Services Organization** Adds exclusions to the definition of "Credit Service Organization" and clarifies bond requirements. Disclosure statements are amended to conform to federal standards.

- HB 119 **Repeal of Former Administrative Rule** Repeals sections of the Utah code in conflict with Chapter 46A, Title 63, "The Administrative Rulemaking Act."
- HB 235 **Health Spa Amendments** Clarifies the definition of "health spa" to exclude tax-exempt, charitable organizations as defined in Section 501 (c) (3) of the Internal Revenue Code.
- SB 8 **Contractual Limitations of Liability** Prohibits design professionals such as architects, engineers, and land surveyors from contractually limiting their liability.

Corporations

- HB 141 **Same-day Processing of Corporate Documents** Allows the Division of Corporations and Commercial Code to collect additional charges for expedited, 24-hour processing of corporate documents.
- HB 176 **Required Number of Directors** Changes the number of directors of a corporation from not less than three to three or more, unless the number of shareholders is less than three, in which case the number of directors may be the same as the number of shareholders.
- SB 11 **Corporate Dividend Amendments** Clarifies the definitions of "earned surplus" and "net income" so that they may be computed on a consolidated basis in accordance with generally accepted accounting principles.
- SB 106 **Division of Corporations and Commercial Code Amendments** Decreases to one year the time during which a dissolved corporation's assumed name is protected and during which a dissolved corporation may be reinstated. A nonprofit corporation is permitted to convert to a business corporation and vice-versa by amending its articles of incorporation. Notification requirements for foreign corporations amending their articles of incorporation are changed. The Notaries Public Reform Act is enacted, which requires a \$5,000 bond, describes the powers of a notary, sets maximum fees for notary services, describes notarial seals, and provides for liability of notaries.

Counties

- HB 60 **State Reimbursement of County Jail Expenditures** Eliminates the prohibition that state reimbursement to counties for costs of incarceration not exceed the funds appropriated by the Legislature.
- HB 129 **Filling Vacancies in County Offices** Allows the county governing body to appoint a temporary county attorney when a vacancy occurs.
- HB 143 **Appointment of County Fire Chiefs and Deputy Chiefs** Requires that county fire chiefs and their deputies be appointed from a certified civil service register prepared by the County Fireman's Civil Service Commission. The positions are exempt from civil service status.
- HB 193 **County Planning Commission Amendments** Requires the county master plan to be approved by the governing body.
- HB 290 **Local Government Fiscal Procedures** Requires counties to account for specific costs when providing municipal-type services and requires an audit.

- SB 82 **Duties of County Commissioners** Specifies the duties of the county governing body when advertising for construction bids and approving change orders.
- SB 107 **County Service Area Act Amendments** Provides time frames in which written protests and withdrawal of protests in county service area establishment proceedings may be filed.
- SB 117 **Improvement District Amendments** Provides time frames in which written protests and withdrawal of protests in improvement district establishment proceedings may be filed.

Elections

- HB 154 **Direct Legislation Amendments** Allows acts or laws subject to initiative or referendum to take effect on the date specified in the petition.
- HB 353 **Election Amendments** Changes the term "mass meeting" to "party caucus."
- SB 84 **General Election Amendments** A person is guilty of a class B misdemeanor if he willfully fails to file voter registration forms with which he has been entrusted.
- SB 85 **Municipal Election Amendments** Specifies that except when a candidate is nominated at the primary election and then withdraws the day following the primary canvass, or dies at least seven days before the November election, any vacancy shall be filled from the remaining primary candidates who received the most primary votes.
- SB 177 **Political Action Disclosure Act** Requires political action committees to register with and report contributions and expenditures to the lieutenant governor. This act also requires corporations to report political expenditures to the lieutenant governor and provides penalties for violations.
- SB 178 **Voter Information Pamphlet Amendments** Requires the Voter Information Pamphlet to have all new language underlined and all deleted language bracketed in the case of constitutional amendments.

Fees

- HB 52 **Displaced Homemaker Amendments** Provides for the reauthorization of the Displaced Homemaker Program in the State Office of Education. A displaced homemaker is a person who generally has not been in the workforce for the last 5 to ten years and must now become employed to support the family. The bill also provides for a \$20 fee on marriage licenses to fund programs and establishes a new sunset date of July 1, 1992.

Fish and Game

- HB 68 **Posted Hunting Units** Provides procedures for establishing posted hunting units and authorizes the Wildlife Board to regulate the units. Illegal activities in posted hunting units and criminal penalties are prescribed.

SB 14 **Lowering Hunting Age** Lowers the big game hunting age from 16 to 14. Persons between the ages of 14 and 16 are required to be accompanied by an adult when hunting.

Fraud

SB 33 **Uniform Fraudulent Transfer Act** Repeals the Uniform Fraudulent Conveyance Act which was adopted by Utah in 1917. Both the new law and the somewhat archaic Uniform Fraudulent Conveyance Act deal with the various types of fraudulent transfers and the remedies for creditors. The law includes definitions and a statute of limitations.

Health Code

HB 7 **Rural Hospital Reimbursement** Prohibits the Division of Health Care Financing from discriminating among rural hospitals on the basis of size when reimbursing them under the Medicaid and UMAP programs.

HB 16 **Division of Health Care Financing** Statutorily establishes the Division of Health Care Financing, which was previously created by the Department of Health. The bill makes the division responsible for implementing, organizing, and maintaining Medicaid and the Utah Medical Assistance Program.

HB 72 **Rights of Physically Disabled to be Accompanied by Trained Service Dogs** Provides that a person renting or selling private housing to the blind, visually handicapped, hearing impaired, or otherwise physically disabled persons may not discriminate against them on the basis of the possession of a trained service dog, and further clarifies their right to be accompanied by a trained service dog.

HB 91 **Infectious Waste Regulation** Authorizes the Solid and Hazardous Waste Committee to enact rules relating to collection, transportation, processing, treatment, storage, and disposal of infectious waste in specified facilities.

HB 123 **Registration of Radiation Sources** Requires the Department of Health to register or license all sources of ionizing radiation, including machines producing radiation. The Department is also required to assess a fee for licensure and inspection.

HB 186 **Emergency Medical Services Grants Program Amendments** Authorizes the Department of Health to directly fund emergency medical service provider agencies.

HB 198 **Authority for Implementation of Asbestos Hazard Emergency Response Act** Allows the Air Conservation Committee to adopt rules for implementation of the federal Asbestos Hazard Emergency Response Act to deal with asbestos hazards in school buildings subject to the act. The bill also establishes certification requirements for persons to perform work required by the act.

HB 199 **Hazardous Waste Fund for Voluntary Contributions** Directs the Division of Environmental Health to deposit any voluntary contributions for the cleanup of hazardous waste sites as dedicated credits.

- SB 13 **Expansion of Liability Immunity to Health Care Providers** Extends a physician's immunity from liability for furnishing information to professional committees to all health care providers.
- SB 29 **Siting of Hazardous Waste Facilities and Incinerators** Authorizes the Solid and Hazardous Waste Committee to establish criteria for siting commercial hazardous waste facilities and incinerators. At present, the counties have the main authority for siting through the zoning process.
- SB 124 **Management of Underground Storage Tanks** Creates a task force to study issues and develop legislation pertaining to underground storage tanks.
- SB 125 **Hazardous Waste Facilities Amendments** Increases the fees for the disposal of hazardous waste in a commercial disposal facility from \$3 per ton on all wastes to \$6 per ton for hazardous waste generated in-state and \$9 per ton for hazardous waste generated out-of-state. The permit application and review fees for class I and II disposal facilities are also increased, and specific time limits for reviewing permit applications are tied to incremental payments of the permit application and review fees.
- SB 173 **Reporting Injury by Deadly Weapon** Requires health care providers to report injuries caused by criminal acts.

Highways

- HB 254 **Veterans' Memorial Highway** Designates all of I-15 within Utah as the Veterans' Memorial Highway.
- SB 36 **State Highway System Amendments** Provides changes to the state highway system by making additions, extensions, redesignations, or deletions affecting ten state highways or portions of state highways.
- SB 174 **Outdoor Advertising** Removes some restrictions for advertising along the interstates in rural counties.

Families

- HB 14 **Marriage Law Amendments** Repeals the requirement that the obligated parent be current in child support payments in order to remarry. The bill also amends provisions relating to persons who may perform marriages. Reference to a fee is eliminated when a marriage is performed by a county clerk.
- HB 86 **Child Custody, Including Joint Legal Custody** Provides for procedures and standards regarding joint legal custody of a child. In awarding custody, the court is required to consider which parent is most likely to act in the best interests of the child, including allowing the child frequent and continuing contact with the noncustodial parent as the court finds appropriate. Joint legal custody is defined and the order for joint legal custody may be terminated by either parent when notice of the motion is sent by certified mail to the other parent and an affidavit is filed with the motion, indicating the motion has been mailed as required. If any action is filed or answered frivolously and in a manner designed to harass the other party, the court shall assess attorneys' fees as costs against the offending party. The court is required to inform both parties that an order for joint custody may preclude eligibility for public assistance under the program of aid to families with dependent

children, and that if public assistance is required for the support of children at any time subsequent to an order of joint legal custody, the order may be terminated.

Insurance

- HB 41 **Insurance Guaranty Association Amendments** Clarifies that the state has no responsibility for the obligation of insolvent insurers or the acts of insurance guaranty associations.
- HB 89 **Automobile Insurance Premium Reduction** Requires a reduction in insurance premiums for individuals who are 55 years of age or older and who have successfully completed a motor vehicle accident prevention course.
- SB 76 **Insurance Rates on Drivers** Provides that automobile insurance liability coverage may exclude specified members of the named insured's household.
- SB 210 **Tort and Insurance Reform Task Force** Creates a task force to study tort remedies, procedures, damages, and the insurance system.

Alcoholic Beverages

- HB 74 **Liquor Code Amendments** Makes technical changes to the liquor code, clarifying present law. The bill requires the Alcoholic Beverage Control Commission to meet with the Citizen Advisory Council annually instead of semiannually.
- HB 282 **Brewery Licensing Amendments** Clarifies when brewers may permit consumption of beer on their premises.
- SB 67 **Control of Restaurant Alcoholic Beverage Service** Amends the restrictions on the purchase and consumption of alcoholic beverages at restaurants. It allows a server to bring an alcoholic beverage to a patron's table. The bill restricts the number of alcoholic beverages a patron may have at one time.
- SB 68 **Alcoholic Beverage Control Review Task Force** Creates the Alcoholic Beverage Control Review Task Force which is to examine all alcoholic beverage control laws and make recommendations for comprehensive changes to the Legislature. The task force will sunset in 1990.
- SB 132 **Liquor Code Technical Amendments** Requires a 30-day notification to prevent liquor sales on any day of a local election.

Labor

- HB 113 **Workers' Compensation Amendments** Amends the definition of "employee" and "employer" as they relate to workers' compensation so that general contractors are not considered to be the employers of subcontractors solely because of the customary trade relationship between them.
- HB 149 **Telephone Solicitors Unemployment Law Exemption** Exempts survey conductors and pollsters from unemployment law if they do not perform services on their principal's premises and are paid solely on a piece-rate or commission basis.

- HB 207 **Unemployment Contribution from Out-of-State Contractors** Assigns the maximum overall contribution rate for unemployment insurance for contractors who begin to operate in Utah after having operated in another state until they acquire "qualified employer" status through sufficient unemployment rate experience.
- HB 218 **Second Injury Funds Eligibility Amendments** Changes the name of the "Second Injury Fund" to the "Employers' Reinsurance Fund" and amends provisions relating to permanent partial and permanent total disability compensation. Pre-existing injuries which are aggravated by an industrial accident are no longer eligible for compensation from the fund. The premium assessments are increased in order to provide additional monies for the fund.
- HB 236 **Fees of Industrial Commission** Requires the Industrial Commission to hold a public hearing prior to submitting fee changes to the Legislature.
- SB 19 **Workers' Compensation Fund Amendments** Establishes the Workers' Compensation Fund as a separate, independent state agency with authority to maintain an enterprise fund. The fund is managed through a board of directors and chief executive officer.
- SB 21 **Labor Code Terminology Amendments** Eliminates sexist language in the labor code.
- SB 158 **Industrial Commission Advisory Councils Amendments** Expands the membership of the Industrial Commission Advisory Councils. Employee representatives must include both union and nonunion representatives who fairly represent the percentage in the labor force of the state. The Commission is to consider nominating members of groups who historically may have been excluded from the council.

Legislature

- HB 130 **Legislative Interim Committee Amendments** Defines a majority for interim committees.

Military

- HB 361 **Utah Military Code and Military Law Provisions** Creates a code of military justice for the National Guard. A temporary military court is established on an as-needed basis and military offenses not covered under current civil offenses are specified. Changes the name of the State Guard to the Utah State Defense Force.

Mines and Mining

- HB 85 **Board of Oil, Gas, and Mining Rule Authority** Establishes standards for the adoption of rules more stringent than federal regulations in the area of surface mining control and reclamation. An abandoned mine trust fund is created and the use of the monies in the trust fund is specified.
- HB 237 **Industrial Commission Oversight of Mines** Clarifies the Industrial Commission's jurisdiction over mine safety in relation to federal jurisdiction.

- HB 371 **Industrial Commission Certification Requirements** Modifies certification requirements for surface foremen and underground mining foremen.
- SB 43 **Oil and Gas Conservation Amendments** Changes the period of confidentiality for well logs. Certain monthly reporting requirements of transporters and refiners are eliminated. The period for payment of oil and gas conservation tax is changed, and certain reporting responsibilities of the Division of Oil, Gas, and Mining are eliminated.

Motor Vehicles

- HB 12 **Guest Statutes - Repeal** Repeals provisions which deny the right of a guest in a motor vehicle and an aircraft to sue the owner or operator if the guest is injured in an accident.
- HB 20 **Driver License Law - Amendment** Clarifies when a limited operator license may be issued and when a limited operator license may not be issued.
- HB 28 **Amendments to State Vehicle Marking** Clarifies that vehicles both owned and leased by the state must display an identification mark.
- HB 38 **Use of State Vehicles** Requires annual reporting on use of state vehicles by state agencies.
- HB 46 **Motor Vehicle - Security Amendments** Limits the application of the administrative fee for license reinstatement after confiscation to cases involving the use of hired constables. The bill also eliminates the requirement that verification of insurance coverage provided by insurance companies must be in writing, and changes the penalty for selling a vehicle to avoid the penalties of not having insurance to a class B misdemeanor.
- HB 57 **Driver License Suspension Amendment** Clarifies that a repeat DUI offense committed within a five-year period shall result in a one-year revocation of the convicted person's operator license.
- HB 88 **Vehicle Assault** Adds an assault offense committed using a motor vehicle to the list of offenses for which, upon conviction, immediate revocation or suspension of an operator's license is required.
- HB 107 **Traffic Regulation on Private Roads Open to Public** Allows any municipality or county to adopt an ordinance to subject privately-owned and maintained roads or parking areas to the enforcement of traffic laws if 1) the road or parking area is generally held open for use of the public for vehicular travel or parking to serve commercial establishments; 2) the road is so connected with a highway that the public would not reasonably be able to determine that it is a private road; or 3) a majority of the owners of the private road have signed a petition and submitted it to the municipality or county requesting that the road be subject to traffic enforcement. Public hearing procedures are required to enact the ordinance.
- HB 122 **Speed Limits on State Highways** Requires the Department of Transportation to coordinate with the affected local political entity when changing a speed limit.

- HB 212 **Repeal of Insurance Survey** Repeals the motor vehicle insurance survey program which required that five to ten percent of the persons on record with the Motor Vehicle Division as owning motor vehicles be randomly surveyed to verify compliance with motor vehicle insurance laws.
- HB 215 **Mobile Home and Recreational Vehicle Amendments** Modifies the definition of modular or pre-built homes.
- HB 228 **Motor Vehicle License Plates** Provides for special license plates with the inscription "Former Prisoner of War" to qualifying persons. An application and payment of a fee is required.
- SB 89 **Driving While Intoxicated Amendments** Requires that a chemical test of a defendant's blood or urine be given after an arrest is made for an automobile homicide.
- SB 95 **English Language Requirement for Driver License** Clarifies driver license examination requirements regarding the ability to read and understand simple English used in highway traffic and directional signs.
- SB 161 **Control of Exempt Plates** Establishes procedures for the confidential filing of certain license plate information, provides for the annual renewal of "EX" license plates, and sets penalties for noncompliance.
- SB 172 **License Plate Regulation** Prohibits making or displaying facsimiles of license plates.
- SB 188 **Motor Vehicle Act - Salvage Vehicles** Provides clarification and control of salvage vehicles and issuance of salvage titles.
- SB 202 **Recording of Motor Vehicle Lien or Encumbrance** Provides that only one lien or encumbrance can be placed on a vehicle's record at the Division of Motor Vehicles.

Retirement

- HB 69 **Retirement Board Hearing Requirements** Changes the administrative appeals process for the retirement board to make it consistent with procedures in state government. The bill removes the membership council from the appeals process, but permits the council to review the records of hearings and provide recommendations to the retirement board. The council then recommends any changes in policy or procedure to the board and the Legislature. The first appeal of a retirement office staff decision would be to a hearing officer as outlined in this bill. The hearing officer is to be hired by the executive director after consultation and review with the membership council.
- HB 175 **Retirement Office Amendments** Makes changes clarifying the retirement statutes. In addition to technical corrections, the bill modifies the definition of compensation to include amounts excluded through salary deferral. The bill clarifies the definition of a full-time employee, limiting it to those who would normally receive benefits. Students are no longer automatically excluded from the system. Members who retire are required to terminate employment and provide evidence of termination. Finally, it limits the retirement benefit to the retiree or the retiree's "lawful spouse or former spouse pursuant to a domestic relations order."

- HB 189 **Definition of Compensation for Retirement Purposes** Changes the definition of compensation used to calculate a retirement benefit. Performance bonuses or incentive lump-sum payments are included in the definition.
- HB 190 **Retirement Final Average Salary Limitation** Limits the percentage increase in salary for any years used in computing final average salary. The increase cannot exceed the blanket salary increase given by the employer plus 10 percent. For example, if a school district gave a 3 percent cost-of-living increase to all employees, the increase allowed by this bill would be 13 percent. An exception to the limitation is allowed when the employing unit provides documentation that the limitation was exceeded since 1) the employee changed employing units, 2) the member was promoted to a new position, or 3) the years used in the calculation were not consecutive.
- HB 194 **Public Safety Retirement Contribution** Adjusts the rates for the public safety retirement system. The rate for Division A (covered by social security), Department of Corrections personnel is reduced from 6.60 percent to 6.07 percent. The rate for Division B (not covered by social security), Salt Lake City is increased from 14.64 percent to 15.26 percent.
- HB 221 **Income Tax - State Retirement Exemption** Deletes the special treatment of state retirement income for people initially employed by state and local government after January 1, 1989.
- HB 247 **Group Insurance Amendments** Requires the Group Insurance Division to establish separate risk pools for state employees and political subdivisions. This will prevent one group from subsidizing another higher risk group. The bill also requires the division to establish rules for admission to the insurance program, and requires periodic bidding of health and dental coverage to both active and retired members of the retirement system.
- SB 226 **Benefits for Families of Peace Officers** Provides a \$50,000 life insurance benefit to the dependent spouse of a peace officer employed by the state when the officer dies in the line of duty as a result of external force or violence. Political subdivisions may participate in the program by paying the premium for its peace officers. The bill appropriates \$50,000 from the Victims Reparation Fund to pay for the benefit and applies to officers who die after January 1, 1988.

Public Officers

- HB 59 **Nepotism Amendments** Provides that an agency can sidestep the nepotism prohibitions if the person to be employed is the person best qualified for the position.

Education

- HB 56 **Discipline Programs in School Districts** Requires local school boards to establish a policy for detaining K - 6th grade students after school as part of the district-wide discipline plan required under Section 53A-17-106. Local boards are required to receive input from teachers, school administrators, and parents and guardians of affected students before adopting the policy. Notice and exceptions to notice must be provided to parents or guardians if detention is necessary for the student's health or welfare.

- HB 92 **School District Reorganization Amendments** Allows city and county school districts to consolidate or county districts to reorganize or consolidate across county lines. The consolidated board will assume all outstanding debts and obligations of each former school district which are to be paid from the assets of the former district or by a special tax levy.
- HB 99 **College of Mines and Earth Sciences** Changes the name of the State College of Mines and Mineral Industries at the University of Utah to the College of Mines and Earth Sciences.
- HB 103 **School District Remediation Programs** Requires local school districts to establish remediation programs for secondary students in grades 7-12 in order to attain competency in English, mathematics, science, and social studies. Students may be charged a fee for each remedial class and may not be advanced to the next class in a subject sequence until the required competency is achieved.
- HB 110 **Advanced Placement Programs** Requires the State Board of Education to provide a twelfth grade program of college credit courses of advanced placement or concurrent enrollment classes as part of its minimum standards for public schools by July 1, 1989.
- HB 139 **School District Consolidation Incentives** Provides incentives to local school districts to create more efficient and effective administrative units through consolidation and restructuring of school districts. The bill provides for payments from the School Finance Act to continue to consolidated school districts for a period of five years as though consolidation had not occurred. Consolidation will not result in the lowering of a transferred school employee's salary, but will allow salaries to remain the same for one year after the transfer.
- HB 224 **Reimbursed Overhead for Higher Education** Delays the net retention of reimbursed overhead revenues by individual institutions of higher education for research support and related programs until the fiscal year 1989-90.
- HB 277 **Immunization Costs** Allows the Department of Health to charge local departments of health for vaccines required for students. The bill also allows the local department of health to pass the cost of the vaccines on to the student, in addition to the administration fee that local departments of health are now allowed to charge. However, no child may be refused an immunization because of inability to pay.
- SB 34 **Title 53B Revisions - Higher Education** Provides for technical changes in Title 53B of the Utah Code.
- SB 39 **Title 53 Revisions - Public Education** Streamlines, consolidates, and updates public education laws.
- SB 42 **Traffic Control On School Property** Permits state and local educational governing boards or institutional councils to adopt ordinances to control vehicular traffic on property owned or controlled by the board or council. Ordinances adopted may be enforced by local law enforcement officers assigned to the jurisdiction of the area where the property is located.

- SB 49 **School Building Construction Amendments** Requires the superintendent of public instruction to approve and endorse plans and specifications of school building projects that exceed \$100,000. Projects costing less than \$100,000 may be approved by the state superintendent or by the district superintendent if certain requirements are met. Local governments cannot impose requirements for landscaping, fencing, aesthetic considerations, construction methods or materials, building codes, or the placement or use of temporary classroom facilities on school property.
- SB 55 **Student Attendance Problems** Expands the authority of a school truant officer to issue a fine-bearing citation to a child who is subject to the state's compulsory education law and is absent from school without a legitimate or valid excuse, and provides that cited violations are reported to the appropriate juvenile court.
- SB 94 **Utah State University Research Foundation** Permits Utah State University to form nonprofit corporations or foundations to aid or assist the university in attaining its charitable, scientific, literary, research, and educational objectives.
- SB 109 **Preschool Education for the Handicapped** Transfers the responsibility for preschool handicapped programs for children ages 3-5 from the Department of Social Services to the State Board of Education. A state Director of Special Education will be appointed by the board to assist the board and the state superintendent in performing their duties. Districts are allowed to provide education and training for handicapped persons younger than 3 years or older than 21 years.
- SB 159 **Educator Evaluation Amendments** Provides for a modification in the definition of an educator evaluation system and an expanded definition of educator and career educator.
- SB 166 **Teacher Certification Amendments** Exempts a teacher from obtaining a specific teaching subject endorsement if 1) a teacher has been assigned by the district to teach a subject where he has not been endorsed; 2) the teacher has more than three consecutive years teaching experience in a subject area outside his area of certification; and 3) the teacher has received at least a satisfactory evaluation from evaluators employed by the school district for three previous years of teaching.
- SB 167 **Administering Medication to Students** Permits a student taking prescribed medication to be assisted by a school nurse or designated school personnel if the district receives 1) a written statement from the student's physician describing the method, amount, and time schedule for administering the medication; and 2) a written statement from the student's parents. This bill also protects school personnel who provide assistance from liable for any adverse reaction to the medication.
- SB 171 **Public School Curriculum Amendments** Requires the State Board of Education to provide instruction on the prevention of communicable diseases, including AIDS. Instruction must stress the importance of abstinence from all sexual activity before marriage and fidelity after marriage as methods of prevention of AIDS.
- SB 218 **Utah State Office of Rehabilitation** Creates the Utah State Office of Rehabilitation under the policy direction of the State Board for Vocational Education for the rehabilitative education of individuals with handicaps.

- SB 219 **Year-Round School Funding Modification** Provides for incentive funding to be disbursed by the State Board of Education to school districts to encourage school building modifications and to accommodate year-round programs. The board is permitted to disburse funds when a district has committed to spend local funds for the modifications on at least a dollar-for-dollar basis with local districts.
- SB 225 **School Finance Act Amendments** Appropriates \$884,474,557 for the Minimum School Program with funding of \$656,481,186 from the Uniform School Fund and an estimated \$227,993,371 from local funds. The act includes provisions to repeal on July 1, 1989 the Local Incentive Program along with the tax rate that generates an estimated \$17,558,843 in local revenues to support the Minimum School Program. The bill also appropriates \$6,458,000 from the mineral lease fund for the State's contribution to the School Building Supported Program. The bill contains a provision which provides for allocation of an estimated \$17,731,051 in early retirement savings on June 30, 1989, 20 percent to be retained by school districts and the remaining 80 percent deposited with the State Retirement Board.
- SB 228 **State Board of Education Salary Survey Requirements** Requires each local school board to prepare an annual report on teachers' salaries that includes benefits and career ladder monies. The State Board of Education is required to prepare a summary of each district's salary report and present it to the Legislature prior to its annual general session.
- SB 243 **Block Grants by School Districts** Establishes a pilot program that allows five school districts to receive state funding as if it had been block granted. Unless mandated by state or federal law, districts will not have to spend a certain percentage in a particular area.

Public Utilities

- SB 16 **Motor Carrier Act Amendments** Amends the time limit from 90 days to 45 days for common and contract motor carriers to make final accounting and settlement on all sums owed under a lease agreement. On the form used for requests given by common motor carriers seeking to broaden intrastate route and commodity authority, the word "application" is replaced by the word "petition." The requirement for private motor carriers to display the company name and location on all vehicles is eliminated. The bill also adds a requirement for common and contract motor carriers to display on each vehicle the identification number issued by the Public Service Commission.
- SB 231 **High Voltage Overhead Line Safety** Requires notification to electric utilities of activities close to high voltage overhead lines. Safety measures are also prescribed to protect against physical or electrical contact. Electric utilities are authorized to be reimbursed for the costs of protective measures. Liability for damages and penalties for violation of the act is specified.

Real Estate

- HB 25 **Real Property Amendments** Amends the requirements for acknowledging documents concerning real property. Recording statutes are amended and notice to third parties of recorded documents is clarified.

- SB 37 **Utah Coordinate System** Updates the coordinate system from 1927 datum to 1983 datum. A system of coordinates for the state are described, defined, and adopted.
- SB 194 **Postponement of Trustee Sale** Postpones trustee sales if the last hour of postponement falls on a weekend or holiday.

Occupations and Professions

- HB 1 **Cosmetology/Barber Licensing Amendments** Changes licensing qualifications of cosmetologists and barbers. Facial operators are excluded from the act.
- HB 18 **Architectural Licensing Act Amendments** Makes all public works projects subject to the Architectural Licensing Act and eliminates an exemption for projects costing \$2,000 or less.
- HB 26 **Controlled Substance - Amounts and Penalties** Changes penalties for possession of marijuana. The penalty for possessing 100 pounds or more of marijuana is a second degree felony and the penalty for possessing more than 16 ounces, but less than 100 pounds is a third degree felony.
- HB 291 **Pharmacy Practice Act Amendments** Makes technical changes to the Pharmacy Practice Act.
- HB 294 **Chiropractors Amendments** Changes the composition of the Chiropractors' Licensing Board and provides a means for licenses to be provided to license holders in other states.
- SB 47 **Landscape Architects Licensing Act** Provides for licensure of landscape architects and establishes a Board of Landscape Architects.
- SB 56 **Professional Engineers and Land Surveyors Licensing Act** Provides for the certification of land surveyor-in-training and amends requirements for a land surveyor's license. The duration of an engineer-in-training certificate is changed.
- SB 65 **Dental Board Amendments** Changes the composition of the Dentists and Dental Hygienist Board by removing the requirement that one of the five dentists on the committee shall be a dentist licensed for less than five years.
- SB 75 **Open Drug Formulary Act** Prohibits any state department or division from restricting the drugs that are reimbursable under Medicaid, except in cases of drugs for cosmetic purposes.
- SB 244 **Licensure Changes** Clarifies the duties of the contractors, plumbers advisory, and electrical advisory boards.

Revenue and Taxation

- HB 51 **Establishment of Enterprise Zones** Designates economically depressed counties as enterprise zones. Tax incentives are offered to businesses locating or expanding in the designated zones. The act is administered by the Department of Community and Economic Development.

- HB 78 **Property Tax - Delinquent Tax Notice** Amends the language of the delinquent property tax notice sent to property owners.
- HB 94 **Income Tax - Retirement Exemption Amendments** Increases the special exemption for retirement income, but phases it out at higher income levels. State retirees are required to choose between their retirement income tax exemption or the general exemption given to all retirees.
- HB 169 **Motor Fuel - Government Agency** Provides easier eligibility for the exemption from the motor fuel tax by allowing the state or a political subdivision to purchase collectively 750 gallons of fuel.
- HB 183 **Mining Severance Tax Amendments** Changes the basis and rate of the severance tax on metalliferous minerals. There is a standard deduction for costs and a new rate of 2.4 percent.
- HB 216 **Elimination of Late Filing Penalties on Tax Returns** Eliminates the penalty for failure to file a refund return or a no tax due return.
- HB 285 **Income Tax Check-off for the Homeless** Provides a check-off for donations of state personal income tax refunds to programs for the homeless.
- HB 308 **Extension of Tax Study** Extends the date for a study on what the value of intangibles is in the fair market valuation of property for tax purposes.
- HB 348 **Income Tax Credit** Provides for a textbook appropriation and income tax credits if a surplus occurs, and also a reduction in the top income tax rate.
- SB 31 **Sales Tax - Repeal of Exemption for Meals Sold** Repeals the exemption for meals sold at institutions of higher education, meals sold at hospitals when sold to the general public, and meals sold by churches when sold to the general public on a regular basis.
- SB 59 **Property Tax Recodification - Phase II** Provides changes which involve minor policy alterations in order to clarify intent and definitions or resolve conflicts within and among statutes.
- SB 60 **Severance Tax - Phase II Recodification** Separates the taxes for metalliferous minerals from the tax on gas and oil. The separation is not to affect anyone's tax liability.
- SB 61 **Motor Fuel Tax -- Phase III Recodification** Provides for a new definition of highway in the tax code similar to the definition found in the transportation code. The bill clarifies that rate changes apply only to motor fuel that is imported to the state or sold at refineries on or after the effective date of a change in rate. A minimum bond amount is set for distributors. These changes are made to both the motor fuel tax and the special fuel tax.
- SB 62 **Payment Extension for Inheritance Taxes** Provides that when an estate has received an extension for payment of federal estate taxes, the tax commission shall grant a similar extension for payment of state estate taxes.
- SB 64 **Technical Tax Amendments** Makes technical corrections to the tax code.

- SB 69 **Sales Tax - Vehicle Dealerships** Defines vehicle dealer and describes procedures used when vehicle dealers are delinquent in remitting their sales tax. If delinquent, the dealer is required to pay the sales tax directly on each new vehicle sold until the delinquency is paid.
- SB 79 **Sales Tax - Boats, Trailers, and Outboard Motors** Eliminates the need for dealers to transport boats, trailers, and outboard motors sold to bona fide nonresidents to ports of entry to qualify for the sales tax exemption. Occasional sales of vessels are now subject to the sales tax.
- SB 118 **Interstate Fuel Tax Agreement Enabling Act** Enables the Tax Commission to enter into cooperative agreements with other states for the exchange of information, registration, collection, auditing, and refund of motor fuel and special fuel taxes. The Tax Commission is allowed to make rules to carry out the provisions established in the agreement.
- SB 160 **Insurance Premium Tax Amendments** Exempts public agency mutual insurance policies from the premium tax.
- SB 209 **Illegal Drug Tax** Provides for a stamp tax on illegal drugs.

Securities Division - Real Estate

- HB 182 **Real Estate Licensing Amendments** Modifies licensure and fee requirements for real estate agents and brokers. Residency requirements are eliminated.

Social Services

- HB 217 **Commitment of Minors to Drug and Alcohol Treatment Programs or Facilities** Establishes procedures under which a parent or guardian of a minor may commit that minor to an approved treatment facility for substance abuse. The commitment must be reviewed by a neutral fact finder. The parent or guardian is responsible to pay for costs associated with review by the neutral fact finder and for all rehabilitation and treatment costs for the minor.
- HB 253 **Transfer of Persons Committed to the State Training School** Provides that the director of the Division of Services to the Handicapped has authority to transfer a person committed to the Utah State Training School to a community facility. Transfer decisions can be appealed to the executive director of the Department of Social Services.
- HB 281 **Child Support Collection Amendments** Establishes procedures for the filing of a support lien by the Office of Recovery Services (ORS). A support lien against personal property is not effective until notice of the filing is served on the obligor. ORS is allowed to renew an administrative judgment in a final order by serving notice on the obligor. ORS is also allowed to issue a notice of support debt based upon need and the office may collect the support debt.
- HB 286 **Administrative Determination of Public Assistance Overpayments** Changes the time for repayment of public assistance overpayments to the Office of Recovery Services (ORS) from 30 to 20 days, and requires obligors to notify ORS regarding changes in address or employment. A request for a hearing must be filed in writing within 20 days of notification of the adverse action. An execution on a judgment filed by ORS has the same effect as a judgment issued by a court.

- HB 333 **Clarification of Responsibility of the Division of Services to the Handicapped** Provides that the Division of Services to the Handicapped must provide services in the least restrictive and most enabling alternative.
- SB 30 **Social Services Recodification** Reorganizes statutes dealing with the Department of Social Services into a new Title 62A.
- SB 112 **Confinement of Juveniles in Adult Facilities** Changes the number of hours from 16 to six that a juvenile can be held in an adult correctional or incarceration facility.
- SB 121 **Victim Impact Panel for D.U.I.** Requires the county sheriff to establish a DUI victim impact panel to share experiences on the impact of any alcohol related incidents in the victims' lives with persons convicted of an alcohol related offense. Persons convicted of an alcohol related offense are assessed a \$50 fee to be used to defer the costs of implementing the program. Persons who fail to attend the program without reasonable excuse are to be held in contempt of court.
- SB 128 **Public Assistance Lien Amendments** Increases the amount of money that is exempted from an old age assistance lien for burial expenses from \$750 to \$1,500.
- SB 180 **Social Services Amendments** Makes various substantive changes to statutes regarding the Department of Social Services and is a companion act to the Social Services Recodification. The bill adds group, family, or center day care facility, to the definition of "person responsible for a child's care." The requirement for certain administrative procedures is removed at the Utah State Training School. At least one member of the Board of Substance Abuse must be recovered or recovering from substance abuse. The provisions for federal funds for community mental health centers are eliminated.

State Affairs in General

- HB 17 **Surrogate Parenthood Study** Provides for the establishment of the Surrogate Parenthood Study Committee consisting of state agency officials, legislators, and private citizens. The bill directs the committee to study several issues related to surrogate parenting and to report to the 1989 General Session of the 48th Legislature. The committee is to be staffed by the Departments of Health and Social Services, and the Office of the Attorney General.
- HB 67 **Sunset Reauthorizations** Extends the sunset dates of governmental entities and licensed professions that have been recommended for reauthorization by an interim committee.
- HB 81 **Internal Service Funds Amendments** Establishes budgeting and appropriations procedures for internal service funds. Internal service funds must have legislative approval to operate and acquire capital assets.
- HB 98 **Fire Prevention Law Amendments** Requires firms engaged in servicing automatic fire suppression systems which automatically detect fire and discharge an approved fire extinguishing agent to be certified by the State Fire Marshal. Evidence of competency is required on the application prescribed by the Utah Fire Prevention Board. The board is allowed to set reasonable fees upon application.

- HB 117 **Administrative Rules Review Amendments** Expands the membership of the Administrative Rules Review Committee to include four ex officio members. The new members include the Senate and House chairmen of the standing committees and the Senate and House chairmen of the joint appropriation subcommittee that have jurisdiction over the agency whose existing rules are being reviewed. Two representatives and two senators from the permanent membership of the committee are considered a quorum for the transaction of business.
- HB 231 **Utah Statehood Centennial Commission** Creates the Utah Statehood Centennial Commission which will work with all necessary state agencies to develop, produce, and sell a centennial license plate to fund the commission's activities and to plan the centennial celebration. Appropriates \$1,000 to the commission from the General Fund for 1988-89.
- HB 317 **Designation of Utah State Railroad Museum** Designates the Ogden Union Station as the Utah State Railway Museum.
- SB 15 **Amendments to State Budget Process** Adds "Trust and Agency Funds" to the list of major fund types and clarifies which funds and appropriations are not closed out at the end of the year.
- SB 71 **Victim Reparations Amendment** Provides an amendment to clarify the victim reparation provisions regarding collateral sources.
- SB 86 **Administrative Procedure Act Amendments** Makes technical corrections to the Administrative Procedures Act. The bill also conforms the act to existing agency procedures.
- SB 87 **Designation of State Fossil** Designates the Allosaurus as the state fossil.
- SB 99 **Risk Management Fund Amendments** Amends the law relating to the state Risk Management Fund. The Office of the Attorney General is designated as the agency with primary responsibility to represent the judicial, executive, and legislative branches of state government in cases where Risk Management Fund coverage applies. If the Judicial or Legislative Branch of government determines that the Office of the Attorney General cannot adequately defend them, either branch may direct its general counsel to separately represent and defend it after notifying the Office of the Attorney General in writing. The Attorney General, the general counsel for the state Judiciary, and the general counsel for the Legislature may bill the Department of Administrative Services for all costs and legal fees expended by their respective offices in representing the state or an employee against a claim for which the Risk Management Fund may be liable.
- SB 102 **Liquefied Petroleum Gas Board Amendments** Amends provisions of the Liquefied Petroleum Gas Board and changes responsibilities between the board and the Division of the State Fire Marshal. Fees collected by the division are to be deposited as non-lapsing dedicated credits to implement the chapter.
- SB 123 **Protective Services Amendments** Requires that security personnel used to provide security of the capitol complex be special function officers or security guards. The bill allows for the enforcement of traffic provisions under Chapter 6, Title 41 for all grounds and buildings under the jurisdiction of the Division of Facilities Construction and Management. There is a two-year transition period for implementation.

SB 163 **Small Business Advisory Council** Creates a Small Business Advisory Council to advise the governor on matters of concern to small businesses.

State Institutions

HB 8 **State Institutions Repealers** Repeals the Golden Spike Centennial Commission sections of the code that are no longer valid.

HB 214 **Prison Procedures Amendments** Amends procedures regarding the property of inmates. Hearing procedures in the Department of Corrections also amended for clarification.

State Lands

HB 273 **Trust Land Management Act** Recodifies Title 65, State Lands, and Title 24, Forestry and Fire Control. The Board and Division of State Lands and Forestry are created and their authority over state lands is established. Policies and procedures for the sale and leasing of state lands are described. The deposit and use of revenues derived from state lands and federal mineral lease monies are prescribed. Management criteria for state range and forest resources are specified.

SB 165 **Mineral Lease Road Program** Allocates federal mineral lease money to the Department of Transportation for distribution to special service districts established by counties and provides a schedule for phasing in the allocation. By fiscal year 1991-92, 25 percent of all deposits made to the Mineral Lease Account are designated for this program.

State Officers and Employees

HB 127 **State Financial Advisor** Defines the duties of a state financial advisor within the Office of the State Treasurer.

HB 205 **Community Service Workers Insurance** Provides that community service workers are employees of state and local government for purposes of receiving workers' compensation benefits.

HB 274 **Division of Personnel Amendments** Replaces the Office of Personnel Management with the Department of Human Resources. A Human Resources Advisory Committee is created composed of five nonpartisan members appointed by the governor. The director serves as a nonvoting ex officio member of the committee. The department, with the approval of the governor, can contract with any agency to perform personnel functions on its own behalf.

HB 319 **Judicial Salaries** Changes the procedures for establishing judicial salaries. One additional member appointed by the State Bar Commission is added to the Executive and Judicial Compensation Commission to participate only in studies and recommendations on judicial compensation. The commission is required to conduct a comprehensive review of judicial salary levels, update its prior report based upon the Consumer Price Index and other relevant factors, and make recommendations to the president of the Senate, the speaker of the House, and the governor, by November 1 in even numbered years. The Commission is required to consult with the Judicial Council and to consider the career status of judges.

HB 372 **Health Insurance Coverage** Requires the director of the State Personnel Division to create rules to continue health and dental benefits to the family and surviving spouse of a state employee killed in the line of duty. The benefit is intended to continue for five years or age 65 for the spouse, whichever comes first. The costs of this benefit will be included in the employing unit's budget request each year following the employee's death.

SB 24 **Peace Officer Amendments** Clarifies that a criminal history background check be performed, rather than a simple fingerprinting and file search, on all applicants before being accepted for admission to peace officer training programs. Applicants whose certification is investigated by the Division of Peace Officer Standards and Training cannot have criminal records expunged. The director of the Division of Peace Officer Standards and Training, with the concurrence of the Council on Peace Officer Standards and Training, can designate a presiding officer to represent the council in adjudicative proceedings. The bill also clarifies when any peace officer employed by a law enforcement agency of another state and functioning in that capacity within Utah is considered certified under Utah law.

SB 81 **Gubernatorial Appointments Process** Requires the governor to submit his list of nominees to the Senate and Office of Legislative Research and General Counsel.

Consumer Credit Code

HB 49 **Truth in Credit Reporting** Requires creditors to provide consumers with a notice of a negative credit report.

Veterans

HB 196 **Transfer of Responsibility for Veterans Memorial Park** Directs the Division of Parks and Recreation to establish a veterans' cemetery and memorial park.

Water and Irrigation

HB 152 **Amendments to Establishing Water Conservancy Districts** Amends requirements for the filing of a petition to establish a water conservancy district, including the required number of petitioners from cities and towns and the minimum value of a petitioner's property.

HB 162 **Water Conservancy Districts' Sales of Water** Authorizes water conservancy districts to sell water to customers outside the district, and to enter into contracts with other states or political subdivisions of other states for the purpose of joint construction, operation, or ownership of water facilities.

SB 28 **Transfer of State Water Rights** Authorizes the Board of Water Resources to transfer water rights held by the state to other political entities or nonprofit water companies.

SB 51 **Water Conservancy Act Amendments** Provides for changing the place of water conservancy district board meetings. The term of office of directors is changed from three years to four years. An additional procedure for annexing lands into a district is created.

- SB 83 **Approval of Revenue Bonds by Water Conservancy Districts** Repeals provisions which require water conservancy districts having territory in five or more counties to obtain voter approval before issuing revenue bonds.
- SB 150 **Evaluation of West Desert Pumping Project** Directs the Division of Water Resources to evaluate the first year's operation of the West Desert Pumping Project and to assess the feasibility of developing a cooperative ownership, operation, and maintenance plan for the project with public and private entities.

Uniform Probate Code

- HB 66 **Technical Amendments to Permissible Trust Investments** Makes technical amendments relating to trusts.
- HB 73 **Guardianship Procedures Under Uniform Probate Code** Provides for guardianship and conservatorship accounting requirements. The bill also establishes procedures and notice requirements for guardians and requires a guardian to render an annual accounting of all expenditures from the funds held in trust.
- HB 77 **Living Will Amendments** Relaxes some of the restrictions for witnesses for individuals creating or changing a "living will." Individuals previously excluded from being witnesses that are allowed to sign the witness form include those related by marriage or blood and medical care personnel caring for the person.
- HB 128 **Probate Code Amendments** Changes the surviving spouse's intestate share and limits the amount which children may share in the estate. This bill increases the homestead allowances and prioritizes the expenses of administration. It also increases the amount of exempt property and makes the property exemption chargeable against a share passing under a will, and clarifies notice requirements for the personal representative of the allowance or disallowance of claims.

Criminal Code

- HB 4 **Child Abuse Investigation and Reporting** Provides that if child abuse is alleged in a proceeding to determine custody of children, a final determination of custody cannot be made until it is investigated by the Department of Social Services.
- HB 30 **Repeal of Cable Television Programming Decency Act** Repeals the Cable Television Programming Decency Act. In March 1987, the U.S. Supreme Court found Utah's Cable Television Programming Decency Act to be unconstitutional.
- HB 47 **Child Sexual Abuse Amendments** Makes technical changes to child sexual abuse statutes.
- HB 146 **Aggravated Burglary Amendments** Clarifies the offense of aggravated burglary by replacing the word "physical" injury with "bodily" injury.
- HB 147 **Threatening a Witness Amendments** Amends the offense of threatening a witness or informant. A person is guilty of a third degree felony if he communicates a threat to do bodily injury to a person because of any act performed

or to be performed as a witness or informant in an official proceeding or investigation.

- HB 150 **Criminal Threat Amendments** Changes reference in criminal law for a "terroristic threat" to a "threat against life or property".
- HB 158 **Abuse or Neglect of a Disabled Child** Provides criminal penalty for abuse or neglect of a child who is disabled.
- HB 177 **Sexual Offenses Against Children** Provides that over-the-clothing touching is sufficient to constitute the relevant element of a child sexual abuse offense.
- HB 238 **Definitions Relating to Prostitution** Changes the definition of sexual activity in the offense of prostitution.
- HB 267 **Information Regarding Contraceptives** Clarifies the definition of contraceptive services. It also clarifies that parental consent must be obtained before a student can receive instruction on certain topics, including contraceptives, and requires that disciplinary action be taken if instruction is provided without consent.
- SB 7 **Abuse or Desecration of Corpse - Amendments** Amends provisions of the law regarding abuse or desecration of a dead body to include dismemberment and sexual offenses. Certain persons acting under statutory authority are exempt from the provisions of this act. The penalty is increased to a third degree felony. Failure to report the finding of a human body is a class A misdemeanor.
- SB 135 **Private Jail Services** Authorizes and sets standards for contracting with private firms for operating city and county correctional facilities.

Code of Criminal Procedure

- HB 71 **Transfer of Cases Between Counties** Allows a defendant arrested for a misdemeanor for which a voluntary forfeiture of bail may be entered and who is arrested in a county other than where the offense was committed, to waive trial and dispose of the case in the county in which he is arrested. It requires that forfeited bail be returned to the jurisdiction that issued the warrant.
- HB 79 **Bail Amendments** Establishes guidelines for the release of a person sentenced to incarceration during an appeal of the sentence. If the court releases a defendant, the conditions of release must be the least restrictive conditions that will reasonably assure the appearance of the person as required and the safety of any other person and the community.
- HB 87 **Identification of Missing Children** Requires parents to provide a birth certificate when registering their children in public school. Any time children are reported as missing to the Bureau of Criminal Identification, that bureau is required to inform the Bureau of Vital Statistics and the child's last-known school so that the birth certificate or school record can be flagged. Any time a third party requests a flagged record, the bill requires law enforcement officers to investigate.
- HB 142 **Board of Pardons Notification** Permits a victim, or family member of a deceased victim, to participate in the offender's parole or revocation hearings held by the Board of Pardons. The Board of Pardons is required to give timely notice of

the hearing to the victim and to develop rules to ensure that the victim has an adequate opportunity to participate.

- HB 213 **Criminal Execution Amendments** Amends the procedures for an execution of a sentence of death. When the judgment of death is imposed, the person may select either a firing squad or a lethal intravenous injection as the method of execution. If the defendant does not indicate a preference at that time to the court, the judgment of death shall be executed by lethal intravenous injection. The Department of Corrections shall determine the hour within the appointed day that the execution will take place. The sheriff is required to deliver the warrant and a certified copy of the judgment to the executive director of the Department of Corrections or his designee at the time of delivering the defendant to the custody of the Department of Corrections. The date the judgment is to be executed may not be fewer than 30 days nor more than 60 days from the date of issuance of the warrant. Certain staff and correctional officials are allowed to attend the execution.
- SB 105 **Board of Pardons Procedures** Requires the Board of Pardons to appoint one or more alienists to examine an offender within six months prior to a hearing at which an original parole date is granted on certain offenses.
- SB 232 **Communications Interceptions** Provides that a person who, with intent to hinder the discovery of a crime, notifies another person that a law enforcement officer is authorized to intercept a communication, is guilty of a third degree felony. Definitions and other provisions are amended to conform to federal law. Procedures are provided for a law enforcement entity to obtain access to electronic information communications.

Judicial Code

- HB 2 **Limitation of Therapists' Liability** Limits the liability of specified professionals, based on their duty to warn others of violent behavior of their clients, and specifies the actions a therapist must take in order to obtain that immunity.
- HB 10 **Juvenile Court Amendments** Revises the "purpose" section of the Juvenile Court chapter to describe the scope of the court functions and duties. The changes reflect the current practices and philosophy of the juvenile court.
- HB 13 **Attorney Fees - Frivolous Law Suits** Requires that the court award attorney fees to the prevailing party where the suit was not brought in good faith. The exception to this requirement is where the guilty party has filed an affidavit indicating his financial inability to pursue the case or where the court enters in the record the reason for not awarding the fees.
- HB 15 **Trial by Jury in Paternity Actions** Provides that either party in a paternity action may demand a jury trial to determine paternity. The standard of proof is "by a preponderance of the evidence."
- HB 64 **Recording of Court Proceedings** Permits the Judicial Council by rule to provide for the means of maintaining the record of proceedings in the district courts by certified shorthand reporters. The Public Service Commission and the Industrial Commission are given the option of using electronic means to record testimony and hearings rather than being limited only to the use of a certified shorthand reporter.

- HB 106 **Termination of Parental Rights** Provides that a child may be adopted without the consent of the noncustodial parent who is not under a duty of support.
- HB 209 **Court Boundaries Amendments** Amends the boundaries of the court systems of the state. The trial courts of record in the state are divided into eight geographical divisions. The number of district, circuit, and juvenile court judges in each geographical division are specified. The nominating commissions for the district courts, the juvenile courts, and the circuit courts are consolidated and the terms of the existing nominating commissions are vacated as of the effective date of the act.
- HB 250 **Juvenile Court Fee Amendments** Authorizes the Juvenile Court to impose fees for court service and filings.
- HB 338 **Extended Statute of Limitations** Changes certain statutes of limitations regarding asbestos claims. No statute of limitations may bar an action by the state or other governmental entity to recover damages from any manufacturer of any construction materials containing asbestos. The bill acts retrospectively to permit these actions and prospectively until July 1, 1991 or until three years after the person bringing the action discovers or could have discovered the injury or damages. Asbestos is also defined in the bill.
- SB 38 **Statute of Limitations for Surveyors** Provides that surveying is an improvement to real property and is included under the seven year statute of limitations for improvements to real property.
- SB 40 **Juveniles in Custody - Procedures** Permits the Juvenile Court to take photographs and fingerprints of juveniles 14 years of age and older for certain alleged offenses without the permission of the court.
- SB 97 **Small Claims Court Amendments** Clarifies the jurisdiction provisions in the law relating to small claims courts. A fee of \$35 is established for a trial de novo in the circuit court.
- SB 146 **District Court Act** Creates the State District Court Administrative System. Existing county district courts may join the state system. District court support staff and clerical personnel in primary locations of the court system become state employees effective January 1, 1989. The bill modifies the functions of court personnel, fee schedules, court expenses, and the allocation and disposition of fines.
- SB 224 **Judiciary Provisions Update** Amends certain code provisions related to judges and the courts to conform to practice and to certain constitutional changes.

Appropriations

- HB 327 **Appropriations Act** This bill appropriates funds for FY 1989.
- HB 329 **Supplemental Appropriations Act** This bill appropriates funds for FY 1989.
- SB 12 **Utah Heritage Tree Foundation** Appropriates \$1000 to the Heritage Trees Advisory Committee for certain expenses, and provides an effective date.
- SB 25 **Fine Arts Facilities Appropriation** Appropriates \$335,000 to the Division of Community Development for the Fine Arts Facilities Fund.

SB 216 **Supplemental Appropriations Act for Fiscal Year 87-88** This bill appropriates or reduces funds previously appropriated for FY 1988.

Revisor's Statute

HB 124 **Revisor's Statute** Makes technical corrections to the code.

BILLS VETOED BY THE GOVERNOR

- HB 165 **Truth in State Budgeting** Requires the governor's budget to be based on current fiscal year tax laws and rates. It also requires state agencies to deliver a copy of its proposed budget recommendations to the Legislative Fiscal Analyst by a certain date.
- HB 220 **AIDS Testing and Reporting for Protection of Emergency Medical Services Providers** Requires that persons be tested for the AIDS virus when an emergency medical services provider, which is defined to include law enforcement officials, reports a significant exposure to his blood. If the person refuses his consent to the test, a court may order him to submit. The results of the test are to be reported to the emergency medical services provider, and, if positive, to the Department of Health. There are also provisions requiring that the test results be confidential, except that they are available to insurance companies if the person tested has signed a medical release.
- HB 306 **Recovery Services Amendments** Provides that the Office of Recovery Services is exempt from the requirements of the Utah Administrative Procedures Act for one year. The bill also establishes procedures that the office must follow to collect the costs of collecting child support from obligors.
- HB 326 **General Government Amendment** Requires legislative approval of transactions of over \$1,000,000 involving real property.
- SB 113 **Confidentiality of Communicable Disease Information** Provides that medical information relating to a person who has a communicable disease shall be kept confidential except under certain stipulated circumstances when the information may be released. Further, the bill requires the Department of Health to require reporting AIDS (now done by rule) and HIV (not presently required), and use contact tracing and other methods for detecting, preventing, and controlling the disease. The provisions of the bill do not apply to persons who are or have been in the custody of the Department of Corrections, information relating to an individual who negligently, willfully, or maliciously transmits a disease, or to information in a judicial proceeding when the individual places his physical condition at issue.
- SB 151 **Income Tax - Nonresident Withholding** Changes the method of apportioning the income of nonresident transportation employees and sales-persons for withholding purposes.
- SB 240 **Corporate Accounting Terminology Amendments** Updates corporate accounting terminology.

Summarized from the Digest of Legislation as Enacted by the 47th Legislature in the 1988 General Session as prepared by the Office of Legislative Research and General Counsel