

MINUTES
JOINT FINANCE-APPROPRIATIONS COMMITTEE

DATE: Wednesday, March 01, 2023
TIME: 8:00 A.M.
PLACE: Room C310
MEMBERS PRESENT: Senators Co-Chairman Grow, Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, Just
Representatives Co-Chairman Horman, Miller, Bundy, Raybould, Furniss, Handy, Lambert, Petzke, Tanner, Nash
ABSENT/EXCUSED: Senator Co-Chairman Grow

Co-Chairman Horman called the meeting to order at 8:00 a.m.

Ms. Jill Randolph, Principal Analyst, LSO Budget & Policy Analysis, explained the technical correction for the Child Welfare budget. This section of language was inadvertently omitted during the budget appropriation.

UNANIMOUS CONSENT REQUEST: **Sen. Cook** requested and it was granted by unanimous consent, the FY 2024 budget for the Department of Health and Welfare, Division of Child Welfare was reopened.

UNANIMOUS CONSENT REQUEST: **Sen. Cook** requested and it was granted by unanimous consent, to add the following language to the budget:

LANGUAGE: SECTION __. EDUCATIONAL NEEDS. The Department of Health and Welfare shall be responsible for the educational needs of school-age children placed in its custody by the courts for either child protective issues or mental health issues. If the department places a child in a licensed residential treatment facility that includes a nonpublic accredited school and it is determined by the department that it is in the best interests of the child to be educated at the residential treatment facility, then it is the responsibility of the department to pay for such education per student, per educational day. Other Idaho state agencies shall not be precluded from exercising their responsibility to ensure a free and appropriate education for these students within the requirements of federal disability law. The fiscal impact of this section is included within existing department base appropriations.

SECTION __. CHILD ABUSE PROTECTION TREATMENT ACT FUNDS. Of the amount appropriated in Section 1 of this act from the Cooperative Welfare (Federal) Fund, a minimum of \$42,000 of federal Child Abuse Protection Treatment (CAPTA) funds appropriated to the Department of Health and Welfare shall be provided to the Public Health Districts each year. Funds for each public health district shall be distributed at one-seventh (1/7) of the total amount, which shall be used for the Citizen Review Panels pursuant to Section 16-1647, Idaho Code.

Ms. Alex Williamson, Analyst, LSO Budget & Policy Analysis, explained the technical correction for the State Lottery budget. This section of language was inadvertently added during the budget appropriation. The State Lottery is audited by **Eide Bailey**, not LSO auditors.

UNANIMOUS CONSENT REQUEST: **Rep. Bundy** requested and it was granted by unanimous consent, the FY 2024 budget for the State Lottery was reopened.

UNANIMOUS CONSENT REQUEST: **Rep. Bundy** requested and it was granted by unanimous consent, to remove the following language from the budget:

LANGUAGE: SECTION __. ACCOUNTABILITY REPORTS. Funds specifically identified in statute or in an appropriation act as intended for a certain purpose may be used only for that purpose. All funds provided in this act shall be subject to accountability reports and management reviews in accordance with Section 67-702, Idaho Code.

Mr. Tim Hibbard, Analyst, LSO Budget & Policy Analysis, presented the FY 2024 appropriation for Court Operations in the Judicial Branch.

MOTION: **Rep. Raybould** made a motion, seconded by **Sen. Bjerke**, for the Judicial Branch Court Operations Division, beginning with the FY 2024 Base, to include the following items as part of the JFAC-adjusted budget: \$527,400 for benefit costs, \$181,800 for annualizations, \$800 for statewide cost allocation, and \$730,800 for change in employee compensation (CEC). Also included are the following line items: line item 2, which provides \$990,000 for Court Technology Support; line item 3, which provides \$526,200 for a Court Technology Personnel Transfer of 3.00 FTP from the Court Technology Fund to the General Fund; line item 4, which provides \$816,900 for County Courtroom Improvements; line item 5, which provides \$340,700 for Jury Selection System for Counties; line item 6, which provides \$192,900 for Court Reporter Support Resources; and line item 8, which provides 2.00 FTP and \$390,800 for Opioid Settlement Fund Recommendations.

This motion for the Court Operations Division for FY 2024 includes \$58,674,400 from the General Fund, \$25,912,400 from dedicated funds, and \$1,961,400 from federal funds, for a total of \$86,548,200.

Rep. Raybould explained the budget for Court Operations includes the budget for the statewide court system. She noted the courts already have statutory authority for a pre-plea intervention pilot program and to establish a low-risk, high-need treatment court.

ROLL CALL VOTE ON MOTION: **Motion carried by a total vote of 16 AYES, 0 NAYS, 4 ABSENT/EXCUSED. Senators voting in favor of the motion: Bjerke, Burtenshaw, Lent, Cook, VanOrden, Herndon, Ward-Engelking, Just. Senators voting in opposition to the motion: None. Senators absent/excused: Grow, Adams. Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Petzke, Handy, Nash. Representatives voting in opposition to the motion: None. Representatives absent/excused: Lambert, Tanner.**

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Co-Chairman Horman**.

Mr. Hibbard explained the sections of language associated with this budget.

UNANIMOUS CONSENT REQUEST: **Rep. Raybould** requested and it was granted by unanimous consent, to accept the following language:

LANGUAGE: SECTION __. EXEMPTIONS FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS. For fiscal year 2024, the Judicial Branch is hereby exempted from the provisions of Section 67-3511 (1), (2), and (3), Idaho Code, allowing unlimited transfers between object codes and between programs, for all moneys appropriated to it for the period July 1, 2023, through June 30, 2024. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

SECTION __. RETIREMENT CONTRIBUTIONS. Of the amount appropriated in Section I of this act from the General Fund for the state's share of retirement contribution remittances to the Judges' Retirement Fund for justices' and judges' retirement benefits pursuant to Section 1-2004(2), Idaho Code, those amounts that are uncommitted shall be transferred monthly into operating expenditures and then paid by the Supreme Court into the Judges' Retirement Fund.

UNANIMOUS CONSENT REQUEST: **Rep. Raybould** requested and it was granted by unanimous consent, to accept the following language:

LANGUAGE: SECTION __. REAPPROPRIATION AUTHORITY. There is hereby reappropriated to the Judicial Branch any unexpended and unencumbered balances appropriated to the Judicial Branch from the American Rescue Plan Act (ARPA) State Fiscal Recovery Fund for fiscal year 2023, in an amount not to exceed \$19,990,500 from the American Rescue Plan Act (ARPA) State Fiscal Recovery Fund, to be used for nonrecurring expenditures for the period July 1, 2023, through June 30, 2024. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

Mr. Hibbard presented the FY 2024 appropriation for the Guardian Ad Litem Program in the Judicial Branch.

MOTION: **Rep. Handy** made a motion, seconded by **Sen. Bjerke**, for the Guardian Ad Litem Program, beginning with the FY 2024 Base, to include line item 7, which provides \$601,900 for Guardian Ad Litem Pass-through Funds. This motion for the Guardian Ad Litem, for FY 2024, includes \$2,695,300 from the General Fund.

ROLL CALL VOTE ON MOTION: **Motion carried by a total vote of 16 AYES, 0 NAYS, 4 ABSENT/EXCUSED. Senators voting in favor of the motion: Bjerke, Burtenshaw, Lent, Cook, VanOrden, Herndon, Ward-Engelking, Just. Senators voting in opposition to the motion: None. Senators absent/excused: Grow, Adams. Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Petzke, Handy, Nash. Representatives voting in opposition to the motion: None. Representatives absent/excused: Lambert, Tanner.**

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Co-Chairman Horman**.

Mr. Hibbard presented the FY 2024 appropriation for the Judicial Council in the Judicial Branch.

MOTION: **Rep. Raybould** made a motion, seconded by **Sen. Bjerke**, for the Judicial Council, for FY 2024, \$130,800 from the General Fund.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 16 AYES, 0 NAYS, 4 ABSENT/EXCUSED. Senators voting in favor of the motion: Bjerke, Burtenshaw, Lent, Cook, VanOrden, Herndon, Ward-Engelking, Just. Senators voting in opposition to the motion: None. Senators absent/excused: Grow, Adams. Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Petzke, Handy, Nash. Representatives voting in opposition to the motion: None. Representatives absent/excused: Lambert, Tanner.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Co-Chairman Horman**.

Co-Chairman Horman put the committee at ease at 8:15 a.m.

Co-Chairman Horman resumed the meeting at 8:17 a.m.

Mr. Hibbard presented the FY 2024 appropriation for the Office of the Attorney General (OAG).

MOTION:

Rep. Nash made a motion, seconded by **Sen. Bjerke**, for the Attorney General, beginning with the FY 2024 Base, to include the following items as part of the JFAC-adjusted budget: \$187,700 for benefit costs, \$7,700 for annualizations, \$682,400 for change in employee compensation, reduce \$3,600 for statewide cost allocation, and include \$211,000 for replacement items. Also included are the following line items: line item 1, which provides \$48,000 for a Legal Internship Program; line item 2, which provides 1.00 FTP and \$98,700 for a Victim Witness Coordinator; line item 3, which provides \$75,000 for National Child I.D. Program Enrollment; line item 4, which provides 4.00 FTP and \$642,600 for ICAC Investigators, Analysts and Vehicles; and line item 5, which provides \$1,932,500 for additional CEC for OAG Staff.

This motion for the Attorney General, for FY 2024, includes \$31,664,500 from the General Fund, \$1,149,000 from dedicated funds, and \$1,550,100 from federal funds, for a total of \$34,363,600, and caps full-time equivalent positions at 231.00.

Rep. Nash stated line item five includes additional Change in Employee Compensation (CEC) for all staff, for a total increase of 11%.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 17 AYES, 0 NAYS, 3 ABSENT/EXCUSED. Senators voting in favor of the motion: Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, Just. Senators voting in opposition to the motion: None. Senators absent/excused: Grow. Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Petzke, Handy, Nash. Representatives voting in opposition to the motion: None. Representatives absent/excused: Lambert, Tanner.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Co-Chairman Horman**.

Mr. Hibbard explained the language associated with this budget.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Nash requested and it was granted by unanimous consent, to accept the following language:

LANGUAGE: SECTION . EXEMPTIONS FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS. For fiscal year 2024, the Attorney General is hereby exempted from the provisions of Section 67-3511 (1), (2), and (3), Idaho Code, allowing unlimited transfers between object codes and between programs, for all moneys appropriated to it for the period July 1, 2023, through June 30, 2024. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

UNANIMOUS CONSENT REQUEST: **Rep. Nash** requested and it was granted by unanimous consent, to accept the following language:

LANGUAGE: SECTION X. ACCOUNTABILITY REPORTS. Funds specifically identified in statute or in an appropriation act as intended for a certain purpose may be used only for that purpose. All funds provided in this act shall be subject to accountability reports and management reviews in accordance with Section 67-702, Idaho Code.

Mr. Hibbard presented a FY 2023 supplemental appropriation for the State Appellate Public Defender for increased ITS storage capacity. Mr. Hibbard explained the request for twenty solid-state hard drives.

UNANIMOUS CONSENT REQUEST: **Sen. Herndon** requested and it was granted by unanimous consent, the FY 2023 budget for the State Appellate Public Defender was reopened.

MOTION: **Sen. Herndon** made a motion, seconded by **Sen. Cook**, for FY 2023, for the State Appellate Public Defender, an additional \$67,500 onetime from the General Fund to purchase additional electronic records storage capacity.

ROLL CALL VOTE ON MOTION: **Motion carried by a total vote of 17 AYES, 0 NAYS, 3 ABSENT/EXCUSED. Senators voting in favor of the motion: Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, Just. Senators voting in opposition to the motion: None. Senators absent/excused: Grow. Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Petzke, Handy, Nash. Representatives voting in opposition to the motion: None. Representatives absent/excused: Lambert, Tanner.**

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Co-Chairman Horman**.

Mr. Hibbard presented the FY 2024 appropriation for the State Appellate Public Defender. Line item one requests one FTP and \$130,000 in General Funds to hire a new attorney to avoid paying outside counsel costs.

MOTION: **Rep. Nash** made a motion, seconded by **Sen. Bjerke**, for the State Appellate Public Defender, beginning with the FY 2024 Base, to include the following items as part of the JFAC-adjusted budget: \$16,200 for benefit costs, \$9,500 for statewide cost allocation, \$75,800 for change in employee compensation, and \$22,600 for Human Resources consolidation. Include \$5,100 for inflationary adjustments and \$10,200 for replacement items. Also included are the following line items: line item 1, which provides 1.00 FTP and \$130,000 for a Capital Litigation Attorney; line item 2, which provides \$94,400 for salary and benefits increases for deputy state appellate public defenders; and line item 3, which provides \$200,800 for additional CEC for all employees.

This motion for the State Appellate Public Defender for FY 2024 includes \$4,038,900 from the General Fund and caps full-time equivalent positions at 26.00.

Rep. Nash spoke to his motion and explained the statutory requirement for salary parity between the Attorney General and Public Defender divisions.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 18 AYES, 0 NAYS, 2 ABSENT/EXCUSED. Senators voting in favor of the motion: Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, Just. Senators voting in opposition to the motion: None. Senators absent/excused: Grow. Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Tanner, Petzke, Handy, Nash. Representatives voting in opposition to the motion: None. Representatives absent/excused: Lambert.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Co-Chairman Horman**.

Mr. Hibbard explained the next section of language necessary to make corrections to the budget.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Nash requested and it was granted by unanimous consent, to accept the following language:

LANGUAGE:

SECTION __. That Section 3, Chapter 126, Laws of 2022, be, and the same is hereby repealed.

SECTION __. That Section 4, Chapter 126, Laws of 2022, be, and the same is hereby repealed.

Sections 3 and 4, Chapter 126, Laws of 2022:

SECTION 3. OUTSIDE COUNSEL COSTS. Notwithstanding any other provision of law to the contrary, of the amount appropriated in Section 1 of this act for the Capital and Conflict Representation Program, \$165,900 from the General Fund, or so much thereof as is necessary, shall be used solely to pay outside counsel for noncapital appeals in which a concurrent conflict of interest is identified and only to the extent such costs are exclusive of, and can be identified and accounted for separately and distinctly from, capital representation costs. Any remaining unexpended and unencumbered amounts not so used shall revert to the General Fund.

SECTION 4. CAPITAL REPRESENTATION COSTS. Notwithstanding any other provision of law to the contrary, of the amount appropriated in Section 1 of this act for the Capital and Conflict Representation Program, \$94,900 from the General Fund, or so much thereof as is necessary, shall be used solely for costs directly related to the provision of representation in capital cases and only to the extent such costs are exclusive of, and can be identified and accounted for separately and distinctly from, outside counsel costs of noncapital appeals. Any remaining unexpended and unencumbered amounts not so used shall revert to the General Fund.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Nash requested and it was granted by unanimous consent, to accept the following language:

LANGUAGE:

SECTION X. ACCOUNTABILITY REPORTS. Funds specifically identified in statute or in an appropriation act as intended for a certain purpose may be used only for that purpose. All funds provided in this act shall be subject to accountability reports and management reviews in accordance with Section 67-702, Idaho Code.

Mr. Hibbard presented the FY 2024 appropriation for the Public Defense Commission.

MOTION: **Rep. Nash** made a motion, seconded by **Sen. Bjerke**, for the Public Defense Commission, beginning with the FY 2024 Base, to include the following items as part of the JFAC-adjusted budget: \$4,000 for benefit costs, \$8,900 for statewide cost allocation, \$21,200 for change in employee compensation, and \$7,600 for Human Resources consolidation. Also included is line item 1, which provides \$339,600 for Indigent Defense Financial Assistance.

This motion for the Public Defense Commission for FY 2024 includes \$12,060,700 from the General Fund and caps full-time equivalent positions at 7.00.

ROLL CALL VOTE ON MOTION: **Motion carried by a total vote of 18 AYES, 0 NAYS, 2 ABSENT/EXCUSED. Senators voting in favor of the motion: Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, Just. Senators voting in opposition to the motion: None. Senators absent/excused: Grow. Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Tanner, Petzke, Handy, Nash. Representatives voting in opposition to the motion: None. Representatives absent/excused: Lambert.**

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Co-Chairman Horman**.

Mr. Hibbard explained the language associated with this budget.

UNANIMOUS CONSENT REQUEST: **Rep. Nash** requested and it was granted by unanimous consent, to accept the following language:

LANGUAGE: SECTION X. ACCOUNTABILITY REPORTS. Funds specifically identified in statute or in an appropriation act as intended for a certain purpose may be used only for that purpose. All funds provided in this act shall be subject to accountability reports and management reviews in accordance with Section 67-702, Idaho Code.

Mr. Matt Farina, Analyst, LSO Budget & Policy, presented the FY 2024 appropriation for the Department of Commerce.

MOTION: **Rep. Furniss** made a motion, seconded by **Sen. Cook**, for the Department of Commerce, beginning with the FY 2024 Base, to include the following items as part of the JFAC-adjusted budget: \$28,500 for benefit costs, a reduction of \$26,600 for statewide cost allocation, \$133,400 for change in employee compensation, \$46,800 for Human Resources consolidation, and \$6,000 for replacement items. Also included are the following line items: line item 1, which provides \$5,225,800 for state marketing and promotion; line item 2, which provides \$190,000 for additional operating expenditures; line item 47, which provides 2.00 FTP and \$100,000,000 for broadband infrastructure; and line item 51, which provides 2.00 FTP and \$300,000 for personnel to manage broadband grants.

This motion for the Department of Commerce for FY 2024 includes \$6,669,000 from the General Fund, \$31,276,900 from dedicated funds, and \$166,601,000 from federal funds, for a total of \$204,546,900, and caps full-time equivalent positions at 48.00.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 19 AYES, 0 NAYS, 1 ABSENT/EXCUSED. Senators voting in favor of the motion: Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, Just. Senators voting in opposition to the motion: None. Senators absent/excused: Grow. Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, Nash. Representatives voting in opposition to the motion: None.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Co-Chairman Horman**.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Furniss requested and it was granted by unanimous consent, to accept the following language:

LANGUAGE:

SECTION_. REAPPROPRIATION AUTHORITY. There is hereby reappropriated to the Department of Commerce any unexpended and unencumbered balances appropriated or reappropriated to the Department of Commerce from the Idaho Broadband Fund for fiscal year 2023, not to exceed \$15,000,000, to be used for nonrecurring expenditures for broadband infrastructure for the period July 1, 2023, through June 30, 2024. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

SECTION_. REAPPROPRIATION AUTHORITY. There is hereby reappropriated to the Department of Commerce any unexpended and unencumbered balances appropriated or reappropriated to the Department of Commerce from the ARPA Capital Projects Fund for fiscal year 2023, not to exceed \$124,100,000, to be used for nonrecurring expenditures for broadband infrastructure for the period July 1, 2023, through June 30, 2024. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

SECTION_. REAPPROPRIATION AUTHORITY. There is hereby reappropriated to the Department of Commerce any unexpended and unencumbered balances appropriated or reappropriated to the Department of Commerce from the Federal Grant Fund for fiscal year 2023, not to exceed \$50,000,000, to be used for nonrecurring expenditures for broadband infrastructure for the period July 1, 2023, through June 30, 2024. The Office of the State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Furniss requested and it was granted by unanimous consent, to accept the following language:

LANGUAGE:

SECTION_. BROADBAND GRANTS. Notwithstanding any law to the contrary, all moneys appropriated from the American Rescue Plan Act Capital Projects Fund and Federal Grant Fund to the Department of Commerce for the purpose of broadband grants shall be allocated at the direction of the Idaho Broadband Advisory Board.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Furniss requested and it was granted by unanimous consent, to accept the following language:

LANGUAGE: SECTION __. ACCOUNTABILITY REPORTS. Funds specifically identified in statute or in an appropriation act as intended for a certain purpose may be used only for that purpose. All funds provided in this act shall be subject to accountability reports and management reviews in accordance with Section 67-702, Idaho Code.

Mr. Farina presented the FY 2024 appropriation for the Department of Labor. He explained one item will be taken up later in the meeting with a supplemental appropriation request.

MOTION: **Rep. Petzke** made a motion, seconded by **Sen. Bjerke**, for the Department of Labor, beginning with the FY 2024 Base, to include the following items as part of the JFAC-adjusted budget: \$488,700 for benefit costs, \$148,500 for statewide cost allocation, \$2,145,700 for change in employee compensation, and a reduction of 5.00 FTP and \$55,500 for Human Resources consolidation. Include the following line items: line item 1, which provides \$4,047,900 for unemployment insurance administration.

This motion for the Department of Labor for FY 2024 includes \$595,000 from the General Fund, \$21,929,700 from dedicated funds, and \$85,091,000 from federal funds, for a total of \$107,615,700, and caps full-time equivalent positions at 702.58.

ROLL CALL VOTE ON MOTION: **Motion carried by a total vote of 19 AYES, 0 NAYS, 1 ABSENT/EXCUSED. Senators voting in favor of the motion: Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, Just. Senators voting in opposition to the motion: None. Senators absent/excused: Grow. Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, Nash. Representatives voting in opposition to the motion: None.**

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Co-Chairman Horman**.

Mr. Farina explained the sections of language associated with this budget.

UNANIMOUS CONSENT REQUEST: **Rep. Petzke** requested and it was granted by unanimous consent, to accept the following language:

LANGUAGE: The Department is requesting \$4,047,900 from the Special Administration Fund. During the pandemic, the Department received an allotment of funds through the Emergency Unemployment Insurance Stabilization and Access Fund (EUISAA) to fund Unemployment Insurance Program administration costs. These funds were authorized through Section 903 of the Social Security Act and are held in the state's Unemployment Insurance Trust Fund. Pursuant to 72-1346(4), Idaho Code, these funds may be used for the payment of Unemployment Insurance administration expenses "pursuant to a specific appropriation" in the special Administration Fund. The US Department of Labor has not historically fully funded the Unemployment Insurance Program. As pandemic program funding sources end over the next 6-12 months, the Department estimates additional funding will be necessary to effectively run the Unemployment Insurance Program sometime during SFY 24 or SFY 25, depending on funding levels, and would like to use the reserve funds to make up the funding gap.

Mr. Farina explained the next section of language necessary to make corrections to the budget.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Petzke requested and it was granted by unanimous consent, to accept the following language:

SECTION __. There is hereby appropriated from the funds made available to the Department of Labor of the State of Idaho, pursuant to Section 903 of the Federal Social Security Act, as amended, \$4,047,900 for the payment of expenses incurred for the administration of the Unemployment Insurance and Employment Services Program. This appropriation is authorized and subject to the limitations of Section 72-1346, Idaho Code. This appropriation is for the period July 1, 2023, through June 30, 2024.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Petzke requested and it was granted by unanimous consent, to accept the following language:

SECTION __. CASH BALANCE CORRECTION. Pursuant to Section 67-3604, Idaho Code, authority is hereby given to the State Controller to correct the stated cash balance in the STARS system for the Unemployment Trust Fund Account within the Employment Security Fund, by making the necessary accounting adjusting entries to increase the balance by the amount of \$4,468,402.51 to align with the actual cash balance in the Unemployment Trust Fund Account.

Mr. Farina presented a FY 2023 supplemental appropriation request for the Department of Labor for the Luma budget alignment. Previously, the agency was authorized unlimited program transfers during Luma development, pending the launch date. Luma will not go live during FY 2023. This onetime request would enable the agency to spend the funds of the correct program for FY 2023.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Petzke requested and it was granted by unanimous consent, the FY 2023 budget for the Department of Labor was reopened.

MOTION:

Rep. Petzke made a motion, seconded by **Sen. Bjerke**, for FY 2023, for the Department of Labor, in the Determinations Program, the addition of \$115,000 from the General Fund and \$6,200,000 from the Federal Grant Fund, for a total increase of \$6,315,000.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 19 AYES, 0 NAYS, 1 ABSENT/EXCUSED. Senators voting in favor of the motion: Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, Just. Senators voting in opposition to the motion: None. Senators absent/excused: Grow. Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, Nash. Representatives voting in opposition to the motion: None.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Co-Chairman Horman**.

MOTION:

Rep. Petzke made a motion, seconded by **Sen. Bjerke**, for FY 2023, for the Department of Labor, in the Administrative Services Program, a reduction of \$115,000 from the General Fund and \$6,200,000 from the Federal Grant Fund, for a total reduction of \$6,315,000.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 19 AYES, 0 NAYS, 1 ABSENT/EXCUSED. Senators voting in favor of the motion: Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, Just. Senators voting in opposition to the motion: None. Senators absent/excused: Grow. Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, Nash. Representatives voting in opposition to the motion: None.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Co-Chairman Horman**.

Mr. Farina presented the FY 2024 appropriation for the Office of Information Technology Services.

MOTION:

Sen. Cook made a motion, seconded by **Rep. Raybould**, for the Office of the Governor, in the Office of Information Technology Services, beginning with the FY 2024 Base, to include the following items as part of the JFAC-adjusted budget: \$97,000 for benefit costs, \$129,200 for statewide cost allocation, \$421,500 for change in employee compensation, and a reduction of 2.00 FTP and \$40,100 for Human Resources consolidation. Include \$69,100 for replacement items and \$275,900 for annualizations. Also included are the following line items: line item 1, which provides \$610,000 for licensing and software; line item 2, which provides \$1,228,000 for statewide IT security; line item 3, which provides \$900,000 for datacenter expansion; line item 4, which provides \$20,000 for vehicle leases; and line item 71, which provides 33.00 FTP, \$4,528,800, and a net-zero shift of 6.00 FTP from the General Fund to dedicated funds for FY 2024 IT Consolidation.

This motion for the Office of the Governor, in the Office of Information Technology Services, for FY 2024, includes \$2,359,600 from the General Fund and \$22,994,200 from dedicated funds, for a total of \$25,353,800, and caps full-time equivalent positions at 176.00.

Co-Chairman Horman put the committee at ease at 8:56 a.m.

Co-Chairman Horman resumed the meeting at 8:57 a.m.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 19 AYES, 0 NAYS, 1 ABSENT/EXCUSED. Senators voting in favor of the motion: Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, Just. Senators voting in opposition to the motion: None. Senators absent/excused: Grow. Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, Nash. Representatives voting in opposition to the motion: None.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Co-Chairman Horman**.

Mr. Farina explained the language associated with this budget.

**UNANIMOUS
CONSENT
REQUEST:**

Sen. Cook requested and it was granted by unanimous consent, to accept the following language:

LANGUAGE: SECTION __. ACCOUNTABILITY REPORTS. Funds specifically identified in statute or in an appropriation act as intended for a certain purpose may be used only for that purpose. All funds provided in this act shall be subject to accountability reports and management reviews in accordance with Section 67-702, Idaho Code.

Mr. Farina presented the FY 2024 appropriation for the Division of Vocational Rehabilitation in the State Board of Education.

MOTION: **Sen. Cook** made a motion, seconded by **Rep. Bundy**, for the Division of Vocational Rehabilitation, beginning with the FY 2024 Base, to include JFAC-adjusted budget items: \$123,600 for benefit costs, \$94,800 for statewide cost allocation, \$448,800 for change in employee compensation, and a reduction of 2.00 FTP and \$60,700 for Human Resources consolidation. Include \$2,500 for inflationary adjustments and \$23,800 for replacement items. Also included are the following line items: line item 2, which provides \$31,900 for federal match requirements and line item 3, which provides \$18,700 for contract interpreter services.

This motion for the Division of Vocational Rehabilitation in the State Board of Education for FY 2024 includes \$5,172,200 from the General Fund, \$2,136,500 from dedicated funds, and \$19,233,100 from federal funds, for a grand total of \$26,541,800, and caps full-time equivalent positions at 146.00.

Sen. Cook spoke further to his motion. The agency can use vacant positions and salary savings to pay for additional staff.

ROLL CALL VOTE ON MOTION: **Motion carried by a total vote of 19 AYES, 0 NAYS, 1 ABSENT/EXCUSED. Senators voting in favor of the motion: Bjerke, Burtenshaw, Lent, Cook, VanOrden, Adams, Herndon, Ward-Engelking, Just. Senators voting in opposition to the motion: None. Senators absent/excused: Grow. Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Lambert, Tanner, Petzke, Handy, Nash. Representatives voting in opposition to the motion: None.**

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Co-Chairman Horman**.

Mr. Farina explained the language associated with this budget.

UNANIMOUS CONSENT REQUEST: **Sen. Cook** requested and it was granted by unanimous consent, to accept the following language:

LANGUAGE: SECTION __. ACCOUNTABILITY REPORTS. Funds specifically identified in statute or in an appropriation act as intended for a certain purpose may be used only for that purpose. All funds provided in this act shall be subject to accountability reports and management reviews in accordance with Section 67-702, Idaho Code.

Mr. Farina presented the FY 2023 supplemental appropriation for Transportation Services in the Idaho Transportation Department.

UNANIMOUS CONSENT REQUEST: **Rep. Handy** requested and it was granted by unanimous consent, the FY 2023 budget for Idaho Transportation Department was reopened.

MOTION: **Rep. Handy** made a motion, seconded by **Sen. Burtenshaw**, for FY 2023, for the Idaho Transportation Department, in the Aeronautics Program, an additional \$50,000 ongoing in operating expenditures from the State Aeronautics (Dedicated) Fund.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 15 AYES, 4 NAYS, 1 ABSENT/EXCUSED. Senators voting in favor of the motion: Bjerke, Burtenshaw, Lent, Cook, VanOrden, Ward-Engelking, Just. Senators voting in opposition to the motion: Adams, Herndon. Senators absent/excused: Grow. Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Petzke, Handy, Nash. Representatives voting in opposition to the motion: Lambert, Tanner.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Co-Chairman Horman**.

Mr. Farina presented the FY 2023 supplemental appropriation for Highway Operations in the Department of Transportation.

In response to a committee question, **Mr. Farina** said the ongoing funding for IJA will end when the five-year IJA program ends.

MOTION:

Sen. Burtenshaw made a motion, seconded by **Rep. Handy**, for FY 2023, for the Idaho Transportation Department, in the Highway Operations Program, the additional appropriation of \$9,333,500 from the State Highway (Dedicated) Fund and \$2,187,200 from the State Highway (Federal) Fund, for a total of \$11,520,700 in operating expenditures.

In response to a committee question, **Mr. Farina** explained these funds will be used for products, services, research, and information to guide transportation decisions to balance safety, mobility, and economic opportunities.

Mr. Scott Stokes, Director of the Idaho Transportation Department, gave further explanation. The federal government requires 2% of the federal apportionment to be designated to planning and research.

**ROLL CALL
VOTE ON
MOTION:**

Motion carried by a total vote of 15 AYES, 3 NAYS, 2 ABSENT/EXCUSED. Senators voting in favor of the motion: Bjerke, Burtenshaw, Lent, Cook, VanOrden, Ward-Engelking, Just. Senators voting in opposition to the motion: Adams, Herndon. Senators absent/excused: Grow. Representatives voting in favor of the motion: Horman, Miller, Bundy, Raybould, Furniss, Petzke, Handy, Nash. Representatives voting in opposition to the motion: Lambert. Representatives absent/excused: Tanner.

The majority having voted in the affirmative and without objection the legislation will carry a **DO PASS** recommendation. There being no objection, it was so ordered by **Co-Chairman Horman**.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 9:18 a.m.

Representative Horman
Chair

Alyson Jackson
Secretary