

MINUTES
Approved by Council
Legislative Council
Friday, November 08, 2019
8:30 A.M.
Room WW17
Boise, Idaho

Pro Tem Hill called the meeting to order at 8:32 a.m.; a silent roll call was taken. Legislative Council (Council) members in attendance: Pro Tem Brent Hill, Speaker Scott Bedke, Senators Chuck Winder, Abby Lee, Carl Crabtree, Michelle Stennett, Cherie Buckner-Webb, and Grant Burgoyne; Representatives Mike Moyle, Clark Kauffman, Wendy Horman, Mathew Erpelding, John McCrostie, and Sally Toone. Legislative Services Office (LSO) staff present: Director Eric Milstead, Terri Kondeff, Michelle O'Brien, and Shelley Sheridan.

Other attendees: Mary Sue Jones, Idaho Senate; Mary Lou Molitor and Susan Werlinger, Idaho House of Representatives; Amanda Bartlett and Lance McCleve, Office of Performance Evaluations; Hayden Rogers, Governor's Office; Janni Wheeler, Jackie Gunn, Katharine Gerrity, Jesse Cresap, Keith Bybee, Paul Headlee, April Renfro, Ben Bloom, Morgan Smith, Jesse Sundet, and Melissa Campbell, Legislative Services Office; Betsy Russell, Idaho Press; Melissa Davlin, Idaho Public Television; James Dawson, Boise State Public Radio.

Pro Tem Hill called for a motion to approve meeting minutes. **Representative Kauffman made a motion to approve the June 14, 2019 minutes; Senator Buckner-Webb seconded the motion. The motion passed by voice vote.**

DIRECTOR'S REPORT - Eric Milstead, Director, Legislative Services Office (LSO)

Introduction of New Staff

Director Milstead introduced new LSO staff: Janni Wheeler, Research & Legislation; Garrett Skaar, Information Technology; Morgan Smith, Ben Bloom, Melissa Campbell, and Jesse Sundet, Audits; and Jackie Gunn and Lindsay Youtz, Central Administration.

Approval of Fiscal Year 2020 Strategic Plan

Director Milstead presented revisions to LSO's fiscal year 2020 Strategic Plan, which included general date changes, removal of completion date qualifier of 90%, eliminating duplicate and redundant language, consolidating text, and simplifying rules review process by emphasizing work with the Executive Branch's Office of Rules Coordinator and providing ten days to complete rules review, adding skills assessment as a goal for the Budget & Policy Analysis Division staff, change in verbiage relating to information maintained by the Local Government Registry (including striking the reference to accessibility of local audit reports on LSO's website), specifying that audit follow-ups are performed on management reviews and that audit recommendations are tracked on all reports, enhancing legislator information on the website, and adding goals and objectives for public records requests.

Senator Stennett asked if local government audits were available online. April Renfro, Audits Division Manager, responded that local government audits are not available online but by public records request only. Senator Burgoyne asked if statutes prohibited including the language in the strategic plan relating to audit reports being available online. Ms. Renfro responded that it did not and that the language reflected the original intent of the statute; however, the decision was made to not provide local government audits on LSO's website. Senator Burgoyne recommended leaving the language in the strategic plan to promote transparency. Pro Tem Hill asked what additional resources would be needed to maintain the website with the additional audit reports. Ms. Renfro responded that she would need to discuss with IT staff to determine the cost.

Representative Moyle asked what the difference was between a management review and an audit report. Director Milstead responded that reviews are more targeted and are not full audits.

Representative Erpelding asked Director Milstead to clarify the process of disposal of public records. Director Milstead responded that statute provides that public records requests could be disposed of after a minimum of 180 days. Pro Tem Hill asked how many requests were received in the last two years. Terri Kondeff, LSO Deputy Director, responded that upwards of 800 requests were received in 2019. Director Milstead added that responding to public records requests was becoming a year-round effort. Representative Kauffman asked how many requests were withdrawn after receiving a cost estimate. Director Milstead stated that most requests had no charge and that the withdrawal rate was small; however, larger requests (i.e., requests involving multiple legislators) had a greater withdrawal rate. Representative Erpelding asked what LSO's retention policy was for staff. Director Milstead stated that LSO staff followed the same policy as the Legislature and confirmed there was no retention policy for electronic records. Senator Burgoyne asked why there was no retention policy for electronic records. Director Milstead responded that most LSO work was retained, except for e-mails. He added that documents from interim committees were posted online and that no requirement was imposed on staff to keep e-mails, unless related to a public records request.

Senator McCrostie noted a typo in the reference to the Idaho Code section relating to public records.

Representative Moyle made a motion to approve the fiscal year 2020 Strategic Plan with the exception of stricken language regarding audits; Senator Winder seconded the motion. The motion passed by voice vote.

Approval of Fiscal Year 2021 Budget Request

Director Milstead reviewed LSO's fiscal year 2021 budget request, which included the removal of onetime expenditures, as well as the increase in benefit costs, replacement of eight laptops for the Audit Division, increases in State Controller and Treasurer fees, and a 1% placeholder for salary increases. The request also included an ongoing supplemental of \$40,000 for closed captioning services for the House and Senate and \$110,000 for a new Revenue Analyst position. Director Milstead concluded by reviewing a final request of \$445,000 for the Redistricting Commission, which includes four short-term positions for Commission clerical staff, operating, GIS software/analysis, training, travel, and outlay for workstations.

Senator Burgoyne asked if the new analyst would be available for other work, specifically during the interim. Director Milstead responded that the intent is to primarily provide economic analysis and help with revenue questions; however, to an extent, the position could be broadened. Representative Horman recognized LSO's increase in workload, affirmed that the new position was critical, and expressed her full support. Representative Moyle asked if requesting a new position was wise considering the Governor's request for holdbacks. Director Milstead responded that the decision was up to Legislative Council; however, LSO intends to comply with the directive issued by the Governor regarding budget rescissions. Senator Lee noted the Legislature's reliance on LSO for expertise and the risk of not having that expertise. Senator Burgoyne added that you may need to spend money in some areas to reduce spending in others. Speaker Bedke noted that the Governor's request is a pulling back of money, not cuts, and to let the process work.

Pro Tem Hill noted that redistricting was considered ten years ago and asked if there had been any significant changes. Director Milstead responded that there was an overall increase in costs.

Senator Stennett made a motion to approve the fiscal year 2021 budget request; Representative Horman seconded the motion. The motion passed by voice vote.

SUMMARY OF OTHER STATES' PERFORMANCE EVALUATION OFFICES AND OVERVIEW OF IDAHO OFFICE OF PERFORMANCE EVALUATIONS (OPE) SERVICES - Eric Milstead, Director, LSO

Director Milstead summarized the results of an NCSL survey of 39 states that conduct performance evaluations for state legislatures. The survey included the location of such offices, professional standards, office resources used, products and services provided, and communication efforts engaged in.

Representative Erpelding asked what was the purpose of the request. Pro Tem Hill advised it was at the request of the Legislative Council. Representative Horman added that it was the result of June discussions wherein she inquired about how other states handled evaluations. She stated that the ability to perform larger analysis was needed; however, the capacity to do it was lacking. She added that the LSO Budget & Policy Analysis Division has consisted of 11 staff members since 1995. Representative Horman suggested discussing ways to incorporate budgeting and performance analysis into the division's work. Representative Erpelding asked if the suggestion was to increase OPE's workload because other areas were understaffed. Representative Horman clarified that the suggestion was to shift workload so that work could be prepared more timely. Senator Burgoyne applauded OPE for its exemplary work and agreed that the Legislature would benefit by adding to the evaluation process. Senator Stennett agreed and recognized OPE for its work and national accolades. She noted that some work may not be completed due to lack of money, time, and staff. She stated that a process was needed to determine what was valuable of staff time and if and how much money would be invested in OPE. Senator Buckner-Webb suggested looking to other areas for resources. Senator Lee recommended keeping the evaluation process separate from the political process. Senator Burgoyne stated that independence was critical and, because OPE is independent, legislators should not ask the political question or ask them which is the best policy to adopt. Answers to those questions are for the Legislature to determine. He commended OPE for being objective and providing facts. Speaker Bedke clarified that the intent is not to change but to improve and expand the process and see if an investment was needed in an area to achieve a quicker turnaround. Representative Erpelding stated that LSO requests are different from OPE requests and that the idea of merging the two for a faster turnaround needs to be clarified. He stated that time and detail are what make reports accurate. Speaker Bedke responded that receiving information could be quicker and to do that could take resources. Senator Burgoyne stated that legislators often look for outside resources and suggested discussing how to manage the competition for available resources. Representative Horman stated that JFAC has limited time and that every question cannot be asked. She added that the analysis of spending and performance should be a more routine part of the legislative process. Representative Horman stated that the idea is to repurpose revenues to provide better response to constituents. Representative Erpelding cautioned of unintended consequences, like a decrease in transparency and a decrease in effective large-scale evaluations on a statewide basis, if we go after one statutorily defined operation because there are no resources. He suggested putting more resources into LSO and not cannibalize another organization that does a lot of things for other purposes.

2020 LEGISLATIVE SESSION PLAN - Pro Tem Hill

Pro Tem Hill stated that the Associated Taxpayers conference is scheduled for December 4, 2019. There is no registration fee, but the cost of travel is not a covered expense by taxpayers. The Legislature convenes on Monday, January 6, 2020, following the Governor's State of the State Address. Pro Tem Hill noted that the Constitution states that sessions shall be held annually commencing on the second Monday of January each year, unless a different day was appointed by law or at other times convened by the Governor. A law was passed in the 1970s stating that the session start on the Monday closest to the ninth day of January, which is why the Legislature is convening on the first Monday instead of the second. The Economic Outlook and Revenue Assessment Committee will begin January 2, 2020, at 2:00 p.m. to avoid New Years Day travel and will continue through the morning of January 3, 2020. The target date for bill transmittals between houses is March 2, 2020, the 57th day of the session. Pro Tem Hill encouraged better adherence to the transmittal date than in the past to be able to Sine Die by March 20, 2020, which is two weeks from JFAC's budget-setting completion date. Speaker Bedke stated that the transmittal date is the hardest, but can be tightened up. He added that discussions were being held on how to get an exemption for the day of transmittal. Senator Burgoyne suggested taking a serious look at squaring up the JFAC budget-setting completion date with the transmittal date and adding to

the calendar when committees shut down. Senator Stennett requested that minority leadership be included in future discussions.

Pro Tem Hill reintroduced Ms. Kondeff who clarified that the number of public records requests received is 815 year to date and clarified that one person requesting information from ten members counted as ten requests.

LEGISLATIVE AUDITS UPDATE - REVIEW OF FINDINGS - April Renfro, LSO Audits Division Manager

Ms. Renfro highlighted three categories of findings: 1) Financial statement findings, which are encompassed in the state's annual financial report and opinion audits for Idaho Public Television and health districts, 2) Single Audit findings, which are in the statewide single audit report and health districts, and 3) Management Review findings, which are statutorily driven and occur every three years and focus on internal controls, revenue and expenditure activities, and compliance. Ms. Renfro reviewed the classifications of findings: internal control, financial statements, and compliance. She noted that Single Audit findings have the most classifications due to many requirements. She added that the Single Audit classifications mirrors many of the financial statement classifications. Management Reviews have the least amount of classifications and are intended to be a check-up - an opinion is not issued. Ms. Renfro reviewed the structure of findings, which includes the *title*; *criteria*, which is critical and used to evaluate the situation; *condition* - what was found; *cause* - why it happened; *effect* of that condition; *recommendation*; the agency provides a *management view*, which is their opportunity to say why their finding happened and if they agree. This may also include the agency's corrective action plan. Last is the *auditor's response* to the management's view.

Ms. Renfro reviewed the management review for the Office of Drug Policy issued in May 2019. She highlighted the three findings in the report, but focused on the third, titled "Media campaign expenditures totaling \$383,978 were made in violation of state purchasing policies." This type of finding is commonly found at agencies. Ms. Renfro reviewed the findings criteria, cause, effect, the division's recommendation, and the management's view.

Representative Erpelding asked how long it took to complete the audit. Ms. Renfro responded that she did not have the exact number of hours and explained that the report covered fiscal years 2015 through 2017, the audit started in 2018, and staff probably spent four weeks/400 hours on that assignment. Turnover in the division and at the agency and entering into CAFR work extended the issue date, which was May 30, 2019.

Ms. Renfro stated that the Comprehensive Annual Financial Report (CAFR) has a deadline of December 31 each year and the division is required to report any findings 60 days after issuance of the report. Findings are reported in the Internal Control Report. She stated that the fiscal year 2018 CAFR included six findings and further explained how CAFR findings differ from Management Review findings. Ms. Renfro stated that the Single Audit Report must be submitted to the Federal Clearinghouse by March 31 each year. The 2018 Single Audit Report included 13 findings. She stated that there are 14 compliance requirements for each program audited, 6 of those are required. Ms. Renfro highlighted the key points and significance of one finding at the Department of Health and Welfare, which is more frequently found at agencies. The finding was titled "Medical eligibility rate codes determined by age were not modified in the Medicaid Management Information System (MMIS)." Ms. Renfro reviewed the different follow-ups performed by the division. She explained that for CAFR and Single Audit findings, management provides an assessment of the success of corrective action plans, then the division evaluates the accuracy of the assessment. Follow up of Management Review findings are completed by the division 90 days after the report is issued, then again at one and two years, if the findings are not closed. Ms. Renfro stated that the follow-up for the Office of Drug Policy should be issued within the next two weeks. She noted that audit reports are available on LSO's website or by calling the office and that workpapers are public record once the report is issued.

STATE BUDGET UPDATE - Paul Headlee, LSO Budget & Policy Analysis Division Manager

Mr. Headlee stated that his presentation will include a review of the current fiscal year 2020 budget and fiscal year 2021 budget request. He referenced the Fiscal Facts booklet the division publishes yearly. The booklet provides division staff information as well as budgetary facts, figures, and trends and is also available online.

Mr. Headlee stated that the revised forecasted revenues from the Division of Financial Management (DFM) are \$3.9286 million, a 5.2% increase over fiscal year 2019. The forecast was revised downward from January's forecast by \$128.8 million due to DFM not having actual revenue data and major tax policy changes occurring at the state and federal level. He stated that by August, DFM had actual data and better techniques, and the current revenue is now tracking as forecasted. Mr. Headlee stated that revenue appropriations are \$3.91 million, a 7.1% increase over fiscal year 2019, resulting in an ending balance of \$65.8 million, which is \$105 million less than at Sine Die, but is still a balanced budget. He reported that because the revenue forecast is significantly less, the Governor has instructed agencies to restrict their budgets and that his recommendation will include a 1% rescission in fiscal year 2020 and a 2% base reduction in fiscal year 2021.

Senator Burgoyne asked if the corporate income tax increase was a temporary phenomena and if the depressed individual income tax was due to the restructure with the 2018 tax reform bill or due to other economic situations. Mr. Headlee responded that the corporate income tax increase was a onetime phenomena and that work was still needed on the income tax withholding tables to sync the two.

Mr. Headlee reported that revenue collections through October was currently \$3.6 million ahead of forecast and the estimated ending balance was \$68.5 million. He noted \$45.6 million in supplemental appropriation requests have not been acted upon and that half are related to the Department of Correction population-driven costs and medicaid. Mr. Headlee stated that if the requested \$45.6 million in supplementals was funded, the ending balance would be reduced to \$22.9 million. Mr. Headlee stated that for the month of October, individual income tax collections were \$2.0 million less than expected, corporate income tax was \$1.3 million more than expected, and sales tax collections were \$5.6 million less than expected. He stated that revenues are still \$3.6 million ahead of forecast.

Senator Stennett asked for clarification of population driven expenses at the Department of Correction. Mr. Headlee responded that population driven costs refers to an increase of prisoners into the system. Senator Burgoyne asked if the decline in revenues was a delayed collection issue or was money not expected to come into the state at all. Mr. Headlee responded that it was expected that as taxpayers adjusted to the tax tables, the revenues would increase in other months, but that has not been seen. The best estimate was that October would see an increase, and that did not happen. Senator Burgoyne asked if those revenues could be seen during the second quarter of 2020. Mr. Headlee responded that he will withhold speculation; however, DFM will provide a revised forecast in January, which may provide more insight into the coming months. Representative Moyle stated that the Council was advised last year by the Tax Commission that there could be a bump in revenues in April because the withholding tables were lowered. He asked how much was the bump. Mr. Headlee deferred to Keith Bybee, Deputy Division Manager, LSO Budget & Policy Analysis. Mr. Bybee responded that in April 2019, \$706.2 million was collected, which was a \$171.9 million increase from the previous year. He stated that the shift was the result of increased individual income and corporate taxes, not payments from withholdings. Representative Moyle noted that the increase was a six-month phenomenon and that this year will be a full year. He stated that if revenues come in, it will be after the Legislature adjourns, which skews budgets going forward. He suggested adjusting the withholding table to help those who can least afford it. He added that adjusting the withholding table would come from the executive level unless the Legislature deals with it statutorily.

Mr. Headlee reported that, as of October 2019, the major reserve funds totaled \$486,209,990. Speaker Bedke asked how much was tapped as of the end of last year. Mr. Headlee replied \$31.5

million, which was the largest amount for that end-of-year reconciliation. Speaker Bedke added that he hoped everyone who sets budgets would put that money back. Mr. Headlee stated he would speak to that later in his presentation. Senator Burgoyne asked if there was a target to reach these aggregate funds. Pro Tem Hill responded that there was not a target, but there should be as a percent of the overall general fund. He said how the target is developed should be looked into. Representative Moyle noted discussions of raising the 10% for the budget stabilization fund and that pieces of other reserve funds have never been considered.

Mr. Headlee stated the fiscal year 2021 total budget request for all funds is \$9.45 billion, an overall increase of 5.4%. He noted 222 new line items, which is half the number of line items requested over the last four years, and \$825,300 was requested in replacement items as compared to last year's request of \$25 million. Mr. Headlee stated that it appears that agencies have heeded the Governor's request to request only necessary line items.

Mr. Headlee stated that budget requests increased from the four agencies that comprise 85% of the general fund budget: Public Schools, Colleges and Universities, Department of Health & Welfare, and Department of Correction. Pro Tem Hill asked why the fiscal facts reflect that the four agencies comprised 94%. Mr. Headlee responded that community colleges, career technical education, special programs, and other education was not part of the colleges and universities.

Mr. Headlee reported that the preliminary general fund revenue forecast was \$4.116 billion (4.7% increase) and the request was for \$4.153 billion (6.2% increase), resulting in a negative \$57.9 million ending balance if all requests were funded. If a transfer was made to replenish the fiscal year 2019 withdrawal from the Public Education Stabilization Fund, the ending balance would be a negative \$89.4 million, resulting in an unbalanced budget that would need adjustments.

Mr. Headlee reported that the total fiscal year 2021 budget request was for \$9,447,046,100; the general fund portion of the request was \$4,138,867,700. Mr. Headlee concluded by stating that data will become clearer over the next three months with the Governor's recommendation, additional revenue, and a revised forecast. He stated that the budget is manageable and has no doubt that the Legislature could leave with a balanced budget.

INFORMATION TECHNOLOGY UPDATE - Glenn Harris, LSO Information Technology Division Manager

Mr. Harris reported on five technology related projects: upgrades to statehouse audio/visual equipment, upgrades and replacement of desktop computers for legislators and attaches, upgrades to desktop phones, and an upgrade to network storage. Additional projects during the interim include cross-committee room streaming, new calendar event-scheduling application, VTC connections with Zoom Connector, replacing Apple mobile printing devices, conversion of committee-shared folders to read-only, replace Helpdesk Solution, and new cybersecurity training. Pro Tem Hill asked how much the projects will cost. Mr. Harris responded that money from the Department of Public Works will be used for the audio/visual upgrade, but it depends on how much money there is and how quickly it needs to be completed to determine if the Legislature will provide the rest. He stated that the rest of the projects will be completed based on what money was available from various sources, including the Legislature.

REDISTRICTING UPDATE - Keith Bybee, Deputy Manager, LSO Budget & Policy Analysis and Elizabeth Bowen, Principal Legislative Drafting Attorney, LSO Research & Legislation

Ms. Bowen provided a timeline through June 2021 for redistricting, including an upcoming budget request that will cover website development, equipment purchases, room and workspace assignments, and training. She stated that LSO staff will be attending one of three redistricting seminars focusing on redistricting law. Ms. Bowen noted that the Census Bureau will deliver results of the 2020 census by April 1, 2021, and that final data will be used for redistricting. In June 2021, the Secretary of State will send the order for the organization of the Redistricting Commission, and appointing authorities will appoint commissioners. From June through September, the Commission has 90 days to determine a plan and file a final report and will be meeting around the state.

After the final report, the Commission could convene if legally ordered to revise the plans. The Redistricting Commission should wrap up by 2021.

Mr. Bybee reviewed the Commission's budget request. He stated that the increase is reflected in the choices of software design and development. He stated that the prior GIS coordinator is on retainer and that Resources Data Inc. will be used, as well as the same contractor. Mr. Bybee stated that the change in software was due to rudimentary maps provided by the previous software provider. The new software should provide more sophisticated maps. Pre-kickoff meetings are being held to determine the best tools. Mr. Bybee stated that prep work will take place through April 2020, and by June 2020, commissioners should be appointed so they and their staff can attend the NCSL redistricting seminar in January 2021, which is included in the budget request. Pro Tem Hill added that Mr. Bybee's experience with redistricting will be valuable.

UPDATES ON INTERIM COMMITTEES

Property Tax Working Group

Mr. Bybee reported that the group met on October 21, 2019, wherein they heard from the Tax Commission about the basics of property tax over the last 20 years and from the Association of Counties. A Brigham Young University (BYU) economics professor provided a study of services citizens of three counties received for property tax submitted. Mr. Bybee also reviewed the total state budget and property tax budget. He stated the next meeting is scheduled for November 18, 2019, and that no agenda was available yet. Speaker Bedke asked if the BYU study was available online. Mr. Bybee responded that he believed it was online, but will make sure it is available.

Committee on Federalism

Katharine Gerrity, Deputy Division Manager, LSO Research & Legislation, reported that the purpose of the committee was to monitor and review federal acts, laws, and regulations that might impact the jurisdiction, governance, and sovereignty of Idaho and to evaluate whether they are authorized by the constitution or violate the principals of federalism. The committee met twice, in August and October. Three subcommittees were formed to study federal lands, education, and health and welfare. The committee has no recommendations at this time. A meeting after the first of the year is anticipated.

Federalism Subcommittee on Federal Lands

Ms. Gerrity reported that the purpose of the subcommittee was to look into federal lands matters based on federalism issues. The subcommittee met on September 30, 2019, and is due to meet again on November 22, 2019.

Natural Resources

Ms. Gerrity stated that the committee is a two-year committee, authorized through 2020, charged to undertake and complete a study of natural resources issues. The Committee met on September 12, 2019, and has no recommendations. She added that a progress report will be provided in the early weeks of session.

Equitable Assessment of Costs Related to Medicaid Expansion

Ms. Bowen reported that the committee issued a final report. The final report includes several recommendations, three of which were passed unanimously and four were passed by majority. The unanimous recommendations were to use offsets and savings to fund Medicaid expansion, use fiscal year 2021 savings in the Catastrophic Health Care Costs Program to fund Medical expansion, and to reauthorize the committee to study outstanding issues. Outstanding issues include the future of the Catastrophic Health Care Costs Program and county medically indigent program. No recommendations were made on these issues because Medicaid expansion has not been fully implemented and the effects are unknown. The majority recommendations included the following: the state should require county participation in Medicaid eligibility expansion in fiscal year 2021, up to \$10 million; county participation in Medicaid eligibility expansion funding for fiscal year 2021 should be collected from the state tax distribution; county participation in funding for Medicaid

eligibility expansion should have a delayed implementation, effective October 1, 2020, to match the counties' fiscal year; and millennium funds should be used to cover any shortfalls.

Pro Tem Hill asked if the current recommendation of county participation was half of the last request. Ms. Bowen confirmed and added that it was due to the inability to estimate the full impact of expansion because it was not fully implemented. Pro Tem Hill added that there will not be any losers based on the savings from the indigent program and by cutting the participation in half.

Federal Subcommittee on Health and Welfare

Ms. Bowen stated that the committee met on October 7, 2019, and November 5, 2019, to study federal matters related to health and welfare and to understand various issues regarding shared programs between the federal government and the state. The committee is in a fact-gathering stage and has no recommendations.

Senator Burgoyne asked what programs the committee was looking at. Ms. Bowen responded that there were a lot of federal programs and grants, but not a great understanding of what they are. The committee is trying to understand the broader picture instead of major programs that are usually discussed. Senator Lee concurred and added that the committee is interested to see if grants or programs applied for and received in Idaho are still in line with Idaho policy and how Idaho is benefitting by tax resources.

Federalism Subcommittee on Education

Ms. Bowen reported that the committee met on October 7, 2019, and is in an information-gathering stage. The committee has no recommendations. Ms. Bowen concluded that at the October 7, 2019, meeting there was a lot of interest to develop greater understanding on flexibility in federal spending, how we can get more transparency on how federal dollars are spent in education, and to have a better understanding of requirements associated with federal education funding. Senator Burgoyne asked if the committee was going to look at student debt, which is driven by federal policy. Representative Horman responded that student debt was on the periphery of their discussion, but will include it as a potential topic in future discussions.

Idaho Council on Indian Affairs

Matt Drake, Legislative Drafting Attorney, LSO Research & Legislation, stated that the council is statutorily required to meet twice per year. The council met January 10, 2019, and October 3, 2019. The Idaho Council on Indian Affairs is an opportunity for members of the legislature, executive branch staff, and tribes to discuss affairs of mutual importance. No recommendations or proposed legislation were made. Mr. Drake added that legislation regarding dental health aide therapy passed last year based on one of the council's meetings.

Occupational Licensing and Certification Laws Committee

Mr. Drake reported that the committee met three times, with two more meetings scheduled. Work is continuing on draft legislation relating to sunrise review, universal licensure, and prequalification requests, and legislation requiring a relevancy analysis when a person's criminal background is being considered for purposes of whether they can obtain occupational licensing and looking at revising archaic language. He stated that it is likely but not certain that some or all pieces of this legislation will be presented in the upcoming session.

DISCUSSION - HOUSE OFFICE SPACES

Speaker Bedke reported the Legislature has sought a declaratory judgement against the Treasurer's Office relating to who has authority over first floor statehouse office space and the Treasurer filed a motion to block the judgement. A hearing was held on October 31, 2019. The court has it under advisement. A decision may or may not be received by the beginning of 2020. Further, the case may not be closed by the end of the session. He stated that the Capitol Commission will review and must sign off on plans at the next Capitol Commission meeting. If the Legislature is not successful in court, the Legislature will go forward with a paired-down version for House office space.

DISCUSSION ON SCHEDULING INTERIM COMMITTEES

Senator Burgoyne recommended the agenda item be discussed at the Spring Legislative Council meeting.

MISCELLANEOUS ANNOUNCEMENTS AND ADJOURNMENT

There being no miscellaneous announcements, Pro Tem Hill called for a motion to adjourn.

Senator Burgoyne made a motion to adjourn; Speaker Bedke seconded the motion. The motion passed by voice vote.

The Council adjourned at 12:06 p.m.