

Minutes of the Joint Legislative Oversight Committee
February 27, 2003
House Majority Caucus Room
Boise, Idaho

Co-chair Representative Margaret Henbest called the meeting to order at 3:45 p.m. Committee members Senators John Andreason and Bert Marley, and Representatives Maxine Bell, Debbie Field, and Donna Boe attended. Staff members Rakesh Mohan, Director, and Margaret Campbell, Administrative Assistant, also were present, as were all other OPE staff.

APPROVAL OF MINUTES

Senator Marley moved to approve the minutes of the February 6, 2003, meeting. Senator Andreason seconded the motion, and it passed unanimously by voice vote.

APPROVAL OF SCOPE FOR PUBLIC EDUCATION EVALUATION AND CONSIDERATION OF OTHER EVALUATION TOPICS

Mr. Mohan said the office had a successful meeting with Legislative Leadership to develop the proposed scope for the public education project. Mr. Ned Parrish, Principal Performance Evaluator, presented a summary of the scope that included two phases. Phase 1 would be a comparative statewide review of public education revenues and expenditures. The office would release the results of Phase 1 before the end of the 2003 Session. Phase 2 would involve an in-depth review of specific school districts or issues—possibly based on findings of Phase 1—to be released before the 2004 Session. OPE would seek input from Leadership to develop a scope for Phase 2 that would be brought to JLOC for consideration.

Members discussed the scope of the evaluation. They had several concerns: (1) the method used to select school districts in Phase 2, if the scope included an evaluation of specific districts, (2) the size of the project in relation to limited resources of the office, and (3) whether Leadership would be available for input on the scope of Phase 2 when Phase 1 was released. Senator Marley complimented the staff and said he liked the approach of the evaluation.

Senator Marley moved to approve the scope for the first phase of the public education evaluation and hold off making a decision on the scope of Phase 2 until after the report on statewide revenues and expenditures has been released. Representative Bell seconded the motion, and it passed unanimously by voice vote.

The Committee discussed the workload of the office and decided to postpone consideration of other evaluation requests until the next meeting.

REPORT RELEASE: *PROGRAMS FOR INCARCERATED MOTHERS*

Ms. Lewissa Swanson, Performance Evaluator, summarized the review of programs for incarcerated mothers. The Committee discussed program costs in other states.

Co-chair Henbest called on Thomas Beauclair, Director, Department of Correction, for comment. Mr. Beauclair said he appreciated the tone and professionalism Mr. Mohan set when conducting the review. He said the Department of Correction was limited in resources but did what it could to provide programs for incarcerated mothers and their children. Mr. Beauclair said that the department currently did not have the resources to establish a nursery program. Representative Boe said she was concerned that programs in the Pocatello facility may not always continue since the program's workload was heavy, and services and expenses were donated.

Representative Bell asked if the review was completed. Mr. Mohan said that since there were no recommendations in the review, no further follow-up was required.

STATUS REPORT ON AGENCIES IMPLEMENTATION OF THE OFFICE OF PERFORMANCE EVALUATIONS' RECOMMENDATIONS

Mr. Mohan said the office had developed a different format for follow-up reports. The reports included more in-depth follow-up review to demonstrate the impact of the evaluation.

The Department of Environmental Quality: Timeliness and Funding of Air Quality Permitting Programs

Mr. Chris Shoop, Performance Evaluator, reviewed efforts to implement recommendations from the report on air quality permitting programs. Co-chair Henbest welcomed Stephen Allred, Director, Department of Environmental Quality, to the meeting.

Senator Marley moved to request an additional follow-up in 6–8 months. Representative Boe seconded the motion, and it passed unanimously by voice vote.

Senator Marley asked the staff to provide follow-up reports to the Committee prior to the meeting so there was time to review them.

Improvements in Data Management Needed at the Commission of Pardons and Parole: Collaboration With the Department of Correction Could Significantly Advance Efforts

Co-chair Henbest recognized the attendance of Thomas Beauclair, Director, Department of Correction, and Olivia Craven, Executive Director, Commission of Pardons and Parole. Paul Headlee, Performance Evaluator, presented a summary of efforts to implement recommendations from the report. Representative Field said it was "good news" that the department was able to acquire the offender data system from Utah at no cost—saving the state \$100,000. She complimented the two directors in coordinating and working together.

Representative Field moved to request follow-up in a year to allow for implementation of the offender data system. Senator Marley seconded the motion, and it passed unanimously by voice vote.

The Department of Fish and Game's Automated Licensing System Acquisition and Oversight

Mr. Mohan said the Committee had asked to review the department's Request for Proposal (RFP) for its next licensing system because of concerns about the lack of competitive bidding on previous contracts. The department had expected the RFP to be available by December 2002. However, Jim Henderson, Senior Performance Evaluator, said the department was still several months away from having a completed RFP.

At the request of the Committee, Co-chair Henbest called on Steve Barton, Bureau Chief of Administration, Department of Fish and Game, for comments. Mr. Barton said department staff were meeting every Friday to complete the RFP.

Senator Marley moved to review the department's RFP this summer. Representative Boe seconded the motion, and it passed unanimously by voice vote.

ADMINISTRATIVE BUSINESS

Mr. Mohan said the Committee had asked him to review Committee Rules for the authority to respond to Legislators' questions. Since the rules did not currently contain a provision for this type of work, Mr. Mohan proposed some changes to the rules that should provide authority for OPE to respond to questions. The proposed changes were in Section III of the rules and strike/underline showed the additions and deletions:

~~(c) The Director of Legislative Performance Evaluations shall conduct background research on selected topics, as directed by members of the Joint Legislative Oversight Committee, to aid them in selecting appropriate topics for performance evaluations.~~

(d) The Director of Legislative Performance Evaluations shall conduct background research as necessary on possible topics to assist members of the Joint Legislative Oversight Committee in selecting topics to conduct performance evaluations.

(e) When a member of the Legislature makes a request for an evaluation, the Director of Legislative Performance Evaluations will conduct background research to determine if the request warrants a performance evaluation. If the Director determines that a performance evaluation is not needed, the Director will respond to the legislator's request by providing relevant information. Providing of such information will depend on the following:

- (i) the information is readily available and does not require detailed verification,
- (ii) it will take a relatively short time to address the legislator's request, and
- (iii) Office of Performance Evaluations staff are available to do the research.

The Committee said they were concerned about the definition of "relatively short time" in Section III.e.ii because it was not easily defined and did not provide protection to the legislative staff. They suggested changing the word "will" to "may" in Section III.e to provide options for the director. Also, the Committee noted that the numbering system in Section III would change with the deletion of III.c.

Senator Andreason moved to accept the proposed changes to Committee Rules with the following revisions: in Section III.e.(ii), add “(no more than 24 working hours)” after “relatively short time,” and in Section III.e, change the word “shall” to “may.” Representative Bell seconded the motion, and it passed unanimously by voice vote.

The revised rules with the adjusted numbering are as follows:

(c) The Director of Legislative Performance Evaluations shall conduct background research as necessary on possible topics to assist members of the Joint Legislative Oversight Committee in selecting topics to conduct performance evaluations.

(d) When a member of the Legislature makes a request for an evaluation, the Director of Legislative Performance Evaluations *may* conduct background research to determine if the request warrants a performance evaluation. If the Director determines that a performance evaluation is not needed, the Director will respond to the legislator’s request by providing relevant information. Providing of such information will depend on the following:

- (i) the information is readily available and does not require detailed verification,
- (ii) it will take a relatively short time (*no more than 24 working hours*) to address the legislator’s request, and
- (iii) Office of Performance Evaluations staff are available to do the research.

The meeting adjourned at 5:10 p.m.