

Minutes of the Joint Legislative Oversight Committee
March 2, 2004
Gold Room, State Capitol
Boise, Idaho

Co-chair Senator Shawn Keough called the meeting to order at 3:15 p.m. Senators Bert Marley and Marti Calabretta, and Representatives Margaret Henbest, 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 1/29/04 MINUTES

Senator Marley moved to accept the minutes of the January 29, 2004 meeting. Senator Calabretta seconded the motion, and it passed unanimously by voice vote.

FOLLOW-UP REVIEW UPDATE: *IDAHO'S MEDICAID PROGRAM*

Mr. Paul Headlee, Performance Evaluator, presented a summary of the Department of Health and Welfare's implementation of 17 of the 18 report recommendations. He said a follow-up report would be issued after staff documented actual, estimated, and projected cost savings resulting from the implementation of OPE recommendations. In response to questions, Mr. Karl Kurtz, Director, Department of Health and Welfare, said the department was looking at opportunities to establish co-payments in Medicaid.

FOLLOW-UP REVIEW UPDATE: *IDAHO CHILD CARE PROGRAM*

Ms. A.J. Burns, Senior Performance Evaluator, presented an update of the Department of Health and Welfare's implementation of 5 of the 7 report recommendations. She said a follow-up report would be issued after staff reviewed and verified supporting documentation. Representative Bell said the department was under constant fire to keep costs down, and yet one of the recommendations encouraged additional costs. She cautioned that the state could not have it both ways.

FOLLOW-UP REPORT: *PUBLIC WORKS CONTRACTOR LICENSING FUNCTION*

Representative Boe moved to receive the report. Representative Henbest seconded the motion, and it passed unanimously by voice vote. The report was publicly distributed.

Mr. Ned Parrish, Principal Performance Evaluator, presented a summary of the implementation progress of recommendations. There was no agency representation at the meeting to respond to questions. Members discussed the slow progress of the division and how to proceed.

Representative Field moved for the co-chairs to send a letter to the Governor (and a copy to the division) on the recommendations that are still in progress, and ask the division to

report progress to JLOC in six months to one year, keeping OPE involvement at a minimum. Senator Marley seconded the motion and it passed unanimously by voice vote.

EVALUATION TOPIC SELECTION

Mr. Mohan said the Committee's decision last year to assign evaluations of two public education topics reflected the collective interest of a number of legislators, including leadership. The positive impact of the reports was directly related to the relevancy and timeliness of the topics. He suggested the Committee assign three evaluations topics for release during the 2005 session. One topic on higher education had been approved last year, and Mr. Mohan suggested reconsidering that topic during the selection process.

The Committee discussed 14 evaluation requests brought before them. They generally agreed that since the focus had been on education last year, they would look at additional areas of government this year. They also agreed the topic of charter schools may be too fluid to evaluate at this time.

Co-chair Keough called on Representative Ken Roberts to discuss his request of an evaluation of the state's performance measurement system. Representative Roberts provided the Committee handouts of his proposed changes to Idaho Code § 67-1903 and said the current system was not useful to lawmakers. He suggested using the Department of Fish and Game's stockholder report as an example of good performance reporting.

Co-chair Keough polled the Committee to determine interest and priority of topics. Eight of the 14 topics (including two topics requested by private citizens) did not receive any interest. Topics receiving three or more votes were technology in education, children and family services, offender timelines, alternatives to incarceration, and performance measures. Co-chair Keough asked OPE to bring scoping suggestions to the next meeting, along with information on staff resources needed to conduct the considered topics.

ADMINISTRATIVE BUSINESS

In the interest of time, Senator Calabretta asked that a discussion on changing committee rules be postponed. Co-chair Keough tabled the discussion until the next meeting. She said the Committee needed to consider personnel issues and asked if the Committee wished to move into executive session.

Senator Calabretta moved to go into executive session to discuss personnel issues. Representative Field seconded the motion. Senators Keough, Marley, and Calabretta, and Representatives Bell, Field, and Boe voted yes. Representative Henbest was not present for the vote. The motion passed unanimously by roll call vote.

At the adjournment of executive session, Representative Bell recapped the FY2005 budget and said OPE had been approved for \$10,000 CEC for staff, \$200 CEC for temporary staff, and

\$16,800 for staff advancement. Also, there was a vacant position at \$25 per hour, which provided savings in the budget for salary increases.

Representative Field said JLOC appreciated Mr. Mohan and the staff. She said notwithstanding the large workload assigned to OPE, it was amazing to watch how responsive the Legislature had been to recent evaluation reports. Recognition for the office had been long in coming. Given the existence of salary savings in the OPE budget, she proposed a motion.

**Representative Field moved to increase the director's salary by five percent.
Representative Bell seconded the motion.**

Senator Marley offered a substitute motion to increase the director's salary by four percent. Senator Calabretta seconded the motion.

Senator Marley said JLOC was pleased with the work and advances of the office under Mr. Mohan. He said he was concerned about limitations of the OPE budget and the equity between director and staff. Budget constraints would not allow four or five percent increase for staff, which was why he offered the substitute motion.

Representative Henbest said she was amazed at the transformation of OPE over the last year. OPE had been a closet service without stature and recognition, but with the leadership of Mr. Mohan and the phenomenal work of staff, the office had put out strong reports that exuded teamwork and camaraderie. She was appreciative and supportive, and also wanted balance and equity between support for the director and the staff.

Senator Calabretta called for a roll call vote on the substitute motion to raise the director's salary by four percent. Senators Keough, Marley, and Calabretta, and Representatives Henbest and Boe voted yes. Representatives Bell and Field were recorded as voting no. The substitute motion passed by majority vote.

Co-chair Keough said she too appreciated the work of the director and the staff, and looked forward to another meeting, possibly before the end of the session. Mr. Mohan thanked the Committee for their kind words and said the work would not have been accomplished without the support of staff and their diligence and excellence in accepting assignments. He said the office would narrow the topic selection and provide good information for the Committee at the next meeting.

The meeting adjourned at 5:00 p.m.