

Minutes of the Joint Legislative Oversight Committee
November 30, 2010
Senate and House Auditorium, Capitol Building
Boise, Idaho

Co-chair Representative Cliff Bayer called the meeting to order at 2:05 p.m. Attending the meeting were Senators Elliot Werk, John McGee, and Edgar Malepeai and Representatives Maxine Bell and Shirley Ringo. Also present were Rakesh Mohan, director, Margaret Campbell, administrative coordinator, and other OPE staff. Senator Hammond and Representative Boe were excused from the meeting.

Representative Bayer welcomed the audience and acknowledged the following attendees:
Senators Denton Darrington, Patti Anne Lodge, and Tim Corder
Representatives Marv Hagedorn, John Rusche, and Phyllis King
Brigadier General Bill Shawver, Division of Military
Chairman Mark Lockwood, Statewide Interoperability Executive Council (via phone)
Chief Deputy Controller Dan Goicoechea, Office of the State Controller
Chief Technology Officer Greg Zickau, Department of Administration
Deputy Director Dick Shultz, Department of Health and Welfare
Bureau Chief Dia Gainor, Idaho Emergency Medical Services Bureau
Director Brent Reinke, Department of Correction
Parole Commissioners Mark Funaiole, Mike Matthews, Bill Young, Janie Dressen, and Bud Langerak
Executive Director Olivia Craven, Commission of Pardons and Parole

Senator Werk announced that OPE had received the following national awards this year:

- 2010 Excellence in Research Methods Award, National Conference of State Legislatures, National Legislative Program Evaluation Society, for the report *Public Education Funding in Idaho*. Only one or two states are given this award each year.
- 2010 Impact Award, National Legislative Program Evaluation Society, for the report *Idaho Transportation Department Performance Audit*, which documents programmatic improvements and public policy impact.
- 2010 Notable Documents Award, National Conference of State Legislatures, Legislative Research Librarians, for the report *Increasing Efficiencies in Idaho's Parole Process*, recognizing the report's "excellent executive summary and attractive formatting."

Representative Bayer said he appreciated OPE's track record and objectivity. He introduced two new evaluators at OPE: Lance McCleve and Bryon Welch

Representative Bayer indicated that minutes from the previous meeting had already been approved.

FOLLOW-UP REPORT RELEASE: *GOVERNANCE OF INFORMATION TECHNOLOGY AND PUBLIC SAFETY COMMUNICATIONS*

Senator McGee moved to receive the follow-up report *Governance of Information Technology and Public Safety Communications*. Senator Malepeai seconded the motion, and the motion unanimously passed by voice vote from all members present.

Representative Bell was excused to participate in new legislator orientation training.

Jared Tatro, senior performance evaluator, summarized the report. Senator Werk asked if any critical recommendations were still open. Mr. Tatro said the recommendations that had not been implemented required either additional resources or action by the Legislature or the Governor.

Mr. Mohan acknowledged General Shawver, Chief Mark Lockwood (teleconferenced), Mr. Goicoechea, and Mr. Zickau, who represented the agencies involved in the follow-up review. In response to a question from the committee, Mr. Mohan recommended closing the report. He said the agencies involved had been cooperative and implemented what recommendations they could. The open recommendations required policy decisions or funding to implement.

Senator Werk moved to close the report *Governance of Information Technology and Public Safety Communications*. Senator McGee seconded the motion, and the motion unanimously passed by voice vote from five members present.

REPORT RELEASE: *GOVERNANCE OF EMS AGENCIES IN IDAHO*

Representative Shirley Ringo moved to receive the report *Governance of EMS Agencies in Idaho*. Senator McGee seconded the motion, and the motion unanimously passed by voice vote from the five members present.

Representative Bell returned to the meeting.

Mr. Mohan provided a history of why the report was requested. He thanked the stakeholders and indicated that they had been very cooperative. He said the study had been different from most projects that OPE had been assigned. It looked at services at the local level and considered policy issues.

Maureen Brewer and Hannah Crumrine, senior performance evaluators, summarized the report. Senator Malepeai asked whether stakeholders were more favorable to centralization or decentralization of governance. Ms. Brewer said most stakeholders she interviewed wanted shared governance at the local level.

Senator Werk asked about the decision to measure system accountability by outcome using performance-based measures instead of level of effort. Ms. Brewer said level of effort was based on the quantity of resources available instead of the outcomes resulting from the use of those resources. She said OPE did not make a specific recommendation but performance-based measures should be part of a comprehensive system plan.

Senator Werk asked about OPE's recommendation for an assessment on the state's overall structure. Ms. Crumrine said the cost of an assessment was \$25,000–\$30,000, which would come out of the Idaho Transportation Department's budget. The national association that conducted these assessments used 11 criteria to tailor an assessment to the needs of the specific state.

Representative Bayer called on Dick Shultz, deputy director of the Department of Health and Welfare to address the committee. Mr. Shultz complimented OPE for its work. He said the study identified the central issue and challenges to the solution.

Representative Bayer called on Dia Gainor, chief of the Idaho Emergency Medical Services Bureau, to address the committee. She thanked OPE for reporting on a complex issue and said the recommendations were logical and appropriate. In response to Representative Ringo's question, Ms. Gainor said costs to volunteers were minimal—typically a criminal investigation fee and possibly some training. Senator Werk asked about the population of EMS volunteers. Ms. Gainer said the ratio of volunteers to population was dwindling. She attributed the decline to the economy and to the challenges of volunteering in rural communities where one call could require two to four hours of time. She said the bureau was seeing a rise in compensated volunteers.

Senator McGee moved to provide the report to the chairs of the Health and Welfare committees and help the committees with any needed draft legislation. Representative Bell seconded the motion, and it unanimously passed by voice vote from the six members present.

REPORT UPDATE: *INCREASING EFFICIENCIES IN IDAHO'S PAROLE PROCESS*

Mr. Mohan said OPE typically conducts follow-up reviews a year after the initial report release. Because the committee requested a six-month update, the directors of the Department of Correction and the Commission of Pardons and Parole provided their interim progress report.

Representative Bayer called on Olivia Craven, executive director of the Commission of Pardons and Parole to address the committee. Ms. Craven spoke to the committee on the implementation efforts of the commission. She said the report provided the commission an opportunity to see issues in a different light.

Because Ms. Craven's comments were specific to recommendations and her written assessment had not been specific, **Representative Bayer requested that she provide the committee with a written copy of her comments.** Senator Werk asked Ms. Craven why her written response to OPE had not specifically addressed recommendations. Ms. Craven apologized and said she had been general when she should have been specific.

Senator Werk said Ms. Craven had made comments that cast doubt on OPE's assessment of the approximate annual cost of \$3.5 million to hold parolees past their parole dates. He asked if she had documentation that showed OPE had been incorrect. **Ms. Craven said she would provide documentation and a written explanation at the same time she gave the committee her written comments.**

Senator Werk asked whether the commission had a formalized process with IDOC that provided communication for programming. Ms. Craven said Pathways for Success had changed the dynamics of programming. By studying the program pathway and by working with IDOC to make it work, Pathways had brought order to a system. Ms. Craven said that under Pathways, it was rare for the commission to add anything different.

Representative Bayer called on Director Brent Reinke, Department of Correction, to address the committee. Mr. Reinke said the department had been working on identifying key areas to enhance and improve operations. He said inmate populations were down when compared with projections without recently funded alternatives. Pathways to Success provided better protocols and expectations of others. Mr. Reinke also said he appreciated his working relationship with the commission.

Amy Lorenzo, Principal Performance Evaluator, told the committee that a comprehensive follow-up review would be beneficial in assessing the agencies' progress to implement recommendations.

Senator Werk said he would like a follow-up report in February before moving forward with legislative action. Mr. Mohan said a February deadline was realistic with the help of the two agencies involved.

Senator Werk moved to conduct a follow-up report of *Increasing Efficiencies in Idaho's Parole Process* for release by mid February. Senator Malepeai seconded the motion.

In discussion, Representative Bell expressed concern about the timeline. She suggested mid to late February.

Senator Werk amended his motion to release the report by mid to late February. Senator Malepeai concurred. The motion passed unanimously by voice vote from the six members present.

The meeting adjourned at 4:10 pm.