

Minutes of the Joint Legislative Oversight Committee
February 5, 1998
House Majority Caucus Room, Statehouse
Boise, Idaho

Co-chair Representative Bruce Newcomb called the meeting to order at 12:20 p.m. Committee members Senators Atwell J. Parry, Grant Ipsen and Lin Whitworth, and Representatives Robert C. Geddes, June E. Judd, and Larry C. Watson were in attendance. Staff members Nancy Van Maren and Margaret Campbell also were present.

Co-chair Newcomb explained that, after further review, the co-chairs had determined that the policy in the future regarding related attorney-client privileged documents would be that the committee would waive the privilege on project-related guidance received from the Office of the Attorney General. These documents would be made public with the rest of the project workpapers at the release of the performance evaluation, unless they were otherwise protected by law.

Co-chair Newcomb asked for a review of the minutes. **Senator Parry moved to approve the minutes of the January 29 meeting and Senator Ipsen seconded the motion. The motion passed unanimously by voice vote.**

CONSIDERATION OF REQUEST FOR EVALUATION OF THE IDAHO COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED

As a precursor to consideration of a new evaluation request, Ms. Van Maren reviewed OPE projects underway: a report on Medicaid reimbursement for certain outpatient services was being prepared for release in May and OPE would begin work on an evaluation of state motor vehicles in March. The committee had also put on hold a requested performance evaluation of Administrative Hearing Officers.

The State Independent Living Council (SILC) had requested an evaluation of the Idaho Commission for the Blind and Visually Impaired. SILC expressed concern about the apparent decline in the number of individual services provided and the number of individuals served in fiscal year 1997. In addition, SILC reported that the Blind Commission had cited a lack of funds for the reduction in services, yet then had substantial funds remaining at the end of the fiscal year. Requests for an evaluation of the Blind Commission from other sources had also asked whether there would be efficiencies from combining the Blind Commission with the Division of Vocational Rehabilitation, given their similar operations and federal funding sources.

Senator Ipsen said the Senate Health and Welfare germane committees had heard from the acting administrator of the Commission for the Blind and Visually Impaired, and said he was not concerned about the commission's leadership. However, he thought it would be worth looking into whether there would be efficiencies from combining the Blind Commission and the Division of Vocational Rehabilitation. The committee discussed whether an evaluation would provide direction for the new administrator.

Co-chair Newcomb called upon Mr. Kelly Buckland, Executive Director for SILC, to provide additional information. Mr. Buckland said SILC's concerns were that the significant decline in services indicated deep problems in the commission. Furthermore, last year the commission had to prioritize consumers due to financial difficulties, but the commission then had funds left at the end of the year. He had spoken with the commissioners about a performance evaluation, and they said they would welcome a review. He had also notified the chair of the commission and the Governor's Office about his request.

Senator Parry moved that OPE do a background paper on the Idaho Commission for the Blind and Visually Impaired. Senator Ipsen seconded the motion.

Senator Parry said he felt the high turnover of administrators indicated a deeper problem than personality conflicts. JLOC should review the background paper before the end of the session. Then, at the co-chairs' discretion, an evaluation could begin as soon as staff resources were available, or further consideration of the request could be delayed until the committee's May meeting.

The motion passed unanimously by voice vote.

Committee members discussed the status of the evaluation on administrative hearing officers. One member had heard that, recently, an agency had overruled a hearing officer's decision. Was this possible? Were hearings fair if agencies were allowed to overrule hearing officer decisions?

Representative Geddes moved to keep an evaluation of administrative hearing officers on hold until a later date. Representative Watson seconded the motion and the motion passed unanimously by voice vote.

STATUS REPORT: *THE BISHOP'S HOUSE HISTORIC SITE*

Ms. Van Maren summarized the two major findings of the earlier report on The Bishop's House Historic Site. The report had recommended that the Idaho State Historical Society (1) develop a site plan and (2) work with the Friends of the Bishop's House and Department of Lands to improve the lease agreement. She said steps were being taken to implement both recommendations.

Co-chair Newcomb called upon Steve Guerber, Director of the Idaho State Historical Society, to report further. Mr. Guerber said the Historical Society board was currently considering all site plan drafts, including the plan for the Bishop's House. It addressed improvements in parking and improvements in historic interpretation. He would provide JLOC a copy of the site plan when it had been approved.

Mr. Guerber said they had reached final agreement with the Friends of the Bishop's House on the several changes to the lease agreement. The Office of the Attorney General was currently drafting the new lease. The clause which had been most difficult to negotiate was in raising the lease fee from \$10/year to \$100/month. They had at last agreed that the Friends (leaseholders) would receive in-kind credit toward this lease fee for their maintenance on the house, up to \$1200/year. The

Friends had agreed to increase the availability of the Bishop's House to the public by holding quarterly open houses, providing handouts, and leaving the door open to the Bishop's House when Friends' staff were present and the house was not in use.

UPDATE ON IMPLEMENTATION OF OPE REPORT FINDINGS AND RECOMMENDATIONS

Ms. Van Maren reviewed the Implementation Report findings with committee members. The total savings from implemented findings and recommendations were \$7.2 - \$13.4 for each dollar spent. Other areas of impact, such as the improvements to the lease of the Bishop's House, would help to protect the public's interest or achieve other oversight and policy goals.

Alternatives to Incarceration: Opportunities and Costs

Ms. Van Maren provided members copies of two letters from Patricia Tobias, Administrative Director of the Supreme Court, responding to JLOC's request for (1) judges' responses to the evaluation and (2) merits of a sentencing commission. As requested, she had forwarded a copy of each letter to the JFAC co-chairs.

Board of Tax Appeals

Ms. Van Maren said OPE had presented background information on the Board of Tax Appeals to the Senate and House germane committees. JLOC had received copies of documents provided and a copy of the case they had requested from board staff.

Public School Use of Tobacco Tax Funds

Ms. Van Maren said the report was referred to Senate and House Education committees and OPE would be available for presentations when called upon.

Representative Geddes moved that the meeting adjourn. Representative Watson seconded the motion and it passed by unanimous consent.

The meeting adjourned at 12:55 p.m.