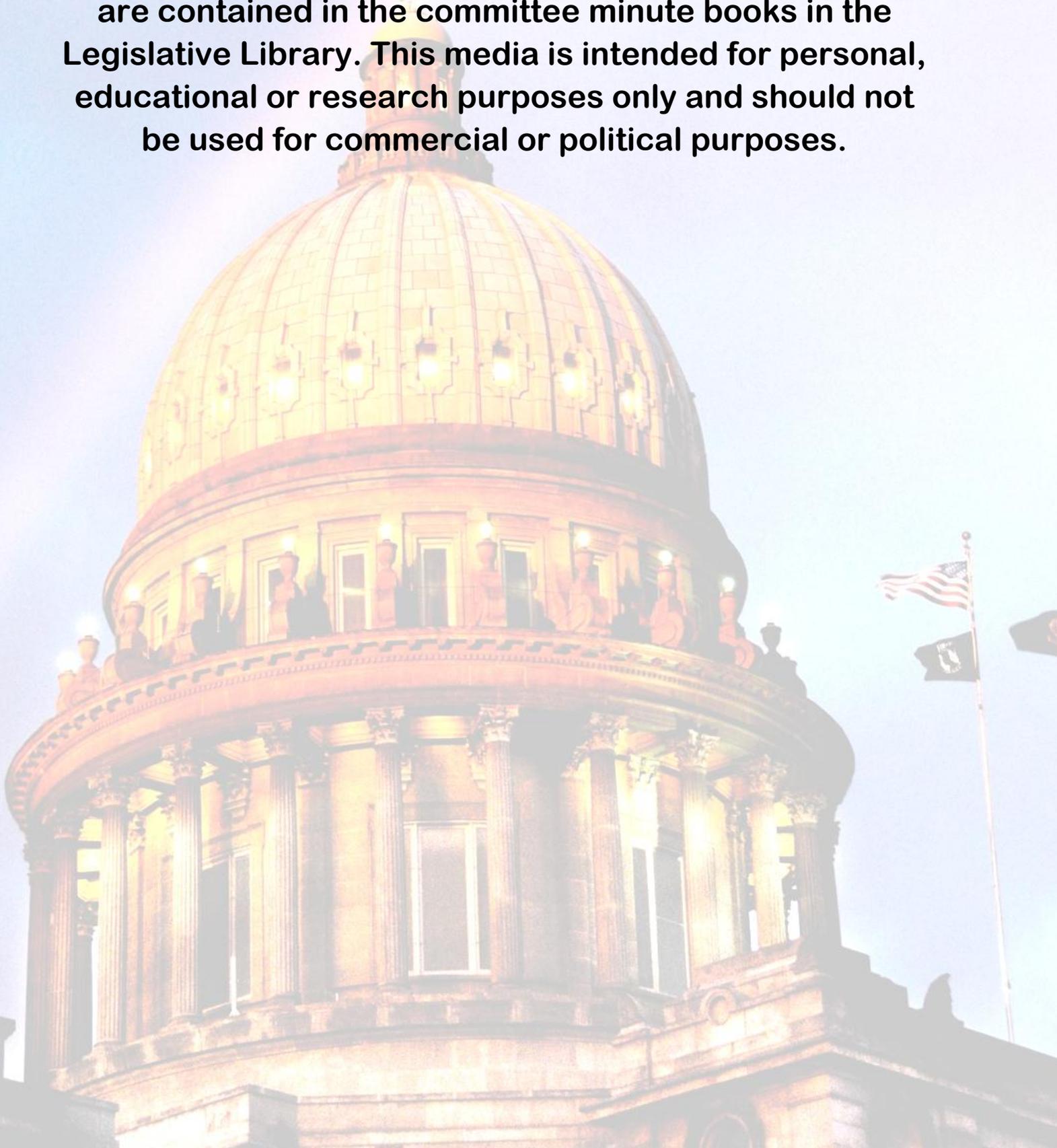


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# JFAC COMMITTEE MEETING MINUTES

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2/7/13

The hearing was held in Room C310, Statehouse, commencing at 8:00 a.m. and concluding at 10:55 a.m. with Chairman Cameron presiding.

## **Roll Call:**

Senators: Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey

Representatives: Bolz, Eskridge, Gibbs, Stevenson, Barron (for Miller), Youngblood, Ringo, King

Excused: Thompson

Staff present: Ellsworth, Burns, Houston

Others Present:

## **FY 2013 SUPPLEMENTAL APPROPRIATIONS**

### **DEPARTMENT OF HEALTH AND WELFARE**

Presenter: Matt Ellsworth, Senior Budget & Policy Analyst

#### **Indirect Support Services**

##### **Medicaid Readiness Object Transfer**

The budget for Medicaid Readiness in Indirect Support Services was initially based on a 50/50 split between CO and OE. In the first year of the project (FY 2012), the department spent more on CO than budgeted, and was able to work with DFM to adjust the budget accordingly within the limitations outlined in statute. Idaho Code requires legislative approval to move funds from CO to any other object code, so this request is to transfer a portion of FY 2013 funding from CO to OE to complete remaining contract systems development work in the current year.

##### **Unanimous Consent Request**

On request by Keough, granted by unanimous consent, the FY 2013 budget for the Department of Health and Welfare was reopened.

#### **Carried**

##### **Original Motion**

Moved by Keough, seconded by Bell, to approve for introduction \$0 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$0 with FTP of 0.00. CO to OE transfer = \$1,250,000

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

**Division of Welfare**  
**Self-Reliance Operations**

**Medicaid Readiness**

The primary purpose of requested funds is to reprogram Idaho Benefits Eligibility System (IBES) to process applications using modified adjusted gross income as the basis for determining income/eligibility.

The federal match rate for Medicaid Readiness is 90/10 (i.e., ten percent non-federal funds). However, the Division of Welfare proposes using \$632,000 of federal Supplemental Nutrition Assistance Program (SNAP, or food stamps) performance bonus payments for the non-federal share. Although the source of the performance bonus payments is federal (as reflected in the request), states are granted flexibility in the use of these funds, allowing states to use performance bonus payments as non-federal match or for other purposes.

**Carried**     **Original Motion**

Moved by Keough, seconded by Bolz, to approve for introduction \$0 General Funds, \$0 Dedicated Funds, \$6,320,000 Federal Funds for a total of \$6,320,000 with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

### **Legislative Intent**

Clarifying approval of Fiscal Year 2013 supplemental requests by the Department of Health and Welfare for the Medicaid Readiness project on February 7, 2013, it is the intent of the Legislature that funding provided for the Medicaid Readiness project support only the “mandatory” changes to the Medicaid program that are required by the Patient Protection and Affordable Care Act. Funding for the Medicaid Readiness project is not intended to support the “optional” expansion of the Medicaid program as identified in the June 28, 2012 Supreme Court Ruling in the case of National Federation of Independent Business v. Sebelius, Secretary of Health and Human Services.

#### **Carried Original Motion**

Moved by Stevenson, seconded by Bayer, to approve the legislative intent language shown above.

#### **Ayes: 17**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood

#### **Nays: 2**

Ringo, King

#### **Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

### **Medical Assistance Services**

#### **Enhanced Medicaid Plan**

#### **Residential Habilitation Rate Increase**

Five residential habilitation service providers sued the department for the way reimbursement rates were determined. The court ruled in 2011 in favor of the plaintiffs, and the requested funding allows the department to pay the increased amount per the court’s ruling. The department is appealing the ruling.

#### **Carried Original Motion**

Moved by Keough, seconded by Bolz, to approve for introduction \$3,660,000 General Funds, \$0 Dedicated Funds, \$8,540,000 Federal Funds for a total of \$12,200,000 with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

### **Coordinated Medicaid Plan**

#### **PA Provider Rate Increase**

The department indicates that it reviews rates paid for services each year, and is able to identify differences in rates for the same services provided in different settings. The department indicates that it found a lower rate for in-home personal attendant workers than attendant workers in facilities (which are more expensive points of care). The department requests this rate increase to bring in-home care providers in line with those who provide similar services in facilities.

#### **Carried Original Motion**

Moved by Keough, seconded by Schmidt, to approve for introduction \$475,200 General Funds, \$0 Dedicated Funds, \$1,108,800 Federal Funds for a total of \$1,584,000 with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

### **Basic, Coordinated and Enhanced Plans**

#### **Return Excess Funding - Rescission**

Medicaid tracks actual program expenditures each month to the budget to determine how much, if any, actual expenditures differ from the amount funded for the year. As of October 2012, the department estimates that it is overfunded to the tune of

\$46,277,100. The one-time portion of this proposed action reflects one-time carry-over funding approved by the Legislature last session. The ongoing portion reflects the amount the program's ongoing appropriation exceeds forecasted need for FY 2013.

**Carried**      **Original Motion**

Moved by Keough, seconded by Bell, to approve for introduction \$(46,277,100) General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$(46,277,100) with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

**Public Health Services**

**Physical Health Services**

**Vaccine Assessment/Fund Increase**

This request aligns spending authority with the department's estimated cost of the program for FY 2013. The source of funding for the program is an insurance carrier assessment based on the number of children served.

**Carried**      **Original Motion**

Moved by Keough, seconded by Schmidt, to approve for introduction \$0 General Funds, \$10,100,000 Dedicated Funds, \$0 Federal Funds for a total of \$10,100,000 with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

### **TRICARE Vaccines**

In August, the department received notice from the federal government that, effective October 1, 2012, the federal vaccine grant funding the state was using to purchase vaccines for TRICARE children was no longer an eligible funding source. As a result, an estimated 7,700 children were at risk of losing immunization coverage. In order to prevent this gap in coverage, the Governor directed the department to use its existing FY 2013 General Fund appropriation to purchase vaccinations for TRICARE children, and this one-time funding is intended to replace those funds.

#### **Carried**

#### **Original Motion**

Moved by Keough, seconded by Bolz, to approve for introduction \$441,400 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$441,400 with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

### **DEPARTMENT OF CORRECTION**

**Presenter: Richard Burns, Principal Budget and Policy Analyst**

#### **Unanimous Consent Request**

On request by Bolz, granted by unanimous consent, the FY 2013 budget for the Department of Correction was reopened.

### **Management Services**

#### **Contract Administration**

The Department of Correction currently contracts over \$70 million in services, which now comprise one-third of the department's entire budget. The contract administration unit is responsible for contract development, negotiation, and management of all binding contracts. This unit is comprised of a business support manager, a correctional program coordinator, and one-and-one-half grant and contract officers. The department

is requesting an appropriation from the Inmate Management Fund (Miscellaneous Revenue) to cover the cost of two new grant and contract officers that were hired July 1, 2012, to monitor contract services. Of the amount requested, \$135,000 is ongoing and \$1,500 is one-time.

**Carried**      **Original Motion**

Moved by Bolz, seconded by Keough, to approve for introduction \$0 General Funds, \$136,500 Dedicated Funds, \$0 Federal Funds for a total of \$136,500 with FTP of 0.00.

OT=\$1,500

**Ayes:    19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays:    0**

**Ab/Ex:   1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

**Lawsuit Settlements**

The motion includes \$184,600 to reimburse attorney fees associated with the Walter D. Balla et al v. Idaho State Board of Correction court case. Pending before the U. S. District Court is a petition for the award of interim attorney fees and costs. The fees and costs were incurred by attorneys, appointed by the court, for the specific purpose of monitoring the injunctive relief of the Balla cases. The attorneys have incurred fees monitoring compliance and bringing motions when there was a need for clarification or to ensure the injunctive relief was being complied with by the IDOC and ISCI. It also includes \$29,300 for legal fees in a case filed by news organizations seeking full witness access to view executions from start to finish. The state lost and was ordered to pay attorney expenses. Combined these two cases total \$213,900 and are one-time in nature.

**Carried**      **Original Motion**

Moved by Bolz, seconded by Youngblood, to approve for introduction \$213,900 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$213,900 with FTP of 0.00.

**Ayes:    19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller,

Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

### **State Prisons**

#### **Balla Medical and Mental Health Care Staff**

In an effort to bring the 31-year-old Walter Balla, et al v. Idaho State Board of Correction lawsuit to a successful and final resolution, the department is requesting 12 additional state positions to improve medical and mental health care at the Idaho State Correctional Institution (ISCI) in Boise. Seven of the positions requested are correctional officers needed for two new essential posts. One post will provide security during "pill call". This post will ensure safety to manage an expanded prescription distribution process. The second post is to manage medical transports offsite.

The remaining five positions address medical and mental health needs. This plan includes one clinical supervisor to manage processes such as mental health follow-ups and audits; and four mental health professionals to meet the requirements of the stipulation concerning the need to provide services at specialized units and to general population inmates. Of the amount requested, \$688,500 is ongoing and \$26,700 is one-time.

**Carried**

#### **Original Motion**

Moved by Bolz, seconded by Youngblood, to approve for introduction \$378,000 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$378,000 with FTP of 12.00.

OT=\$26,600

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

### **ISCI Correctional Officers**

The Idaho State Correctional Institution in Boise (ISCI) opened Building 24 as a temporary measure to handle offender growth. After two-and-one-half years, it has become apparent to the department that this is not a temporary housing measure and now wants to ensure they have the permanent staff to manage this unit. In 2010, it was determined they need 12 correctional officers to staff Building 24, but opted instead to use temporary fills to cover their personnel hires. The Department of Correction is now requesting 12 permanent full-time positions to staff this facility. Funding for the temporary fills will be used to finance these twelve new positions.

#### **Carried**

#### **Original Motion**

Moved by Bolz, seconded by Mortimer, to approve for introduction \$0 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$0 with FTP of 12.00.

no additional funding needed

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

### **IMSI Correctional Officers**

Funding is requested to hire five correctional officers needed to re-open G Block and double bunk both G and E Blocks at the Idaho Maximum Security Institution (IMSI). Re-opening and double bunking these units will provide the department with 60 additional beds and thus reduce the need for sending offenders out of state. This request also includes operating expenses for food, institutional supplies, officer training, staff protective vests, and liability insurance. The beds were made available August 27, 2012, requiring additional resources for ten months this year and annualizing the remaining two months in FY 2014. Of the amount requested for the year, \$286,800 is ongoing and \$7,500 is one-time.

**Carried**

**Original Motion**

Moved by Bolz, seconded by Mortimer, to approve for introduction \$87,000 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$87,000 with FTP of 5.00.

OT=\$7,500

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

**Miscellaneous Revenue Proceeds**

The Governor recommends one-time spending authority from the Miscellaneous Revenue Fund for proceeds received from the sale of department-owned property located in Cottonwood. This will allow the department to construct a sewage treatment monitoring system for the North Idaho Correctional Institution at Cottonwood.

**Carried**

**Original Motion**

Moved by Bolz, seconded by Youngblood, to approve for introduction \$0 General Funds, \$136,500 Dedicated Funds, \$0 Federal Funds for a total of \$136,500 with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

## **County and Out-of-State Placement**

### **Inmate Housing**

Because of the increased number of inmates now housed in county jails and in out-of-state contract facilities, an additional \$8,583,200 is requested to cover this added cost. Of the amount requested, \$3,894,100 is to cover the cost of housing a daily average of 713 offenders in county jails; \$4,613,400 is to cover the cost of housing a daily average of 237 offenders in out-of-state contract facilities; and \$75,700 is requested to cover the cost of monitoring out-of-state contract providers. These figures are supplied by the department and are based upon current population trends. With county jails at or above capacity, the department has little option but to contract with out-of-state providers to house the inmate overflow until alternative options are found (\$8,580,400 ongoing and \$2,800 one-time).

**Carried**

### **Original Motion**

Moved by Bolz, seconded by Thayn, to approve for introduction \$6,502,800 General Funds, \$72,900 Dedicated Funds, \$0 Federal Funds for a total of \$6,575,700 with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

## **Education and Treatment**

### **Medical Contract Monitoring**

Ongoing funding is requested from the Miscellaneous Revenue Fund to pay for a nurse manager position to monitor the medical contract. The contract with Corizon was amended to have the contractor return these funds, from the General Fund appropriation made for services, back to the department so they could hire the nurse manager. The department put this in place using an existing position.

**Carried**

### **Original Motion**

Moved by Bolz, seconded by Thayn, to approve for introduction \$0 General Funds, \$87,700 Dedicated Funds, \$0 Federal Funds for a total of \$87,700 with FTP of 0.00.

**Ayes: 18**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 1**

Schmidt

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

## **Medical Services**

### **Balla Medical Services Contract**

On May 15, 2012 a Stipulated Motion to Modify Injunctive Relief was entered into by and between plaintiffs (Walter D. Balla, et al) and defendants (Idaho State Board of Correction, et al) in the lawsuit captioned as Walter Balla, et al v. Idaho State Board of Correction, et al, Case No. 1:81-cv-1165-BLW, United States District Court for the District of Idaho. The stipulation includes modified compliance plans that, if followed, will bring the 31-year-old Balla lawsuit to a successful and final resolution on the issues raised with respect to medical and mental health care at the Idaho State Correctional Institution (ISCI).

The department's plan to meet the terms of the stipulated agreement requires additional medical contract services and other resources included in the ISCI supplemental appropriation. The department's medical contract services provider will hire 10.6 full-time equivalent positions to provide improved medical and mental health care at the ISCI. These positions include registered nurses (2.6), licensed practical nurses (7.6), and elevating the regional medical director to full-time (0.4). Additional hours would also be added for telemedicine services. Additional services will include an enhanced pharmacy, emergency response, long-term care, and provider competency. These enhanced services are outlined in the Balla settlement and must be met to bring the lawsuit to a final resolution. Of the amount requested, \$593,100 is ongoing and \$205,800 is one-time. This request is for a partial year (273 days) with the balance of funding requested as an annualization for FY 2014.

Of the \$205,800 that is requested as one-time, \$180,800 is to expand the existing medical building at ISCI by 773 square feet of space for a new pharmacy medication distribution area. The addition will have four pass-through openings cut into the existing medical building. There will be four openings for pill distribution with two drinking fountains. The open space of the addition will be used for a queuing area for offenders.

The room was designed for a desk area to be staffed by a correctional officer when the building is occupied. The new structure will have new lighting, a new HV AC system and will include fire sprinklers. There will be no walking access or doors from the addition into the existing medical building. The entrance to the existing medical building will remain in its present location but the department is planning to install a new ADA compliant door. The expansion area will have a separate entrance and exit door. In addition, a one-time request of \$25,000 is included to rent temporary building space, while the expansion is underway.

**Carried**      **Original Motion**

Moved by Bolz, seconded by Mortimer, to approve for introduction \$798,900 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$798,900 with FTP of 0.00.

OT=\$205,800

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

**SELF-GOVERNING AGENCIES**

**Presenter: Richard Burns, Principal Budget and Policy Analyst**

**State Appellate Public Defender**

**Capital Litigation Costs**

One-time funding is requested to procure sufficient support for the litigation of capital cases, and to resolve a potential conflict of interest by hiring outside counsel. The request includes \$30,000 in the Eric V. Hall v. State (Hall I) case, who has filed a final amended petition for post conviction relief. The state of Idaho has moved for summary dismissal of the petition. If the district court does not summarily dismiss the petition, it will order an evidentiary hearing on some or all of the claims in the petition. The funds requested would be used to cover expert witness fees and court costs. In addition, \$55,000 is requested to hire outside legal counsel due to a potential conflict of interest in Jauhola v. State. The Governor recommends \$70,000 for the department's conflict counsel caseload in Jauhola v. State, and \$30,000 for Hall v. State.

**Carried**

**Original Motion**

Moved by Bolz, seconded by Youngblood, to approve for introduction \$100,000 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$100,000 with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

**DEPARTMENT OF FISH AND GAME**

**Presenter: Ray Houston, Principal Budget and Policy Analyst**

**Unanimous Consent Request**

On request by Gibbs, granted by unanimous consent, the FY 2013 budget for the Department of Fish and Game was reopened.

**Administration**

**Headquarters Roof Replacement**

The Governor recommends, for the Idaho Department of Fish and Game for FY 2013, an additional appropriation in the amount of \$50,000 from dedicated and federal funds, one-time, to be used for roof replacement at the Boise headquarters building.

**Carried**

**Original Motion**

Moved by Gibbs, seconded by Eskridge, to approve for introduction \$0 General Funds, \$30,000 Dedicated Funds, \$20,000 Federal Funds for a total of \$50,000 with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

### **Enforcement**

#### **Assist Federal Law Enforcement**

The appropriation is to be used by the Enforcement Program to assist federal agencies with removal of nuisance bears in the Panhandle, monitoring of fishing usage on the South Fork of the Snake River, and monitoring for hunting closures in the Hot Tea area north of Mountain Home.

**Carried**      **Original Motion**

Moved by Eskridge, seconded by Bayer, to approve for introduction \$0 General Funds, \$0 Dedicated Funds, \$39,000 Federal Funds for a total of \$39,000 with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

### **Fisheries**

#### **Fisheries Projects**

The appropriation is to be used by the Fisheries Program for fish screening, maintenance of fishing access sites, fish habitat improvement, and hatchery programs.

**Carried**      **Original Motion**

Moved by Eskridge, seconded by Gibbs, to approve for introduction \$0 General Funds, \$1,791,300 Dedicated Funds, \$3,871,900 Federal Funds for a total of \$5,663,200 with FTP of 0.00.

**Ayes: 18**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 2**

Schmidt, Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

## **Wildlife**

### **Wildlife Projects**

The appropriation is to be used by the Wildlife Program to develop a statewide wetland monitoring plan, conserve endangered species, improve wildlife habitat, and develop a web-based habitat information system to assist land-use managers.

#### **Carried Original Motion**

Moved by Gibbs, seconded by Youngblood, to approve for introduction \$0 General Funds, \$241,400 Dedicated Funds, \$899,200 Federal Funds for a total of \$1,140,600 with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

## **Communications**

### **Education Programs**

The appropriation is to be used by the Communications Program to promote fishing, involve conservation volunteers, and improve hunter education throughout the state. About 39% or \$428,000 is to construct a hunter education classroom in the Panhandle Region.

#### **Carried Original Motion**

Moved by Eskridge, seconded by Gibbs, to approve for introduction \$0 General Funds, \$28,600 Dedicated Funds, \$1,065,700 Federal Funds for a total of \$1,094,300 with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron

### **Winter Feeding and Habitat Improvement**

#### **Habitat Surveys and Studies**

The appropriation is to be used by the Winter Feeding and Habitat Improvement Program to conduct rare species habitat surveys for the U. S. Forest Service and the Bureau of Land Management and to conduct habitat improvement studies in the Boise and Payette River drainages.

**Carried**

#### **Original Motion**

Moved by Gibbs, seconded by Youngblood, to approve for introduction \$0 General Funds, \$0 Dedicated Funds, \$218,600 Federal Funds for a total of \$218,600 with FTP of 0.00.

**Ayes: 18**

Cameron, Keough, Mortimer, Vick, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 1**

Nuxoll

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

## **DEPARTMENT OF WATER RESOURCES**

**Presenter: Ray Houston, Principal Budget and Policy Analyst**

### **Unanimous Consent Request**

On request by Gibbs, granted by unanimous consent, the FY 2013 budget for the Department of Water Resources was reopened.

### **Water Management**

#### **Water Supply Bank Payments**

This motion provides an additional dedicated appropriation for Water Supply Bank rental fees due to increased activity in the Water Supply Bank. This will allow water rights owners to be paid this fiscal year. The motion is for a \$400,000 ongoing appropriation and will increase the base to \$618,900.

**Carried**

#### **Original Motion**

Moved by Gibbs, seconded by Eskridge, to approve for introduction \$0 General Funds, \$400,000 Dedicated Funds, \$0 Federal Funds for a total of \$400,000 with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

### **Adjudication Filing Fees**

The motion provides additional spending authority to the Water Management Program for adjudication of the Snake River Basin Adjudication. This additional \$35,000 appropriation from dedicated moneys will be ongoing through FY 2014 to provide funding to fill in a shortage in personnel funding for adjudication staff caused by budget cuts.

**Carried**

#### **Original Motion**

Moved by Eskridge, seconded by Gibbs, to approve for introduction \$0 General Funds, \$35,000 Dedicated Funds, \$0 Federal Funds for a total of \$35,000 with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

## **SELF-GOVERNING AGENCIES**

### **Medical Boards**

**Presenter: Matt Ellsworth, Senior Budget and Policy Analyst**

#### **Unanimous Consent Request**

Moved by Keough, granted by unanimous consent, the FY 2013 budget for Self-Governing Agencies was reopened.

### **Board of Medicine**

#### **Licensing System – Board of Medicine**

Last session, the board requested and received \$250,000 in one-time capital outlay to procure a new online licensing system in partnership with several other medical and regulatory boards. The assumption at the time was that the board needed the full anticipated amount to make the purchase this year. The boards have since completed a request for proposal process, and the selected vendor will provide the new system for a monthly maintenance/user fee rather than an upfront purchase. As a result, the board requests a realignment of \$50,000 to pay monthly fees in FY 2013. The \$200,000 reduction zeros out the remaining unneeded portion of capital outlay appropriation.

**Carried**

#### **Original Motion**

Moved by Keough, seconded by Bell, to approve for introduction \$0 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$0 with FTP of 0.00.

CO to OE transfer = \$50,000

CO Reduction = \$200,000

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

**Board of Pharmacy**  
**Licensing System - Pharmacy**

Last session, the board requested and received \$250,000 in one-time capital outlay to procure a new online licensing system in partnership with several other medical and regulatory boards. The assumption at the time was that the board needed the full anticipated amount to make the purchase this year. The boards have since completed a request for proposal process, and the selected vendor will provide the new system for a monthly maintenance/user fee rather than an upfront purchase. As a result, the board requests a realignment of \$50,000 to pay monthly fees in FY 2013. The \$200,000 reduction zeros out the remaining unneeded portion of capital outlay appropriation.

**Carried**      **Original Motion**

Moved by Schmidt, seconded by Lacey, to approve for introduction \$0 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$0 with FTP of 0.00.

CO to OE transfer = \$50,000

CO reduction = \$200,000

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

**Board of Dentistry**  
**Licensing System - Dentistry**

Last session, the board requested and received \$48,000 in one-time capital outlay to procure a new online licensing system in partnership with several other medical and

regulatory boards. The assumption at the time was that the board needed the full anticipated amount to make the purchase this year. The boards have since completed a request for proposal process, and the selected vendor will provide the new system for a monthly maintenance/user fee rather than an upfront purchase. As a result, the board requests a realignment of \$10,500 to pay monthly fees in FY 2013. The \$37,500 net reduction zeros out the remaining unneeded portion of capital outlay appropriation.

**Carried**      **Original Motion**

Moved by Schmidt, seconded by Johnson, to approve for introduction \$0 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$0 with FTP of 0.00.

CO to OE transfer = \$10,500

Reduction in OE = \$37,500

**Ayes:    19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays:    0**

**Ab/Ex:   1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

**Board of Pharmacy**  
**Rx Monitoring Program**

The purpose of the program is to reduce the inappropriate use of controlled substance prescriptions.

**Carried**      **Original Motion**

Moved by Schmidt, seconded by Keough, to approve for introduction \$0 General Funds, \$0 Dedicated Funds, \$98,100 Federal Funds for a total of \$98,100 with FTP of 0.00.

**Ayes:    19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays:    0**

**Ab/Ex:   1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

**Board of Veterinary Medicine**  
**PC Increase and Temp Staff**

The purpose of this request is (1) to pay out leave for a staff member who will be off the job for at least six months for personal medical reasons, and (2) to bring on office staff from a temp agency in the absence of the regular, full-time incumbent.

**Carried**

**Original Motion**

Moved by Schmidt, seconded by Bell, to approve for introduction \$0 General Funds, \$31,400 Dedicated Funds, \$0 Federal Funds for a total of \$31,400 with FTP of 0.00.

**Ayes: 19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays: 0**

**Ab/Ex: 1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

**OFFICE OF THE GOVERNOR**  
**Military Division**

**Presenter: Richard Burns, Principal Budget and Policy Analyst**

**Unanimous Consent Request**

On request by Nuxoll, granted by unanimous consent, the FY 2013 budget for the Office of Governor, Military Division, was reopened.

**Youth Challenge Program**

Located in Pierce, Idaho, the Youth Challenge Program is a youth intervention program that provides a structured, disciplined, 22-week residential phase focusing on education and practical life skills. This is followed by a 12-month post-residential phase involving skilled and trained mentors supporting graduates engaged in positive, durable placement. Eligible candidates for the program must be high school dropouts between

16 to 18 years of age, unemployed, drug-free, not on parole and who have no felony convictions. Funding for this program includes a mix of dedicated and federal funds. Dedicated funds will come from private donations, and from Public School average daily attendance state moneys that will be available once the school begins in January 2014. According to the Military Division, the success of this program involves receiving a supplemental.

**Carried**      **Original Motion**

Moved by Nuxoll, seconded by Johnson, to approve for introduction \$0 General Funds, \$970,300 Dedicated Funds, \$421,800 Federal Funds for a total of \$1,392,100 with FTP of 5.00.

**Ayes:    19**

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

**Nays:    0**

**Ab/Ex:   1**

Thompson

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Cameron.

**ADJOURNED**

Senator Dean L. Cameron, Chairman

Peggy Moyer, Secretary