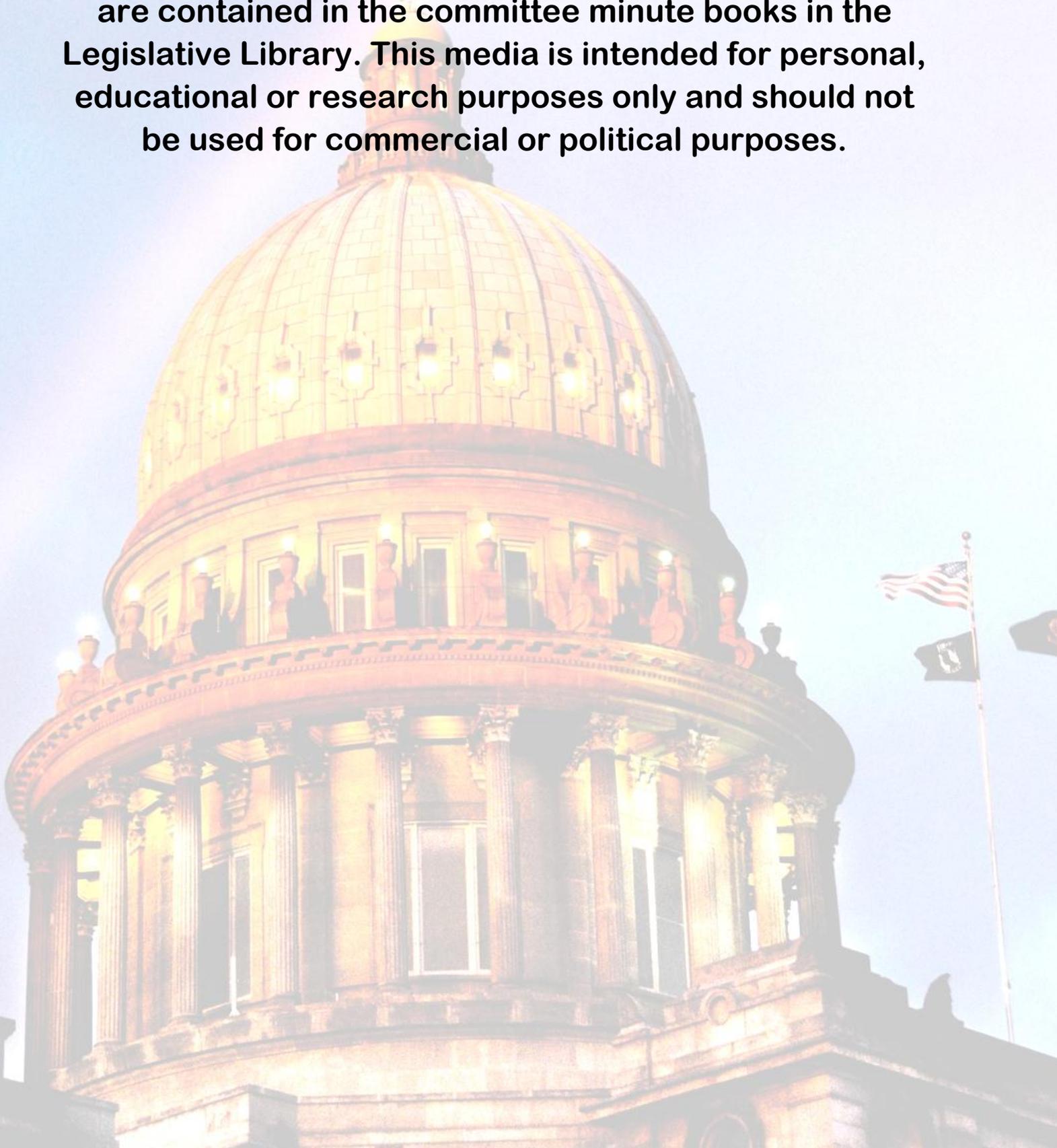


Please be advised that this is an electronic reproduction of Legislative proceedings and does not represent the official record of committee actions that are contained in the committee minute books in the Legislative Library. This media is intended for personal, educational or research purposes only and should not be used for commercial or political purposes.



JFAC COMMITTEE MEETING MINUTES

3/20/13

The hearing was held in Room C310, Statehouse, commencing at 8:00 a.m. and concluding at 8:45 a.m. with Chairman Cameron presiding.

Roll Call:

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

Representatives: Bell, Bolz, Eskridge, Thompson, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

Ab/Excused: None

SETTING FY 2014 APPROPRIATIONS

Trailer Bills

DEPARTMENT OF ADMINISTRATION: Capitol Commission – Capitol Maintenance Reserve Fund – Trailer Appropriation to H181

Presenter: Robyn Lockett, Budget and Policy Analyst

The motion reflects the changes needed to comply with House Bill 181 which creates a special savings account named the Capitol Maintenance Reserve Fund to build up funds to support repairs and maintenance of the Capitol Building on an ongoing basis. The bill also changes the name of its current operating fund from the Capitol Endowment Income Fund to the Capitol Commission Operating Fund. Because the legislation changes the fund structure and the names of certain funds, it is necessary to authorize a new appropriation for the Capitol Commission for Fiscal Year 2014 to reflect the changes in statute.

Carried

Original Motion

Moved by Bolz, seconded by Lacey, to approve for introduction \$0 General Funds, \$2,333,000 Dedicated Funds, \$0 Federal Funds for a total of \$2,333,000 with FTP of 0.00.

Ayes: 20

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

Nays: 0

Ab/Ex: 0

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.

Endowment Fund Investment Board to transfer \$1,000,000 from the Capitol Permanent Endowment Fund to the Capitol Maintenance Reserve Fund on July 1, 2013, or as soon thereafter as practicable.

Carried **Original Motion**

Moved by Bolz, seconded by Lacey, to approve for introduction \$0 General Funds, \$1,000,000 Dedicated Funds, \$0 Federal Funds for a total of \$1,000,000 with FTP of 0.00.

Ayes: 20

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

Nays: 0

Ab/Ex: 0

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 Language

ENDING BALANCE TRANSFER. Any cash balance remaining in the Capitol Endowment Income Fund on June 30, 2013 shall be transferred to the Capitol Commission Operation Fund on July 1, 2013, or as soon after as practicable by the State Controller.

EXEMPTIONS FROM OBJECT TRANSFER LIMITATIONS. For Fiscal Year 2014, the Idaho State Capitol Commission, is hereby exempted from the provisions of Section 67-3511 (1) and (3), Idaho Code, allowing unlimited transfers between object codes, for all moneys appropriated to it for the period July 1, 2013, through June 30, 2014. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature.

Unanimous Consent Request

On request by Bolz, granted by unanimous consent, the legislative intent language shown above was accepted.

OFFICE OF THE ATTORNEY GENERAL – Trailer to S1079
Internet Crimes Against Children

Presenter: Richard Burns, Principal Budget and Policy Analyst

Senate Bill 1079 created an Internet Crimes Against Children Unit within the Office of the Attorney General. The Idaho Internet Crimes Against Children Task Force (IICACTF) is currently housed within the Attorney General's Office and has successfully operated out of that office for five years. The creation of an Internet Crimes Against Children Unit will allow for additional staff needed to aid in the investigation and prosecution of offenders who use the Internet, online systems, computer technology, cellular phones, smart phones, or mobile technology devices to sexually exploit children. Such a unit is necessary to provide the personnel and resources to pursue the numerous leads found by IICACTF. This unit, through partnerships with local law enforcement entities throughout the state, will enforce Idaho's laws prohibiting sexual exploitation of children. Importantly, creation of this unit will ultimately lead to the rescue of children being sexually exploited and a reduction in the number of child victims.

Carried **Original Motion**

Moved by Bolz, seconded by Lacey, to approve for introduction \$2,014,900 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$2,014,900 with FTP of 3.50. (Ongoing \$1,607,100 and one-time \$407,800)

Ayes: 20

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

Nays: 0

Ab/Ex: 0

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.

To offset the General Fund appropriation shown above, on or before June 30, 2013, \$2,014,900 will be transferred from the Consumer Protection Fund to the General Fund.

Carried **Original Motion**

Moved by Bolz, seconded by Lacey, to approve for introduction \$0 General Funds, \$2,014,900 Dedicated Funds, \$0 Federal Funds for a total of \$2,014,900 with FTP of 0.00. (Ongoing \$1,607,100 and one-time \$407,800)

Ayes: 20

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

Nays: 0

Ab/Ex: 0

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.

Trailer to S1080

Senate Bill 1080 will transfer county elected official misconduct investigations and litigation from county prosecutors to the Attorney General to eliminate a potential conflict of interest. This action will move an additional \$212,600 from the General Fund and add two additional full-time equivalent positions for FY 2014. The purpose is to implement the provisions of S1080.

Carried

Original Motion

Moved by Bolz, seconded by Lacey, to approve for introduction \$212,600 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$212,600 with FTP of 2.00. (ongoing \$200,300; one-time \$12,300 and 2 FTP)

Ayes: 20

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

Nays: 0

Ab/Ex: 0

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 COMMERCE – Trailer to H100 – Amend FY14 Appropriation

Presenter: Keith Bybee, Principal Budget and Policy Analyst

House Bill 100 changes the name of the “Business and Jobs Development Fund” to the “Idaho Opportunity Fund”. Since FY 2006, the Business and Jobs Development Fund, has been an integral economic development tool for the Department of Commerce in the recruitment and retention of business to Idaho. These moneys have been used as

grants for public infrastructure projects. HB100 codifies the rules currently on the books associated with how moneys in the Business and Jobs Development Fund are to be expended, adds that the local governments use some matching funds for these moneys and renames the fund the Idaho Opportunity Fund. The FY 2014 appropriation to the Department of Commerce, appropriates and transfers \$3,000,000 from the General Fund to the Business and Jobs Development Fund. In order for the Department to utilize these moneys in the Idaho Opportunity Fund, the FY 2014 appropriation bill must be amended to incorporate the new name.

Carried Moved by Keough, seconded by Thompson, to amend the FY 2014 appropriation to the Department of Commerce by striking any reference to the Business and Jobs Development Fund and replacing that reference with the Idaho Opportunity Fund.

Ayes: 20

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

Nays: 0

Ab/Ex: 0

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: Division of Veterans Services – Trailer to H222

Presenter: Matt Ellsworth, Senior Budget and Policy Analyst

H222 creates two new funds. The first is the Idaho Veterans Recognition Fund which is the “primary” fund envisioned by the program. The secondary fund, called the Idaho Veterans Recognition Income Fund, is established to receive an annual transfer, subject to appropriation, in the amount of earnings on the primary fund (not to exceed 5% of the primary fund value). H222 charges a committee with preparing an annual allocation plan that (1) requests an amount to transfer from the primary to the secondary fund and (2) proposes uses for moneys in the secondary fund. The bill directs the division to include the annual allocation plan in its budget request which, assuming passage of H222, will occur with next year’s request.

Carried **Original Motion**

Moved by Eskridge, seconded by Johnson, to approve for introduction \$0 General Funds, \$12,114,300 Dedicated Funds, \$7,885,700 Federal Funds for a total of \$20,000,000 with FTP of 0.00.

Ayes: 20

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

Nays: 0

Ab/Ex: 0

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 HEALTH AND WELFARE: Mental Health Services
Trailer to S1114

Senate Bill 1114 makes changes to the Behavioral Health system of care in Idaho. In part, it formalizes Regional Behavioral Health Boards that are intended to coordinate support services throughout the state. The fiscal note for S1114 acknowledges that the Behavioral Health Boards will need an amount of one-time start-up funding. Further, it acknowledges that the Department has funding in its FY 2013 budget to provide the needed support. Additional resources identified in the fiscal note are already available in the Department's FY 2014 appropriation so, aside from the one-time start-up funding, no additional budgetary adjustments are needed.

Legislative Intent Language

1. GENERAL FUND REAPPROPRIATION AUTHORITY. There is hereby re-appropriated to the Department of Health and Welfare in the Mental Health Services Division any unexpended and unencumbered balance of General Fund moneys in the Cooperative Welfare Fund as appropriated to the Children's Mental Health and Adult Mental Health programs for Fiscal Year 2013, to be made available for the period July 1, 2013, to June 30, 2014. The re-appropriation shall be computed by the Department of Health and Welfare and, for budgeting purposes, any General Fund portion of the balance in the Cooperative Welfare Fund from the programs identified herein, shall be identified as part of the General Fund.
2. CLARIFYING USE OF REAPPROPRIATED FUNDS. It is the intent of the Legislature that General Fund moneys appropriated to the Children's Mental Health and Adult Mental Health programs be used to provide or administer Mental Health services. Subsequently, moneys re-appropriated in Section 1 of this act shall be used for Mental Health services, including one-time start-up funds for regional behavioral health boards as identified in Senate Bill 1114 of the 2013 Legislative Session.
3. MENTAL HEALTH PROGRAM TRANSFERS. Notwithstanding the provisions of Section 67-3511, Idaho Code, amounts re-appropriated from the Children's Mental Health and Adult Mental Health programs for Fiscal Year 2014 may be transferred between the Children's Mental Health Program and the Adult Mental Health Program in

amounts that exceed ten percent cumulative change from the appropriated amount for either program.

Unanimous Consent Request

Schmidt requested unanimous consent to approve the legislative intent language shown above. There was an **objection**.

Carried **Original Motion**

Moved by Schmidt, seconded by Bell, to accept the legislative intent language shown above.

Ayes: 17

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

Nays: 3

Vick, Nuxoll, Bayer

Ab/Ex: 0

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 – Trailer to H178

Under current statute (Idaho Code Section 41-6001 – Section 41-6008), the immunization assessment is set to expire at the end of FY 2013. House Bill 178 extends the sunset date until July 1, 2015. When setting the department's budget, JFAC did not take action on the two items in the Governor's recommendation that are contingent on passage of the policy bill. H178 passed the House and was referred to the Senate Commerce and Human Resources Committee.

Carried **Original Motion**

Moved by Schmidt, seconded by Keough, to approve for introduction \$0 General Funds, \$10,620,000 Dedicated Funds, \$0 Federal Funds for a total of \$10,620,000 with FTP of 0.00.

Ayes: 18

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

Nays: 2

Vick, Nuxoll

Ab/Ex: 0

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 Language

TRICARE VACCINES. The Legislature recognizes the potential gap in coverage created by TRICARE'S refusal to participate in the Idaho Immunization Program. The Legislature supports and encourages the Executive Branch in its efforts to negotiate a solution with TRICARE that does not rely on General Fund support. In the event that a negotiated solution can not be reached by July 1, 2013, the Legislature supports a temporary fix that is consistent with the Governor's solution for Fiscal Year 2013.

Carried Original Motion

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

Ayes: 20

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

Nays: 0

Ab/Ex: 0

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.

FY 2013 SUPPLEMENTAL

**DEPARTMENT OF HEALTH AND WELFARE: Medical Assistance Services
(FY 2013 Supplemental Correction)**

Unanimous Consent Request

Moved by Schmidt, granted by unanimous consent, to reopen the FY 2013 budget for the Division of Medical Assistance Services in the Department of Health and Welfare.

House Bill 210, the Medical Assistance Services supplemental amended H682, Laws of 2012. H210 incorporated the \$37,632,000 General Fund appropriation authority into the supplemental bill, negating the need for the re-appropriation authority granted originally

in H682. This action clarifies to the agency and the State Controller that the \$37.6 million should only be counted once in the FY 2013 total appropriation for the Department of Health and Welfare by repealing the re-appropriation authority granted in H682.

Carried **Original Motion**

Moved by Schmidt, seconded by Mortimer, that Section 6, Chapter 247, Laws of 2012, be repealed.

Ayes: 20

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

Nays: 0

Ab/Ex: 0

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