

MINUTES
JOINT FINANCE-APPROPRIATIONS COMMITTEE

DATE: Wednesday, March 02, 2016
TIME: 8:00 A.M.
PLACE: Room C310
MEMBERS: Senators Co-chairman Keough, Bair, Mortimer, Brackett, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey
Representatives Co-chairman Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

**ABSENT/
EXCUSED:** Schmidt
CONVENED: Chairman Keough convened the meeting at 8:00 A.M.
**STAFF
PRESENT:** Holland-Smith, Headlee, Tatro

**BUDGET
SETTING:** **SETTING FY 2017 APPROPRIATIONS**

**PUBLIC SCHOOL SUPPORT
Operations Division**

PRESENTER: **Paul Headlee, Deputy Division Manager, Budget & Policy, Legislative Services Office**

The section of intent language shown below was inadvertently left out of the motion packet used to set the FY 201 Public Schools Educational Support Program on February 29, 2016. The language shown below is standard language that allows the State Department of Education to move moneys among six divisions allowing year-end reconciliation and to make the discretionary funds distribution.

**UNANIMOUS
CONSENT:** On request by Horman, granted by unanimous consent, the FY 2017 Public School Support Program, Operations Division, was reopened.

**UNANIMOUS
CONSENT:** On request by Horman, granted by unanimous consent, the intent language shown below was accepted.

**INTENT
LANGUAGE:** Section 10. For the period July 1, 2016, through June 30, 2017, the State Department of Education is hereby granted the authority to transfer appropriations among the Administrators, Teachers, Operations, Children's Programs, and Facilities Divisions of the Public Schools Educational Support Program budget, in any amount necessary to comply with the public school funding provisions of appropriations and the Idaho Code. Additionally, appropriations may be transferred from the Central Services Division to the other divisions of the Public Schools Educational Support Program.

**OFFICE OF THE GOVERNOR
Executive Office of the Governor**

CARRIED:

Original Motion

Moved by Johnson, seconded by Gibbs, to approve for introduction \$2,160,500 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$2,160,500 with FTP of 22.00 with lump sum authority.

Ayes: 19

Keough, Johnson, Bair, Mortimer, Brackett, Nuxoll, Thayn, Guthrie, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 1

Schmidt

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 Keough.

Division of Financial Management

CARRIED:

Original Motion

Moved by Gibbs, seconded by Johnson, to approve for introduction \$1,769,800 General Funds, \$45,000 Dedicated Funds, \$0 Federal Funds for a total of \$1,814,800 with FTP of 15.00.

Ayes: 19

Keough, Johnson, Bair, Mortimer, Brackett, Nuxoll, Thayn, Guthrie, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 1

Schmidt

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 Keough.

LEGISLATIVE BRANCH

Legislative Services Office

PRESENTER:

Cathy Holland-Smith, Division Manager, Budget & Policy, Legislative Services Office

CARRIED:

Original Motion

Moved by Monks, seconded by Johnson, to approve for introduction \$5,112,500 General Funds, \$2,580,300 Dedicated Funds, \$0 Federal Funds for a total of \$7,692,800 with FTP of 64.00. The motion includes carryover authority for the Professional Services Fund, and no cap on FTP, and lump sum authority.

Ayes: 19

Keough, Johnson, Bair, Mortimer, Brackett, Nuxoll, Thayn, Guthrie, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 1

Schmidt

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 Keough.

Office of Performance Evaluations

CARRIED:

Original Motion

Moved by Gibbs, seconded by Johnson, to approve for introduction \$889,200 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$889,200 with FTP of 8.00. The motion includes no cap on FTP and lump sum authority.

Ayes: 19

Keough, Johnson, Bair, Mortimer, Brackett, Nuxoll, Thayn, Guthrie, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 1

Schmidt

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 Keough.

DEPARTMENT OF HEALTH AND WELFARE

Mental Health Services

PRESENTER: Jared Tatro, Principal Budget & Policy Analyst, Legislative Services Office

Original Motion

Moved by Malek, seconded by King, to approve for introduction \$32,289,300 General Funds, \$1,723,400 Dedicated Funds, \$8,693,900 Federal Funds for a total of \$42,706,600 with FTP of 288.23

FAILED

Substitute Motion

Moved by Bair, seconded by Nuxoll, to approve for introduction \$31,982,600 General Funds, \$1,723,400 Dedicated Funds, \$8,693,900 Federal Funds for a total of \$42,399,900 with FTP of 288.23

Ayes: 8

Keough, Johnson, Bair, Mortimer, Brackett, Nuxoll, Thayn, Gibbs

Nays: 10

Guthrie, Lacey, Bell, Miller, Youngblood, Horman, Malek, Burtenshaw, King, Gannon

Ab/Ex: 2

Schmidt, Monks

**ORIGINAL
MOTION
CARRIED:**

Vote on Original Motion

Ayes: 16

Keough, Johnson, Mortimer, Brackett, Thayn, Guthrie, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Burtenshaw, King, Gannon

Nays: 2

Bair, Nuxoll

Ab/Ex: 2

Schmidt, Monks

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 Keough.

**UNANIMOUS
CONSENT:**

On request by Malek, granted by unanimous consent, the intent language shown below was accepted.

INTENT LANGUAGE: LIMITING TRANSFER OF LEGISLATIVE APPROPRIATIONS. Notwithstanding the provisions of Section 67-3511, Idaho Code, Cooperative Welfare (General) Fund moneys appropriated to the Division of Mental Health and the Psychiatric Hospitalization Division may be transferred between divisions, but shall not be transferred to any other division or program within the Department of Health and Welfare without legislative approval.

PROVIDING FOR THE EDUCATIONAL NEEDS OF CHILDREN IN THE CARE OF THE DEPARTMENT. It is the finding of the Legislature that the Department of Health and Welfare is responsible for the educational needs of school-age children placed in their custody by the courts for either child protective or for mental health issues. If the Department of Health and Welfare places a child in a licensed residential treatment facility that includes a non-public accredited school, and it is determined by the Department of Health and Welfare that it is in the best interest of the child to be educated at the residential treatment facility, then it is the responsibility of the Department of Health and Welfare to pay for such education at the rate of \$71.05 per student per educational day. This intent language does not preclude other Idaho state agencies from exercising their responsibility to ensure a free and appropriate education for these students within the requirements of federal disability law. The fiscal impact of this language is approximately \$690,000 from existing appropriations.

INTERAGENCY PAYMENT FOR JUVENILE DETENTION CLINICIANS CONTRACT. The Children's Mental Health Program shall, no later than July 16, 2016, make an interagency payment of \$327,000 from the Cooperative Welfare (General) Fund to the Department of Juvenile Corrections to be used for the purchase of contract clinician services with juvenile detention facilities in Idaho, for the period July 1, 2016, through June 30, 2017.

UNANIMOUS CONSENT: On request by Malek, granted by unanimous consent, the intent language shown below was accepted.

INTENT LANGUAGE: Behavioral Health Crisis Center Location. It is the intent of the Legislature that \$1,013,300 of the amount provided in section 1, for the Adult Mental Health Program, of this act, is for a Behavioral Health Crisis Center, to be located in Health and Welfare Region 5. Further, it is the intent of the Legislature that \$506,700 of the amount provided in section 1, for the Adult Mental Health Program, of this act, is for a Behavioral Health Crisis Center, to be located in Health and Welfare Region 4.

UNANIMOUS CONSENT: On request by Malek, granted by unanimous consent, the intent language shown below was accepted.

INTENT LANGUAGE: Idaho Falls Behavioral Health Crisis Center. It is the intent of the Legislature that the Behavioral Health Community Crisis Center located in Idaho Falls, share its two-year plan, as required by contract with the Department of Health and Welfare that will demonstrate to what extent the region will provide financial support from local sources for ongoing operations of the center. The contractually required plan is to be submitted to Legislative Services Office no later than December 31, 2016. Further it is the expectation that all other community crisis centers will be required to share their two-year plan as required by their contract with the Department of Health and Welfare upon completion of two-years of operations.

UNANIMOUS CONSENT: On request by Malek, granted by unanimous consent, the intent language shown below was accepted.

INTENT LANGUAGE: GENERAL FUND REAPPROPRIATION AUTHORITY. There is hereby reappropriated to the Department of Health and Welfare for the Adult Mental Health Program, up to \$715,000 of the unexpended and unencumbered balance of the Cooperative Welfare (General) Fund moneys as appropriated for fiscal year 2016, to be used for nonrecurring expenditures related to the implementation of Behavioral Health Community Crisis Centers to be located in Health and Welfare Region 4 and Region 5, for the period July 1, 2016, through June 30, 2017.

Psychiatric Hospitalization

DISCLOSURE: **Disclosure of Possible Conflict of Interest**
Pursuant to Senate Rule 39(H), Senator Nuxoll disclosed she has a possible conflict of interest under applicable law; she does plan to vote on the issue currently before the Committee.

CARRIED: **Original Motion**
Moved by Nuxoll, seconded by Bair, to approve for introduction \$20,441,400 General Funds, \$11,470,800 Dedicated Funds, \$6,163,400 Federal Funds for a total of \$38,075,600 with FTP of 391.35

Ayes: 19

Keough, Johnson, Bair, Mortimer, Brackett, Nuxoll, Thayn, Guthrie, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 1

Schmidt

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 Keough.

Substance Abuse Treatment and Prevention

CARRIED: Original Motion
Moved by Nuxoll, seconded by Malek, to approve for introduction \$2,471,500 General Funds, \$1,186,200 Dedicated Funds, \$13,165,100 Federal Funds for a total of \$16,822,800 with FTP of 16.00

Ayes: 19

Keough, Johnson, Bair, Mortimer, Brackett, Nuxoll, Thayn, Guthrie, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 1

Schmidt

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 Keough.

CATASTROPHIC HEALTH CARE PROGRAM

PRESENTER: Jared Tatro, Principal Budget & Policy Analyst, Legislative Services Office

CARRIED: Original Motion
Moved by Guthrie, seconded by Malek, to approve for introduction \$18,000,000 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$18,000,000 with FTP of 0.00

Ayes: 18

Keough, Johnson, Bair, Mortimer, Brackett, Nuxoll, Guthrie, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 2

Thayn, Schmidt

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 Keough.

ADJOURNED: There being no further business, Chairman Keough adjourned the meeting at 9:30 A.M.

Senator Keough
Chair

Peggy Moyer
Secretary