

MINUTES
JOINT FINANCE-APPROPRIATIONS COMMITTEE

DATE: Friday, February 22, 2019
TIME: 8:00 A.M.
PLACE: Room C310
MEMBERS PRESENT: Senators Co-chairman Bair, Johnson, Lee, Agenbroad, Crabtree, Grow, Burtenshaw, Woodward, Ward-Engelking, and Nye.
Representatives Co-chairman Youngblood, Horman, Anderson, Amador, Kauffman, Raybould, Syme, Troy, Wintrow, and Toone.
ABSENT/EXCUSED: None
CONVENED: Co-Chairman Bair called the Joint Finance-Appropriations Committee (Committee) (JFAC) to order at 8:00 a.m.

LSO STAFF PRESENTATION:

**STATE BOARD OF EDUCATION
Idaho Public Television**

PRESENTER: Jill Randolph, Analyst, Legislative Services Office (LSO)

CARRIED: Moved by **Rep. Raybould** for Idaho Public Television, beginning with the FY 2020 Base, an increase of \$9,500 for benefit costs, an increase of \$48,700 for inflationary adjustments, an increase of \$839,000 for replacement items, an increase of \$17,300 for statewide cost allocation, and an increase of \$120,100 for change in employee compensation.

Also included are the following line items: line item #3 for \$49,400 for a federal video production grant, and line item #4 for 1.00 FTP and \$66,900 for a kindergarten readiness grant.

The totals for this motion for FY 2020 are 69.48 FTP, \$2,925,200 from the General Fund, \$6,626,500 from dedicated funds, and \$49,400 from federal funds, for a grand total of \$9,601,100. Seconded by **Rep. Wintrow**.

DISCUSSION: **Rep. Raybould** explained that for replacement items, \$400,000 is appropriated from the Technology Infrastructure Stabilization Fund (TISF) for the final year of the microwave ethernet system replacement, \$155,000 is appropriated from the Miscellaneous Revenue Fund for video production equipment, and the remaining amount of replacement items recommended by the Governor are appropriated from the General Fund. This is consistent with how this agency's replacement items were appropriated last year.

AYE: 20

Bair, Johnson, Lee, Agenbroad, Crabtree, Grow, Burtenshaw, Woodward, Ward-Engelking, Nye, Youngblood, Horman, Anderson, Amador, Kauffman, Raybould, Syme, Troy, Wintrow, Toone

NAY: 0

ABSENT/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 Bair. See [Presentation](#) and [Audio](#).

LSO STAFF PRESENTATION: **Self Governing Agencies
Commission for Libraries**

PRESENTER: **Jill Randolph, Analyst, LSO**

This motion uses part of the \$200,000 provided from the General Fund for the Talking Book Service in the event federal funding was eliminated. As that federal funding was not eliminated, the total \$200,000 will be reverted by the agency at the end of FY 2019. This motion allows, on a onetime basis, money for the E-rate reimbursement in the amount of \$12,600 to be used from the \$200,000 already appropriated. The agency will revert the remainder of the \$200,000, the amount of \$187,400, at the end of fiscal year 2019.

CONSENT: Requested by **Rep. Horman**, granted by unanimous consent, the 2019 Budget for the Commission for Libraries was re-opened.

CONSENT: Requested by **Rep. Horman**, granted by unanimous consent, the following language was adopted regarding repurposing of appropriation from the Commission for Libraries to the Commission for Libraries' FY 2019 appropriation:

SECTION __. REPURPOSING OF APPROPRIATION. Notwithstanding the provisions of Section 3, Chapter 149, Laws of 2018, and any other provision of law to the contrary, of the \$200,000 onetime appropriation from the General Fund to the Commission for Libraries for the Talking Book Service, \$12,600 may be used for onetime trustee and benefit payments for broadband reimbursement through the Education Opportunity Resource Act. See [Supplemental](#).

CARRIED: Moved by **Rep. Horman** for the Commission for Libraries, beginning with the FY 2020 Base, an increase of \$5,500 for benefit costs, an increase of \$53,600 for statewide cost allocation, and an increase of \$65,600 for change in employee compensation.

Also included are the following line items: \$60,000 for Kindergarten Readiness grants in line item #2, and \$12,600 for the Education Opportunity Resource Act in line item #3.

The totals for this motion for FY 2020 are 37.50 FTP, \$4,154,700 from the General Fund, \$70,000 from dedicated funds, and \$1,654,100 from federal funds, for a grand total of \$5,878,800. Seconded by **Rep. Amador**.

AYE: 20

Bair, Johnson, Lee, Agenbroad, Crabtree, Grow, Burtenshaw, Woodward, Ward-Engelking, Nye, Youngblood, Horman, Anderson, Amador, Kauffman, Raybould, Syme, Troy, Wintrow, Toone

NAY: 0

ABSENT/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 Bair. See [Presentation](#).

CONSENT: Requested by **Rep. Horman**, granted by unanimous consent, the following language was adopted:

SECTION __. REPORT ON ONLINE SERVICES FILTERS. The Commission for Libraries shall deliver to the Legislative Services Office a report that describes all services within the online services portal, the target audience of those services, an outline of all filters applied to those services, and a certification that the vendor is meeting the obligations outlined in the applicable service contract or license agreement. The report shall be delivered with the commission's original budget request or by September 3, 2019.

See [Presentation](#) and [Audio](#).

LSO STAFF

PRESENTATION: **State Independent Living Council**

CARRIED: Moved by **Sen. Johnson** for the State Independent Living Council, beginning with the FY 2020 Base, an increase of \$900 for benefit costs, an increase of \$700 for inflationary adjustments, an increase of \$300 for statewide cost allocation, and an increase of \$10,200 for change in employee compensation.

Also included are the following line items: \$800 for GOV TECH 2 Mobile Device Security; and \$2,600 for GOV TECH 4 Office of Information Technology Services Billings.

The totals for this motion for FY 2020 are 4.00 FTP, \$228,800 from the General Fund, \$366,800 from dedicated funds, and \$117,700 from federal funds, for a grand total of \$713,300. Seconded by **Rep. Wintrow**.

DISCUSSION: **Sen. Johnson** explained that the differences in Gov Tech 1 and Gov Tech 2 between this motion and the Governor's Recommendation result from a direct appropriation going to the Office of Information Technology Services from the Technology Infrastructure Stabilization Fund, rather than through each agency.

AYE: 20

Bair, Johnson, Lee, Agenbroad, Crabtree, Grow, Burtenshaw, Woodward, Ward-Engelking, Nye, Youngblood, Horman, Anderson, Amador, Kauffman, Raybould, Syme, Troy, Wintrow, Toone

NAY: 0

ABSENT/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 Bair**. See [Presentation](#) and [Audio](#).

LSO STAFF

PRESENTATION: **DEPARTMENT OF HEALTH AND WELFARE**

Mental Health Services

CARRIED: Moved by **Sen. Lee**, for the Department of Health and Welfare, Division of Mental Health Services, beginning with the FY 2020 Base, an increase of \$53,900 for benefit costs, an increase of \$63,900 for statewide cost allocation, the addition of \$2,592,500 for the crisis centers annualization, and an increase of \$626,100 for the change in employee compensation. Then, reduce \$4,200,000 from the General Fund for services that will be covered through Medicaid Expansion. The totals for this motion for FY 2020 are 308.23 FTP, \$40,451,800 from the General Fund, \$629,900 from dedicated funds, and \$10,092,000 from federal funds for a grand total of \$51,173,700, seconded by **Rep. Wintrow**.

AYE: 20

Bair, Johnson, Lee, Agenbroad, Crabtree, Grow, Burtenshaw, Woodward, Ward-Engelking, Nye, Youngblood, Horman, Anderson, Amador, Kauffman, Raybould, Syme, Troy, Wintrow, Toone

NAY: 0

ABSENT/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 Bair**.

CONSENT: Requested by **Sen. Lee**, granted by unanimous consent, the following language, department-wide, was approved:

GENERAL FUND TRANSFERS. As appropriated, the State Controller shall periodically make transfers from the General Fund to the Cooperative Welfare Fund as requested by the director of the Department of Health and Welfare and approved by the Board of Examiners.

TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding the provisions of Section 67-3511, Idaho Code, funds appropriated in the trustee and benefit payments expense class shall not be transferred to any other expense classes during fiscal year 2020.

PROGRAM INTEGRITY. Notwithstanding any other provision of law to the contrary, the Department of Health and Welfare shall be required to provide those services authorized or mandated by law in each program, only to the extent of funding and available resources appropriated for each budgeted program.

CONSENT: Requested by **Sen. Lee**, granted by unanimous consent, the following language, for Mental Health Services: was approved:

EDUCATIONAL NEEDS. The Department of Health and Welfare shall be responsible for the educational needs of school-age children placed in its custody by the courts for either child protective issues or mental health issues. If the department places a child in a licensed residential treatment facility that includes a nonpublic accredited school, and it is determined by the department that it is in the best interests of the child to be educated at the residential treatment facility, then it is the responsibility of the department to pay for such education per student, per educational day. Other Idaho state agencies shall not be precluded 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 section is included within existing department base appropriations.

LIMITING TRANSFER OF LEGISLATIVE APPROPRIATIONS.

Notwithstanding the provisions of Section 67-3511, Idaho Code, Cooperative Welfare (General) Fund moneys appropriated to the Divisions of Mental Health Services and Psychiatric Hospitalization 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.

INTERAGENCY PAYMENT FOR JUVENILE DETENTION CLINICIANS CONTRACT. No later than July 16, 2019, the Children's Mental Health Program shall 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, 2019, through June 30, 2020.

BEHAVIORAL HEALTH CRISIS CENTERS. The Behavioral Health Community Crisis Centers located in Idaho Falls, Coeur d'Alene, Twin Falls, and Boise shall submit their plans for achieving non-state funding with the Legislature in conformance with the requirements of their contracts with the Department of Health and Welfare, and shall demonstrate the extent to which the centers will receive financial support from non-state sources for ongoing operations. These plans shall be submitted to the Legislative Services Office no later than December 31, 2019. Further, all other community crisis centers shall submit their plans upon completion of two years of operations.

See [Presentation](#) and [Audio](#).

LSO STAFF

PRESENTATION: **Psychiatric Hospitalization**

PRESENTER: **Jared Tatro, Principal Analyst, LSO**

CARRIED: Moved by **Rep. Troy** for the Department of Health and Welfare, for the Psychiatric Hospitalization Division, beginning with the FY 2020 Base, an increase of \$59,900 for benefit costs, an increase of \$203,100 for inflationary adjustments, and an increase of \$549,200 for replacement items at the state hospitals, which are to be determined by the hospital administrators based on priority needs. Then, provide an increase of \$63,000 for statewide cost allocation, an increase of \$692,700 for change in employee compensation, shift \$40,900 from federal funds to the General Fund for changes in the Medicaid match, and shift \$860,800 from the General Fund to the State Hospital South Endowment Fund for changes in the endowment distribution to the hospital. Also included are the following line items: add 1.00 FTP and \$48,600 for additional staffing at State Hospital South as requested in line item 13; add \$144,200 for the psychiatry and nursing services as recommended in line item 17; and reduce \$1,000,000 for cost offsets related to Medicaid Expansion in line item 36. The totals for this motion for FY 2020 are 393.35 FTP, \$22,209,000 from the General Fund, \$11,991,700 from dedicated funds, and \$4,743,400 from federal funds for a grand total of \$38,944,100, seconded by **Sen. Agenbroad**.

AYE: 19

Bair, Johnson, Lee, Agenbroad, Crabtree, Grow, Burtenshaw, Woodward, Ward-Engelking, Nye, Youngblood, Horman, Anderson, Kauffman, Raybould, Syme, Troy, Wintrow, Toone

NAY: 0

ABSENT/EX: 1 Sen. Amador

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 Bair**.

CONSENT:

Requested by **Rep. Troy**, granted by unanimous consent, the following language for Psychiatric Hospitalization was approved:

PROGRAM TRANSFER EXEMPTION. The Community Hospitalization Program is hereby exempted from the provisions of Section 67-3511(2), Idaho Code, allowing unlimited transfers in from other programs within the Department of Health and Welfare for all moneys appropriated to it for the period July 1, 2019, through June 30, 2020.

See [Presentation](#) and [Audio](#).

LSO STAFF

PRESENTATION: **Substance Abuse Treatment and Prevention**

PRESENTER: **Jared Tatro, Principal Analyst, LSO**

CARRIED: Moved by **Rep. Wintrow** for the Department of Health and Welfare, for the Substance Abuse Treatment and Prevention Program, beginning with the FY 2020 Base, an increase of \$2,700 for benefit costs, and an increase of \$33,000 for the change in employee compensation. Also included are the following line items: \$4,110,000 for the opioid response grant as requested in line item 22. Then reduce \$735,000 for the problem solving courts transfer as requested in line item 30. Then reduce \$1,200,000 for the cost offsets of Medicaid Expansion as recommended in line item 36. The totals for this motion for FY 2020 are 16.00 FTP, \$805,300 from the General Fund, \$1,342,400 from dedicated funds, and \$15,314,300 from federal funds for a grand total of \$17,462,000, seconded by **Sen. Agenbroad**.

DISCUSSION:

This motion includes funding to address opioids, transfers money to the courts to eliminate the problem solving court annual transfer, and reduces the appropriation for Medicaid expansion cost offsets.

AYE: 20

Bair, Johnson, Lee, Agenbroad, Crabtree, Grow, Burtenshaw, Woodward, Ward-Engelking, Nye, Youngblood, Horman, Anderson, Amador, Kauffman, Raybould, Syme, Troy, Wintrow, Toone

NAY: 0

ABSENT/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 Bair**. See [Presentation](#) and [Audio](#).

LSO STAFF

PRESENTATION: **Catastrophic Health Care Program**

PRESENTER: **Jared Tatro, Principal Analyst, LSO**

CARRIED: Moved by **Rep. Raybould** for the Catastrophic Health Care Program beginning with the FY 2020 Base, provide an increase of \$800 for statewide cost allocation. The total for this motion for FY 2020 is \$10,000,500 from the General Fund, seconded by **Sen. Agenbroad**.

AYE: 20

Bair, Johnson, Lee, Agenbroad, Crabtree, Grow, Burtenshaw, Woodward, Ward-Engelking, Nye, Youngblood, Horman, Anderson, Amador, Kauffman, Raybould, Syme, Troy, Wintrow, Toone

NAY: 0

ABSENT/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 Bair**. See [Presentation](#) and [Audio](#).

FY 2019 SUPPLEMENTAL APPROPRIATIONS

LSO STAFF PRESENTATION: **DEPARTMENT OF HEALTH AND WELFARE, Substance Abuse Treatment and Prevention, Already Approved Contract Increases**

PRESENTER: **Jared Tatro, Principal Analyst, LSO**

CONSENT: Requested by **Sen. Agenbroad**, granted by unanimous consent, the 2019 Health and Welfare Budget was reopened.

CARRIED: Moved by **Sen. Agenbroad** for the Department of Health and Welfare for fiscal year 2019, for the Substance Abuse Treatment and Prevention Program the addition of \$520,000 in onetime operating expenditures; for the Indirect Support Services Program a reduction of \$177,000 in onetime personnel costs and \$37,000 in ongoing personnel costs; and from the Benefit Payments Program a reduction of \$306,000 in trustee and benefit payments, with all adjustments from the Cooperative Welfare (General) Fund. The totals for this motion is a net zero change for the department, seconded by **Rep. Wintrow**.

AYE: 20

Bair, Johnson, Lee, Agenbroad, Crabtree, Grow, Burtenshaw, Woodward, Ward-Engelking, Nye, Youngblood, Horman, Anderson, Amador, Kauffman, Raybould, Syme, Troy, Wintrow, Toone

NAY: 0

ABSENT/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 Bair**. See [Presentation](#) and [Audio](#).

LSO STAFF PRESENTATION: **Home Visitation Program**

PRESENTER: **Jared Tatro, Principal Analyst, LSO**

CARRIED: Moved by **Sen. Lee** for the Department of Health and Welfare for fiscal year 2019, the addition of \$1,600,000 in the Foster and Assistance Payments Program, and the reduction of \$1,600,000 from the Adult Mental Health Program; all adjustments are made onetime in trustee and benefit payments from the Cooperative Welfare (General) Fund, seconded by **Rep. Wintrow**.

AYE: 19

Bair, Johnson, Lee, Agenbroad, Crabtree, Grow, Burtenshaw, Woodward, Ward-Engelking, Nye, Youngblood, Horman, Anderson, Kauffman, Raybould, Syme, Troy, Wintrow, Toone

NAY: 0

ABSENT/EX: 1 Sen. Amador

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 Bair**.

CONSENT: Requested by **Sen. Lee**, granted by unanimous consent, the following language was adopted:

HOME VISITATION PROGRAM. The amount appropriated in Section _ of this act shall be distributed to the Public Health Districts for the purpose of the home visitation program. These moneys shall not be considered general state aid pursuant to Section 39-425, Idaho Code, nor shall the moneys be allocated through a board of trustees formula pursuant to Section 39-411, Idaho Code. The allocation of these funds is based on how much each district is currently providing for comparable services from other fund sources in comparison to the other health districts. Further, the Public Health Districts may reallocate these moneys between districts, but only upon unanimous concurrence of the Board of Directors for the Public Health Districts. Further, each health district shall submit a report on the caseload, expenditures, and wait lists for the home visitation program to the Legislative Services Office no later than December 31, 2019. The format of the report, and any additional information contained therein, shall be determined by the Legislative Services Office. The moneys appropriated in Section _ of this act shall be fully distributed to each Public Health District upon enactment of this legislation, as follows:

Public Health District 1 \$313,300
Public Health District 2 \$254,500
Public Health District 3 \$328,000
Public Health District 4 \$170,400
Public Health District 5 \$211,400
Public Health District 6 \$168,600
Public Health District 7 \$153,800

AYE: 19

Bair, Johnson, Lee, Agenbroad, Crabtree, Grow, Burtenshaw, Woodward, Ward-Engelking, Nye, Youngblood, Horman, Anderson, Kauffman, Raybould, Syme, Troy, Wintrow, Toone

NAY: 0

ABSENT/EX: 1 Sen. Amador

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 Bair**. See [Presentation](#) and [Audio](#).

LSO STAFF PRESENTATION: **Adult Mental Health & Benefit Payments
Onetime Money in Existing Appropriations**

PRESENTER: **Jared Tatro, Principal Analyst, LSO**

CARRIED: Moved by **Rep. Troy** for fiscal year 2019, for the Adult Mental Health Program, a reduction of \$1,256,400 in operating expenditures and a reduction of \$443,600 in trustee and benefit payments; then from the Benefit Payments Program include a reduction of \$300,000 in trustee and benefit payments for a total onetime reduction of \$2,000,000, from the Cooperative Welfare (General) Fund, seconded by **Sen. Agenbroad**.

DISCUSSION: **Rep. Troy** explained that these realized savings are onetime and were identified and used for the Catastrophic Health Care Program. The General Fund savings in Adult Mental Health will be removed ongoing in the FY 2020 budget as a Medicaid Expansion offset. The group also identified about \$1.5 million in General Fund appropriation in the Children's Mental Health Program, but decided to leave those moneys in the department for now; if unexpended then they will revert to the General Fund at the end of the year.

AYE: 19

Bair, Johnson, Lee, Agenbroad, Crabtree, Grow, Burtenshaw, Woodward, Ward-Engelking, Nye, Youngblood, Horman, Anderson, Kauffman, Raybould, Syme, Troy, Wintrow, Toone

NAY: 0

ABSENT/EX: 1 Sen. Amador

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 Bair**. See [Presentation](#) and [Audio](#).

LSO STAFF PRESENTATION: **Catastrophic Health Care Program**

PRESENTER: **Jared Tatro, Principal Analyst, LSO**

CARRIED: Moved by **Rep. Raybould** move for the Catastrophic Health Care Program for fiscal year 2019, the onetime appropriation and transfer of \$2,000,000 from the General Fund to the Catastrophic Health Care Cost Fund, seconded by **Sen. Lee**.

AYE: 19

Bair, Johnson, Lee, Agenbroad, Crabtree, Grow, Burtenshaw, Woodward, Ward-Engelking, Nye, Youngblood, Horman, Anderson, Kauffman, Raybould, Syme, Troy, Wintrow, Toone

NAY: 0

ABSENT/EX: 1 Sen. Amador

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 Bair**. See [Presentation](#) and [Audio](#).

ADJOURNED: Having no further business before the Committee, **Chairman Bair** adjourned the meeting at 9:10 a.m.

Senator Bair
Chair

Elaine Leedy
Secretary