

MINUTES
JOINT FINANCE-APPROPRIATIONS COMMITTEE

DATE: Monday, February 25, 2019
TIME: 8:00 A.M.
PLACE: Room C310
MEMBERS PRESENT: Senators Co-chairman Bair, Johnson, Lee, Agenbroad, Crabtree, Grow, Burtenshaw, Woodward, Ward-Engelking, Nye
Representatives Co-chairman Youngblood, Horman, Anderson, Amador, Kauffman, Raybould, Syme, Troy, Wintrow, Toone
ABSENT/EXCUSED: Woodward
CONVENED: **Chairman Youngblood** called the meeting to order at 8:00 am.

JUDICIAL BRANCH
Court Operations

LSO STAFF PRESENTATION: **Jared Hoskins, Principal Budget & Policy Analyst**, gave a brief overview of the agency's request, the Governor's recommendation and the JFAC action to date, which includes adjustments for benefit costs, annualizations, state wide cost allocation and change in employee compensation. The JFAC adjusted budget is \$69,712,200. Mr. Hoskins continued the agency originally requested eleven line items and all were recommended by the Governor.

MOTION: **Original Motion**
Court Operations
Moved by **Rep. Horman**, seconded by **Sen. Burtenshaw** for the Supreme Court, in the Court Operations Division, beginning with the FY 2020 Base, an increase of \$153,200 for benefit costs, a reduction of \$26,100 for statewide cost allocation, an increase of \$42,300 for annualizations, and an increase of \$520,200 for change in employee compensation. Also included are the following line items: line item 1, which provides \$340,500 for court reporter pay; line item 5, which provides 2.00 FTP and \$258,800 for magistrate judges in Ada County; line item 6, which provides 1.00 FTP and \$109,500 for a senior financial specialist; line item 7, which provides 1.00 FTP and \$99,800 for a research and evaluation analyst; line item 8, which provides \$34,000 for an ADA consultant; line item 9, which provides 1.00 FTP and \$194,500 for a court education specialist; line item 10, which provides \$735,000 for a direct appropriation for problem-solving courts; line item 11, which provides \$75,000 onetime for juror compensation; and line item 13, which removes \$913,100 in ongoing General Fund trustee and benefit payments from the Community-Based Substance Abuse Treatment Program, and provides the same amount in onetime funding. The totals for this motion for FY 2020 are \$47,984,500 from the General Fund, \$21,676,600 from dedicated funds, and \$1,898,200 from federal funds for a grand total of \$71,559,300. This motion also includes lump sum authority.

DISCUSSION:

Rep. Horman stated No. 5 provides funding for additional judicial resources in Ada County. Line item 6 provides funding to hire a senior financial specialist to bolster the capacity of the court's Finance and Operations Division. Line item 7 provides funding to hire a research and evaluation analyst to address demands for data-driven decision-making. No. 8 provides funding to contract with an ADA consultant for a second year to provide expert technical assistance regarding the assessment of physical standards for accessibility in county courthouses around the state. Line item 9 provides funding to hire a court education specialist to provide training opportunities to county court personnel statewide. No. 10 provides a direct appropriation for problem-solving court funding to be offset by a corresponding decrease in the Department of Health and Welfare. Line item 11 provides funding so the Supreme Court can reimburse counties for lengthy juror compensation paid in response to **H 586** of 2018. Finally, in recognition of the prospect that Medicaid expansion will generate offsetting amounts in existing appropriations, line item 13 removes half of the agency's ongoing General Fund appropriation for SUD services but adds it back on a onetime basis for FY 2020 with the expectation that the agency will determine the net effect of Medicaid expansion on existing problem-solving court funding, and identify ongoing offset amounts to be included as information submitted with the FY 2021 budget request.

Sen. Nye and **Sen. Lee** invoked Rule 39 stating a possible conflict.

SUBSTITUTE MOTION:

Substitute Motion
Court Operations

Moved by **Sen. Johnson**, seconded by **Rep. Troy** for the Supreme Court, in the Court Operations Division, beginning with the FY 2020 Base, an increase of \$153,200 for benefit costs, a reduction of \$26,100 for statewide cost allocation, an increase of \$42,300 for annualizations, and an increase of \$520,200 for change in employee compensation. Also included are the following line items: line item 1, which provides \$340,500 for court reporter pay; line item 5, which provides 2.00 FTP and \$258,800 for magistrate judges in Ada County; line item 7, which provides 1.00 FTP and \$99,800 for a research and evaluation analyst; line item 8, which provides \$34,000 for an ADA consultant; line item 9, which provides 1.00 FTP and \$194,500 for a court education specialist; line item 10, which provides \$735,000 for a direct appropriation for problemsolving courts; line item 11, which provides \$75,000 onetime for juror compensation; and line item 13, which removes \$913,100 in ongoing General Fund trustee and benefit payments from the Community-Based Substance Abuse Treatment Program, and provides the same amount in onetime funding. The totals for this motion for FY 2020 are \$47,984,500 from the General Fund, \$21,676,600 from dedicated funds, and \$1,898,200 from federal funds for a grand total of \$71,559,300. This motion also includes lump sum authority.

DISCUSSION:

Sen. Johnson stated this motion looks at past years reversions of personal dollars. **Sen. Johnson** continued over the past five years there has been an excess of over \$560,000 in personal cost funding and this motion recognizes those excess dollars.

FAILED:

Vote on Substitute Motion

Ayes: 5

Johnson, Kauffman, Syme, Troy, Amador

Nayes: 14

Bair, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Ward-Engelking, Nye, Youngblood, Horman, Anderson, Raybould, Wintrow, Toone

Ab/Ex: 1

Woodward

CARRIED:

Vote on Original Motion

Court Operations

Ayes: 19

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

Nayes: 0

Ab/Ex: 1

Woodward

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 Youngblood**.

**UNANIMOUS
CONSENT:**

On request by **Rep. Horman**, granted by unanimous consent, to accept the intent language as shown...

**INTENT
LANGUAGE:**

Judicial Branch: Court Operations FY 2020 Standard Language

SECTION . RETIREMENT CONTRIBUTIONS. Of the amount appropriated in Section 1 of this act from the General Fund for the state's share of retirement contribution remittances to the Judges' Retirement Fund for justices' and judges' retirement benefits pursuant to Section 1-2004(2), Idaho Code, those amounts that are uncommitted shall be transferred monthly into operating expenditures and then paid by the Supreme Court into the Judges' Retirement Fund.

To listen to this presentation please [click here](#).

JUDICIAL BRANCH

Guardian Ad Litem Program

**LSO STAFF
PRESENTATION:**

Jared Hoskins, Principal Budget & Policy Analyst, gave a brief overview of the agency's request, the Governor's recommendation and there has been no action taken by JFAC to date. Mr. Hoskins continued there was one line item for an Advocate Coordinator in the amount of \$70,000 and was recommended by the Governor.

CARRIED:

Original Motion

Guardian Ad Litem Program

Moved by **Rep. Wintrow** seconded by **Sen. Burtenshaw** for the Supreme Court, in the Guardian ad Litem Program, beginning with the FY 2020 Base, an increase of \$70,000 for line item 12. The total for this motion for FY 2020 is \$1,179,200 from the General Fund. This motion also includes lump sum authority.

DISCUSSION:

Rep. Wintrow stated line item 12 provides funding so the Fourth Judicial District's guardian ad litem (GAL) program can hire a full-time advocate coordinator for GAL appointments in proceedings under the Child Protective Act (\$50,000); funding for interpreter service in the Fourth Judicial District (\$10,000); and funding for training in the Sixth Judicial District (\$10,000).

Ayes: 19

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

Nays: 0

Ab/Ex: 1

Woodward

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 Youngblood**.

To listen to this presentation please [click here](#).

JUDICIAL BRANCH

Judicial Council

**LSO STAFF
PRESENTATION:**

Jared Hoskins, Principal Budget & Policy Analyst, gave a brief overview of the agency's request, the Governor's recommendation and JFAC action to date. Mr. Hoskins noted this is a maintenance budget.

CARRIED:

Original Motion

Judicial Council

Moved by **Rep. Raybould** seconded by **Sen. Burtenshaw** for the Supreme Court, in the Judicial Council Division, a total FY 2020 lump sum appropriation of \$130,800 from the General Fund.

DISCUSSION:

Rep. Raybould stated this motion provides the Judicial Council Division with a maintenance of current operations budget.

Sen. Lee invoked Rule 39 and **Rep. Wintrow** invoked Rule 38 stating a possible conflict.

Ayes: 19

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

Nays: 0

Ab/Ex:

Woodward

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 Youngblood**.

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SELF-GOVERNING AGENCIES

Public Defense Commission

**LSO STAFF
PRESENTATION:**

Jared Hoskins, Principal Budget & Policy Analyst, gave a brief overview of the agency's request, the Governor's recommendation and JFAC action to date. Mr. Hoskins continued the agency requested five line items and two of them were recommended by the Governor. Mr. Hoskins stated the Committee has made adjustments for benefit costs, inflationary adjustments, statewide cost allocation, annualizations and change in employee compensation bringing the total JFAC adjustments to \$5,833,400.

CARRIED:

Original Motion
Public Defense Commission

Moved by **Sen. Agenbroad**, seconded by **Rep. Horman** for the Public Defense Commission, beginning with the FY 2020 Base, an increase of \$1,500 for benefit costs, an increase of \$2,800 for inflationary adjustments, an increase of \$1,800 for statewide cost allocation, and an increase of \$15,300 for change in employee compensation. Also included are the following line items: line item 1, which provides 1.00 FTP and \$83,100 for a research analyst; line item 5, which provides \$5,560,000 ongoing for workload standard compliance; line item 7, which provides \$15,000 in ongoing operating expenditures for county public defender training; and Governor's technology initiative 4, which provides \$3,700 for modernization. The totals for this motion for FY 2020 are 7.00 FTP and \$11,498,000 from the General Fund.

DISCUSSION:

Sen. Agenbroad stated line item 1 provides funding to hire a research analyst to interpret data and confirm indigent defense funding needs throughout the state, analyze attorney case load information, and research parity between defending attorneys and prosecuting attorneys. Line item 5 provides pass-through funding for counties in order for them to comply with new public defender workload standards. Funding is also provided for technology needs, as initiated by the Governor.

Ayes: 19

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

Nays: 0

Ab/Ex: 1

Woodward

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 Youngblood**.

**UNANIMOUS
CONSENT:**

On request by **Sen. Agenbroad**, granted by unanimous consent, to accept the intent language as shown...

**INTENT
LANGUAGE:**

Public Defense Commission-FY 2020

Language:

RE-APPROPRIATION AUTHORITY. There is hereby reappropriated to the Public Defense Commission any unexpended balances appropriated to the Public Defense Commission for extraordinary litigation costs for fiscal year 2019, in an amount not to exceed \$423,100 in trustee and benefit payments, to be used for nonrecurring expenditures related to extraordinary litigation costs for the period July 1, 2019, through June 30, 2020. ALLOCATION OF TRUSTEE AND BENEFIT PAYMENTS. Of the amount appropriated as trustee and benefit payments in Section 1, or reappropriated in Section 3, of this act, no more than \$10,012,600 shall be expended for financial assistance to counties pursuant to Sections 19-862A and 19-851(8), Idaho Code; no more than \$150,000 shall be expended to incentivize the establishment of joint public defender offices pursuant to Section 19-862A(3), Idaho Code; and no more than \$846,200 shall be expended for extraordinary litigation costs pursuant to Section 19-850(2)(e), Idaho Code. Any remaining unexpended amounts not so used shall revert to the General Fund. ENCUMBRANCES. Notwithstanding any other provision of law to the contrary, the Public Defense Commission shall not transfer or

encumber amounts appropriated as trustee and benefit payments in Section 1, or reappropriated in Section 3, of this act.

To listen to this presentation please [click here](#).

SELF-GOVERNING AGENCIES

Attorney General

LSO STAFF PRESENTATION:

Jared Hoskins, Principal Budget & Policy Analyst, gave a brief overview of the agency's request, the Governor's recommendation and JFAC action to date. Mr. Hoskins continued the agency requested six line items and five were recommended by the Governor. Mr. Hoskins stated the Committee has made adjustments for benefit costs, inflationary adjustments, statewide cost allocation, annualizations and change in employee compensation bringing the total JFAC adjustments to \$25,628,700.

CARRIED:

Original Motion

Attorney General

Moved by **Rep. Horman**, seconded by **Sen. Burtenshaw** for the Attorney General, beginning with the FY 2020 Base, an increase of \$91,200 for benefit costs, an increase of \$261,700 for replacement items, a decrease of \$1,500 for statewide cost allocation, an increase of \$6,100 for annualizations, and an increase of \$580,000 for change in employee compensation. Also included are the following line items: line item 1, which provides \$73,200 for e-discovery software; line item 3, which provides \$65,000 from the Technology Infrastructure Stabilization Fund for data backup; line item 5, which provides 0.50 FTP and \$27,100 for an administrative assistant's increase in hours; line item 6, which provides 3.00 FTP and \$330,400 for a Criminal Disability Investigations Unit; line item 7, which provides \$118,900 from the General Fund to the Internet Crimes Against Children Program, of which \$8,000 is onetime, for an affiliate investigator in the Idaho Falls Police Department; and line item 8, which provides for a net-zero transfer of 1.00 FTP and \$275,000 in federal funds from the State Legal Services Program to the Internet Crimes Against Children (ICAC) Program in order to align the appropriation for the ICAC Taskforce Commander with the agency's budget structure. The totals for this motion for FY 2020 are 214.10 FTP, \$24,421,000 from the General Fund, \$894,800 from dedicated funds, and \$1,189,200 from federal funds for a grand total of \$26,505,000. This motion also includes lump sum authority.

Ayes: 19

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

Nays: 0

Ab/Ex: 1

Woodward

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 Youngblood**.

To listen to this presentation [click here](#).

STATE BOARD OF EDUCATION

Superintendent of Public Instruction

LSO STAFF PRESENTATION: **Robyn Lockett, Principal Budget & Policy Analyst**, gave an overview of the agency request, Governor's recommendation and the JFAC action to date.

CARRIED: **Original Motion**
Superintendent of Public Instruction
Moved by **Sen. Grow**, seconded by **Rep. Horman** for the Superintendent of Public Instruction, beginning with the FY 2020 Base, an increase of \$49,200 for benefit costs, \$103,800 for replacement items, an increase of \$57,200 for statewide cost allocation, an increase of \$6,200 for annualization of the Superintendent's salary, and an increase of \$360,500 for change in employee compensation. Also included are the following line items: \$100,000 from the General Fund for line item #2 for the Innovation Schools distribution, \$150,000 from the General Fund for line item #3 to add Online Class Portals, and \$166,200 from the General Fund for line item #4 for Idaho Reading Indicator operating costs. The totals for this motion for FY 2020 are 142.00 FTP, \$15,490,600 from the General Fund, \$10,372,900 from dedicated funds, and \$14,651,300 from federal funds, for a grand total of \$40,514,800.

DISCUSSION: **Sen. Grow** stated this is a maintenance budget for the Superintendent's office, plus this motion adds three line items for distributions that were removed from the public schools appropriations. All three items are fully funded, just within this budget instead of the public schools budget. The overall increase for this appropriation is 2.1% over the current year.

Ayes: 19

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

Nays: 0

Ab/Ex: 1

Woodward

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 Youngblood**.

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OFFICE OF THE GOVERNOR

Division of Human Resources

LSO STAFF PRESENTATION: **Robyn Lockett, Principal Budget & Policy Analyst**, stated the division has one budgeted program and one fund source. Ms. Lockett stated the division requested three line items for a total of \$2,327,900 and the Governor's recommendation was for \$2,364,300.

CARRIED: **Original Motion**
Division of Human Resources
Moved by **Rep. Anderson**, seconded by **Burtenshaw** for the Division of Human Resources, beginning with the FY 2020 Base, an increase of \$4,400 for benefit costs, an increase of \$27,700 for statewide cost allocation, and an increase of \$40,800 for change in employee compensation. Also included are the following line items: \$50,000 for Statewide Cybersecurity Training, \$6,400 for a personnel reclassification, \$77,600 for the CMP Personnel Reclassification, \$1,300 for the Governor's Technology Initiative 1, \$7,900 for the Governor's Technology

Initiative 2, and \$11,400 for the Governor's Technology Initiative 4. The totals for this motion for FY 2020 are 16.00 FTP and \$2,389,500 from dedicated funds.

DISCUSSION:

Rep. Anderson stated this budget will ensure the Division is adequately funded to move forward in its efforts to support state agency HR issues. This motion includes funds to enhance the state's cybersecurity training, funds to reclassify personnel in the agency, the reclassification of the Certified Manager Program manager as a line item in FY 2020, and the Gentleman on the Second Floor's technology initiatives.

Ayes: 19

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

Nays: 0

Ab/Ex: 1

Woodward

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 Youngblood**.

To listen to this presentation please [click here](#).

OFFICE OF THE GOVERNOR

Office of Information Technology Services

LSO STAFF

PRESENTATION:

Robyn Lockett, Principal Budget & Policy Analyst, gave a brief overview of the agency's request, the Governor's recommendation and JFAC action to date.

CARRIED:

Original Motion

Office of Information Technology

Moved by **Rep. Raybould**, seconded by **Sen. Johnson** for the Office of Information Technology, beginning with the FY 2020 Base, an increase of \$1,200 for benefit costs, an increase of \$13,100 for statewide cost allocation, an annualization of \$85,000 for the position funded as a supplemental appropriation in fiscal year 2019, and an increase of \$73,500 for change in employee compensation. Also included are the following line items: \$1,262,800 for Network Core Equipment, \$26,700 for Cybersecurity Software, \$217,900 for Mobile Device Security, \$36,000 for Chinden Campus Data Center Space, \$164,000 for Chinden Campus Office Space, and \$3,373,200 and 35.00 FTP for the Governor's Technology Initiative for Modernization and Consolidation. The totals for this motion for FY 2020 are 66.00 FTP, \$1,629,800 from the General Fund, and \$8,332,700 from dedicated funds, for a grand total of \$9,962,500.

DISCUSSION:

Rep. Raybould stated this motion funds the technology initiatives recommended in many state agency budgets. When netted across all the agencies, this motion reflects a net reduction of 16.00 FTP and \$1,008,600 in personnel costs for the modernization initiative. In line item #1, this motion provides a direct appropriation to the office from the Technology Infrastructure Stabilization Fund (TISF) for \$620,800 and also provides appropriation for the office to bill the agencies funded with dedicated and federal funds, for a total of \$1,262,800. The same approach is taken in line item #4 for Mobile Security. Line items #2, #5, and #6 are not related to the consolidation initiative and are funded as recommended.

Ayes: 19

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

Nays: 0

Ab/Ex: 1

Woodward

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 Youngblood**.

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LIEUTENANT GOVERNOR

**LSO STAFF
PRESENTATION:**

Maggie Smith, Budget & Policy Analyst, stated the Lieutenant Governor has 3 FTP's and she gave a brief overview of the agency request, the Governor's recommendation and the JFAC action to date.

CARRIED:

Original Motion

Lieutenant Governor

Moved by **Sen. Crabtree**, seconded by, **Rep. Horman** for the **Lieutenant Governor**, beginning with the FY 2020 base, an increase of \$500 for benefit costs, an increase of \$300 for statewide cost allocation, an increase of \$2,500 for a salary annualization for the Lieutenant Governor, and an increase of \$2,300 for change in employee compensation. Also included is one line item for the Governor's technology initiative 4: \$1,400 for Office of Information Technology Services Billings. The totals for this motion for FY 2020 are 3.00 FTP and \$183,900 from the General Fund.

This motion also includes exemptions from budget laws restricting the transfer of appropriation between object codes, making this budget lump sum.

DISCUSSION:

Sen. Crabtree stated the \$2,500 annualization is included for the constitutional officers' pay increase authorized by the 2018 Legislature. The Lieutenant Governor's pay increased by 9.5% on January 1, 2019, from \$44,206 to \$48,406 annually. Last session, the legislature funded the salary increase from January-June 2019, and this adjustment funds the increase from July-December 2019. By statute, the Lieutenant Governor's salary will remain at \$48,406 until January 2023.

With regard to the item items for the Governor's technology initiatives, the amounts recommended by the Governor for Network Equipment Replacement and Mobile Device Security will be paid through a direct onetime appropriation to the Office of Information Technology Services. The remaining \$1,400 for Office of Information Technology Services Billings will be an ongoing expense from the General Fund

Ayes: 19

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

Nays: 0

Ab/Ex: 1

Woodward

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 Youngblood**.

To listen to this presentation please [click here](#).

ADJOURN:

There being no further business to come before the Committee, **Chairman Youngblood** adjourned the Committee at 8:49 am.

Representative Youngblood
Chair

Donna Warnock
Secretary