DATE: Thursday, March 12, 2020
TIME: 3:00 P.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: None
CONVENED: Chairman Bair called the Joint Finance-Appropriations Committee (JFAC) (Committee) to order at 3:10 p.m.

LSO STAFF PRESENTATION: COMMEMORATIVE SILVER MEDALLIONS, STATE TREASURER
Maggie Smith, Senior Budget & Policy Analyst, LSO

UNANIMOUS CONSENT: Requested by Representative Horman, granted by unanimous consent, the FY 2020 budget for the State Treasurer was reopened.

MOTION: Moved by Representative Horman for FY 2020, for the State Treasurer, an additional $50,000 in onetime operating expenditures from the General Fund.

DISCUSSION: The Committee discussed the motion.

CARRIED: AYES: 19
Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Woodward, Ward-Engelking, Nye
Representatives: Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Wintrow, Toone
NAYS: 0
ABSENT/EXCUSED: 1
Senator Grow

The majority having voted in the affirmative, the motion passed, and without objection, carried a DO PASS recommendation. Hearing no objection, it was so ordered by Chairman Bair. See Audio, Supplemental Motion, and Ballot.

LSO STAFF PRESENTATION: STATE TREASURER
Maggie Smith, Senior Budget & Policy Analyst, LSO

MOTION: Moved by Representative Anderson for the State Treasurer, beginning with the FY 2021 Base, a decrease of $13,300 for benefit costs, an increase of $3,800 for statewide cost allocation, and an increase of $42,400 for change in employee compensation. Also included are the following line items: $300 for OITS operating costs; and a 2% General Fund reduction of $29,300 from operating expenditures. The totals for this motion for FY 2021 are 26.00 FTP, $1,444,800 from the General Fund, and $2,891,700 from dedicated funds, for a grand total of $4,336,500; seconded by Senator Agenbroad.
CONFLICT OF INTEREST:
Representative Youngblood stated a potential Rule 80 conflict of interest.

CARRIED: AYES: 19
Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Woodward, Ward-Engelking, Nye
NAYS: 0
ABSENT/EXCUSED: 1
Senator Grow

The majority having voted in the affirmative, the motion passed, and without objection, carried a DO PASS recommendation. Hearing no objection, it was so ordered by Chairman Bair. See Audio, Motion, Ballot.

UNANIMOUS CONSENT: Requested by Representative Anderson, granted by unanimous consent, the following language was adopted.

INTENT LANGUAGE: SECTION . PAYMENT OF BANK SERVICE FEES. Of the amount appropriated in Section 1 of this act, no more than $406,600 from the General Fund and $221,700 from the Professional Services Fund may be used for the payment of bank service fees for the period July 1, 2020, through June 30, 2021.

LSO PRESENTATION: Maggie Smith, Senior Budget & Policy Analyst, LSO

MOTION: Moved by Representative Anderson for the Secretary of State, beginning with the FY 2021 Base, a decrease of $11,800 for benefit costs, an increase of $14,000 for statewide cost allocation, and an increase of $39,800 for change in employee compensation. Also included are the following line items: line item 3, which provides $300,000 for Elections Costs; line item 4, which provides $12,800 ongoing for Conference Costs for the Commission on Uniform State Laws; $400 for OITS operating costs; and a 2% General Fund reduction of $72,600 from operating expenditures. The totals for this motion for FY 2021 are 30.00 FTP and $3,911,300 from the General Fund; seconded by Senator Crabtree.

DISCUSSION: The Committee discussed the motion.

CARRIED: AYES: 19
Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Woodward, Ward-Engelking, Nye
NAYS: 0
ABSENT/EXCUSED: 1
Senator Grow

The majority having voted in the affirmative, the motion passed, and without objection, carried a DO PASS recommendation. Hearing no objection, it was so ordered by Chairman Bair. See Audio, Motion, and Ballot.

LSO PRESENTATION: Janet Jessup, Senior Budget & Policy Analyst, LSO
Moved by Representative Anderson for the State Board of Education, College and Universities, beginning with the FY 2020 Total Appropriation, include $1,842,600 from dedicated funds, remove $472,300 to adjust expenditures. Then include a base reduction of $6,467,000, remove $132,860,000 for onetime expenditures, and restore $3,977,500 for previous rescissions. Then provide a decrease of $2,730,600 for benefit costs, an increase of $2,164,600 for inflationary adjustments, an increase of $6,324,100 for replacement items, an increase of $526,100 for statewide cost allocation, an increase of $8,456,200 for change in employee compensation, an increase of $1,842,600 for nondiscretionary adjustments, and an increase of $1,081,000 for endowment adjustments. Also included are the following line items: line item 1, which provides $1,000,000 for cybersecurity programs; and a 2 percent General Fund reduction of $6,118,300, of which $4,770,800 is from personnel costs, $1,184,300 is from operating expenditures, $80,000 is from capital outlay, and $83,200 is from trustee and benefit payments. The totals for this motion for FY 2021 are $307,079,600 from the General Fund and $321,043,600 from dedicated funds, for a grand total of $628,123,200 and provide for carryover authority for previously appropriated non-General Fund moneys; exceptions to budget laws allowing transfer of funds among object class codes and programs; and there is no FTP cap. Lastly, there is legislative language to accompany this motion; seconded by Representative Syme.

Moved by Senator Crabtree for the State Board of Education, College and Universities, beginning with the FY 2020 Total Appropriation, include $1,842,600 from dedicated funds, remove $472,300 to adjust expenditures. Then include a base reduction of $6,467,000 from dedicated funds, remove $132,860,000 for onetime expenditures, and restore $3,977,500 for previous rescissions. Then provide a decrease of $2,730,600 for benefit costs, an increase of $2,164,600 for inflationary adjustments, an increase of $6,324,100 for replacement items, an increase of $526,100 for statewide cost allocation, an increase of $8,456,200 for change in employee compensation, an increase of $1,842,600 for nondiscretionary adjustments, and an increase of $1,081,000 for endowment adjustments. Also included are the following line items: line item 1, which provides $1,000,000 for cybersecurity programs; and a 2 percent General Fund reduction of $6,118,300, of which $4,770,800 is from personnel costs, $1,184,300 is from operating expenditures, $80,000 is from capital outlay, and $83,200 is from trustee and benefit payments. The totals for this motion for FY 2021 are $307,079,600 from the General Fund and $321,043,600 from dedicated funds, for a grand total of $628,123,200 and provide for carryover authority for previously appropriated non-General Fund moneys; exceptions to budget laws allowing transfer of funds among object class codes and programs; and there is no FTP cap. Lastly, there is legislative language to accompany this motion; seconded by Senator Ward-Engelking.
AMENDED SUBSTITUTE MOTION: Moved by Senator Johnson for the State Board of Education, College and Universities, beginning with the FY 2020 Total Appropriation, include 118.26 FTP and $17,356,300 from dedicated funds, remove 0.48 FTP and $472,300 to adjust expenditures. Then include a base reduction of $6,467,000, remove $132,860,000 for onetime expenditures, and restore $3,977,500 for previous rescissions. Then provide a decrease of $2,730,600 for benefit costs, an increase of $2,164,600 for inflationary adjustments, an increase of $6,324,100 for replacement items, an increase of $526,100 for statewide cost allocation, an increase of $8,456,200 for change in employee compensation, an increase of $2,373,600 for nondiscretionary adjustments, and an increase of $1,081,000 for endowment adjustments. Also included are the following line items: line item 1, which provides 1.73 FTP and $707,300 for occupancy costs; line item 4, which provides a decrease of $20,800 for adjusted rent for the Idaho Law & Justice Learning Center; line item 5, which provides $1,000,000 for cybersecurity programs; and a 2 percent General Fund reduction of $6,118,300, of which $4,770,800 is from personnel costs, $1,184,300 is from operating expenditures, $80,000 is from capital outlay, and $83,200 is from trustee and benefit payments. The totals for this motion for FY 2021 are 4,873.05 FTP, $307,079,600 from the General Fund and $321,574,600 from dedicated funds, for a grand total of $628,654,200 and provide for carryover authority for previously appropriated non-General Fund moneys; exceptions to budget laws allowing transfer of funds among object class codes and programs; and there is no FTP cap. Lastly, there is legislative language to accompany this motion; seconded by Representative Hornan.

DISCUSSION: The Committee discussed the motions.


FAILED: The majority having failed to vote in the affirmative, the motion failed.


CARRIED: The majority having voted in the affirmative, the motion passed, and without objection, carried a DO PASS recommendation. Hearing no objection, it was so ordered by Chairman Bair. See Audio, Motion, and Ballot.

UNANIMOUS CONSENT: Requested by Senator Crabtree, granted by unanimous consent, the following language was adopted.
SECTION 4. SYSTEMWIDE NEEDS. Of the amount appropriated in Section 1, Subsection V. of this act, the following amounts may be used as follows: (1) an amount not to exceed $902,600 may be used by the Office of the State Board of Education for systemwide needs that benefit all of the four-year institutions including, but not limited to, projects to promote accountability and information transfer throughout the higher education system; and (2) an amount of approximately $1,960,500 may be used for the mission and goals of the Higher Education Research Council as outlined in State Board of Education Policy III.W., which includes awards for infrastructure, matching grants, and competitive grants through the Idaho Incubation Fund program.

SECTION 5. STUDENT TUITION AND FEES. Notwithstanding the provisions of Section 67-3516(2), Idaho Code, the Division of Financial Management may approve the expenditure of dedicated state funds pursuant to the noncognizable process for student tuition and fees during fiscal year 2021. Each of the institutions' budget requests for fiscal year 2022 shall reflect all adjustments so approved by the Division of Financial Management.

OFFICE OF THE ATTORNEY GENERAL
Jared Hoskins, Principal Budget & Policy Analyst, LSO

Moved by Representative Troy for the Attorney General, beginning with the FY 2021 Base, a decrease of $122,700 for benefit costs, an increase of $128,100 for replacement items, an increase of $17,900 for statewide cost allocation, and an increase of $400,900 for change in employee compensation. Also included are the following line items: line item 1, which provides 1.00 FTP and $108,900 for a deputy attorney general at the Department of Labor; line item 3, which provides 1.00 FTP and $108,900 for a deputy attorney general at the Department of Correction; line item 4, which provides 1.00 FTP and $117,500 for a deputy attorney general in the Civil Litigation Division; line item 5, which provides 1.00 FTP and $108,900 for a deputy attorney general at the Idaho Transportation Department; $3,100 for OITS operating costs; and an ongoing 2% General Fund reduction of $482,800 in operating expenditures from the Special Litigation Program. The totals for this motion for FY 2021 are 219.00 FTP, $24,512,500 from the General Fund, $834,400 from dedicated funds, and $1,196,500 from federal funds for a grand total of $26,543,400. This motion also includes lump sum authority.; seconded by Senator Burtenshaw.

AYES: 20
Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives: Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Wintrow, Toone

NAYS: 0

ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed, and without objection, carried a DO PASS recommendation. Hearing no objection, it was so ordered by Chairman Bair. See Audio, Motion, and Ballot.
Presented by LSO: State Appellate Public Defender, Self-Governing Agencies

Jared Hoskins, Principal Budget & Policy Analyst, LSO

Motion: Moved by Senator Johnson for fiscal year 2021, for the State Appellate Public Defender, an ongoing increase of 1.00 FTP, $76,100 in personnel costs, and $8,800 in operating expenditures, as well as a onetime increase of $1,500 in operating expenditures and $71,000 in capital outlay, for a total of $157,400 from the General Fund in the Office of the State Appellate Public Defender Program, for the purpose of a deputy state appellate public defender. This motion is made with the expectation that the agency will report to the Legislature regarding the actual costs of the associated capital improvements and will revert any unused amounts appropriated therefore; seconded by Representative Wintrow.

Carried: AYES: 20
Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives: Youngblood, Horman, Kauffman, Troy, Syme, Amador, Raybould, Wintrow, Toone
NAYS: 0
ABSENT/EXCUSED: 1
Representative Anderson

The majority having voted in the affirmative, the motion passed, and without objection, carried a DO PASS recommendation. Hearing no objection, it was so ordered by Chairman Bair. See Audio, Motion, and Ballot.

Presented by LSO: District Courts, Court Operations, Judicial Branch

Jared Hoskins, Principal Budget & Policy Analyst, LSO

Motion: Moved by Representative Raybould for fiscal year 2021, for the Supreme Court, in the District Courts Program, an ongoing General Fund increase of 2.00 FTP, $253,300 in personnel costs, and $7,500 in operating expenditures, as well as a onetime General Fund increase of $5,000 in operating expenditures, for the purpose of a district judge and a court reporter. The total for this motion is $265,800 from the General Fund. This motion also includes lump sum authority; seconded by Senator Burtenshaw.

Carried: AYES: 19
Senators Bair, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives: Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Wintrow, Toone
NAYS: 0
ABSENT/EXCUSED: 1
Senator Johnson

The majority having voted in the affirmative, the motion passed, and without objection, carried a DO PASS recommendation. Hearing no objection, it was so ordered by Chairman Bair. See Audio, Motion, and Ballot.
MOTION: Moved by Representative Raybould for fiscal year 2021 for the Supreme Court, in the Court Operations Division, the addition of $21,400 for the Supreme Court Program; $17,200 for the Court of Appeals Program; $201,500 for the District Courts Program; and $304,800 for the Magistrate Division Program, for the purpose of judicial salaries. The total motion for the Supreme Court is $544,900 in ongoing personnel costs from the General Fund. Consistent with the entire FY 2021 appropriation for the Supreme Court, this motion includes lump sum authority; seconded by Senator Burtenshaw.

CARRIED: AYES: 19
Senators Bair, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives: Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Wintrow, Toone
NAYS: 0
ABSENT/EXCUSED: 1
Senator Johnson
The majority having voted in the affirmative, the motion passed, and without objection, carried a DO PASS recommendation. Hearing no objection, it was so ordered by Chairman Bair. See Audio, Motion, and Ballot.

LSO PRESENTATION: DIVISION OF CAREER TECHNICAL EDUCATION, STATE BOARD OF EDUCATON
Janet Jessup, Senior Budget & Policy Analyst, LSO
MOTION: Moved by Representative Horman for the Division of Career Technical Education for fiscal year 2021, in addition to the action taken on February 20th, add $122,000 in ongoing personnel costs, $124,800 on ongoing operating expenditures, and $262,500 in onetime operating expenditures, all from the General Fund; seconded by Senator Ward-Engelking.

CARRIED: AYES: 19
Senators Bair, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives: Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Wintrow, Toone
NAYS: 0
ABSENT/EXCUSED: 1
Senator Johnson
The majority having voted in the affirmative, the motion passed, and without objection, carried a DO PASS recommendation. Hearing no objection, it was so ordered by Chairman Bair. See Audio, Motion, and Ballot.

LSO PRESENTATION: ADMINISTRATION, STATE CONTROLLER
Maggie Smith, Senior Budget & Policy Analyst, LSO
MOTION: Moved by Representative Troy fiscal year 2021, for the State Controller, in the Administration Program, an ongoing increase of 2.00 FTP, $198,800 in personnel costs, and $100,000 in operating expenditures, for a total of $298,800 from the General Fund; seconded by Representative Kauffman.
CARRIED: AYES: 19
Senators Bair, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives: Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Wintrow, Toone
NAYS: 0
ABSENT/EXCUSED: 1
Senator Johnson
The majority having voted in the affirmative, the motion passed, and without objection, carried a DO PASS recommendation. Hearing no objection, it was so ordered by Chairman Bair. See Audio, Motion, and Ballot.

LSO PRESENTATION: DEPARTMENT OF FISH AND GAME
Rob Sepich, Senior Budget & Policy Analyst, LSO
MOTION: Moved by Senator Burtenshaw for the Department of Fish and Game, in the Wildlife Program, in addition to any other appropriation provided by law, the addition of $329,300 ongoing from the Fish and Game (License) Fund for fiscal year 2021; seconded by Representative Kauffman.
CARRIED: AYES: 20
Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives: Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Wintrow, Toone
NAYS: 0
ABSENT/EXCUSED: 0
The majority having voted in the affirmative, the motion passed, and without objection, carried a DO PASS recommendation. Hearing no objection, it was so ordered by Chairman Bair. See Audio, Motion, and Ballot.

LSO PRESENTATION: TEACHERS, PUBLIC SCHOOL SUPPORT
Paul Headlee, Division Manager, Budget & Policy Analysis, LSO
MOTION: Moved by Representative Raybould move fiscal year 2021, for the Public School Support Program, Teachers Division, an increase of $8,315,600 ongoing from the General Fund; seconded by Senator Johnson.
CARRIED: AYES: 20
Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives: Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Wintrow, Toone
NAYS: 0
ABSENT/EXCUSED: 0
The majority having voted in the affirmative, the motion passed, and without objection, carried a DO PASS recommendation. Hearing no objection, it was so ordered by Chairman Bair. See Audio, Motion, and Ballot.
MOTION: Moved by Representative Youngblood for the FY 2020 and FY 2021 that the cash transfers below be made and the language be adopted; seconded by Senator Johnson.

1. FY 2020 CASH TRANSFER. Notwithstanding the provisions of Section 48-606, Idaho Code, and any other provision of law to the contrary, there is hereby appropriated and the State Controller shall transfer $2,500,000 from the Consumer Protection Fund to the General Fund as soon as practicable for the period July 1, 2019 through June 30, 2020.

2. FY 2020 CASH TRANSFER. Notwithstanding the provisions of Section 49-308, Idaho Code, and any other provision of law to the contrary, there is hereby appropriated and the State Controller shall transfer $3,660,700 from the Driver's Training Fund to the Public Education Stabilization Fund as soon as practicable for the period July 1, 2019 through June 30, 2020.

3. FY 2020 CASH TRANSFER. FY 2020 CASH TRANSFER. There is hereby appropriated and the State Controller shall transfer $6,259,800 from the Public School Income Fund to the Public Education Stabilization Fund as soon as practicable for the period July 1, 2019 through June 30, 2020.

4. FY 2021 CASH TRANSFER. There is hereby appropriated and the State Controller shall transfer $21,079,500 from the General Fund to the Public Education Stabilization Fund on July 1, 2020, or as soon thereafter as practicable for the period July 1, 2020 through June 30, 2021.

5. FY 2021 CASH TRANSFER. Notwithstanding the provisions of Section 57-814(2)(b), Idaho Code, which limits the allowable balance in the Budget Stabilization Fund to ten percent (10%) of total General Fund receipts for the fiscal year just ending, and Section 57-81423 (2)(c), Idaho Code, which requires the State Controller to transfer excess moneys in the Budget Stabilization Fund back to the General Fund, and any other provision of law to the contrary, on July 1, 2020, or as soon thereafter as practicable, there is hereby appropriated and the State Controller shall transfer $30,000,000 from the General Fund to the Budget Stabilization Fund established in Section 57-814, Idaho Code for the period July 1, 2020 through June 30, 2021.

6. FY 2021 CASH TRANSFER. Notwithstanding the provisions of Section 54-1720, Idaho Code, and any other provision of law to the contrary, there is hereby appropriated and the State Controller shall transfer $117,500 from the State Regulatory Fund to the General Fund on July 1, 2020, or as soon thereafter as practicable for the period July 1, 2020 through June 30, 2021.

7. FY 2021 CASH TRANSFER. Notwithstanding the provisions of Section 40-705, Idaho Code, and any other provision of law to the contrary, there is hereby appropriated and the State Controller shall transfer $108,900 from the State Highway Fund to the General Fund on July 1, 2020, or as soon thereafter as practicable for the period July 1, 2020 through June 30, 2021.
8. FY 2021 CASH TRANSFER. Notwithstanding the provisions of Section 72-1348, Idaho Code, and any other provision of law to the contrary, there is hereby appropriated and the State Controller shall transfer $108,900 from the Unemployment Penalty and Interest Fund to the General Fund on July 1, 2020, or as soon thereafter as practicable for the period July 1, 2020 through June 30, 2021.

9. FY 2021 CASH TRANSFER. Notwithstanding the provisions of Sections 20-416 and 20-419, Idaho Code, and any other provision of law to the contrary, there is hereby appropriated and the State Controller shall transfer $250,000 from the Correctional Industries Betterment Fund to the General Fund on July 1, 2020, or as soon thereafter as practicable for the period July 1, 2020 through June 30, 2021.

10. FY 2021 CASH TRANSFER. Notwithstanding the provisions of Section 57-1108, Idaho Code, and any other provision of law to the contrary, there is hereby appropriated and the State Controller shall transfer $8,800,000 from the Permanent Building Fund to the General Fund on July 1, 2020, or as soon thereafter as practicable for the period July 1, 2020 through June 30, 2021.

DISCUSSION: LSO Budget Manager Headlee discussed the transfers and language in depth.

CARRIED: AYES: 20
Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtneshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives: Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Wintrow, Toone
NAYS: 0
ABSENT/EXCUSED: 0

The majority having voted in the affirmative, the motion passed, and without objection, carried a DO PASS recommendation. Hearing no objection, it was so ordered by Chairman Bair. See Audio, Motion, and Ballot.

ADJOURNED: There being no further business before the Committee, Chairman Bair adjourned the meeting at 4:20 p.m.

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Senator Bair  Elaine Leedy
Chair  Secretary