

MINUTES
JOINT FINANCE-APPROPRIATIONS COMMITTEE

DATE: Thursday, April 15, 2021
TIME: 8:00 A.M.
PLACE: Room C310
MEMBERS PRESENT: Senators Co-chairman Bair, Agenbroad, Crabtree, Grow, Woodward, Lent, Cook, Ward-Engelking, Nye
Representatives Co-chairman Youngblood, Troy, Horman, Amador, Syme, Bundy, Giddings, Nate, Green, Nash
ABSENT/ EXCUSED: Senators Riggs
CONVENED: **Chairman Youngblood** called the Joint Finance-Appropriations Committee (JFAC) to order at 8:00 a.m.

AGENCY PRESENTATION: **BUDGET SETTING: IDAHO COMMISSION FOR LIBRARIES - ARPA - Institute of Museum and Library Services. Janet Jessup, Senior Analyst.**

Ms. Jessup introduced the budget for the Idaho Commission for Libraries for the ARPA funding. The American Rescue Plan Act (ARPA) contains a distribution for the Institute of Museum and Library Services (IMLS). The IMLS is an independent agency of the United States federal government and it is the main source of federal support for libraries and museums in the country. The IMLS promotes improvements to library services.

For Idaho, this distribution includes a total of \$2,400,000. The Idaho Commission for Libraries (ICFL) has proposed to utilize \$2,300,000 of this disbursement in FY 2022 and any unspent portion during the first quarter of FY 2023.

In FY 2022, ICFL will utilize \$1,000,000 in T & B for two rounds of competitive to Idaho libraries to support "Libraries Keep Students Learning and Adults Earning." Operating expenditures will continue to support ICFL's digital equity, early literacy services, and other outreach programs aimed at vulnerable populations.

UNANIMOUS CONSENT: Requested by **Sen. Cook** granted by unanimous consent, the FY 2022 budget for the Idaho Commission of Libraries was reopened.

MOTION: Original Motion: Moved by **Sen. Cook**, seconded by **Rep. Horman**, for the Idaho Commission for Libraries a fiscal year 2022 onetime appropriation of \$2,300,000 from the Federal American Rescue Plan Fund.

CARRIED: **AYES: 17.** Bair, Agenbroad, Crabtree, Grow, Woodward, Lent, , Cook, Ward-Engelking, Nye, Youngblood, Troy, Horman, Amador, Syme, Bundy, Green, Nash.
NAYS: 2. Nate, Giddings.
ABSENT/EXCUSED: 1. Riggs.
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 Youngblood.**

AGENCY PRESENTATION: **BUDGET SETTING: DEPARTMENT OF HEALTH and WELFARE. Division of Public Health - ARPA, COVID-19 Vaccine. Jill Randolph, Senior Analyst.**

Ms. Randolph introduced the Budget for the Department of Health Services, Physical Health Services Program, for the COVID-19 funds from the American Rescue Plan (ARPA). Under the American Rescue Plan Act (ARPA), which was signed on March 11, 2021, Idaho is allocated an additional \$10,151,200. This is to correct a funding mistake contained in previous federal legislation and fully awards Idaho the amount it is due. These funds will be distributed to community partners to support mobile vaccination and other efforts to reach hard-to-reach populations.
The Department anticipates that less people will come to clinics to receive a vaccination, and so more costly outreach efforts will be needed to deliver vaccines through mobile clinics.

UNANIMOUS CONSENT: Requested by **Rep. Giddings** granted by unanimous consent, the FY 2022 budget for the Department of Health and Welfare was reopened.

MOTION: Original Motion: Moved by **Rep. Giddings**, seconded by **Rep. Nash**, for FY 2022 for the Department of Health and Welfare's Division of Public Health Services in the Physical Health Services Program, an additional \$10,151,200 onetime from the Cooperative Welfare (Federal) Fund.

CARRIED: **AYES: 19.** Bair, Agenbroad, Crabtree, Grow, Woodward, Lent, , Cook, Ward-Engelking, Nye, Youngblood, Troy, Horman, Amador, Syme, Nate, Giddings, Bundy, Green, Nash.
NAYS: 0.
ABSENT/EXCUSED: 1. Riggs.
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 Youngblood.**

UNANIMOUS CONSENT NOT APPROVED: Requested by **Rep. Giddings**, objected by **Syme**, the unanimous consent for the intended language was not granted.

**MOTION FOR
INTENT
LANGUAGE:**

Original Motion: Moved by **Rep. Giddings**, seconded by **Sen. Agenbroad**, to add the following language

SECTION __. Any promotion of the administration of vaccines or vaccine-like products using funds provided by P.L. 117-2 shall include proper informed consent language. Such language shall be similar to that required by the Federal Drug Administration in all direct-to-consumer full product promotions.

SECTION __. For any funds provided by P.L. 117-2 to be expended for the promotion of vaccines or vaccine-like products, an equal amount of funds shall be expended on the promotion of health education, including but not limited to exercise and fitness, consumption of Vitamin D supplementation, and a reduction in non-nutritional foods such as high-fructose corn syrup.

DISCUSSION:

Sen. Woodward requested clarification about the objectives of the additional expenditures mentioned in the second section of the language and how are they funded.

Rep. Giddings explained there is no intent for additional spending.

Sen. Woodward expressed his opposition to the language.

Sen. Ward-Engelking expressed her opposition to spending an additional \$3 million of the General Fund. The director of the Idaho Department of Health and Welfare, **Mr. Jeppesen**, explained the initial guidance received by the department is to focus the funding on promoting vaccine confidence. But they have not yet received final guidance on how much autonomy the agency has on using the funds for the campaign.

Sen. Agenbroad withdrew his second for the intent language and offered a substitute motion.

**SUBSTITUTE
MOTION FOR
INTENT
LANGUAGE:**

Substitute Motion: Moved by **Sen. Agenbroad**, seconded by **Sen. Grow**, to add the following language

SECTION __. Any promotion of the administration of vaccines or vaccine-like products using funds provided by P.L. 117-2 shall include proper informed consent language. Such language shall be similar to that required by the Federal Drug Administration in all direct-to-consumer full product promotions.

SECTION __. To the extent allowed by P.L. 117-2, for any funds provided by P.L. 117-2 to be expended for the promotion of vaccines or vaccine-like products, an equal amount of funds may be expended on the promotion of health education including but not limited to exercise and fitness, consumption of Vitamin D supplementation, and a reduction in non-nutritional foods such as high-fructose corn syrup. Notwithstanding this intent language, no General Fund dollars may be expended to support this language.

**AMENDED
SUBSTITUTE
MOTION
FOR INTENT
LANGUAGE:**

Amended Motion: Moved by **Rep. Troy**, seconded by **Sen. Grow**, to added the following language:

SECTION_. Any promotion of the administration of vaccines or vaccine-like products using funds provided by P.L. 117-2 shall include proper informed consent language. Such language shall be similar to that required by the Federal Drug Administration in all direct-to-consumer full product promotions.

SECTION_. To the extent allowed by P.L. 117-2 for any funds provided by P.L. 117-2, to be expended for the promotion of vaccines or vaccine-like products, the message must include promotion of other healthy lifestyle choices, such as exercise and fitness, consumption of Vitamin D supplementation, and a reduction in non-nutritional foods such as high-fructose corn syrup. Notwithstanding this intent language, no General Fund dollars may be expended to support this language.

**VOTE ON
AMENDED
SUBSTITUTE
MOTION —
FAILED:**

AYES: 8. Bair, Youngblood, Troy, Horman, Amador, Nate, Giddings, Bundy.

NAYS: 11. Agenbroad, Crabtree, Grow, Woodward, Lent, Cook, Ward-Engelking, Nye, Syme, Green, Nash

ABSENT/EXCUSED: 1. Riggs.

The majority, having voted in the negative, the motion **FAILED**, and without objection, **Chairman Youngblood** moved to hear the Substitute Motion.

**VOTE ON
SUBSTITUTE
MOTION
CARRIED:**

AYES: 18. Bair, Agenbroad, Crabtree, Grow, Woodward, Lent, , Cook, Ward-Engelking, Nye, Youngblood, Troy, Horman, Amador, Syme, Nate, Giddings, Bundy, Green.

NAYS: 1. Nash.

ABSENT/EXCUSED: 1. Riggs.

The majority, having voted in the affirmative, the motion for the language passed, and without objection, carried a **DO PASS** recommendation. Hearing no objection, it was so ordered by **Chairman Youngblood**.

**AGENCY
PRESENTATION:**

BUDGET SETTING:

Division of Public Health - ARPA, Epidemiology and Laboratory Capacity - Immunization Program. Jill Randolph, Senior Analyst.

Ms. Randolph introduced the Budget for the Department of Health and Welfare, Physical Health Services Program, for the COVID-19 funds from the American Rescue Plan (ARPA). Under the American Rescue Plan Act (ARPA), which was signed on March 11, 2021, Idaho is allocated an additional amount to pay for laboratory testing for COVID-19 tests from public and private schools in Idaho. These funds would be used to recruit school districts to implement the COVID-19 testing program, assist those schools with implementation, provide ongoing technical assistance for the program to continue into the next school year, and provide regular testing data. The intent of this COVID-19 testing program is to ensure schools remain open for safe, in-person instruction for the remainder of the current school year and throughout the next school year. These funds must be expended by July 31, 2022.

- DISCUSSION:** **Rep. Horman** requested clarifications if the funds assigned to the school districts to implement the testing programs will follow on an equal distribution or will be grant-based. **Ms. Shaw-Tulloc**, Administrator for the Division of Public Health in the Department of Health and Welfare, explained the division is still getting information now how the funding will work.
The division anticipates allocating a base of \$50,000 across all of the school districts and private schools, and the remaining amount would be allocated across each school district and private school on top of that base, based upon a proportion of the students enrolled from the 2020 school enrollment census.
- MOTION:** Original Motion: Moved by **Sen. Agenbroad**, seconded by **Rep. Troy**, for FY 2022 for the Department of Health and Welfare's Division of Public Health Services in the Physical Health Services Program, \$40,301,500 onetime from the Cooperative Welfare (Federal) Fund.
- DISCUSSION:** **Sen. Horman** expressed his opposition to the bill based on a concern relative to the absence of a spending plan.
- CARRIED:** **AYES: 12.** Bair, Agenbroad, Grow, Woodward, Lent, Ward-Engelking, Nye, Troy, Syme, Bundy, Green, Nash.
NAYS: 7. Crabtree, Cook, Youngblood, Horman, Amador, Nate, Giddings
ABSENT/EXCUSED: 1. Riggs.
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 Youngblood**.
- DISCUSSION:** **Rep. Horman** asked **Director Jeppeson** if the agency has the capacity to directly distribute these funds to the school districts. Director Jeppeson confirmed the agency has the capability to distribute these funds to the school districts directly.
- MOTION FOR INTENT LANGUAGE:** Original Motion: Moved by **Rep. Horman** to add the following language
SECTION_. These funds from P.L. 117-2 shall be distributed directly to school districts, public charter schools, and non-public schools by the Department of Health and Welfare as permitted by P.L. 117-2 according to a formula determined in partnership with the Department of Health and Welfare and the State Board of Education.
- DISCUSSION:** **Sen. Agenbroad** asked **Rep. Horman** if the language intends to provide to the public schools and the charter schools an additional appropriation authority to spend these dollars. Rep. Horman explained there is no provision of authority to local districts for the expenditure of federal funds. The spending authority is provided through the Department of Health and Welfare, so she didn't believe any additional spending authority is required at the local level. **Sen. Agenbroad** seconded the motion.

**VOTE ON
THE MOTION
FOR THE
LANGUAGE
CARRIED:**

AYES: 18. Bair, Agenbroad, Crabtree, Grow, Lent, Cook, Ward-Engelking, Nye, Youngblood, Troy, Horman, Amador, Syme, Nate, Giddings, Bundy, Green, Nash.
NAYS: 0.
ABSENT/EXCUSED: 2. Riggs.
Woodward The majority, having voted in the affirmative, the motion for the language passed, and without objection, carried a **DO PASS** recommendation. Hearing no objection, it was so ordered by **Chairman Youngblood.**

**AGENCY
PRESENTATION:**

BUDGET SETTING:
Division of Welfare - ARPA, Low Income Home Energy Assistance Program.
Jill Randolph, Senior Analyst.

Ms. Randolph introduced the Budget for the Department of Health and Welfare, Division of Welfare, for the COVID-19 funds from the American Rescue Plan (ARPA). In the American Rescue Plan Act (ARPA), which was signed into law on March 11, 2021, additional amounts were provided for the Low Income Home Energy Assistance Program (LIHEAP), which typically provides approximately \$14,200,000 in onetime payments to utility companies in Idaho on behalf of Idahoans who meet criteria and are in danger of getting power and/or heat shutoff. DHW works closely with the Community Action Partnership Association of Idaho to pay these supports directly to utility providers. This program is 100% federally funded. In ARPA, an additional \$14,000,000 is provided. DHW asserts this additional amount will help Idahoans outside of the typical LIHEAP season (September through February) with utility costs.

MOTION:

Original Motion: Moved by **Rep. Troy**, seconded by **Sen. Agenbroad**, for the FY 2022, for the Department of Health and Welfare's Division of Welfare, an additional \$14,000,000 onetime from the Cooperative Welfare (Federal) Fund.

CARRIED:

AYES: 18. Bair, Agenbroad, Crabtree, Grow, Woodward, Lent, Cook, Ward-Engelking, Nye, Youngblood, Troy, Horman, Amador, Syme, Nate, Bundy, Green, Nash.
NAYS: 1. Giddings.
ABSENT/EXCUSED: 1. Riggs.
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 Youngblood.**

**AGENCY
PRESENTATION:**

Ms. Randolph introduced the Budget for the Department of Health Services, Division of Welfare, for the COVID-19 funds from the American Rescue Plan (ARPA). This is an additional request by the Department of Health and Welfare to spend funds allocated to the state for child care from the American Rescue Plan Act (ARPA), which was signed into law on March 11, 2021. ARPA provided for a one-time increase for regular allocations through the Child Care Development Block Grant (CCDBG).
There are two portions of regular allocations through the CCDBG: mandatory funding; and discretionary funding. ARPA impacted the calculation for the mandatory funding to the states. The formula is driven by the amount of funding the state spent on comparable services in the mid -1990s; the change to the formula assumes that the amount spent in the mid -1990s for these services was

matched 100% by the federal government. This equates to \$3,125,000.

MOTION: Original Motion: Moved by **Sen. Agenbroad**, seconded by **Rep. Troy**, for FY 2022, for the Department of Health and Welfare in the Division of Welfare, an additional \$3,125,000 onetime from the Cooperative Welfare (Federal) Fund.

CARRIED: **AYES: 17.** Bair, Agenbroad, Crabtree, Grow, Woodward, Lent, Cook, Ward-Engelking, Nye, Youngblood, Troy, Horman, Amador, Syme, Bundy, Green, Nash.
NAYS: 2. Nate, Giddings.
ABSENT/EXCUSED: 1. Riggs.
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 Youngblood**.

AGENCY PRESENTATION: **TRAILER APPROPRIATION:** **Trailer Appropriation to H336 for Foster Care Extension. Jill Randolph, Senior Analyst.**

Ms. Randolph introduced the Trailer Appropriation for the Department of Health and Welfare, Child Welfare Division. H336 passed the Senate on April 13, 2021. The bill provides an update to the laws pertaining to qualified group homes for child. In addition, the bill provides for the extension of foster care from 18 to 21 when such an extension is ordered by the court to help the person achieve a successful transition to adulthood.

The extension of foster care is for a set time, not to exceed the person's 21st birthday. The fiscal note for H336 includes an additional \$240,000 from the General Fund for FY 2022.

MOTION: Original Motion: Moved by **Sen. Agenbroad**, seconded by **Rep. Troy**, move for FY 2022, for the Department of Health and Welfare in the Division of Child Welfare, an increase of \$240,000 from the Cooperative Welfare (General) Fund.

CARRIED: **AYES: 17.** Bair, Agenbroad, Crabtree, Grow, Woodward, Lent, Cook, Ward-Engelking, Nye, Youngblood, Troy, Horman, Amador, Syme, Nate, Bundy, Green, Nash.
NAYS: 1. Giddings.
ABSENT/EXCUSED: 1. Riggs.
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 Youngblood**.

ADJOURN: There being no further business to come before the Committee, **Chairman Youngblood** adjourned the Committee at 9:31 a.m.

Representative Youngblood
Chair

Anna Maria Mancini
Secretary