

**MINUTES**  
**Approved by Council**  
**Legislative Council**  
**Tuesday, March 26, 2019**  
**8:30 A.M.**  
**Senate Majority Caucus Room**  
**Boise, Idaho**

Pro Tem Brent Hill called the meeting to order at 8:46 a.m.; a silent roll call was taken. Legislative Council (Council) members in attendance: Chairmen Speaker Scott Bedke and Pro Tem Brent Hill; Senators Chuck Winder, Abby Lee, Carl Crabtree, Michelle Stennett, Grant Burgoyne, and Yvonne McCoy (replacement for Senator Cherie Buckner-Webb); and Representatives Mike Moyle, Clark Kauffman, Wendy Horman, Mathew Erpelding, John McCrostie, and Sally Toone. Legislative Services Office (LSO) staff present were: Eric Milstead, Terri Kondeff, Robin Lockett, and Shelley Sheridan. Other attendees: MaryLou Molitor, Idaho House of Representatives; Rakesh Mohan, Office of Performance Evaluations; and Carlie Foster, Lobby Idaho.

Pro Tem Hill cited the Council's authority to appoint interim committee members and since some committees have not gone through both bodies of the Legislature, motions made by the Council would be subject to passage by both houses. Speaker Bedke added that committee appointments were subject to change.

The Council went at ease at 8:50 a.m. and called to order at 8:52 a.m.

**2019 Interim Committee Appointments**

1. Criminal Justice Reinvestment Oversight Committee (67-456 (2014)) S 1133. Appointments do not require Council approval.

Sen. Todd Lakey, Co-chair	Rep. Tom Dayley, Co-chair
Sen. Patti Anne Lodge	Rep. James Holtzclaw
Sen. Jeff Agenbroad	Rep. Bryan Zollinger
Sen. Cherie Buckner-Webb	Rep. John McCrostie
Sen. Mark Nye	Rep. Melissa Wintrow

2. Idaho Council on Indian Affairs (continuing) (67-4004 (1999)). Appointments do not require Council approval.

Sen. Jim Guthrie, Chair	Rep. Neil Anderson
Sen. Cherie Buckner-Webb	Rep. Chris Abernathy

3. Child Protection Legislative Oversight Committee (16-1647 (2018)) S 1341. Appointments do not require Council approval.

Sen. Abby Lee, Co-chair	Rep. Mike Moyle, Co-chair
Sen. Mary Souza	Rep. Jason Monks
Sen. Kelly Anthon	Rep. Bill Goesling
Sen. Cherie Buckner-Webb	Rep. Melissa Wintrow

4. Committee on Federalism (Pending Authorization) H 169. Appointments do not require Council approval.

Sen. Steve Vick, Co-chair	Rep. Jason Monks, Co-chair
Sen. Dan Johnson	Rep. Judy Boyle
Sen. Mark Harris	Rep. Megan Blanksma
Sen. Carl Crabtree	Rep. Wendy Horman
Sen. Grant Burgoyne	Rep. Rob Mason

5. Natural Resources Interim Committee HCR 012.

Sen. Steve Bair, Co-chair	Rep. Marc Gibbs, Co-chair
Sen. Jim Patrick	Rep. Scott Bedke
Sen. Lee Heider	Rep. Mike Moyle
Sen. Bert Brackett	Rep. Terry Gestrin
Sen. Michelle Stennett	Rep. Iliana Rubel
Sen. Maryanne Jordan (Ad Hoc)	Rep. Paul Shepherd (Ad Hoc)
	Rep. Britt Raybould (Ad Hoc)

**Speaker Bedke moved to adopt the membership of the 2019 Natural Resources Interim Committee, seconded by Representative Moyle, and the motion passed by unanimous voice vote.** Speaker Bedke stated that the committee would review the state water plan.

6. Study of Public School Construction and Maintenance Funding (Pending Authorization) SCR 111.

Sen. Chuck Winder, Co-chair	Rep. Rick Youngblood, Co-chair
Sen. Lori Den Hartog	Rep. Paul Amador
Sen. Dave Lent	Rep. Ryan Kerby
Sen. Jim Woodward	Rep. Clark Kauffman
Sen. Janie Ward-Engelking	Rep. Mat Erpelding

Senator Winder suggested working with the Governor's Office to create a task force. **Senator Winder moved to disapprove the 2019 Study of Public School Construction and Maintenance Funding Interim Committee, seconded by Representative Moyle, and the motion passed by majority voice vote with Senator Burgoyne voting nay.** Senator Hill clarified that the motion to not approve the committee was regardless of its passage by both bodies of the Legislature.

7. Pacific Fisheries Legislative Task Force (67-452).

Sen. Lee Heider	Rep. Laurie Lickley
Sen. Michelle Stennett	Rep. Sally Toone

**Representative Erpelding moved to approve the 2019 Pacific Fisheries Legislative Task Force Interim Committee, seconded by Senator Stennett, and the motion passed by unanimous voice vote.**

8. Study of Occupational Licensing and Certification Laws Committee (Regulatory Reform) SCR 112.

Sen. Todd Lakey, Co-chair  
Sen. Fred Martin  
Sen. Lori Den Hartog  
Sen. Grant Burgoyne

Rep. Gayann DeMordaunt, Co-chair  
Rep. Robert Anderst  
Rep. Randy Armstrong  
Rep. Elaine Smith

**Representative Kauffman moved to approve the 2019 Study of Occupational Licensing and Certification Laws Interim Committee, seconded by Senator Crabtree, and the motion passed by unanimous voice vote.**

9. Campaign Finance Reform (Pending Re-Authorization) SCR 115.

Sen. Patti Ann Lodge, Co-chair  
Sen. Mary Souza  
Sen. Mark Harris  
Sen. Jeff Agenbroad  
Sen. Michelle Stennett

Rep. Fred Wood, Co-chair  
Rep. John Vander Woude  
Rep. Sage Dixon  
Rep. Megan Blanksma  
Rep. Mat Erpelding

Pro Tem Hill stated that the committee would review suggestions for possible legislation. **Representative Erpelding moved to approve the 2019 Campaign Finance Reform Interim Committee, seconded by Senator Lee, and the motion passed by unanimous voice vote.**

10. Study to Determine Equitable Assessment of Costs Related to Medicaid Expansion (Pending Authorization) SCR 1177. Member assignment to be determined.

Pro Tem Hill stated that the committee would further discuss the counties' role in funding medicaid expansion through indigent funds. He noted that members have not been appointed since the resolution has not passed both bodies of the Legislature and that a work group would be considered if it did not make it through both bodies due to time. Speaker Bedke confirmed that House members understood the issues, had the same issues as the Senate, and were willing to take a deeper dive. He added that Representative Wood would be on the committee and that his work would be built upon. Senator Winder asked if the Speaker was committed to creating a work group if the resolution did not pass. Speaker Bedke confirmed his commitment to creating a work group. Representative Erpelding stated that a work group would be better, considering legislation had not been passed by either body. Pro Tem Hill responded that it was the Council's decision and the Council would like as much transparency and buy-in by both bodies. Senator Lee noted the significance of the issue and would like to see something formally introduced.

**Senator Winder moved to approve the Study to Determine Equitable Assessment of Costs Related to Medicaid Expansion Interim Committee pending passage by both houses; if failed, authority given to Speaker and Pro Tem to create task force. Motion seconded by Senator Crabtree.** Speaker Bedke agreed with Senator Lee that an interim committee would elevate the issue and expressed support for the motion. Representative Erpelding noted that the resolution reflects 133% as the gross income for eligibility and asked if it should be 138%. Speaker Bedke responded that 133% was the original medicaid expansion amount, the additional 5% was added after the resolution was drafted, but would be an easy fix. Speaker Bedke suggested Representative Erpelding recommend the fix before the resolution was introduced. Senator Stennett stated that the resolution could look different and that approving the committee was very premature. **The motion by Senator Winder, seconded by Senator Crabtree, to approve the Study to Determine Equitable Assessment of Costs**

**Related to Medicaid Expansion Interim Committee pending passage by both houses passed by roll-call vote; 8 ayes, 6 nays.**

### **Joint Legislative Oversight Committee (JLOC) Follow-up**

Representative Caroline Nilsson Troy reported that JLOC meets several times a year to review reports on studies performed by the Office of Performance Evaluations (OPE). She stated that JLOC lacks direction on how to proceed with the recommendations and whether those recommendations are being implemented. Senator Burgoyne agreed and stated that there was a lack of measurement and systematized approach to implementing recommendations regarding programs. He stated that the problem was that programs were not getting enough money. Senator Lee stated that the reports provide a systemic way for legislators to bring issues before the Legislature and to make sure they are carried through. Representative Erpelding suggested that JLOC make recommendations and co-sponsor an interim committee to look into substantial legislative challenges. Representative Horman stated that you have to "win the JLOC lottery" to get issues considered and that JLOC's structure bears discussion. Senator Stennett stated that JLOC follows the statutes and that what is done with the reports was up to those receiving them. Senator Burgoyne suggested finding a nonpolitical way to achieve long-range thinking and that the Legislature study topics it should be studying. Representative Troy stated that OPE does a great job and agreed that conversations were needed regarding processes. She added that no one ensures that recommendations were vetted and explored to the fullest extent. Representative Moyle stated that OPE should be used for studying topics that could be issues and not used as a political football. Senator Crabtree agreed that follow up is needed and asked whether information was forwarded to germane committees. Representative Erpelding confirmed that information was forwarded to the germane committees, but the chairs have the choice to hear the reports. Pro Tem Hill responded that chairmen could be encouraged to hear the information. Representative Erpelding stated that JLOC was a well-functioning committee involving little political football, and that OPE does a great job on a shoestring budget. Senator Burgoyne suggested that the Legislature function as a board of directors and be better staffed so it can make policy decisions.

Pro Tem Hill advised Representative Troy to work with OPE Director, Rakesh Mohan, to develop a checklist of ways the Council could help and discuss further.

A motion was made to adjourn and was seconded. The motion passed by voice vote. The Council adjourned at 10:02 a.m.