

STATE BOARD OF EXAMINERS
MINUTES– Regular Meeting
December 20, 2022 – 8:55 a.m.
Lincoln Auditorium, Idaho State Capitol
700 W Jefferson Street, Boise ID 83702

The regular meeting of the State Board of Examiners was called to order pursuant to Idaho Code §67-2002 and by the order of the chair 9:10 a.m.

The following board members were present: Governor Brad Little, Secretary of State Lawrence Denney, and State Controller Brandon Woolf. Also present was Scott Zanzig from the Office of the Attorney General.

Controller Woolf introduced the consent agenda items.

Secretary of State Denney then moved to approve the consent agenda. Governor Little seconded the motion.

Controller Woolf introduced the regular agenda item, and asked Scott Zanzig from the Office of the Attorney General to present that item.

Scott Zanzig then presented the agenda item to the board. He stated there are 2 requests. The first is that the Board approve payment of the stipulated attorneys' fees for \$275,000, which is required by court order. He then stated the second request, that he is required to make under the terms of the settlement agreement, is that the item is submitted to the constitutional defense fund for payment. Mr. Zanzig continued that the terms of the settlement agreement, already provide for a different method of payment if the Board decides not to submit the payment through that fund.

Governor Little then moved to approve the claim, but refer the item to the Idaho Legislature for further consideration and payment and not through the Idaho Constitutional defense fund for payment. Secretary of State Denney seconded the motion.

Controller Woolf introduced the informational agenda items.

Secretary of State Denney moved to adjourn the meeting. Governor Little seconded the motion.

There being no further business before the board and on motion duly made and seconded, THE MEETING OF THE STATE BOARD OF EXAMINERS WAS ADJOURNED at 9:16 a.m.

CONSENT AGENDA

1. Minutes- Action Item – Approved

Approval of official minutes for the meeting of the Board of Examiners on November 15, 2022.

2. Ada County Sherriff– Action Item – Approved

Request for approval pursuant to Idaho Code §31-2219, and Idaho Code §31-3203, for transportation of prisoners sentenced to ISCI and transported to the Ada County Jail upon a Judgment of Conviction or a Return on a Board Warrant for April through September 2022.

Mileage at \$.40 per mile... \$1,164.00

Mileage at \$.25 per mile... \$647.92

Total of Claim:..... \$1,811.92

3. Department of Environmental Quality - Action Item – Approved

- a. Request in accordance with House Bill 763, Second Regular Session of the 66th Idaho Legislature, that \$1,826,600.00 be transferred from the General Fund to the Department of Environmental Quality fund #0225 during the third quarter of Fiscal Year 2023.
- b. Request in accordance with House Bill 763, Second Regular Session of the 66th Idaho Legislature, that \$554,900.00 be transferred from Public Water Systems Supervision Fund #0191 to the Department of Environmental Quality fund #0225-04 during the third quarter of Fiscal year 2023.
- c. Request in accordance with House Bill 763, Second Regular Session of the 66th Idaho Legislature, that \$476,000.00 be transferred from the Air Quality Permitting Fund #0186 to the Department of Environmental Quality fund #0225 during the third quarter of Fiscal year 2023.

4. Department of Health & Welfare - Action Item – Approved

Request in accordance with appropriations passed by the Second Regular Session of the 66th Idaho Legislature, that \$260,353,200 be transferred from the General Fund to the Cooperative Welfare Fund #0220 during the third quarter of Fiscal Year 2023.

5. Department of Administration – Division of Public Works - Action Item- – Approved

- a. Request for recognition of assignment from Edmark Properties LLC to 3110 Cleveland LLC, an Idaho LLC. A transfer of interest in the real property lease of the State of Idaho, by and through the Idaho State Liquor Division, as “Lessee,” and the Lessee’s occupancy of 918 Blaine Street, Caldwell, Idaho 83605-3767.
- b. Request for recognition of assignment from Edmark Properties LLC to 3110 Cleveland LLC, an Idaho LLC. A transfer of interest in the real property lease of the State of Idaho, by and through the Idaho Department of Correction, as “Lessee,” and the Lessee’s occupancy of 3110 East Cleveland Boulevard, Building D, Caldwell, Idaho 83605-5539.
- c. Request for recognition of assignment from All West Properties, LLC to 845 Center Street, LLC. A transfer of interest in the real property lease of the State of Idaho, by and through the Idaho Department of Agriculture, as “Lessee,” and the Lessee’s occupancy of 845 West Center Street B, Suites 301, 303, B105, and B106, Pocatello, Idaho 83201.

6. State Controller’s Office – Action Item – Approved

Request for previously approved overtime compensation for employees working on the Luma project be extended. The request is to authorize exempt FLSA employees (class codes listed on memo) to be paid for overtime worked. If approved, these employees would be changed temporarily to extend from the period December 31, 2022 to December 31, 2023.

7. Idaho State Police – Action Item – Approved

Request for approval of overtime compensation for the Director of Communications who is an FLSA 'A'. The request is to authorize him to be paid for overtime worked facilitating communications during the investigation of the murders in Moscow, Idaho. If approved, his FLSA would be changed for the end of calendar year 2022.

REGULAR AGENDA

8. Office of Attorney General and Idaho State Police – Action Item

Request approval to pay the court-awarded stipulated attorneys' fees in Doe v. Wasden, et al., Case No. 1:20-cv-00452-BLW (D. Idaho), in the amount of \$275,000.00. Additionally, the request is to refer this to the Constitutional Defense Council for payment from the fund created under Idaho code §67-6301.

INFORMATIONAL AGENDA

9. Office of the Attorney General

Notification that Deputy Attorney General Matt Lovell has been permitted to accept additional outside employment at the University of Idaho Law School in Boise. This is a temporary position and would involve Mr. Lovell grading practice bar exams and providing feedback and mentorship to students.

10. State Insurance Fund

- a. Estimate of the State Insurance Fund expenses to be paid by sight drafts for the month of November 2022.

Estimated expenditure for workers compensation claim costs, dividends and premium refunds	\$20,000,000.00
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Funds Expended in October 2022:

Workers Compensation Claim Costs	\$11,543,968.15
Dividends	\$0.00
Commission	\$4,450,408.41
<u>Policy Refunds</u>	<u>\$350,919.69</u>
Total	\$16,345,296.25

- b. Estimate of the Idaho Petroleum Clean Water Trust Fund expenses to be paid by sight drafts for the month of November 2022.

Estimated expenditure for Idaho Petroleum Clean Water Trust Fund	\$750,000.00
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Funds Expended in October 2022:

Payroll	\$65,376.94
Operations	\$20,742.13
<u>Claim Costs</u>	<u>\$93,653.89</u>
Total	\$179,772.96