

MINUTES
HOUSE EDUCATION COMMITTEE

- DATE:** Wednesday, February 26, 2014
- TIME:** 8:30 A.M.
- PLACE:** Room EW41
- MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representative(s) Shepherd, Wills, Bateman, Boyle, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, McDonald, Pence, Kloc, Rubel
- ABSENT/
EXCUSED:** None
- GUESTS:** Ann Joslin and Stephanie Bailey-White, Commission for Libraries; Kathy Martin, LCSC; Elli Brown, Veritas Advisors; Marilyn Whitney, Tracie Bent, Amy Nelms and Richard Westerberg, SBOE; Phil Homer, IASA, Harold Ott, Rural Schools; Bruce Newcomb, BSU; Kent Kunz, ISU; Camille Wells, SDE; Julie Hart, Ekahau, Westerberg & Associates
- MOTION:** **Chairman DeMordaunt** called the meeting to order at 8:30 a.m.
- Rep. Mendive** made a motion to approve the minutes of the February 20, 2014 and the February 24, 2014 meetings. **Motion carried by voice vote.**
- Chairman DeMordaunt** turned the gavel over to **Vice Chairman Nielsen.**
- RS 22969:** **Rep. DeMordaunt** presented **RS 22969** stating the proposed legislation eliminates the June 30, 2014 sunset on "use it or lose it" flexibility in instructional staff funding for public schools. He explained that during the Great Recession, as school budgets were reduced, the Legislature provided some flexibility on the previous requirement that school districts must hire 100% of the instructional staff positions funded by the state, or lose funding for those positions that were not hired. He said this provided school districts with added flexibility in managing reduced budgets. Previously, the only option would have been to reduce pay, which was generally done through furlough days, shortening the school year and reducing instruction time. With flexibility, districts could also implement a reduction in force, or simply leave some vacant positions unfilled, as part of their budget-balancing strategy. Rep. DeMordaunt said now that public school budgets are growing again, and school districts have more money available to hire instructional staff, this legislation begins a targeted approach of reducing the flexibility by 1% for each year in which a school district's average class size is at least one student above the statewide average class size. This will begin in FY16. He said for school districts with large class sizes, general flexibility would reduce from 9.5% in FY15 to 8.5% in FY16, and by further 1% increments in the future for each year in which class sizes were at least one student above the state average. He indicated the approach allows for continued flexibility for those (primarily rural) districts in which class size is not a problem, while beginning to address it in those districts where it is a cause for concern.
- MOTION:** **Rep. Bateman** made a motion to introduce **RS 22969.** **Motion carried by voice vote.**
- Vice Chairman Nielsen** turned the gavel over to **Chairman DeMordaunt.**

H 549:

Marilyn Whitney, Chief Communications and Legislative Officer, State Board of Education, presented **H 549**. She explained the bill would allow the public higher education institutions the ability to opt out of state administrative services upon approval of the State Board of Education. This approval would be based on board policy and would require the institutions to show expected fiscal savings. The Board does not expect all of the four-year institutions would seek approval to exercise this flexibility. There are those institutions which have the infrastructure and staff to manage their own administrative services and others which do not. She said **H 549** allows for an opt out but also allows those institutions who want to continue to participate in state administrative services the ability to do so. The State Board of Education has contemplated requesting this flexibility for the four-year institutions for some time and continues to ask the institutions to review programs and services and find efficiencies wherever they can in order to help ensure access and affordability to public higher education. Ms. Whitney indicated **H 549** will mainly impact Boise State University, Idaho State University and Lewis-Clark State College.

Ms. Whitney said the committee heard and supported **H 81**, last year, that would have accomplished the same goal as **H 549**. **H 81** went on to pass the full House, however, the sponsors did not pursue approval in the Senate based on concerns raised by the state administrative agencies. She said the current bill, **H 549**, was developed by the State Board of Education in coordination with the Department of Administration, the Division of Human Resources and the Controller's Office. She reminded the committee of a pilot for administrative flexibility for the higher education institutions with a bill passed four years ago that granted the institutions the ability to handle their own purchasing process for all items not related to statewide purchasing contracts. Ms. Whitney said **H 549** provides another means for the institutions to accomplish their missions in the more effective and efficient way possible. She provided a handout to the committee and reviewed the amendments. (See attached.)

A discussion on the legislation was held regarding the term "elected officials," regarding the state or federal primacy over the labor laws, and maintaining the qualities of scale.

MOTION:

Rep. Wills made a motion to send **H 549** to the floor with a **DO PASS** recommendation.

A discussion was held concerning the opting in and the opting out of the state insurance program. **Ms. Whitney** said opting back in is a five year process with negotiations and proposals allowed from the universities and the state. She said if the "pool" of premium holders goes down, the cost of the premium could go up by as much as four cents.

Bruce Newcomb, Boise State University and **Kent Kunz**, Idaho State University spoke **in favor** of **H 549**. Mr. Newcomb said the universities need the flexibility. He indicated with fiduciary responsibilities the universities can make decisions on the best business practice. They agreed having the choice is important, even though few may make changes.

MOTION:

Rep. Wills called for the question. **Chairman DeMordaunt** called for a vote on the question. **Motion failed by voice vote.**

Reps. Gestrin and **Boyle** spoke **in opposition** to **H 549**. Rep. Boyle said legislators must look at the overall budget and the fact there may be less money for schools, should **H 549** pass the House, should not be overlooked.

VOTE ON MOTION:

Chairman DeMordaunt called for a vote on the motion to send **H 549** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Boyle, Gestrin, Shepherd** and **Mendive** requested that they be recorded as voting **NAY**. **Rep. Horman** will sponsor the bill on the floor.

S 1257: **Senator Goedde** explained the "chrome" color listed in the statute for school buses is no longer recognized. He said in **S 1257**, the change will reflect the name of the color recognized internationally for school buses. It will not require any buses currently in service to be painted.

MOTION: **Rep. VanOrden** made a motion to send **S 1257** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. VanOrden** will sponsor the bill on the floor.

S 1228: **Ann Joslin**, Idaho State Librarian, presented **S 1228** to the committee. She explained the legislation corrects and amends an existing statutory citation governing open meeting laws applicable to public libraries. **S 1228** correctly incorporates all applicable Idaho open meeting laws found in Idaho Code sections 67-2340 through 67-2347.

In response to a question regarding any complaints which may have prompted the legislative action, **Ms. Joslin** said she had received none. She indicated Idaho libraries have been in sync with open meeting laws even though it had not yet been changed in statute.

MOTION: **Rep. Kloc** made a motion to send **S 1228** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kloc** will sponsor the bill on the floor.

Ann Joslin gave the annual report of the state of Idaho libraries to the committee. She highlighted the role public and school libraries are playing in K-20 education. She indicated the Idaho Commission for Libraries "Read to Me" program helps strengthen the traditional role of public libraries in working with parents, schools, and other community partners to develop good readers. (See Attached.) Ms. Joslin said the pilot program of "Make It at the Library: Where Idaho Makers Meet," garnered successful outcomes. She said regardless of the format or media, with resources for early literacy, health information, digital literacy, as well as career re-training, Idaho's libraries are there for the learner.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 10:04 p.m.

Representative DeMordaunt
Chair

Jean Vance
Secretary