

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Monday, February 29, 2016

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Mortimer, Vice Chairman Thayn, Senators Patrick, Souza, Den Hartog, Anthon, Buckner-Webb and Ward-Engelking

ABSENT/ EXCUSED: Senator Nonini

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Mortimer** called the Education Committee (Committee) to order at 3:00 p.m. The weekly reading came from Edgar A. Guest, "Only a Dad," *Heap o' Livin'*.

PRESENTATION: **Dan Leister**, who works for Cisco Systems but was not representing Cisco, came to educate the Committee on e-rates. **Mr. Leister** explained he was before the Committee to make sure e-rate dollars were not jeopardized in schools, and to talk about e-rate modernization. He reviewed some of the changes for e-rates. **Mr. Leister** explained that Category One refers to the support of broadband connectivity to schools and libraries; these services provide basic conduit access to the internet. Category Two is the equipment, services and maintenance needed to bring broadband into schools and libraries. **Mr. Leister** noted that in e-rate modernization, there has been an increase in budget for Category One and Two (see attachment 1).

Senator Patrick asked for clarification on pending money for 2015 that was in the presentation. **Mr. Leister** replied that the application still needed approval. **Vice Chairman Thayn** requested Mr. Leister provide a more detailed explanation of the Category Two budget. **Mr. Leister** complied and outlined the spreadsheet. **Vice Chairman Thayn** inquired how much the schools pay to receive these services. **Mr. Leister** answered that schools pay about \$2 million. **Chairman Mortimer** asked why there were so many aspects of the budget noted as "pending." **Mr. Leister** replied he would look into this. **Chairman Mortimer** mentioned that they've recently set up a broadband interim committee, and asked which Category that would be associated with. **Mr. Leister** answered that it would be Category One. He concluded that the most important aspects in e-rate modernization are that there's a budget for it and the FCC approved opportunity for rural school districts to get high-speed internet access.

MINUTES APPROVAL: **Senator Ward-Engelking** moved to approve the Minutes from February 1, 2016. **Vice Chairman Thayn** seconded the motion. The motion passed by **voice vote**.

Senator Buckner-Webb moved to approve the Minutes from February 2, 2016. **Senator Ward-Engelking** seconded the motion. The motion passed by **voice vote**.

Senator Souza moved to approve the Minutes from February 3, 2016. **Senator Den Hartog** seconded the motion. The motion passed by **voice vote**.

Senator Den Hartog moved to approve the Minutes from February 4, 2016. **Vice Chairman Thayn** seconded the motion. The motion passed by **voice vote**.

S 1308

Senator Souza, District 4, presented **S 1308**, Relating to Education: Elections of School Board Trustees. She explained **S 1308** would break-down the zones in school trustee elections. She said that voter turnout is very low for school board elections. In her research, she has found that many of her colleagues are familiar with their zones. The school board election turnout averages 12 percent participation. The general public is not aware of the elections. **Senator Souza** noted that ballot accuracy is a concern, but if the zones were removed, it would allow for a better and more accurate ballot count. She said this piece of the law was leftover from 1963. Senator Souza outlined the ways the law limits the vote. She stated that it is time to remove the limitations and give control of the largest budget item to more of the population. **Senator Souza** asked that the Committee send **S 1308** to the 14th Order for amendment because she would like to allow the consolidated districts to make the decision to stay with the zone voting.

Senator Patrick inquired about the implications of changing from zones to precincts. **Senator Souza** replied they would just vote by precinct. **Senator Patrick** asked how that will change the election process. **Senator Souza** answered that everyone registered to vote in the school district boundaries would be able to vote whether or not their trustee was up for election that year. **Senator Patrick** asked if there was a problem with switching from voting in zones to precincts. **Senator Souza** explained it would be the same setup as elections for county commissioners. **Senator Ward-Engelking** inquired about the date of the elections and the inclusion of district-wide voting and precincts. **Senator Souza** replied there were possibilities for other things to be included in May elections, and she mentioned that another bill covered changing the date of school board trustee voting. **Vice Chairman Thayne** asked if a voter would get one vote per each trustee district in an election. **Senator Souza** confirmed that was correct.

TESTIMONY:

Phil McGrane, Chief Deputy Clerk for Ada County and member of Idaho Association of County Recorders and Clerks, gave testimony in support of **S 1308**. **Mr. McGrane** stated this seemed more like election policy than school policy. He stressed that school zones are the largest challenge to elections offices throughout the State because school zones don't align with county precincts. He noted that currently, school trustees must redistrict their zones before the Redistricting Commission has finished; all other district types wait. Trustee zones often split precincts, which creates room for error. This change would make it easier for volunteer poll workers to avoid errors. It's important that the electorate trusts the administration that controls the elections (see attachment 2). **Mr. McGrane** said on behalf of Ada County Clerk's Office, they were opposed to the amendment.

Vice Chairman Thayne asked if the optionality of the amendment would cause more problems than it would help. **Mr. McGrane** agreed that it would create more challenges for clerks. **Senator Patrick** felt that the two bills should go together, but he asked how representation of the people would be affected by zones versus precincts. **Mr. McGrane** replied that the precinct issue is a product of election consolidation. He explained that as administrators, they want as few splits as possible.

Karen Echevarria, Idaho School Boards Association, came before the Committee to testify in opposition to **S 1308**. **Ms. Echevarria** noted that the bill doesn't impact charter schools, so she's not speaking on their behalf in her testimony. She said that all of the trustees are volunteers and don't run campaigns for the positions. She elaborated that if trustees must run in a district-wide elections, it would be physically and monetarily impossible for many of them. District-wide elections would limit the pool of candidates and therefore limit representation.

Vice Chairman Thayn inquired if his understanding of "one man, one vote" was accurate for zones. **Ms. Echevarria** affirmed and said that zones were drawn with an allowance for a 10 percent population differential.

Chris Yamamoto, Canyon County Clerk, was invited to speak before the Committee in support of **S 1308**. **Mr. Yamamoto** stated that he agreed with Mr. McGrane, but he wanted to share the Canyon County's perspective. He said that sometimes precincts can have up to 17 ballots: there's too much room for error. He explained two examples of previous elections where issues occurred because of the current election system.

Senator Anthon asked if Mr. Yamamoto had seen the amendments. **Mr. Yamamoto** answered he had not. **Chairman Mortimer** asked if the legislation passed, how many ballots would they have to prepare. **Mr. Yamamoto** estimated that there would 10 percent fewer ballot styles.

Rob Winslow, Executive Director at Idaho Association of School Administrators (IASA), came before the Committee to testify in opposition to **S 1308**. **Mr. Winslow** expressed that he would be sharing the concerns of various superintendents. He stated that they prefer to be able to select their own representation instead of it being county-wide. He also mentioned the concern over the amount of money those types of campaigns would cost for trustees.

Senator Souza clarified that every zone will still have representation; the only change is that everyone in the district will vote for all trustees. She also noted that the amendment has been difficult to construct and there is no printed copy of the amendment yet. She shared quotes from emails from clerks who support the bill. **Senator Souza** emphasized that this legislation will build voter trust in school districts and help voters become more engaged and support schools.

MOTION:

Senator Buckner-Webb expressed confusion and moved to hold **S 1308** in Committee. **Senator Ward-Engelking** seconded the motion.

SUBSTITUTE MOTION:

Senator Den Hartog moved to send **S 1308** to the 14th Order for amendment. The motion failed for a lack of a second.

Senator Patrick felt concerned that the 14th Order could be good or bad for the bill, but it's an unknown. He also said he had received conflicting feedback from his constituents, which made him unsure of the bill. **Vice Chairman Thayn** shared that he would like to see the clerks and trustees work together to find a solution between now and next year. **Senator Anthon** said that he appreciated that Senator Souza is working towards efficiency in elections. He added that there are unintended consequences of the bill that he perceives as negative.

ORIGINAL MOTION:

The original motion passed by **voice vote**. Senator Souza and Den Hartog asked to be recorded as voting nay.

S 1307

Senator Rice, District 10, presented **S 1307**, Relating to Education: School Board Trustee Election Date. The legislation would move elections from May, odd-year cycle, to November, even-year cycle. **Senator Rice** stated that school trustees and zones do not belong to county clerks, they belong to the citizens of those zones. Voter fatigue is a good reason to not have the election on the same date as the presidential election, but turnout on that date is greater so there are more people participating overall. He asked that **S 1307** be sent to the 14th Order for amendment. He said the bill is important because it would result in higher voter participation.

TESTIMONY: **Tim Hurst**, Chief Deputy of the Secretary of State, did not take a position on the bill, but pointed out some concerns about consolidating elections to one date. By taking school districts from May of odd-numbered years, there will be even fewer people that participate in hospital board elections or highway, water, library and auditorium district elections. He noted that this bill could be improved if it included elections for all the types of districts. However, he didn't argue that all elections should be put on even years in November.

Ms. Echevarria reminded the Committee that the ISBA is concerned about moving a non-partisan election onto a partisan ballot.

Mr. McGrane asked that the Committee hold **S 1307**. He argued that the clerks' offices take offense to suggestion that they participate in voter suppression. They work to increase voter turnout in every avenue possible. He added that the clerks disagreed that election consolidation was the only means to increase voter participation. **Mr. McGrane** gave an example of a close election and explained that the actual votes were more important than voter percentage. He concluded that there were too many competing policies to work effectively.

Mr. Yamamoto stated that he agreed with most of the comments made by Senator Rice. He said the amount of work for the clerks was not an issue, but the accuracy is the most important aspect. Trust in the election process is important. He concluded that he doesn't support the change without policies in place to manage all of the repercussions.

Senator Rice said this his remarks were taken differently than he had intended. He clarified that he believes that the legislation intentionally or unintentionally put in place a system that results in suppression of the vote. He felt this is a good policy change and that he would like to work with the clerks to improve accuracy and turnout. He wants to maximize the turnout of school board elections. He conceded voter accuracy will still be an issue and there will have to be an ongoing conversation.

MOTION: **Senator Ward-Engelking** moved to hold **S 1307** in Committee. **Senator Buckner Webb** seconded the motion. The motion passed by **voice vote**. **Senator Souza** asked to be recorded as voting nay.

ADJOURNED: There being no more business, **Chairman Mortimer** adjourned the meeting at 4.45 p.m.

Chairman Dean M. Mortimer
Chair

LeAnn Mohr
Secretary

Anna Roser
Assistant