

MINUTES
JOINT FINANCE-APPROPRIATIONS COMMITTEE

DATE: Tuesday, March 03, 2020
TIME: 8:00 A.M.
PLACE: Room C310
MEMBERS PRESENT: Senators Co-chairman Bair, Johnson, Lee, Agenbroad, Crabtree, Grow, Burtenshaw, Woodward, Ward-Engelking, and Nye.
Representatives Co-chairman Youngblood, Horman, Anderson, Amador, Kauffman, Raybould, Syme, Troy, Wintrow, and Toone.
ABSENT/EXCUSED: None
CONVENED: **Chairman Bair** called the Joint Finance-Appropriations Committee (JFAC) (Committee) to order at 8:00 a.m.

LSO PRESENTATION: **ADMINISTRATORS, PUBLIC SCHOOL SUPPORT**
Robyn Lockett, Principal Budget & Policy Analyst, LSO

MOTION: Moved by **Senator Woodward** for the Administrators Division of the Public School Support Program, beginning with the FY 2021 Base, to include \$1,978,000 for a 2 percent base salary and benefit cost increase for administrators and \$1,644,500 for nondiscretionary adjustments. The grand total for this motion for FY 2021 is \$102,193,000 from the General Fund; seconded by **Representative Amador**.

CARRIED: **AYES: 18**
Senators Bair, Johnson, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Nye
Representatives Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Toone
NAYS: 0
ABSENT/EXCUSED: 2
Senator Lee, Representative Wintrow

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 Bair**. See [Audio](#), [Motion](#), and [Ballot](#).

UNANIMOUS CONSENT: Requested by **Senator Woodward**, granted by unanimous consent, the following language was adopted:
That Section 33-1004E Idaho Code, be, and the same is hereby amended to read as follows:

**INTENT
LANGUAGE:**

DISTRICT'S SALARY-BASED APPORTIONMENT. Each district shall be entitled to a salary-based apportionment calculated as provided in this section. (1) To determine the apportionment for instructional staff, take the amounts indicated on the career ladder table plus the amounts associated with the additional education allocation amounts pursuant to section 33-1004B, Idaho Code, and calculate the weighted average. The amount so determined shall be multiplied by the district staff allowance for instructional staff determined as provided in section 33-1004(2), Idaho Code. Full-time instructional staff salaries shall be determined from a salary schedule developed by each district and submitted to the state department of education. No full-time instructional staff member shall be paid less than the minimum dollar amount on the career ladder residency compensation rung pursuant to section 33-1004B, Idaho Code, for the applicable fiscal year. (2) If an instructional staff member has been certified by the national board for professional teaching standards, the staff member shall receive two thousand dollars (\$2,000) per year for five (5) years from the year in which national board certification was earned. The district staff allotment shall be increased by two thousand dollars (\$2,000) for each national board-certified instructional staff member who earned national board certification; provided however, that no such awards shall be paid for the period July 1, 2010, through June 30, 2011, nor shall any liabilities accrue or payments be made pursuant to this section in the future to any individuals who would have otherwise qualified for a payment during this stated time period. The resulting amount is the district's salary-based apportionment for instructional staff. For purposes of this section, teachers qualifying for the salary increase shall be those who have been recognized as national board-certified teachers as of July 1 of each year. (3) To determine the apportionment for pupil service staff, take the amounts indicated on the career ladder table plus the amounts associated with the additional education allocation amounts pursuant to section 33-1004B, Idaho Code, and calculate the weighted average. If the district does not employ any pupil service staff, the district's pupil service staff average salary shall equal the district's instructional staff average salary for purposes of calculating pupil service salary-based apportionment. The amount so determined shall be multiplied by the district staff allowance for pupil service staff determined pursuant to section 33-1004(3), Idaho Code. Full time pupil service staff salaries shall be determined from a salary schedule developed by each district and submitted to the state department of education. The resulting amount is the district's salary-based apportionment for pupil service staff. No full-time pupil service staff member shall be paid less than the minimum dollar amount on the career ladder residency compensation rung pursuant to section 33-1004B, Idaho Code, for the applicable fiscal year. (4) To determine the apportionment for district administrative staff, first determine the district average experience and education index by placing all eligible certificated administrative employees on the statewide index provided in section 33-1004A, Idaho Code. The resulting average is the district index. If the district does not employ any administrative staff, the district administrative index shall equal the statewide average index for purposes of calculating administrative salary-based apportionment. The district administrative staff index shall be multiplied by the base salary of ~~thirty-seven thousand two hundred seventy-two dollars (\$37,272)~~ thirty-eight thousand seventeen dollars (\$38,017). The amount so determined shall be multiplied by the district staff allowance for administrative staff determined as provided in section 33-1004(4), Idaho Code. The resulting amount is the district's salary-based apportionment for administrative staff. (5) To determine the apportionment for classified staff, multiply twenty-two thousand

three hundred fifteen dollars (\$22,315) by the district classified staff allowance determined as provided in section 33-1004(5), Idaho Code. The amount so determined is the district's apportionment for classified staff. (6) The district's salary-based apportionment shall be the sum of the apportionments calculated in subsections (1), (2), (3), (4) and (5) of this section, plus the benefit apportionment as provided in section 33-1004F, Idaho Code.

**LSO PRESENTATION: TEACHERS DIVISION, PUBLIC SCHOOL SUPPORT
Robyn Lockett, Principal Budget & Policy Analyst, LSO**

MOTION: Moved by **Senator Ward-Engelking** for the Teachers Division of the Public School Support Program, beginning with the FY 2021 Base, an increase of \$42,516,600 for nondiscretionary adjustments. Also included is line item #2 for an increase of \$1,000,000 from the General Fund for additional professional development funds and line item #3 for a reduction of \$4,000,000 from the Federal Grant Fund to align the federal appropriation. The totals for this motion for FY 2021 are \$1,065,509,600 from the General Fund and \$11,000,000 from federal funds for a grand total of \$1,076,509,600; seconded by **Senator Horman**.

DISCUSSION: The Committee discussed the motion.

CARRIED: AYES: 18
Senators Bair, Johnson, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Nye
Representatives Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Toone

NAYS: 0

ABSENT/EXCUSED: 2
Senator Lee, Representative Wintrow

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 Bair**. See [Audio](#), [Motion](#), and [Ballot](#).

UNANIMOUS CONSENT: Moved by **Senator Ward-Engelking**, granted by unanimous consent, the following language was adopted:

INTENT LANGUAGE: PROFESSIONAL DEVELOPMENT. Of the moneys appropriated in Section 3 of this act, \$18,850,000 shall be distributed for professional development that supports instructors and pupil services staff to increase student learning, mentoring, and collaboration. Professional development efforts should be measurable, provide the instructors and pupil services staff with a clear understanding of their progress, be incorporated into their performance evaluations and, to the extent possible, be included in the school district or charter school continuous improvement plans required by Section 33-320, Idaho Code. Funding shall be distributed by a formula prescribed by the Superintendent of Public Instruction, and the Superintendent of Public Instruction shall track usage and effectiveness of professional development efforts at the state and local levels.

PROFESSIONAL DEVELOPMENT. Of the moneys appropriated in Section 3 of this act, \$18,850,000 shall be distributed for professional development that supports instructors and pupil services staff to increase student learning, mentoring, and collaboration. Professional development efforts should be measurable, provide the instructors and pupil services staff with a clear understanding of their progress, be incorporated into their performance evaluations and, to the extent possible, be included in the school district or charter school continuous improvement plans required by Section 33-320, Idaho Code. Funding shall be distributed by a formula prescribed by the Superintendent of Public Instruction, and the Superintendent of Public Instruction shall track usage and effectiveness of professional development efforts at the state and local levels.

STUDENT BEHAVIORAL HEALTH SERVICES EVALUATION. There shall be an independent, external, and comprehensive evaluation of all programs and services within the purview of the State of Idaho supporting the behavioral health needs of K-12 students. The evaluation shall include a collective analysis of all programs germane to K-12 students, teachers, educational professionals, and parents or guardians of K-12 students. The evaluation shall identify gaps in delivery of behavioral health services across the State of Idaho, including but not limited to geographic regions, school districts and charter schools, and individual school buildings. The evaluation shall identify those behavioral health services that utilize evidence-based outcomes and performance-based indicators. The results of the evaluation shall be reported to the Joint Finance-Appropriations Committee and the Senate and House Education committees no later than January 15, 2021, on the program access and delivery, best practices utilized, uses of funds, and any other relevant matters.

CAREER LADDER. The Career Ladder shall have an independent, external evaluation that creates baseline data and includes an analysis of the ladder's impact on teacher recruitment and retention; teacher evaluations and performance criteria; state funding allocation and actual compensation for teachers; geographical regions, including urban, suburban, and rural schools; and the utilization of local dollars, including, at a minimum, supplemental levies. The results of the evaluation shall be reported to the Joint Finance-Appropriations Committee and the Senate and House Education committees no later than January 15, 2021, on the ladder's implementation, effectiveness, uses of funds, and any other relevant matters.

DEFINITION. For the purposes of this act, "distributed" means moneys that are transferred to school districts and public charter schools, with no funds withheld for any other contract or administrative costs.

LSO
PRESENTATION: OPERATIONS, PUBLIC SCHOOL SUPPORT
Robyn Lockett, Principal Budget & Policy Analyst, LSO

MOTION: Moved by **Senator Crabtree** for the Operations Division for the Public School Program, beginning with the FY 2021 Base, an increase of \$3,150,900 for a 2% base salary increase and a net increase of \$16,017,300 for nondiscretionary adjustments. The endowment adjustment includes a decrease of \$1,326,400 from the General Fund and an increase of \$1,326,400 from dedicated funds. Also included is line item #1 which increases the ongoing discretionary funding for health insurance by \$7,434,500. The totals for this motion for FY 2021 are \$685,591,900 from the General Fund and \$60,586,400 from dedicated funds for a grand total of \$746,178,300; seconded by **Representative Raybould**.

CARRIED: **AYES: 19**
Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives Youngblood, Horman, Anderson, Kauffman, Syme, Amador, Raybould, Toone
NAYS: 0
ABSENT/EXCUSED: 1
Representative Troy

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 Bair**. See [Audio](#), [Motion](#), and [Ballot](#).

UNANIMOUS CONSENT: Requested by **Senator Crabtree**, granted by unanimous consent, the following language was adopted:
That Section 33-1004E, Idaho Code, be, and the same is hereby amended to read as follows:

INTENT LANGUAGE: DISTRICT'S SALARY-BASED APPORTIONMENT. Each district shall be entitled to a salary-based apportionment calculated as provided in this section. (1) To determine the apportionment for instructional staff, take the amounts indicated on the career ladder table plus the amounts associated with the additional education allocation amounts pursuant to section 33-1004B, Idaho Code, and calculate the weighted average. The amount so determined shall be multiplied by the district staff allowance for instructional staff determined as provided in section 33- 1004(2), Idaho Code. Full-time instructional staff salaries shall be determined from a salary schedule developed by each district and submitted to the state department of education. No full-time instructional staff member shall be paid less than the minimum dollar amount on the career ladder residency compensation rung pursuant to section 33-1004B, Idaho Code, for the applicable fiscal year. (2) If an instructional staff member has been certified by the national board for professional teaching standards, the staff member shall receive two thousand dollars (\$2,000) per year for five (5) years from the year in which national board certification was earned. The district staff allotment shall be increased by two thousand dollars (\$2,000) for each national board-certified instructional staff member who earned national board certification; provided however, that no such awards shall be paid for the period July 1, 2010, through June 30, 2011, nor shall any liabilities accrue or payments be made pursuant to this section in the future to any individuals who would have otherwise qualified for a payment during this stated time period. The resulting amount is the district's salary-based apportionment for instructional staff. For purposes of this section, teachers qualifying for the salary increase shall be those who have been recognized as national board-certified teachers as of July 1 of each year. (3) To determine the apportionment for pupil service staff, take the amounts indicated on

the career ladder table plus the amounts associated with the additional education allocation amounts pursuant to section 33-1004B, Idaho Code, and calculate the weighted average. If the district does not employ any pupil service staff, the district's pupil service staff average salary shall equal the district's instructional staff average salary for purposes of calculating pupil service salary-based apportionment. The amount so determined shall be multiplied by the district staff allowance for pupil service staff determined pursuant to section 33-1004(3), Idaho Code. Fulltime pupil service staff salaries shall be determined from a salary schedule developed by each district and submitted to the state department of education. The resulting amount is the district's salary-based apportionment for pupil service staff. No full-time pupil service staff member shall be paid less than the minimum dollar amount on the career ladder residency compensation rung pursuant to section 33-1004B, Idaho Code, for the applicable fiscal year. (4) To determine the apportionment for district administrative staff, first determine the district average experience and education index by placing all eligible certificated administrative employees on the statewide index provided in section 33-1004A, Idaho Code. The resulting average is the district index. If the district does not employ any administrative staff, the district administrative salary-based apportionment. The district administrative staff index shall be multiplied by the base salary of thirty-seven thousand two hundred seventy-two dollars (\$37,272). The amount so determined shall be multiplied by the district staff allowance for administrative staff determined as provided in section 33-1004(4), Idaho Code. The resulting amount is the district's salary-based apportionment for administrative staff. (5) To determine the apportionment for classified staff, ~~multiply twenty-two thousand three hundred fifteen dollars (\$22,315)~~ twenty-two thousand seven hundred sixty-one dollars (\$22,761) by the district classified staff allowance determined as provided in section 33-1004(5), Idaho Code. The amount so determined is the district's apportionment for classified staff. (6) The district's salary-based apportionment shall be the sum of the apportionments calculated in subsections (1), (2), (3), (4) and (5) of this section, plus the benefit apportionment as provided in section 33- 1004F, Idaho Code.

DISCRETIONARY FUNDS. Notwithstanding any law to the contrary, for the period July 1, 2020, through June 30, 2021, it is estimated that the appropriation of state funds to the Public Schools Educational Support Program's Division of Operations will result in total discretionary funds of \$28,887 per support unit. The \$28,887 is further divided into two distributions: \$16,226 per support unit is to be used at the discretion of the school district or charter school and \$12,661 per support unit is to be used to offset the employer costs of health, vision, and dental insurance offered to its employees. If the distribution provided for health, vision, and dental insurance is in excess of the individual school district's or charter school's actual costs, the excess funds may then be used at the school district's or charter school's discretion. Further, the Superintendent of Public Instruction shall work with the Legislative Services Office and the Division of Financial Management to determine the information that the State Department of Education shall collect on school district and charter school health, vision, and dental insurance costs, including but not limited to actual insurance premium costs and premium percentage increases.

INFORMATION TECHNOLOGY STAFFING COSTS. Of the moneys appropriated in Section 3 of this act, \$8,000,000 shall be distributed for public school information technology staff costs. Such moneys shall be distributed pursuant to a formula, with a minimum distribution per school district and public charter school, determined by the Superintendent of Public Instruction.

LSO PRESENTATION: CHILDREN'S PROGRAMS, PUBLIC SCHOOL SUPPORT
Robyn Lockett, Principal Budget & Policy Analyst, LSO

MOTION #1: Moved by **Senator Grow** for the Children's Programs of the Public School Support Program, beginning with the FY 2021 Base, an increase in nondiscretionary adjustments from the General Fund of \$2,580,700. This includes increases of \$2,000,000 for the Advanced Opportunities Program, \$224,200 for the Idaho Digital Learning Academy, \$284,100 for Border Contracts, and \$72,400 for Exceptional Contracts and Tuition Equivalents. Also included are the following line items: line item #1 for an increase of \$3,156,500 for Literacy Proficiency, to make the onetime appropriation for that purpose ongoing; and line item #3 for a reduction of \$10,115,000 from the Federal Grant Fund. The totals for this motion for FY 2021 are \$78,727,700 from the General Fund, \$4,024,900 from dedicated funds, and \$239,000,000 from federal funds for a grand total of \$321,752,600; seconded by **Representative Ward-Engelking**.

DISCUSSION: The Committee discussed the motion.

CARRIED: AYES: 20

Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Toone

NAYS: 0

ABSENT/EXCUSED: 0

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 Bair**. See [Audio](#), [Motion](#), [Ballot](#).

MOTION #2: Moved by **Senator Grow**; seconded by **Representative Horman**, that the following language be adopted:

INTENT LANGUAGE:

IDAHO DIGITAL LEARNING ACADEMY. The Idaho Digital Learning Academy (IDLA), created pursuant to Chapter 55, Title 33, Idaho Code, shall utilize state-appropriated funds for the period July 1, 2020, through June 30, 2021, to achieve the following:

- (1) Tuition charged by IDLA to Idaho school districts and charter schools shall not exceed \$75.00 per enrollment;
- 2) Provide remedial coursework for students failing to achieve proficiency in one (1) or more areas of Idaho's standards-based tests;
- (3) Pursuant to State Board of Education rule, IDAPA 08.02.03, provide advanced learning opportunities for students, and
- 4) Pursuant to State Board of Education rule, IDAPA 08.02.03, work with institutions of higher education to provide dual credit coursework. The preceding list shall not be construed as excluding other instruction and training that may be provided by the Idaho Digital Learning Academy.

TOBACCO, CIGARETTE, AND LOTTERY DISTRIBUTION. Notwithstanding the provisions of any law to the contrary, of the moneys appropriated in Section 3 of this act, up to \$4,024,900 from available tobacco, cigarette, and lottery income tax revenue funds accruing, appropriated, or distributed to the Public School Income Fund pursuant to Sections 63-2506, 63-2552A, and 63-3067, Idaho Code, for the period July 1, 2020, through June 30, 2021, shall be distributed to school districts and charter schools through a combination of a base amount of \$2,000 plus a prorated amount based on the prior year's average daily attendance. Such funds shall be used to develop and implement school safety improvements and/or to facilitate and provide substance abuse prevention programs in the public school system.

REMEDIAL COURSEWORK. Of the moneys appropriated in Section 3 of this act, \$4,715,000 shall be distributed for remedial coursework for students failing to achieve proficiency on Idaho's standards-based achievement tests in dollar amounts determined by the Superintendent of Public Instruction. The Superintendent of Public Instruction shall report to the Joint Finance-Appropriations Committee and the Senate and House Education committees by no later than January 15, 2021, on the uses of funds and effectiveness of the programs and efforts.

ENGLISH PROFICIENCY. Pursuant to Section 33-1617, Idaho Code, of the moneys appropriated in Section 3 of this act, \$4,820,000 shall be distributed for support of students in English language learner programs, as follows:

- (1) The Superintendent of Public Instruction shall distribute \$4,370,000 to school districts and charter schools pro rata, based on the population of English language learners under criteria established by the department;
- (2) The Superintendent of Public Instruction shall distribute \$450,000 for a competitive grant program to assist school districts and charter schools in which English language learners are not reaching statewide accountability interim targets or long-term goals, as defined by federal law. This amount shall be distributed annually in three-year grant cycles, contingent on appropriation and the ability of grantees to meet program objectives; and
- (3) The Superintendent of Public Instruction shall develop the program elements and objectives governing the use of these funds and include a program evaluation component. The purpose of these funds is to improve student English language skills to allow for better access to the educational opportunities offered in public schools. The Superintendent of Public Instruction shall report to the Joint Finance-Appropriations Committee and the Senate and House Education committees by no later than January 15, 2021, on the program design, uses of funds and program effectiveness.

GIFTED AND TALENTED. Of the funds appropriated in Section 3 of this act, \$1,000,000 shall be distributed by the Superintendent of Public Instruction for professional training and screening for gifted and talented students and instructors. Funding will be distributed based on a formula prescribed by the Superintendent of Public Instruction that includes a base amount and an amount based on the number of identified gifted and talented students.

DIGITAL CONTENT. Of the funds appropriated in Section 3 of this act, \$1,600,000 shall be distributed by the Superintendent of Public Instruction to school districts and charter schools to purchase digital content and curricula of their choice. Funding will be distributed based on a formula prescribed by the Superintendent of Public Instruction that includes a base amount and an amount based on the number of midterm support units.

ADVANCED OPPORTUNITIES COURSES. The Superintendent of Public Instruction shall compile information concerning the numbers of students enrolling in advanced opportunities courses according to the provisions of Chapter 46, Title 33, Idaho Code, whether coursework is successfully completed, and total expenditures for fiscal year 2021. As nearly as possible, the report shall contain information about enrollment of this student population in post-high school education. A report containing such information shall be posted on the website of the State Department of Education no later than December 31, 2020.

PUBLIC SCHOOL INCOME FUND TRANSFER TO COMMISSION ON HISPANIC AFFAIRS. There is hereby appropriated and the State Controller shall transfer in accordance with Section 63- 2552A(3), Idaho Code, on July 1, 2020, or as soon thereafter as practicable, \$80,000 from the Public School Income Fund to the Commission on Hispanic Affairs Miscellaneous Revenue Fund to be used for substance abuse prevention efforts in collaboration with the State Department of Education.

PUBLIC SCHOOL INCOME FUND TRANSFER TO IDAHO STATE POLICE. There is hereby appropriated and the State Controller shall transfer in accordance with Section 63-2552A(3), Idaho Code, on July 1, 2020, or as soon thereafter as practicable, \$200,000 from the Public School Income Fund to the Idaho State Police Miscellaneous Revenue Fund for the purpose of increasing toxicology lab capacity in Forensic Services.

DEFINITION. For the purposes of this appropriation, "distributed" means moneys that are transferred to school districts, public charter schools, and the Idaho Digital Learning Academy, with no funds withheld for any other contract or administrative costs.

LITERACY INTERVENTION PROGRAM(S) EVALUATION. The Literacy Intervention Program(s) shall continue its independent, external evaluation that includes an analysis of key performance indicators of student achievement. The results of the updated evaluation shall be reported to the Joint Finance-Appropriations Committee and the Senate and House Education committees no later than January 15, 2021, on the program design; uses of funds, including what funding amounts are utilized for all-day kindergarten; program effectiveness; and any other relevant matters.

DISCUSSION: The Committee discussed the intent language.

CARRIED:

AYES: 20

Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye

Representatives Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Toone

NAYS: 0

ABSENT/EXCUSED: 0

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 Bair**.

LSO PRESENTATION: FACILITIES, PUBLIC SCHOOL SUPPORT
Robyn Lockett, Principal Budget & Policy Analyst, LSO

MOTION #1 Moved by **Representative Amador** for the Facilities Division of the Public School Support Program, beginning with the FY 2021 Base, nondiscretionary increases of \$258,400 from the General Fund and \$2,506,000 from dedicated funds. There are no line items in this motion. The totals for this motion for FY 2021 are \$21,141,400 from the General Fund and \$40,797,400 from dedicated funds for a grand total of \$61,938,800; seconded by **Senator Crabtree**.

CARRIED: **AYES: 20**
Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Toone

NAYS: 0
ABSENT/EXCUSED: 0

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 Bair**. See [Audio](#), [Motion](#), and [Ballot](#).

MOTION #2: Moved by **Representative Amador**, seconded by **Senator Crabtree**, the following language was adopted:

TRANSFER. Of the moneys appropriated to the Public Schools Educational Support Program's Division of Facilities, the amount necessary to fund the provisions of Section 33-906, Idaho Code, is hereby transferred and appropriated to the Bond Levy Equalization Fund. If the funding appropriated in Section 1 of this act is insufficient to meet the requirements of Section 33-906, Idaho Code, the difference shall be withdrawn and paid from the Public Education Stabilization Fund, notwithstanding any other provision of law to the contrary.

DISTRIBUTION TO THE GENERAL FUND. Notwithstanding the provisions of Section 63- 2520(b)(4), Idaho Code, the amount of revenue distributed to the General Fund shall be \$9,308,400 for the period July 1, 2020, through June 30, 2021.

TRANSFER FOR PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM. Of the moneys appropriated in Section 1 of this act, there is hereby appropriated and the State Controller shall transfer \$12,344,800 from the General Fund to the Public School Income Fund to be expended for the Public Schools Educational Support Program's Division of Facilities for the period July 1, 2020, through June 30, 2021.

DISCUSSION: The Committee discussed the intent language.

CARRIED: **AYES: 20**
Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Toone
NAYS: 0
ABSENT/EXCUSED: 0

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 Bair**.

LSO PRESENTATION: **CENTRAL SERVICES, PUBLIC SCHOOL SUPPORT**
Robyn Lockett, Principal Budget & Policy Analyst, LSO

MOTION: Moved by **Representative Horman** for the Division of Central Services for the Public School Support Program, for FY 2021, \$12,667,600 from the General Fund; seconded by **Senator Woodward** .

DISCUSSION: The Committee discussed the motion. **Representative Amador** declared a House Rule 80 conflict of interest.

CARRIED: **AYES: 19**
Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives Youngblood, Horman, Kauffman, Troy, Syme, Amador, Raybould, Toone
NAYS: 0
ABSENT/EXCUSED: 1
Representative Anderson

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 Bair**. See [Audio](#), [Motion](#), [Ballot](#).

UNANIMOUS CONSENT: Moved by **Representative Horman**, granted by unanimous consent, the following language was adopted:

INTENT LANGUAGE: PROGRAM SUPPORT. Of the moneys appropriated in Section 3 of this act, up to \$2,609,100 shall be expended for the support of literacy programs, intervention services for non-Title I schools that fail to achieve proficiency on Idaho's standards-based achievement tests, math initiative programs and regional math labs, and evaluation of the programs for students with non-English or limited-English proficiency. The Superintendent of Public Instruction shall report to the Joint Finance-Appropriations Committee, the Senate Education Committee, and the House Education Committee by no later than January 15, 2021, on the uses of funds and effectiveness of the programs and efforts.

STUDENT ASSESSMENTS. Of the moneys appropriated in Section 3 of this act, the Superintendent of Public Instruction may expend up to \$2,258,500 for the development or administration of student assessments, including a college entrance exam for grade 11 students, an exam for grade 10 students that provides preparation for the college entrance exam, and end-of-course exams for high school science subjects.

Superintendent of Public Instruction may expend up to \$2,700,000 for professional development, teacher training, and to track usage and effectiveness of professional development efforts at the state and local levels.

CONTENT AND CURRICULUM – DIGITAL CONTENT. Of the moneys appropriated in Section 3 of this act, up to \$1,200,000 may be expended for the purchase of content and curriculum for adaptive math instruction, and up to \$2,250,000 may be expended for research-based programs to assist with the instruction of students with non-English or limited-English proficiency

YEAR-END RECONCILIATION. If the funds appropriated and transferred to the Public School Income Fund and the funds appropriated from the General Fund in Section 1 of this act exceed the actual expenditures for the specified purposes, the difference shall be included in the yearend reconciliation used to calculate funding available to meet the requirements of Section 33- 1018, Idaho Code, notwithstanding any other provisions of law to the contrary. If the funding amounts specified in Section 5 of this act are insufficient to meet the actual expenditures, the difference shall be included in the year-end reconciliation used to calculate funding available to meet the requirements of Section 33-1018, Idaho Code, notwithstanding any other provisions of law to the contrary.

CONTENT AND CURRICULUM -- TECHNOLOGY. Of the funds appropriated in Section 3 of this act, an amount not to exceed \$1,300,000 may be expended by the Superintendent of Public Instruction to contract for services that provide technology education opportunities and/or information technology certifications to students, including faculty, that prepare students for college, career, or the workplace. Funding shall be awarded for projects that include three (3) or more of the following components:

- (1) Certification of skills and competencies;
- (2) Professional development for teachers;
- (3) Integration with curriculum standards;
- (4) Online access to research-based content and curriculum; and
- (5) Instructional software for classroom use.

The Superintendent of Public Instruction shall provide a report to the Joint Finance- Appropriations Committee, the Senate Education Committee, and the House Education Committee by January 15, 2021, regarding the number and type of certificates earned by students and faculty.

DEFINITIONS. For the purposes of this act, "distributed" means moneys that are transferred to school districts and public charter schools with no funds withheld for any other contract or administrative costs. "Expended" means moneys that pay for the cost of contracts that provide services to school districts, public charter schools or students, or that pay for the State Department of Education's cost of administering the programs for which the moneys are allocated.

ACQUISITIONS. Consistent with the provisions of Chapter 92, Title 67, Idaho Code, the Superintendent of Public Instruction is encouraged to engage in open, competitive acquisition processes. The Superintendent of Public Instruction shall provide a report to the Joint Finance-Appropriations Committee by January 15, 2021, on all contracts signed during fiscal year 2020 for property valued at more than \$25,000. The report shall include for each contract: (a) the amount; (b) the duration; (c) the parties; (d) the subject; (e) whether the contract was awarded as a result of an open, competitive acquisition process or a sole source or other noncompetitive procurement pursuant to section 67-9221, Idaho Code; and (f) the rationale for signing any sole source or other noncompetitive procurements.

LSO PRESENTATION: EDUCATIONAL SERVICES FOR THE DEAF AND BLIND, PUBLIC SCHOOL SUPPORT

Robyn Lockett, Principal Budget & Policy Analyst, LSO

MOTION: Moved by **Representative Toone** for the Idaho Educational Services for the Deaf and the Blind, beginning with the FY 2021 Base, a decrease of \$21,100 from the General Fund for benefit costs, an increase of \$73,100 from the General Fund for change in employee compensation, and an increase of \$7,900 in dedicated funds for the endowment adjustment. Also included are the following line items: Line item #1 for \$193,700 from the General Fund for career ladder equivalence and line item #2 for \$190,600 from the General Fund for teachers for students who are deaf or hard of hearing. The totals for this motion for FY 2021 are \$11,304,200 from the General Fund, \$308,900 from dedicated funds, and \$223,500 from federal funds for a grand total of \$11,836,600, in a lump sum appropriation; seconded by **Senator Ward-Engelking**.

DISCUSSION: **Senator Ward-Engelking** and **Representative Troy** spoke in favor of the motion.

CARRIED: **AYES: 19**
Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Toone

NAYS: 0

ABSENT/EXCUSED: 1

Representative Raybould

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 Bair**. See [Audio](#), [Motion](#), and [Ballot](#).

LSO PRESENTATION: SUPERINTENDENT OF PUBLIC INSTRUCTION, STATE BOARD OF EDUCATION

Robyn Lockett, Principal Budget & Policy Analyst, LSO

ORIGINAL MOTION:

Moved by **Senator Crabtree** for the Superintendent of Public Instruction, beginning with the FY 2021 Base, a decrease of \$73,700 for benefit costs, an increase of \$169,200 for replacement items, a decrease of \$24,600 for statewide cost allocation, and an increase of \$255,700 for change in employee compensation. Also included are the following line items: line item 1, which removes \$100,000 from the General Fund for unspent online class portal funds; line item 2 which nets to zero across the Superintendent of Public Instruction, but moves \$26,176,300 out of the program titled "State Dept. of Education" and into a program titled "Student Services"; and line item 3 that removes 18.00 FTP and \$2,714,800 to move IT and data management to the office of the State Board of Education. Additionally, I move an increase of \$1,900 for OITS operating costs; \$100 for OITS billings; and a 2 percent General Fund reduction of \$283,800, of which \$213,300 is from operating expenditures and \$70,500 is from trustee and benefit payments. The totals for this motion for FY 2021 are 124.00 FTP, \$12,664,900 from the General Fund, \$10,456,700 from dedicated funds, and \$14,719,400 from federal funds for a grand total of \$37,841,000; seconded by **Representative Horman**.

SUBSTITUTE MOTION:

Moved by **Senator Ward-Engelking** for the Superintendent of Public Instruction, beginning with the FY 2021 Base, a decrease of \$73,700 for benefit costs, an increase of \$169,200 for replacement items, a decrease of \$24,600 for statewide cost allocation, and an increase of \$255,700 for change in employee compensation. Also included are the following line items: \$1,900 for OITS operating costs; \$100 for OITS billings; and a 2 percent General Fund reduction of \$313,800, of which \$243,300 is from operating expenditures and \$70,500 is from trustee and benefit payments. The totals for this motion for FY 2021 are 142.00 FTP, \$15,434,700 from the General Fund, \$10,471,700 from dedicated funds, and \$14,719,400 from federal funds for a grand total of \$40,625,800; seconded by **Representative Toone**.

DISCUSSION:

The committee discussed the motions at length.

VOTE ON SUBSTITUTION MOTION — FAILED:

AYES: 6

Senators Johnson, Ward-Engelking, Nye; Representatives Syme, Wintrow and Toone.

NAYS: 14

Senators Bair, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward
Representatives Youngblood, Horman, Anderson, Kauffman, Troy, Amador, Raybould

ABSENT/EXCUSED: 0

VOTE ON ORIGINAL MOTION — CARRIED:

AYES: 15

Senators Bair, Johnson, Lee, Agenbroad Crabtree, Burtenshaw, Grow, Woodward
Representatives Youngblood, Horman, Anderson, Kauffman, Troy, Amador, Raybould

NAYS: 5

Senators Ward-Engelking, Nye; Representatives Syme, Wintrow, and Toone.

ABSENT/EXCUSED: 0

Chairman Bair stated that majority having voted in the affirmative, the motion passed, and without objection, would carry a **DO PASS** recommendation.

OBJECTION:

Representative Wintrow objected to the do pass recommendation.

MOTION: Moved by **Senator Crabtree** for a roll call vote on the do pass recommendation; seconded by **Representative Horman**.

CARRIED: **AYES: 15**
Senators Bair, Johnson, Lee, Agenbroad Crabtree, Burtenshaw, Grow, Woodward
Representatives Youngblood, Horman, Anderson, Kauffman, Troy, Amador,
Raybould
NAYS: 5
Senators Ward-Engelking, Nye; Representatives Syme, Wintrow, and Toone.
ABSENT/EXCUSED: 0
See [Audio](#), [Motion](#), and [Ballot](#).

UNANIMOUS CONSENT: Requested by **Senator Crabtree**, granted by unanimous consent, the following language was adopted:

INTENT LANGUAGE: ACQUISITIONS. Consistent with the provisions of Chapter 92, Title 67, Idaho Code, the Superintendent of Public Instruction is encouraged to engage in open, competitive acquisition processes. The Superintendent of Public Instruction shall provide a report to the Joint Finance- Appropriations Committee by January 15, 2021, on all contracts signed during fiscal year 2020 for property valued at more than \$25,000. The report shall include for each contract: (a) the amount; (b) the duration; (c) the parties; (d) the subject; (e) whether the contract was awarded as a result of an open, competitive acquisition process or a sole source or other noncompetitive procurement pursuant to section 67-9221, Idaho Code; and (f) the rationale for signing any sole source or other noncompetitive procurements.

LSO PRESENTATION: **OFFICE OF THE STATE BOARD OF EDUCATION, STATE BOARD OF EDUCATION;**
Janet Jessup, Senior Budget & Policy Analyst, LSO

MOTION: Moved by **Representative Horman** for the Office of the State Board of Education, beginning with the FY 2020 Estimated Expenditures, include a base reduction of \$2,244,200 from federal funds, remove \$480,600 for onetime funding, and restore \$63,000 for sick leave. Then provide a decrease of \$18,500 for benefit costs, an increase of \$5,700 for inflationary adjustments, a decrease of \$98,300 for statewide cost allocation, and an increase of \$102,200 for change in employee compensation. Also included are three line items: line item 1, which provides \$330,000 onetime from dedicated funds to process rent payments from Idaho National Laboratory; line item 2, which provides \$120,000 onetime from dedicated funds to receive increased grant moneys from the Lumina Grant; and line item 3, which provides 18.00 FTP and \$2,714,800 ongoing to centralize IT and data management within the Office of the State Board of Education from the Department of Education. This budget also includes \$500 for OITS operating costs and a 2% General Fund reduction of \$140,100 from operating expenditures. The totals for this motion for FY 2021 are 53.25 FTP, \$7,994,200 from the General Fund, \$7,378,600 from dedicated funds, and \$502,100 from federal funds for a grand total of \$15,874,900; seconded by **Senator Crabtree**.

DISCUSSION: The Committee discussed the motion.

CARRIED:

AYES: 15

Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward
Representatives Youngblood, Horman, Anderson, Kauffman, Troy, Amador,
Raybould

NAYS: 5

Senator Ward-Engelking, Nye; Representatives Syme, Wintrow, Toone

ABSENT/EXCUSED: 0

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 Bair**. See [Audio](#), [Motion](#), and [Ballot](#).

**UNANIMOUS
CONSENT:**

Requested by **Representative Horman**, granted by unanimous consent, the following language was adopted:

**INTENT
LANGUAGE:**

SECTION_. REAPPROPRIATION AUTHORITY. There is hereby reappropriated to the Office of the State Board of Education any unexpended and unencumbered balances appropriated or reappropriated to the Office of the State Board of Education from the Public Charter School Authorizers Fund for fiscal year 2020 to be used for nonrecurring expenditures for the period July 1, 2020, through June 30, 2021. The State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

SECTION_. ANNUAL PAYMENTS TO THE IDAHO STATE BUILDING AUTHORITY. The State Board of Education shall provide an annual update to the Joint Finance-Appropriations Committee of all sublease rent payments made and any amount due and outstanding related to Senate Concurrent Resolution No. 105, as enacted by the First Regular Session of the Sixty-fourth Idaho Legislature.

**UNANIMOUS
CONSENT:**

Requested by **Representative Horman**, granted by unanimous consent, the following language was adopted:

SECTION _EXTERNAL PROGRAM EVALUATION. Notwithstanding the provisions of Section 33-4303, Idaho Code, of the amount appropriated in Section 1 of this act for independent external program evaluations, up to \$53,400 from the Opportunity Scholarship Program Account shall be used to conduct evaluations for the literacy intervention program(s), career ladder, and student behavioral health services. The results of the evaluations shall be reported to the Joint Finance-Appropriations Committee and the Senate and House Education committees no later than January 15, 2021, on the program design, use of funds, program effectiveness, and other relevant matters.

SECTION _REAPPROPRIATION AUTHORITY. There is hereby reappropriated to the Office of the State Board of Education any unexpended and unencumbered balances appropriated or reappropriated to the Office of the State Board of Education from the Opportunity Scholarship Program Fund for fiscal year 2020 to be used for external program evaluations for the period July 1, 2020, through June 30, 2021. The State Controller shall confirm the reappropriation amount, by fund, expense class, and program, with the Legislative Services Office prior to processing the reappropriation authorized herein.

SECTION _EXEMPTIONS FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS. The Office of the State Board of Education is hereby exempted from the provisions of Section 67-3511(1), (2), and (3), Idaho Code, allowing unlimited transfers between object codes and between programs for all moneys appropriated to it for the period July 1, 2020, through June 30, 2021 for the OSBE Administration Program and the IT and Data Management Program, only. Legislative appropriations shall not be transferred from one fund to another fund unless expressly approved by the Legislature

TECHNICAL CORRECTIONS:

LSO
PRESENTATION: **MEDICAL BOARDS — BOARD OF NURSING**
Maggie Smith, Senior Budget & Policy Analyst, LSO

UNANIMOUS CONSENT: Moved by **Representative Horman**, granted by unanimous consent, the FY 2021 budget for Medical Boards was reopened.

MOTION: Moved by **Representative Horman** for the FY 2021 budget for Medical Boards, a reduction of \$601,200 from the State Regulatory Fund; seconded by **Senator Johnson**.

CARRIED: **AYES: 20**
Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Toone
NAYS: 0
ABSENT/EXCUSED: 0

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 Bair**. See [Audio](#), [Motion](#), and [Ballot](#).

LSO
PRESENTATION: **DEPARTMENT OF WATER RESOURCES**
Rob Sepich, Senior Budget & Policy Analyst, LSO

The Department of Water Resources Budget was corrected on March 4th, with language directing the State Controller to transfer \$300,000 from the General Fund to the Secondary Aquifer Planning, Management, and Implementation Fund, and transfer \$700,000 from the General Fund to the Water Management Fund. This motion would remove the \$300,000 transfer, and redirect that funding towards flood mitigation projects instead.

UNANIMOUS CONSENT: Requested by **Senator Burtenshaw**, granted by unanimous consent, the FY 2021 budget for the Department of Water Resources was reopened.

MOTION: Moved by **Senator Burtenshaw** for adoption of the following intent language; seconded by **Representative Kauffman**.

**INTENT
LANGUAGE:**

SECTION 5. CASH TRANSFER FOR THE FLOOD MANAGEMENT PROGRAM. There is hereby appropriated and the State Controller shall transfer \$1,000,000 from the General Fund to the Water Management Fund created pursuant to Section 42-1760, Idaho Code, on July 1, 2020, or as soon thereafter as practicable for the period July 1, 2020, through June 30, 2021, for water quality data collection, monitoring, modeling, flood-damaged stream channel repair, stream channel improvement, flood risk reduction, or flood prevention projects. Of these moneys, up to \$800,000 shall be administered by the Idaho Water Resource Board through a competitive, matching grant process for flood control projects. Notwithstanding the provisions of Section 42-1760(2)(b), Idaho Code, grants may be larger than \$50,000 at the discretion of the board. The selection process for these grants shall require the availability of fifty percent (50%) matching funds, and flood prevention and mitigation projects shall be given priority on a competitive statewide basis throughout Idaho. The Department of Water Resources shall support this competitive grant process using existing personnel and resources.

CARRIED:

AYES: 20

Senators Bair, Johnson, Lee, Agenbroad, Crabtree, Burtenshaw, Grow, Woodward, Ward-Engelking, Nye
Representatives Youngblood, Horman, Anderson, Kauffman, Troy, Syme, Amador, Raybould, Toone

NAYS: 0

ABSENT/EXCUSED: 0

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 Bair**. See [Audio](#), [Motion](#)

ADJOURNED:

There being no further business before the Committee, **Chairman Bair** adjourned the meeting at 9:43 a.m.

Senator Bair
Chair

Elaine Leedy
Secretary