

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, March 09, 2023

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Yamamoto, Vice Chairman McCann, Representatives Boyle, Clow, Mendive, Ehardt, Wisniewski, Garner, Hawkins, Hill, Lanting, Nelsen, Price, Sauter, Berch, Galaviz, Mathias

**ABSENT/  
EXCUSED:** Rep. Boyle

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chair Yamamoto** called the meeting to order at 8:00 am.

**H 272:** **Rep. Price** presented **H 272**, legislation which would amend existing law to revise provisions regarding sex education. **H 272** was presented March 8, 2023 and public testimony was closed at the end of the meeting. The committee did not vote.

**Reps. Galaviz, Sauter, Berch, and Lanting** spoke in opposition to **H 272** and said they are worried about the legal repercussions for school employees.

**MOTION:** **Rep. Galaviz** made a motion to **HOLD H 272** in committee.

**SUBSTITUTE MOTION:** **Rep. Hawkins** made a substitute motion to send **H 272** to the floor with a **DO PASS** recommendation.

**Reps. Hawkins and Ehardt** spoke in support of **H272** and said laws need to be in place to help people follow rules. They said an opt in program gives the responsibility to the parents and an opt out program gives the responsibility to the schools.

**Rep. Berch** said the current will of the legislature is for students to take sex education unless a parent opts-out. He said **H 272** would make it so students would not receive this fundamental knowledge unless a parent opts-in. He said parental rights already exist with the opt-out program.

**Rep. Mathias** spoke in opposition to **H 272**. He said he doesn't believe this bill is well tailored for the circumstance and thinks it should be re-written.

**ROLL CALL VOTE ON SUBSTITUTE MOTION:** Roll call vote requested. **Substitute motion failed by a vote of 7 AYE, 9 NAY, and 1 Absent/Excused.** Voting in favor of the substitute motion: **Reps. Clow, Mendive, Ehardt, Wisniewski, Hawkins, Hill, and Price.** Voting in opposition to the substitute motion: **Reps. McCann, Garner, Lanting, Nelsen, Sauter, Berch, Galaviz, Mathias, and Yamamoto.** Rep Boyle was absent/excused.

**ROLL CALL VOTE ON MOTION:** Roll call vote requested. **Motion carried by a vote of 9 AYE, 7 NAY, and 1 Absent/Excused.** Voting in favor of the motion: **Reps. McCann, Garner, Lanting, Nelsen, Sauter, Berch, Galaviz, Mathias, and Yamamoto.** Voting in opposition to the motion: **Reps. Clow, Mendive, Ehardt, Wisniewski, Hawkins, Hill, and Price.** Rep. Boyle was absent/excused.

**RS 30519:** **Vice Chair McCann** presented **RS 30519**, proposed legislation which would require schools to provide feminine hygiene products, free of charge, in female and unisex restrooms. She said this bill is about sanitation, health, privacy and poverty. She said the basic sanitary items of toilet paper, paper towels and soap are provided and feminine hygiene products are a basic need of the female sex.

**Reps. Hawkins and Price** spoke in opposition to **RS 30519** and said students can go to the school nurse or principal's office to get free products. **Rep. McCann** said many students are embarrassed to ask an adult for feminine hygiene products and they are not currently provided in restrooms. **Rep. Lanting** said many schools do not staff nurses.

**MOTION:** **Rep. Galaviz** made a motion to introduce **RS 30519**.

**Rep. Galaviz** spoke in support of **RS 30519**. She spoke about poverty and the need to help families by providing female hygiene products.

**Rep. Hawkins** said he is concerned about products being supplied by a company making the bill. **Rep. McCann** said legislation does not require products to be purchased from any one company.

**SUBSTITUTE MOTION:** **Rep. Ehardt** made a motion to introduce **RS 30519** with the following amendments: Change "human" to "female" and to add a section to include "this shall not apply to restrooms of men or boys." **Motion carried by voice vote.**

**RS 30129C1:** **Rep. Dixon (1)** presented **RS 30129C1**, proposed legislation which would amend existing law to revise the definition of "authorized chartering entity." He said the Charter School Commission is overloaded with requests for new charter schools and this would allow for sectarian higher education institutes to act as a charter school authorizer.

**MOTION:** **Rep. Mendive** made a motion to introduce **RS 30129C1**.

**Rep. Mathias** requested to go on record saying both strikeouts need to occur for him to support **RS 30129C1**. He said using nationally accredited agencies does not necessarily mean quality.

**VOTE ON MOTION:** **Chair Yamamoto** called for a vote on the motion to introduce **RS 30129C1**. **Motion carried by voice vote.**

**RS 30575:** **Rep. Clow** presented **RS 30575**, proposed legislation which would create the Idaho Education Opportunity Program. This program would award grants to qualifying students. He spoke about the application process for students.

**MOTION:** **Rep. Lanting** made a motion to introduce **RS 30575**. **Motion carried by voice vote.** **Reps. Garner, Sauter and Nelsen** requested to be recorded as voting **NAY**.

**Reps. Hill, McCann and Mathias** spoke in support of **RS 30575**. **Rep. Mathias** spoke about the type of testing used to determine student progress.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:16 am.

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Representative Yamamoto  
Chair

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Amy Bengtzen  
Secretary