

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Friday, March 22, 2024

TIME: 8:00 A.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Guthrie, Vice Chairman Bernt, Senators Winder, Anthon, Harris, Lee, Toews, Wintrow, and Ruchti

ABSENT/ EXCUSED: None

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 Guthrie** called the meeting of the Senate State Affairs Committee (Committee) to order at 8:02 a.m.

WELCOME: **Chairman Guthrie** welcomed all to the Committee meeting.

MINUTES APPROVAL: **Senator Anthon** moved to approve the Minutes of March 15, 2024. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

RS 31674C1 **Relating to Endowment Trust Lands. Senator Butenshaw** stated that **RS 31674C1** required the Board and Department of Lands to develop policy guidance for leasing activities. He remarked that in his district, there was a significant overrun of glamping organizations in the park areas. He stated that these organizations made an agreement with the Department of Lands to set up their glamping operations. He remarked that it had become a problem, and some areas contained over 200 tents. He remarked that the organizations competed directly with local hotels and damaged property.

DISCUSSION: **Senator Winder** remarked that he had received many letters about the problems created by glamping organizations.

MOTION: **Senator Lee** moved that **RS 31674C1** be sent to print. **Senator Bernt** seconded the motion. The motion carried by **voice vote**.

RS 31675C1 **Relating to Education.**

MOTION: **Senator Anthon** moved that **RS 31675C1** be sent to print. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Chairman Guthrie passed the gavel to Vice Chairman Bernt.

RS 31668 **Relating to a Concurrent Resolution Approving the Administrative Rules of the Division of Occupational and Professional Licenses and the Department of Insurance. Chairman Guthrie** stated that **RS 31668** approved the pending administrative rules of the Division of Occupational and Professional Licenses and the Department of Insurance for the Commerce and Human Resources Committee.

MOTION: **Senator Winder** moved that **RS 31668** be sent to print. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Vice Chairman Bernt passed the gavel back to the Chairman.

S 1438

EDUCATION - Amends existing law to revise the minimum and maximum distribution amounts for school districts from the School Modernization Facilities Fund and to revise provisions regarding a school district's eligibility to receive such funds. Senator Anthon stated that **S 1438** and the following 3 bills to be presented were trailer bills addressing concerns of **H 521**. He remarked that **S 1438** addressed the largest concerns expressed by rural school districts. He stated that with no cap, one school district received 14 percent of all facilities funds. **S 1438** pushed an additional \$40 million dollars to the rural districts by setting a \$100 million dollar cap on the funds.

Senator Anthon remarked that the second biggest concern of the rural districts related to the four day school week. He stated that the four day schedule was an incentive that attracted teachers to the rural districts, and some of the best performing schools in the State of Idaho were on four day schedules. He remarked that there were many factors that contributed to student performance. He stated that **H 521** required the State Board of Education to establish a policy regarding contract days and student contact days by July 1, 2024, and that **S 1438** delayed the implementation to July 1, 2025.

DISCUSSION:

Senator Wintrow remarked that she liked the notion of changing cap and asked if it was equitable across all school districts. **Senator Anthon** responded that many rural areas had facility problems, and the funds provided by **H 521** did not go far. He remarked that levy dollars had a larger impact on rural taxpayers. **Senator Wintrow** asked if **S 1438** allowed school districts to stay on the four day schedule. **Senator Anthon** replied that **S 1438** delayed the implementation of the requirement until July 1, 2025, which allowed time to address concerns.

Senator Winder asked if the proposed cap only impacted the West Ada School District. **Senator Anthon** replied that West Ada was the only district that reached the cap. **Senator Winder** clarified that the reason there was a cap on the Boise School District was that this district was a charter district and could levy taxes to support the schools. **Senator Anthon** remarked that the \$100 million cap applied to every district, but only West Ada actually reached the cap.

Senator Wintrow wanted to clarify that the Boise School District cap was not removed. She remarked that Boise had the ability to tax more, but this must be safeguarded due to high home values. **Senator Anthon** remarked that the \$40 million charter cap was retained.

TESTIMONY:

Wendy Moore, Superintendent, Genesee Joint School District, stated that she supported **S 1438**. She remarked that her district had only 270 students. She remarked that she supported increasing the bottom funding level for the rural school districts, because the previous level of \$25,000 was too low. She stated that actual costs were much higher, and contractors were difficult to obtain.

DISCUSSION:

Senator Winder stated that the four-day, five-day issue was covered in a second bill. **S 1438** established a cap that only impacted West Ada. He remarked that West Ada received the lowest per capita distribution, and he did not support **S 1438**.

MOTION:

Senator Harris moved to send **S 1438** to the floor with a **do pass** recommendation. **Senator Lee** seconded the motion.

DISCUSSION: **Senator Bernt** stated that there was no doubt there were facilities needs across the entire State. He remarked that West Ada was the fastest growing school district in the nation. He was concerned there was no metric to determine funding levels, and further discussion was needed. He remarked that he did not support the motion.

Senator Wintrow stated that she wanted to be fair and equitable to all districts in the State, but the Boise School District had open enrollment, and that it was not fair to cap the funds to the district.

Senator Lee remarked that the Constitutional requirement was free and thorough. She stated that it was important to consider the common good, and smaller districts should be addressed first, because the larger districts had economies of scale.

Senator Winder stated that **H 521** was established to help school districts pay off debt and address maintenance. He remarked that funds were distributed on a per capita basis, and it only helped districts at about a 4 percent level.

Senator Harris reminded the Committee that rural school districts were growing quickly as well.

Senator Anthon remarked that he was voting on all four trailer bills in order to have a robust debate on the Senate floor.

Senator Ruchti stated that as the Idaho population increased, that population tended to move to urban districts. He stated that rural communities were falling behind and should be supported by the State.

Chairman Guthrie remarked that **H 521** was a school funding bill, and the bonding capacity was reduced for the rural districts. He stated that the funds did not go far. He described Idaho as a heavily rural state, and stated that rural districts needed help with funding.

**ROLL CALL
VOTE:**

Chairman Guthrie requested a roll call vote on the motion. **Chairman Guthrie and Senators Anthon, Harris, Lee, Toews, Wintrow, and Ruchti** voted aye. **Vice Chairman Bernt and Senator Winder** voted nay. The motion carried.

S 1439

EDUCATION - Repeals existing law related to the eligibility of school districts for school modernization facilities fund distributions. Senator Anthon stated that **S 1439** repealed the language regarding the four day provision in **H 521**. He remarked that more than half of local school districts were on a four day schedule, and restricting the calendars now created a problem for the local communities. The policy in Idaho was to set the number of hours of annual instruction, then to let the local communities determine the details.

MOTION:

Senator Harris moved to send **S 1439** to the floor with a **do pass** recommendation. **Senator Lee** seconded the motion.

DISCUSSION:

Chairman Guthrie stated that he would delay a vote on the motion in order to provide time for testimony.

TESTIMONY: **Rob Sauer**, Superintendent, Homedale School District; **Craig Woods**, Superintendent, Emmett School District; **Jeff Gee**, Superintendent, Ririe School District; **Norm Stuart**, Superintendent, Marsing School District; and **Karen Pyron**, Chairman, Board of Trustees, Butte County School Board, testified in support of **S 1439**. The common themes were that the four day schedule had worked well for the districts. Local control was very important when deciding upon the school schedule. The community was involved in the decision regarding school schedules. A four day schedule enabled school districts to attract and retain the best teachers. Students benefited from the strong teachers that the districts could attract with the four day schedule. The minimum contact hours were met and exceeded with the four day schedule.

Written testimony in support of **S 1439** appears in Attachment 1.

DISCUSSION: **Senator Lee** asked Mr. Sauer if **H 521** provided the assurance and flexibility to continue the four day schedule. **Mr. Sauer** replied that **H 521** was too strict, and that the local community should determine what worked best.

Senator Anthon remarked that it was good to hear from those that were educating children, and meeting the parents' and students' needs. He stated that **S 1439** did not force a four day school week; rather, the local districts set their own schedule.

Senator Harris remarked that he represented many districts that had a four day schedule, and he supported **S 1439**.

Senator Ruchti stated that he supported **S 1439** because it provided for local control, and the four day schedule supported teacher recruiting efforts.

Senator Winder remarked that he supported **S 1439**.

VOTE ON THE MOTION: **Senator Guthrie** called for a vote on the **do pass** motion. The motion carried by **voice vote**.

S 1440 **EDUCATION - Amends existing law to revise the minimum and maximum distribution amounts for school districts from the School Modernization Facilities Fund.** **Senator Anthon** stated that **S 1440** was a pro-rural school amendment that left the distribution formula in place, but made some corrections. He remarked that **S 1440** set the \$100 million cap on any school district, retained the \$40 million cap on charter schools, and established the minimum amount given to any district at \$100,000. He stated that **H 521** had set the minimum floor at \$25,000. He remarked that even very small districts still had to maintain facilities.

DISCUSSION: **Senator Wintrow** stated she supported **S 1440**, and that she wanted citizens to hear that a Boise legislator was voting for the best for the whole State.

MOTION: **Senator Harris** moved to send **S 1440** to the floor with a **do pass** recommendation. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

S 1441 **EDUCATION - Amends existing law to revise provisions regarding school facilities funding.** **Senator Anthon** stated that **S 1441** delayed the qualification of the four day school week and the issuance of bonds and assets from July 1, 2024 to July 1, 2025. He remarked that **S 1441** allowed the Legislature to request that the Governor's office create an interim committee to create a distribution metric and work through the implementation of school modernization.

DISCUSSION: **Senator Winder** asked for clarification that no distribution would occur in 2024 to help with debt or maintenance. **Senator Anthon** responded that was correct.

Senator Winder stated that if **S 1441** delayed distribution and changed the nature of **H 521**, he was not sure if the issues would be resolved next year. He questioned the delay and the impact that it had on schools.

MOTION: **Senator Harris** moved to send **S 1440** to the floor with a **do pass** recommendation. **Senator Toews** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 9:02 a.m.

Senator Guthrie
Chair

Peggy Caraway
Secretary