

CAPITOL



By Quinn Perry, Policy & Government Affairs Director

A Strange End to a Turbulent Legislative Session

The legislature returned from its second--or, third?--extended recess on Wednesday, May 12th. After a quick, 3-day turnaround, which churned out a few bills – including a property tax omnibus bill, the Legislature intended to go at recess while they waited out the 5-day requirement for the Governor to veto or sign any remaining bills. No bills were vetoed, so the only real question was whether or not the Legislature would *sine die* or go to an extended recess.

Karen and I will be giving a full recap of the 2021 Session and do an in-depth explanation for all the bills that you need to be aware of at our next Wednesday Webinar on May 26th. It is free, and you can register here: <https://www.idsba.org/wednesday-webinar/>

What Was In the Property Tax Omnibus Bill?

As I mentioned, after almost four full months with very little to show on property tax relief, the Legislature introduced, passed, and sent to the Governor an omnibus property tax bill in 72 hours. While it won't have much significant impact on school districts, I thought I'd outline some relevant information for you below:

Change to the Homeowners Exemption: HB389 raised the homeowners exemption from \$100,000 to \$125,000 – a 25% increase. This will provide some tax relief to individuals owning homes valued above \$200,000. According to our friends at the Idaho Association of Counties, this will shift roughly \$46 million in property taxes back on to non-owner occupied residential, agricultural, timber, commercial, and industrial properties. This should not have a negative impact on school districts – with the exception of our few Chartered Districts who have rate based levies. We have reached out to these Districts individually.

Changes to the Circuit Breaker: The Circuit Breaker is a program that provides property tax relief to eligible residents - usually those who may be lower income or who are veterans. HB389 did increase the circuit breaker property tax reduction from \$1320 to \$1500. It does, however, create a new eligibility test in order to qualify for the program. Applicants' whose home value exceeds 125% of the county median will be referred through the tax deferral program which allows an individual to defer property taxes.

Personal Property Exemption: While the original versions had a complete and total phase-out of personal property tax, HB389 will increase the exemption on business personal property to \$250,000 – up from \$100,000. The state will provide an ongoing replacement funding for the exempted tax amount, estimated to be \$8.1 million annually when the law takes effect beginning January 1, 2022 (previous provisions will take effect July 1). This is something that our school district members in high-industry, low-residential areas will need to be cognizant of when they evaluate their property tax levies or facility bonds, as the shift to residential homeowners will be higher.

Property Tax Cap/Calculation of New Construction: HB389 also establishes a new 8% cap on non-school taxing district budget increases. Some cities like Ammon, Chubbuck, Hayden, Eagle, Kuna, Middleton, Post Falls, Rathdrum Rexburg, and Star are among the cities that will likely be most impacted by the 8% cap. It also changes the process for calculating the amount of new construction added to the city or county property tax budget.

If you have questions on this, don't hesitate to reach out. I can't guarantee I can answer those questions, but we can find someone who will be able to answer!

What Was Not Done?

Notably, the one thing left on the House 3rd reading calendar was SB1193. SB1193 would have provided spending authority to a \$6 million/year grant that was awarded to the Idaho Association for the Education of Young Children to help support early-learning collaborative preschools. It was spearheaded by IAEYC with help from Governor Little, Sen. Jim Risch, Sen. Mike Crapo, and awarded during the Trump administration. Like other legislative issues this year, it became the subject of a misinformation campaign claiming that these local collaborative models were indoctrinating children with 'social justice' curriculum. I have spoken to many of you who have one of these programs about the immense impact it has had on your community. The fate of the grant is largely unknown at this point.

Did They Adjourn, or Recess?

Once they determined to finish up their business, the House and Senate seemingly began a game of chess with one another. The House had passed a few resolutions that would allow them to recess – without pay – until December 31. The Senate seemed serious about adjourning *sine die* (which means 'without day'). In the end, the Senate did adjourn *sine die* and the House voted to recess subject to Call of the Speaker. Immediately, lawyers were drafting legal opinions on this most recent of many unprecedented moves. According to the Attorney General opinion, because the House did not concur with adjournment *sine die*, the Senate's move to adjourn is moot. However, there are still legal ambiguities about whether or not the House could force the Senate back into session. Alas, there are no real answers to the interesting move, but history is being made as it appears the Legislature – or, at least the House - has moved itself to a nearly full-time legislature.

It is our understanding that Temporary rules such as the State Board's temporary rule that counted students based on average daily enrollment to aid in the pandemic – which typically expire upon adjournment *sine die* – will remain in effect. If we hear otherwise, we'll be sure to let you know.

Finally, Thank You.

To say this legislative session was a test of patience is a gross understatement. In the end, despite it being one of the most difficult ever, we ended up with very few pieces of legislation I would consider harmful to our K12 public schools and students. A resounding thank you to everyone who took the time to read these newsletters and contact your Legislators. It means more to us than you know. Lastly, a big thank you to Karen Echeverria, who is probably very much ready to retire at the end of this historically tough session. Karen has been one of the leading advocates for public education in this state, and we all have huge shoes to fill. Thankfully, she has trained Misty and I to be the best advocate we can be for you all at the state house, and we will do our best to fill her void in the coming years. Thank you Karen.

ISBA Bill Tracker

Bills highlighted in **red** are dead.

Bills highlighted in **green** have become law

Bill #	TITLE	STATUS	POSITION
HB2	Bond/Levy Disclosure	Pulled and replaced by HB8	OPPOSE
HB4	Disasters/ Parental Rights	House Judiciary & Rules	Neutral
HB8	Bond/Levy Disclosure	Pulled and replaced by HB66	OPPOSE
HB16	Emergency/Balance of Powers	House Floor	Neutral
HB17	Abortions/No Public Dollars Used	Pulled and replaced by HB220	Neutral
HB20	Property Tax/Medical Deduction	House Rev & Tax	Neutral
HB22a	Public Charter School Funding	LAW	Neutral
HB53	Electronic Notices, Public Agencies	Died on House Floor	Support
HB62	Empower Parents –Education Savings Accts	Personal bill	OPPOSE
HB65	Monument & Memorials Protection	Replaced by HB90	OPPOSE
HB66	Bond/Levy Disclosure	LAW	OPPOSE, neutral with ISBA amendments
HB67	School Closures, Infectious Diseases	LAW	Support
HB69	Continuous Improvement Council	Replaced by HB222	Support
HB72	Joint Lotteries	House State Affairs	Support
HB73	Local Government Uniform Reporting	LAW	Neutral
HB89	Guns on School Campus	Replaced by HB 122	OPPOSE
HB90	Monument & Memorials Protection	Senate State Affairs	OPPOSE
HB106	August Election Date Removal	DIED in Senate State Affairs	OPPOSE
HB111	School Employees, Category 3	LAW	Support
HB122	Guns on School Campus	Senate State Affairs	OPPOSE
H136	At Large Elections, Small Districts	LAW	Neutral

HB140	Political Subdivisions, Vaccine Discrimination	Senate Commerce and HR	Neutral
HB149	Coronavirus Immunity, Sunset Extension	LAW	Support
HB172	Extended Learning Opportunities	LAW	Neutral
HB174	"Shall" to "May" Teacher Negotiations	Died Senate Education	Neutral
HB175	In Person Learning	LAW	Neutral
HB199	Sales & Income Tax Cuts	House Rev and Tax	OPPOSE
HB201	Electrical Exemptions	House Business replaced by HB292	Neutral
HB203	Hire the Retired, School Bus Drivers	LAW	Neutral
HB215	Strong Families, Strong Students, Scholarship Program	House Floor Replaced by HB294	OPPOSE
HB218	Business Personal Property Tax	House Rev and Tax	OPPOSE
HB220	Abortions/No Public Dollars Used	LAW	Neutral
HB221	Teacher Certificates	Died in Senate Education	Neutral
HB222	Continuous Improvement Plans	LAW	Support
HB247	In-Person Learning, Financial Penalty	House Education Replaced by HB293	OPPOSE
HB248	School Districts, Health Insurance	Died Senate Education	Support
HB249	Human Sexuality	Died in Senate Education	Neutral
HB250a	Advanced Opportunities, Exams	LAW	Neutral
HB264	Charter School Facilities Funding	LAW	Support
HB265	School Bus Transportation Costs	LAW	Support
HB280	Professional Endorsements	LAW	Neutral
HB281	Mask Mandate Pre-emption	Replaced by HB339	OPPOSE
HB292	Fire Alarms Electrical Inspections	LAW	Neutral
HB293	Reimbursement to Parents if School is Not In-Person Full time - Vouchers	DIED Senate Education	OPPOSE
HB294	Strong Families, Strong Students Scholarship Program - Vouchers	DIED on Senate Floor	OPPOSE
HB298	Immunization Exemption Disclosure	LAW	OPPOSE
HB331	Funding for Full Day Kindergarten	House Education	Support
HB321	School Trustee, Recall Vacancies	Replaced by HB350	Neutral
HB329	School Boards, School Clubs & Orgs	Senate Education	Neutral
HB339	Mask Mandate Pre-emption	House Floor	OPPOSE
HB350	School Trustee, Recall Vacancies	Senate State Affairs	Neutral
HB351	School Community Councils	Held at the Desk	Neutral
HB352	Racist/Sexist Concepts	Held at the Desk	Neutral
HB353	K12 Budget – Administrators Division	LAW	Neutral
HB354	K12 Budget – Teachers Division	DIED – Replaced by H385	Neutral
HB355	K12 Budget – Operations Division	LAW	Neutral

HB356	K12 Budget – Children’s Division	LAW	Neutral
HB357	K12 Budget – Facilities Division	LAW	Neutral
HB358	K12 Budget – Central Services Division	LAW	Neutral
HB359	K12 Budget – School for Deaf and Blind	LAW	Neutral
HB377	Indoctrination in Public Education	LAW	OPPOSE
HB385	K12 Budget – Teachers Division	LAW	Neutral
HB386	K12 Budget – Trailer	LAW	Neutral
HB388	K12 Budget – ESSER Funds/PESF Hold	LAW	Neutral
HB389	Property Tax Omnibus	LAW	Neutral
HB394	Effective Dates	LAW	Neutral
HB391 – HB393	Emergency Declarations, Separate Bills	LAW	Neutral
HB407	Effective Dates, Trailer	Governor’s Desk	Neutral
HCR1	Disaster Declaration Ended	House State Affairs	Neutral
HCR2	Gatherings, Group Size	Senate State Affairs	Neutral
HCR4	Open Disaster Emergencies	House State Affairs	Neutral
HCR5	Gathering Prohibition, Null	Senate State Affairs	Neutral
HCR15	Property Tax Study Committee	Adopted	Neutral
HCR16	High School Activities	Held at the Desk	OPPOSE
SB1002	Emergency Disaster, Funding Retention	Senate State Affairs	Neutral
SB1006	Literacy Achievement Act	LAW	Neutral
SB1007	Salary Schedule, Definition	Replaced by H280	Neutral
SB1029	Internet Sales Tax, General Fund	Personal bill	Support
SB1039a	Workforce Readiness Diploma	LAW	Neutral
SB1042a	Qualifications Based Services – Procurement	LAW	Support
SB1043a	Student Discipline Decisions in Exec Session	LAW	Support
SB1045	Advanced Opportunities for Private School Students	LAW	OPPOSE
SB1046a	Innovative Classrooms	LAW	Neutral, with amend
SB1048	Cap on Taxing District Budgets	Replaced by SB1108	Neutral
SB1052	Flex Schedules, Elementary Schools	Held in committee	Neutral
SB1054	Extreme Perils, Governor’s Orders	Senate State Affairs	Neutral
S1061	Election Deadlines, Now Amended to include H106	DEAD	OPPOSE
SB1069	Absentee Ballot Clarification	House Floor	Neutral
SB1075	Kindergarten Jumpstart Program	LAW	Support
SB1108a	Cap on Taxing District Budgets	Died Senate Floor	Neutral
SB1109	Workforce Development, Promise Mentor Program	Died on tie vote	Neutral
SB1114	K-3 Technology Program	Senate Education	Neutral
SB1115	Charter Commission Change	LAW	Neutral
SB1116	Weapons, Expulsion	LAW	Support
SB1135	Guns in Schools, Local Control	Held in Senate State Affairs	Support

S1117	Educator Loan Assistance	Held in Senate Education	Support
SB1170	Taxing District Budgets Trailer	Senate Local Gov	Neutral
SB1193	Early Learning Grant	House Floor	Neutral
SB1213	Trailer to S1045 – Advanced Opportunities for Private School Students	LAW	Neutral
SJR 102	Constitutional Amendment, Legislature Convening Itself	Adopted, goes on ballot for approval	Neutral
SCR101	Disaster Emergency Terminated	Senate State Affairs	Neutral
SCR103	Isolation Order, Terminated	Senate State Affairs	Neutral