

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION**

#### **JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Call to Order:** By Chairman Jack Wells, on January 15, 2007 at 8:00 A.M., in Room 472 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Jack Wells, Chairman (R)  
Sen. Bob Hawks, Vice Chairman (D)  
Rep. Eve Franklin (D)  
Rep. Bill E. Glaser (R)  
Sen. Dave Lewis (R)  
Sen. David E. Wanzenried (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Nancy Hall, Office of Budget and Program Planning  
Amy Carlson, OBBP  
Kris Wilkinson, Legislative Branch  
Alan Peura, Legislative Branch  
Kathy Baird, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Executive Action: Montana Board of Public Education  
Montana Library Commission  
Montana Arts Council  
Montana Historical Society

**Committee Business:**

00:01:28 Rep. Franklin

00:02:53 Sen Lewis

**EXECUTIVE ACTION WITH THE BOARD OF PUBLIC EDUCATION**

00:03:55 Steve Meloy, Executive Secretary, Board of Public  
Education (BPE)

**EXHIBIT(jeh09a01)**

**Discussion:**

00:08:19 Sen. Lewis

00:08:57 Mr. Meloy, BPE

00:10:35 Kris Wilkinson, Legislative Fiscal Division (LFD)

00:11:34 Nancy Hall, Office of Budget and Program Planning  
(OBPP)

00:12:32 Chairman Wells suspended action with the Board of  
Education.

**EXECUTIVE ACTION ON THE LIBRARY COMMISSION**

00:13:08 Ms. Wilkinson, LFD

**EXHIBIT(jeh09a02)**

00:18:40 **Motion:** Sen. Wanzenried moved **TO ADOPT** Item 3,  
remaining Statewide Present Law Adjustments of \$162,358  
in fiscal year '08 and \$162,273 in fiscal year '09.

**Discussion on Item 3:**

00:15:15 Rep. Wells

00:15:24 Nancy Hall, OBPP

00:16:05 Rep. Wells

00:16:33 Ms. Wilkinson, LFD

00:20:49 Darlene Staffeldt, State Librarian, Montana Library  
Commission (MLC)

00:21:02 Rep. Wells

00:21:38 Ms. Staffeldt, MLC

00:22:49 Rep. Franklin

00:23:13 Ms. Staffeldt, MLC

00:23:38 Sen. Hawks

00:25:02 Ms. Staffeldt, MLC

00:29:27 Rep. Wells

00:30:25 Ms. Wilkinson, LFD

00:31:24 Rep. Wells

00:31:38 Ms. Staffeldt, MLC

00:34:52 Rep. Wells

00:35:26 Ms. Hall, OBPP  
00:37:46 Rep. Wells  
00:38:03 Ms. Hall, OBPP  
00:39:38 Sen. Lewis  
00:42:48 Ms. Staffeldt, MLC  
00:43:25 Rep. Wells  
00:43:41 Ms. Hall, OBPP  
00:44:56 Ms. Staffeldt, MLC

00:45:20 **Vote:** Motion carried 5-1 by voice vote with Rep. Wells voting no.

**Discussion on DP 1:**

00:46:10 Ms. Wilkinson, LFD  
00:46:56 Ms. Hall, OBPP  
00:49:01 Chris Schmidt, Accountant, Montana Library Commission (MLC)  
00:52:15 Ms. Wilkinson, LFD  
00:53:49 Sen. Lewis  
00:54:40 Ms. Wilkinson, LFD  
00:55:33 Ms. Schmidt, MLC  
00:56:49 Ms. Hall, OBPP  
00:57:16 Rep. Wells  
00:57:59 Amy Carlson, OBPP  
01:01:44 Ms. Wilkinson, LFD  
01:02:54 Rep. Glaser  
01:03:19 Ms. Carlson, OBPP  
01:04:26 Sen. Hawks  
01:05:05 Sen. Wanzenried  
01:05:31 Ms. Staffeldt, MLC  
01:06:12 Sen. Wanzenried  
01:07:18 Ms. Carlson, OBPP  
01:07:28 Rep. Glaser

**Executive Action on DP 1:**

01:08:15 **Motion/Vote:** Sen. Hawks moved **TO ADOPT** DP 1, Present Law Adjustment, GIS Portal. Motion carried 4-2 by voice vote with Rep. Glaser and Rep. Wells voting no.

**Executive Action on DP 2:**

01:09:09 **Motion:** Sen. Wanzenried moved **TO ADOPT** DP 2, Natural Heritage Program.

**Discussion on DP 2:**

01:09:24 Rep. Wells

01:09:43 Ms. Staffeldt, MLC

01:11:16 **Vote:** Motion carried unanimously by voice vote.

**Discussion on DP 4:**

01:11:25 **Motion/Vote:** Sen. Wanzenried moved **TO ADOPT** DP 4, Standard Cost Adjustments. Motion carried by unanimous voice vote.

**Executive Action on DP 5:**

01:11:56 **Motion:** Rep. Franklin moved **TO ADOPT** DP 5, LSTA grants.

**Discussion on DP 5, LFD Issue:**

01:13:45 Rep. Wells

01:13:55 Ms. Wilkinson, LFD

01:15:03 Rep. Wells

01:16:12 Rep. Franklin withdrew motion on DP 5, without objection

01:16:37 Rep. Glaser

01:16:55 Ms. Wilkinson, LFD

01:17:55 Rep. Wells

01:18:50 **Motion/Vote:** Sen. Wanzenried moved **TO ADOPT** funds on page E-67 with the addition that it be a biennial appropriation. Motion carried unanimously by voice vote.

01:19:53 **Motion:** Sen. Hawks moved **TO RECONSIDER** motion on Item 1 to include the language for biennial appropriation for the \$205,662 of the total of \$399,976 as the biennial appropriation.

**Continued Discussion on DP 5, LFD Issue:**

01:20:32 Ms. Wilkinson, LFD

01:20:53 **Motion/Vote:** Sen. Hawks moved **TO RESTATE** motion to reconsider and amend original motion. Motion carried unanimously by voice vote.

**Executive Action on DP 6:**

01:21:47 **Motion:** Rep. Franklin moved **TO ADOPT** DP 6.

**Discussion on DP 6, LFD Issue:**

01:21:58 Ms. Wilkinson, LFD  
01:23:31 Sen. Lewis  
01:23:58 Nancy Hall, OBPPS  
01:24:38 Amy Carlson, OBPP  
01:24:51 Sen. Wanzenried  
01:25:42 Ms. Carlson, OBPP  
01:27:33 Sen. Hawks  
01:28:07 Rep. Franklin

01:28:42 **Motion:** Rep. Franklin moved that DP 6 **BE AMENDED** to increase library federation support to \$98,199 in fiscal year '08 and \$98,199 in fiscal year '09.

01:30:18 Ms. Wilkinson, LFD

01:30:25 Break

01:47:18 Reconvene

**Continued Discussion on DP 6, LFD Issue:**

01:47:31 Rep. Wells  
01:48:15 Ms. Wilkinson, LFD

01:50:34 **Substitute Motion/Vote:** Rep. Franklin moved that DP 6 **BE AMENDED** to appropriate \$113,495 in 2008 and \$113,495 in 2009 or 27.26 percent of the coal tax shared revenue in each year of the biennium whichever is greater depending on actual revenue stream. Substitute motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON THE MONTANA ARTS COUNCIL**

**Discussion on Art Council's Personal Service Questions:**

01:55:08 Rep. Wells  
01:56:17 Carleen Layne, Accountant, Montana Arts Council (MAC)  
02:01:06 Ms. Wilkinson, LFD  
02:02:50 Sen. Wanzenried  
02:03:06 Rep. Wells  
02:03:26 Ms. Wilkinson, LFD  
02:05:43 Sen. Wanzenried  
02:05:53 Ms. Hall, OBPP

02:06:01 **Motion:** Sen. Wanzenried moved **TO ADOPT** reallocation as stated by Legislative Fiscal Division Staff.

**Discussion on Reallocation:**

02:06:30 Sen. Hawks  
02:06:52 Ms. Carlson, OBPP  
02:07:19 Ms. Wilkinson, LFD

02:07:46 **Vote:** Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

**Executive Action on Item 3:**

02:08:13 **Motion/Vote:** Sen. Wanzenried moved **TO ADOPT** Item 3, remaining Statewide Present Law Adjustments. Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

**Executive Action on DP 5:**

02:10:03 **Motion/Vote:** Sen. Wanzenried moved **TO ADOPT** DP 5, Item 4, Rent Increase and Relocation Expenses. Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

**Executive Action on DP 51401:**

02:11:24 **Motion:** Sen. Wanzenried moved **TO ADOPT** DP 51401, Present Law Cost Adjustments.

**Discussion on DP 51401:**

02:11:38 Rep. Glaser  
02:13:54 Ms. Wilkinson, LFD  
02:14:01 Rep. Glaser

02:14:45 **Vote:** Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

**Executive Action on DP 1:**

02:15:19 **Motion:** Sen. Wanzenried moved **TO ADOPT** DP 1, LAN Administration, Hosting and Server Needs.

**Discussion on DP 1:**

02:15:30 Ms. Wilkinson, LFD  
02:16:12 Rep. Wells  
02:16:46 Sen Hawks  
02:17:24 Sen. Wanzenried  
02:17:31 Ms. Carlson, OBPP

02:18:21 **Vote:** Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

**Executive Action on DP 2:**

02:18:57 **Motion/Vote:** Sen. Hawks moved **TO ADOPT** DP 2, Arts Education in K-12 Schools. Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

**Executive Action on DP 8:**

02:20:31 **Motion:** Sen. Wanzenried moved **TO ADOPT** DP 8, Database Re-Write.

**Discussion on DP 8:**

02:20:41 Sen. Lewis

02:21:31 **Vote:** Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

**Discussion on an Art Council Proprietary Fund:**

02:21:57 Sen. Wanzenried  
02:22:56 Sen. Lewis  
02:23:07 Ms. Carlson, OBPP  
02:23:31 Sen. Wanzenried  
02:24:15 Ms. Carlson, OBPP  
02:25:17 Sen. Lewis  
02:25:25 Rep. Wells  
02:26:04 Ms. Carlson, OBPP  
02:26:29 Sen. Wanzenried  
02:26:47 Rep. Wells  
02:27:43 Ms. Wilkinson, LFD  
02:28:20 Sen. Wanzenried  
02:28:58 Ms. Hall, OBPP

**Discussion on E-64 Language Appropriation:**

02:29:07 **Motion/Vote:** Sen. Wanzenried moved **TO ADOPT** language amendment that all Federal Funds are biennial appropriations. Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

**EXECUTIVE ACTION ON THE MONTANA HISTORICAL SOCIETY**

02:31:14 Kris Wilkinson, LFD  
02:34:27 Sen. Wanzenried  
02:35:06 Sen. Lewis  
02:35:40 Ms. Wilkinson, LFD  
02:36:42 Sen. Lewis  
02:37:14 Ms. Wilkinson, LFD  
02:38:00 Sen. Hawks

**Executive Action on Program (1) Administration Program:**

02:39:50 **Motion:** Sen. Lewis moved **TO RECONSIDER** Program 1, to adopt total Federal Appropriation amount for agency.

**Discussion on Program 1, LFD Issue:**

02:41:49 Ms. Hall, OBPP  
02:42:31 Ms. Wilkinson, LFD  
02:43:11 Ms. Carlson, OBPP  
02:43:48 Ms. Wilkinson, LFD  
02:44:21 Rep. Wells  
02:44:49 Sen. Lewis withdrew motion, without objection

**Discussion on Item 3, Remaining Statewide Present Law Adjustment:**

02:45:27 Ms. Wilkinson, LFD  
02:45:59 Denise King, Montana Historical Society (MHS)  
02:50:09 Sen. Lewis  
02:50:28 Sen. Wanzenried  
02:50:42 Ms. King, MHS  
02:51:12 Sen. Lewis  
02:51:22 Ms. King, MHS  
02:52:21 Sen. Hawks  
02:54:12 Ms. King, MHS  
02:54:43 Sen. Wanzenried  
02:55:16 Molly Holtson, Director, Publications Program (MHS)  
02:55:57 Sen. Wanzenried  
02:56:33 Ms. King, MHS  
02:58:25 Rep. Wells  
02:59:13 Ms. King, MHS



02:59:28 Ms. Wilkinson, LFD  
03:00:34 Rep. Wells  
03:01:19 Ms. Wilkinson, LFD

**Executive Action on Item 3:**

03:01:39 **Motion/Vote:** Sen. Lewis moved **TO ADOPT** Item 3.  
Remaining Statewide Present Law Adjustment of \$70,940  
in fiscal year '08 and \$67,634 in fiscal year '09.  
Motion carried with Rep. Franklin's later voice vote  
passing the motion unanimously.

**Executive Action on DP 2, Computer Replacement:**

03:02:27 **Motion:** Sen. Hawks moved **TO ADOPT** DP 2, Computer  
Replacement.

**Discussion on DP 2, LFD Issue:**

03:02:41 Ms. Wilkinson  
03:04:00 Rep. Wells  
03:04:13 Ms. King, MHS

03:04:37 **Motion/Vote:** Sen. Hawks moved **TO AMEND** the motion on  
DP 2 to include restrictive language. Rep. Franklin's  
later voice vote carried the motion 4-2 with Rep. Wells  
and Rep. Glaser voting no.

**Executive Action on DP 21, Restoring Base Expenditures:**

03:07:08 **Motion:** Sen. Hawks moved **TO ADOPT** DP 21, restoring  
base expenditures.

**Discussion on DP 21:**

03:07:34 Rep. Wells  
03:07:54 Ms. King, MHS  
03:08:50 Rep. Wells  
03:09:03 Ms. Hall, OBPP  
03:09:47 Rep. Franklin  
03:10:33 Sen. Lewis  
03:11:12 Rep. Wells  
03:11:39 Ms. Carlson, OBPP  
03:13:23 Sen. Wanzienried  
03:14:08 Sen. Hawks withdrew motion on DP 21, without objection  
03:15:21 Rep. Glaser  
03:16:27 Ms. Wilkinson, LFD  
03:17:57 Rep. Wells suspended action on DP 21

**Executive Action On Item 3, Program (2) Research Center:**

03:18:06 Ms. Wilkinson, LFD

03:20:16 **Motion/Vote:** Rep. Glaser moved **TO ADOPT** Item 3, Remaining Statewide Present Law Adjustments in Program (2) Research Center. Sen. Hawks and Sen. Wanzenried voted no. Rep. Franklin's later voice vote caused the motion to fail at 3-3. Rep. Glaser, Sen. Lewis and Rep. Wells voted aye.

**Discussion on Program (3) Museum Program:**

03:22:42 Ms. Wilkinson, LFD  
03:27:04 Ms. Hall, OBPP  
03:27:14 Rep. Hawks  
03:27:55 Ms. Wilkinson, LFD  
03:28:05 Ms. King, MHS  
03:28:25 Sen. Hawks  
03:29:15 Sen. Wanzenried  
03:29:55 Ms. Wilkinson, LFD  
03:30:52 Rep. Wells  
03:32:08 Ms. Wilkinson, LFD  
03:33:21 Ms. Hall, OBPP  
03:34:56 Rep. Wells  
03:35:24 Ms. Wilkinson, LFD  
03:35:58 Ms. Hall, OBPP  
03:37:20 Sen. Wanzenried  
03:37:57 Ms. Hall, OBPP  
03:38:24 Ms. Wilkinson, LFD  
03:39:04 Rep. Glaser

**Executive Action on Item 3:**

03:40:00 **Motion/Vote:** Sen. Wanzenried moved **TO ADOPT** Item 3, Remaining Statewide Present Law Adjustments. Motion carried by voice vote. Rep. Franklin's later voice vote passed the motion unanimously.

**Discussion:**

03:41:55 Ms. Wilkinson, LFD  
03:42:02 Rep. Wells

**ADJOURNMENT**

03:44:17 Adjournment

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REP. JACK WELLS, Chairman

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KATHY BAIRD, Secretary

JW/kb