



Education and Local Government Interim Committee

63rd Montana Legislature

SENATE MEMBERS

TOM FACEY--Chair
DAVE LEWIS
FREDERICK (ERIC) MOORE
MATTHEW ROSENDALE
SHARON STEWART-PEREGOY
JONATHAN WINDY BOY

HOUSE MEMBERS

DONALD JONES--Vice Chair
KRISTIN HANSEN
EDITH (EDIE) MCCLAFFERTY
JEAN PRICE
DANIEL SALOMON
TOM WOODS

COMMITTEE STAFF

PAD MCCRACKEN, Lead Staff
LAURA SANKEY, Staff Attorney
JOY LEWIS, Secretary

MINUTES LOG

Education and Local Government Interim Committee Meeting Room 137, Capitol Building Helena, Montana February 4, 2014

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. To the left of each section in these minutes is a time designation indicating the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side menu of the home page, select *Committees*, then *Interim*. Once on the page for *Interim Committees*, scroll down to the appropriate committee. The written minutes summary, along with the audio and video recordings, are listed by meeting date on the interim committee's web page.

Hard copies of the exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of the document.

COMMITTEE MEMBERS PRESENT

SEN. TOM FACEY, Chair
REP. DONALD JONES, Vice Chair

SEN. DAVE LEWIS
SEN. FREDERICK (ERIC) MOORE
SEN. MATTHEW ROSENDALE
SEN. SHARON STEWART- PEREGOY

REP. EDITH (EDIE) MCCLAFFERTY
REP. JEAN PRICE
REP. DANIEL SALOMON

COMMITTEE MEMBERS EXCUSED

SEN. JONATHAN WINDY BOY
REP. KRISTIN HANSEN
REP. TOM WOODS

STAFF PRESENT

PAD MCCRACKEN, Lead Staff
LAURA SANKEY, Staff Attorney
JOY LEWIS, Secretary

AGENDA & VISITORS' LIST

Agenda, ([Attachment #1](#))
Visitors' list, ([Attachment #2](#))

COMMITTEE ACTION

none taken

CALL TO ORDER AND ROLL CALL

00:00:07 Sen. Facey called the meeting to order at 8:08 a.m. The secretary took roll. Rep. Hansen, Rep. Woods, and Sen. Windy Boy were excused. **Roll Call**, ([Attachment #3](#))

ADMINISTRATIVE RULE - Laura Sankey, Staff Attorney

00:01:39 Ms. Sankey gave a presentation on the activities of Rule Review ([Exhibit 1](#)).

MEMO ON ADVISORY COUNCIL - Pad McCracken, Research Analyst

00:02:18 Mr. McCracken discussed the memo: Review of advisory councils and required reports. ([Exhibit 2](#))

Committee questions

00:03:26 Sen. Facey asked if the committee wanted Mr. McCracken to research further or have the council members come before us for a future meeting?

00:03:52 Rep. Price asked about the Interstate compact and when that would be discussed.

00:03:58 Mr. McCracken said the compact is scheduled for the June ELG meeting.

00:04:36 Sen. Facey asked if there are other questions, email him or Mr. McCracken.

EARLY CHILDHOOD EDUCATION PRESENTATIONS

Brain Development - Todd Grindal, ED, D - Abt Associates

00:07:09 Mr. Grindal gave a presentation on early brain development in children ([Exhibit 3](#))

Committee questions

00:54:31 Sen. Rosendale commented on the risk factors for adult heart disease and did the study take into consideration the diet or genetic background of these people?

00:55:06 Mr. Grindal talked about diet and genetics.

- 00:57:19 Sen. Moore asked if all studies were done at Harvard?
- 00:57:39 Mr. Grindal said that the studies came from all over the country and the world, with a handful from Harvard.
- 00:57:57 Sen. Facey asked about future studies that may open doors to more discovery and information in genetic and chromosome composition.
- 00:58:39 Mr. Grindal acknowledged there continues to be some pretty exciting work in this area but less about determinative genetics and more about the contextual environment the child lives in.
- 00:59:42 Sen. Facey thanked Dr. Grindal for his presentation.

BREAK

- 01:13:47 Sen Facey Meeting reconvened the meeting at 9:22 a.m. and introduced the next speaker.

Program Research and Policy Considerations - Robyn Lipkowitz, National Conference of State Legislatures NCSL

- 01:14:52 Ms. Lipkowitz gave a presentation on early learning and state policy approaches and options ([Exhibit 4](#)).
- Committee questions
- 02:01:11 Sen. Rosendale states that poverty seems to be root of problem. Wouldn't it be more effective to develop policies to help lift people out of poverty?
- 02:02:14 Ms. Lipkowitz said she can provide information on what research says, and what the States are doing but it's up to states' legislators and the Governors' offices to decide the use of capital.
- 02:02:45 Sen. Facey talked about the return on investment.
- 02:04:14 Sen. Rosendale said it boils down to; proper parenting produces good children.
- 02:04:46 Sen. Facey said he heard that 60% of children in Montana have parents that work. So how do we provide good childcare?
- 02:05:15 Sen. Stewart-Peregoy commented on the vicious cycle of poverty, the minimum wage, and not investing in early learning and quality childcare. We need to change that.
- 02:07:54 Sen. Moore's opinion is that today's presenters should be classified as proponents not informational witnesses. He suggests the committee should take a more objective look and we should hear some con in future meetings.

- 02:09:02 Sen. Facey commented on how to move forward, no decision has to made today, but by the time of our meeting in September we should put some ideas together.
- 02:09:22 Sen. Lewis asked Ms. Lipkowitz about her slide on home visiting.
- 02:10:06 Ms. Lipkowitz said it started in 2010. The programs are all voluntary programs. They have to be evidence-based programs and follow certain guidelines.
- 02:12:19 Rep. Salomon echoes Sen Moore's previously stated concerns.
- 02:12:59 Sen. Facey agrees but says we still have another hour presentation before us.
- 02:13:11 Ms. Lipkowitz said NCSL doesn't have a position but is just providing information on this issue.
- 02:18:04 Rep. Jones asked for a breakdown on 58% of mothers who are in labor force - what percentage are low income.
- 02:18:28 Ms. Lipkowitz said she didn't know but could try to get this information.
- 02:18:35 Rep. Jones asked about 7 out of 10 prisoners who don't have high school diplomas - what percentage attended pre-school?
- 02:19:01 Ms. Lipkowitz answered she doesn't have that information but could get it.
- 02:19:07 Rep. Jones asked why Alaska is decreasing funding?
- 02:19:25 Ms. Lipkowitz said it could be based on revenue.
- 02:19:44 Rep. Jones
- 02:19:48 Ms. Lipkowitz said their research was positive.
- BREAK**
- 02:40:58 Meeting reconvened at 10:49 a.m.

Current Montana Programs

Shannon O'Brien, Governor's Office

Sarah Corbally, Department of Public Health and Human Services

Jamie Palagi, Department of Public Health and Human Services

Tara Ferriter-Smith, Office of Public Instruction

Libby Hancock, Montana Early Childhood Project (via phone)

- 02:41:55 Ms. O'Brien gave a presentation on what the Governor's Office is doing regarding programs on early childhood research and development. Montana is one of nine states that does not have an "early childhood" state-funded program.
- 02:51:03 Sarah Corbally, Administrator, Child and Family Services Division, DPHHS,

talked about the importance of early intervention on brain development, and family support. She urged the committee to consider this as one of the most pressing issues that the state faces in the economic future because of the dramatic increase in the number of children in Foster Care.

02:56:08 Jamie Palagi, Administrator, Human and Community Services Division, DPHHS, gave a broad perspective on programs offered in early childhood development that supports at-risk children and families in Montana. She discussed a variety of quality child care programs in Montana.

03:12:21 Tara Ferriter-Smith, Office of Public Instruction, talked about three different avenues that have allowed OPI to support children ages 3-5 and their families. They are the Montana Partnership for Early Literacy; Montana Striving Reading Project; Special Education Pre-school.

03:20:30 Libby Hancock, Director, Montana Early Childhood Project, MSU, presented via phone and explained their project that focuses on early childhood workforce and professional development. **(Exhibit 5)**.

Committee questions

03:36:30 Sen. Rosendale asked Ms. Corbally about evidence-base home visiting.

03:36:55 Ms. Corbally answered that it is based on child welfare and mental health aspects.

03:39:14 Sen. Rosendale asked what triggers an evidence-based home visit?

03:39:45 Ms. Corbally said that through the MIECHV Program - (Maternal Infant and Early Childhood Home Visiting), it is voluntary.

03:40:26 Rep. Jones asked Ms. O'Brien about the 45 students in the Hamilton program and how was the selection made for the other 30?

03:40:50 Ms. O'Brien said her understanding was there was a wait list.

03:41:10 Rep. Jones asked how big the wait list is for the Head Start Program?

03:41:25 Ms. O'Brien said that in the greater Missoula five-county area that serves over 300 students, the Director there has over 60 people on the wait list and they are at 100% poverty level.

03:42:08 Sen. Lewis asked Ms. Palagi about the grant the state gets under the Affordable Care Act. How much money do we get a year with the grant and how are the funds being used?

03:43:37 Ms. Palagi explained that she doesn't handle that grant. It goes through the Public Health and Safety Division.

- 03:44:53 Rep. Price asked Ms. Hancock where we could find the 47 standards for early childhood learning?
- 03:45:18 Ms. Hancock said those are available on their website at: www.mtecp.org.
- 03:46:06 Sen. Facey referenced former Sen. Bob Lake's bill. He said that he felt like this will be an issue for the next legislative session that will have to be addressed. It would be helpful if Ms. O'Brien worked on coordination of all these different ideas. He would like her to develop support among stakeholders and legislators, and contact people for ideas that might help in the development of legislation.

Public Comment

- 03:49:33 Rosebud Madinger, college educated parent, commented on early childhood development and encouraged policies that support good parenting.
- 03:53:47 Jackie Semmens, from the Montana Budget and Policy Center said we fully support a strong future for all of Montana's children. She referenced a report her office had issued that can be found on their website www.montanabudget.org
- 03:58:08 Laura Gilbert Lee commented on brain development topic.
- 04:00:35 Nannette Gilbertson, from the Montana Library Association, advocated for early childhood learning and early literacy.
- 04:01:29 Rhonda Kiesser shared her success story.
- 04:03:48 Lavonna Robinson, from Billings, commented on the need to focus more on the family unit.
- 04:05:18 Sen. Facey asked the committee about his early suggestion about throwing a net around previous testimony to hone in on what they need to proceed. He adjourned the meeting.

LUNCH

Meeting reconvened at 1:36 p.m.

BUREAU OF MINES OVERVIEW AND APPLICABILITY OF 82-2-701, MCA

- 05:28:46 John Metesh, Director, Montana Bureau of Mines and Geology, gave a presentation on the sand and gravel program (**Exhibit 6**) - (Sand and Gravel Program).
- 05:45:26 Sen. Facey asked if there were any questions from the committee. There were none. He asked if they needed to take any action on this agenda item.
- 05:45:36 Mr. McCracken said that there wasn't any need for action on this.

UPDATE FROM HJR 2 WORK GROUP

Progress report - Mr. McCracken and Ms. Sankey

- 05:47:40 Mr. McCracken gave background information on the HJR 2 Work Group. He discussed the minutes of the December and January meetings (**Exhibit 7**).
- 05:55:49 Mr. McCracken discussed the Work Group's preliminary findings and recommendations (**Exhibit 8**).
- 06:03:53 Ms. Sankey gave a presentation on existing statutes (**Exhibit 9**).
- 06:14:30 Sen. Facey thanked Rep. Price and Rep. Jones for their participation on the Work Group.
- 06:15:11 Mr. McCracken said if committee has any questions or preferences on how these recommendations are presented to the committee - do you want to have the Work Group's # 1 recommendation, a choice of 2 or 3, short term, mid-range, long-range, or any preferences from the committee.
- 06:16:00 Sen. Rosendale wants categories broken up for organizational purposes.
- 06:16:29 Sen. Facey's suggested that if there is something we can change in the next session, then bring that forward.
- 06:16:57 Sen. Moore asked how did we get to this point that we're trying to have a statewide guidance for records management?
- 06:17:33 Sen. Facey said it has to do with how to avoid lawsuits.
- 06:17:59 Rep. Jones said it became evident during discussions with the large and small entities that we need to have standards but it's not going to be one size fits all.
- 06:18:46 Sen. Facey said he would go back to constitution. It does say something about records and public right to know.
- 06:19:42 Rep. Jones said one of the things that came from the group is; give us guidance for best practices.
- 06:20:14 Sen. Facey thanked everyone.

Public Comment on agenda items this afternoon - none

- 06:20:59 Sen Facey adjourned the meeting at 2:29 p.m.

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