

**REVISED MINUTES OF THE JOINT PUBLIC EDUCATION
APPROPRIATIONS SUBCOMMITTEE
Wednesday, February 18, 1998 4:00 P.M.
ROOM 303, STATE CAPITOL BUILDING**

Members Present: Sen. Robert F. Montgomery, Committee Co-Chair
Rep. Bill Wright, Committee Co-Chair
Sen. LeRay McAllister
Sen. Millie M. Peterson
Rep. Bradley T. Johnson
Rep. Susan Koehn
Rep. Tammy J. Rowan
Rep. Nora B. Stephens
Rep. A. Lamont Tyler
Rep. John Arrington
Rep. Judy Ann Buffmire
Rep. Brad King

Members Excused:

Members Absent: Sen. Craig L. Taylor
Rep. David L. Gladwell

Staff Present: R. Michael Kjar, Legislative Fiscal Analyst
Gary Ricks, Legislative Fiscal Analyst
Sheila Ainsworth, Secretary

Others Present: Scott Bean, Superintendent, USOE
Con Rowley, Planning & Budget Analyst, Governor's Office

List of others present is on file

Committee Co-chair Sen. Robert F. Montgomery called the meeting to order at 4:20 p.m. and opened the floor to motions.

MOTION: Sen. M. Peterson moved to approve the Minutes of the February 16, 1998 meeting.

The motion passed unanimously.

Co-chair Montgomery gave the floor to Legislative Analyst Mike Kjar to present his recommendation for the FACT budget (Tab 4 page 5).

MOTION: Rep. Rowan moved accept the analyst's recommendations for the FACT budget of \$1,257,966.

The motion passed unanimously.

Co-chair Montgomery gave the floor to Legislative Analyst Mike Kjar to present his recommendation for the Career Ladder budget (Tab 5).

MOTION: Rep. Wright moved to accept the analyst's recommendation for the Career Ladder budget of 24,394 weighted pupil units.

The motion passed unanimously.

Co-chair Montgomery gave the floor to Legislative Analyst Mike Kjar to present his recommendation for the Utah State Office of Rehabilitation budget (Tab 10 page 1).

MOTION: Rep. Wright moved to accept the analyst's recommendation for the Utah State Office of Rehabilitation budget as detailed under Tab 10 page 1.

The motion passed unanimously.

Co-chair Montgomery gave the floor to Legislative Analyst Mike Kjar to present his recommendations for the one-time appropriations (Tab 4 page 6).

MOTION: Rep. Wright moved to accept the analyst's recommendations for the 9 items for one-time appropriations, totaling \$16.2 million as listed under Tab 4 page 6.

The motion passed unanimously.

Co-chair Montgomery gave the floor to Legislative Analyst Mike Kjar to present his recommendation for supplemental appropriations (Tab 15 page 1).

MOTION: Sen. Peterson moved to accept the analyst's recommendations for supplemental appropriations in the amount of \$3,125,800 as listed under Tab 15 page 1.

The motion passed unanimously.

Co-chair Wright assumed the Chair.

Rep. Wright moved to item number 3 on the agenda - Intent Language. Mr. Kjar distributed a hand-out of intent language.

MOTION: Rep. Buffmire moved to accept the intent language (copy attached).

There was discussion and questions among the Committee and Mr. Kjar regarding the intent language.

Co-chair Montgomery resumed the Chair.

SUBSTITUTE MOTION: Sen. McAllister moved to make the following language change: 3. School Building Programs - Athletic Facilities, line 2, delete "exist" and insert "may occur".

The motion passed unanimously.

Co-chair Montgomery turned the floor over to Mr. Kjar. He turned to the red tab, page 5, under FY 1999, Tax Rate Levy, and recommended the Committee pass a motion on the .001858, to put in the statute.

MOTION: Rep. Wright moved to accept the analyst's recommendation for Local Levy - .001858.

The motion passed unanimously.

Mr. Kjar said that if this Committee desires to give a recommendation to the Executive Committee on the value of the weighted pupil unit, he recommends the Committee adopt that which has been set aside for that purpose as a tentative recommendation to them of the 3% increase in the value, which would be \$1,845.

There was discussion to the recommendation. Rep. Buffmire noted it is the responsibility of all legislators - not just Republicans - to be in on decisions.

MOTION: Rep. King moved that this Committee recommends to the Executive Appropriations Committee that the WPU is a critical need area, and allow them to make the decision they want in regard to the \$15,000,000.

SUBSTITUTE MOTION: Rep. Wright moved that this Committee accept \$1,845 as the minimum figure for the WPU and that the Executive Committee consider the critical needs money be used to raise that figure, with the support of both caucuses.

Rep. Arrington spoke against the motion, stating the increase should be higher than 3%.

The motion passed.

MOTION: Rep. Wright moved to reconsider the previous action taken on the School Lunch Program, that is, to take \$161,500 from Accelerated Learning/Concurrent Enrollment and put that amount into the Child Nutrition Program. This would reduce the Accelerated Learning/Concurrent Enrollment budgets.

There was discussion to the motion.

The motion passed unanimously with all present voting.

Co-chair Montgomery asked Mr. Kjar to distribute the Priority List and opened the floor for motions on any other items that the Committee would like to place on the list.

Rep. Buffmire thanked Co-chair Montgomery and Co-chair Wright for working out the emergency food fund.

Co-chair Montgomery noted we have received the new revenue estimates and the Uniform School Fund was a wash - there are no new funds; therefore this Committee has to assume there will be no new funds but we will present the Priority List to the Executive Appropriations Committee. The Chair would like the Committee to now prioritize the items on the Priority List and will now take motions.

MOTION: Rep. Rowan moved to prioritize in the manner they did last year.

Co-chair Montgomery advised it is too late to do that.

MOTION: Rep. Stephens moved for the following: Under the red tab, page 5, line D6, take \$25,000 from Staff Development, take \$25,000 from line D7, Comprehensive Guidance, line D8, ETI, \$75,000, line D12, \$75,000 which totals \$200,000 and put that amount in line item D15 School Nurse Program.

There was discussion to the motion.

MOTION: Rep. Tyler moved to divide the motion.

Co-chair Montgomery decided to divide the motion in the amount of appropriations.

MOTION: Remove \$25,000 from Staff Development.

Passed in the Senate and passed in the House.

MOTION: Remove \$25,000 from Comprehensive Guidance.

The motion passed.

MOTION: Remove \$75,000 from Educational Technology Initiative.

Rep. Stephens reminded the Committee that this budget had the largest increase.

The motion failed in the House.

MOTION: Remove \$75,000 from Character Education.

There was discussion to the motion.

The motion failed in the Senate.

MOTION: Rep. Stephens moved to remove \$50,000 from Highly Impacted Schools and \$50,000 from Career Ladder.

Co-chair Montgomery divided the motion.

MOTION: Remove \$50,000 from Highly Impacted Schools.

There was discussion to the motion. Sen. Peterson and Sen. Johnson questioned the rationale of line items.

The motion failed in the Senate.

MOTION: Remove \$50,000 from Career Ladder.

There was discussion to the motion.

The motion failed.

The Chair noted there is now \$50,000 in the School Nurse fund and Rep. Stephens indicated she will stop with that amount of funding for the present time.

MOTION: Rep. Stephens moved to appropriate \$50,000 to School Nurses.

The motion passed.

Co-chair Montgomery opened the floor to motions.

Sen. Peterson asked Mr. Kjar to explain why a motion is not necessary to the abolishment of line item funding. Mr. Kjar answered her question, saying that an interim study would include that issue.

MOTION: Sen. Peterson moved to put School Nurses at the top of the Priority List, in the amount of \$150,000.

There was discussion to the motion.

SUBSTITUTE MOTION: Rep. King moved to take from Concurrent Enrollment \$100,000 and put that amount into Expansion of Deaf and Hard of Hearing and \$49,000 and put that amount into state-wide Orientation & Mobility programs. The consequence of this action is that School Nurses moves up on the Priority List to 2nd and Custom Fit to 3rd.

The motion passed unanimously.

The Chair notes there are two one-time items and those will be on a separate list from the on-going. Now, with the funding of Expansion of Deaf and Hard-of-Hearing and Mobility, School Nurses is now number 1 on the on-going list and Educational Technology Initiative is number 2. On the one-time list is Experimental and Developmental Programs and Custom Fit.

MOTION: Rep. Rowan moved to place Corrections Education the amount of \$250,000 number 3 on the Prioritization List (on-going).

There was discussion to the motion.

The motion passed unanimously.

MOTION: Sen. Peterson moved to place on the Prioritization List: Staff Development in the amount of \$1,025,000, and place it as number 4 priority; add at the bottom of the list Comprehensive Guidance in the amount of \$25,000, and Accelerated Learning/Concurrent Enrollment in the amount of \$310,500.

SUBSTITUTE MOTION: Rep. Stephens moved to make Staff Development number 2

on the Priority List, leaving the rest of the motion the same, and to move Educational Technology Initiative onto the unprioritized portion of the list.

The motion failed in the House.

Co-chair Montgomery returned to the original motion.

The original motion passed unanimously.

MOTION: Sen. Peterson moved to place all items which are not numbered, put in alphabetical order so there is no semblance of priority.

SUBSTITUTE MOTION: Rep. Buffmire moved to place Services for Independent Living as prioritized item #5 in the amount of \$100,000.

The substitute motion passed unanimously.

The Chair ruled the substitute motion was not germane to the original motion and returns to the original motion to alphabetize. It does not mean the Committee cannot continue to prioritize.

The original motion passed.

MOTION: Rep. Buffmire moved to place Services for Independent Living as prioritized item #5 in the amount of \$100,000.

SUBSTITUTE MOTION: Rep. Koehn moved to place Programs & Services for Independent Living as prioritized item #5 in the amount of \$175,000 and placed Services for Blind and Visually Handicapped as prioritized item #6 in the amount of \$133,000.

The motion passed unanimously.

MOTION: Rep. Tyler moved that the Appropriations Subcommittee for Education request the Executive Appropriations Committee that we be allowed to use the \$14,000,000 that has been set aside as follows: increase the WPU by 3.8%, fund each item on the Priority List at 90% (not sure 90% is the best figure - maybe 89% or 91%).

Rep. Rowan and Rep. Koehn spoke against the motion.

Rep. Wright requested to divide the motion.

Co-chair Montgomery accepted the motion that the Appropriations Subcommittee for Education request the Executive Appropriations Committee that the \$14,000,000 be given to public education to fund the WPU at 3.8%.

There was discussion to the motion.

The motion failed.

MOTION: Rep. Rowan moved to accept as it now stands the rest of the Prioritization List as it has been prioritized.

SUBSTITUTE MOTION: Rep. King moved to place the Turnover Savings to the USOE in the #7 position and then accept the rest of the list as it now stands.

Co-chair Montgomery asked for discussion to the motion. Rep. Stephens spoke against the motion.

The motion failed in the House.

Co-chair returned to the original motion.

The motion passed.

Sen. McAllister requested Superintendent Bean be given an opportunity respond to the actions of the Committee. Co-chair Montgomery turned the time over to Superintendent Bean. He expressed his gratitude for the work the Committee has done and thinks they have done an excellent job. Co-chair Montgomery thanked Superintendent Bean and Mr. Rowley. Mr. Rowley thanked the Committee.

Co-chair Montgomery ruled that the Committee made the prioritization alphabetically of the on-going monies. The Chair ruled that the Committee has not prioritized the list of one-time funding requests, those being Experimental Development, Custom Fit and ATC/ATESR Equipment. The Chair would entertain a motion to prioritize that one-time list.

MOTION: Rep. Tyler moved to place Experimental Development as #1, Custom Fit as #2, and ATC/ATESR as #3.

The motion passed.

MOTION: Rep. Wright moved to fund \$200,000 more in RFP for Science & the Arts, from Youth in Custody (Tab 13).

Sen. Peterson and Rep. Koehn spoke against the motion.

The motion failed.

MOTION: Rep. Buffmire moved to place \$200,000 for Science & the Arts on the Prioritization List in alphabetical order.

The motion passed unanimously.

MOTION: Rep. Koehn moved to adjourn.

The motion passed unanimously.

Co-chair Montgomery adjourned the meeting at 5:55 p.m.

The minutes were reported by Sheila Ainsworth.

Sen. Robert F. Montgomery
Committee Co-Chair

Rep. Bill Wright
Committee Co-Chair