

Memo

To: Montana State Library Commission

From: Darlene Staffeldt, State Librarian

Date: January 31, 2007

Re: Legislative Update

Please note the following significant dates and events as they relate to the 2007 Legislative Session:

- January 9, 2007 - After days of preparation, revisions, practicing, etc, on Tuesday at 8:30 am, we presented our budget to the Appropriations Joint Subcommittee on Education. Our hearing lasted about one hour and forty five minutes. As State Librarian I began the presentation with an overview of the State Library's programs and budget. I used three pieces in my presentation – a ten page handout, the Legislative Fiscal Division template that we prepared for them in November, and the District Highlights and Statistics Booklets. Following my presentation, additional oral or written testimony was provided by eleven others including but not limited to : Don Allen, Chairman of the Commission, John Meckler, Plains School Librarian, students from Carroll College, gentlemen from Plum Creek and Stillwater County, teachers and librarian from Kalispell High School, as well as Nanette Gilbertson, MLA Lobbyist . Lyn McKinney, Montana Library Association President spoke briefly requesting the Committee support an addition to the State Library's budget which would provide state payment for the statewide OCLC contract. There were very few follow up questions at the hearing. We felt it was a good hearing. Executive action followed on Monday, January 15, 2007 at 8:30 am. After much discussion and lots of questions particularly on the personnel services budget, the Committee took action to approve the Governor's budget for the State Library. As a reminder what was approved for our budget was:
 - 2006 base budget
 - Fully funded payroll, including broadband increases and two vacant positions previously held open for the broadband increases.
 - Statewide present law adjustments (inflation, deflation, fixed costs, etc.)
 - Standard cost adjustments including Commission per diem, Volunteer insurance, additional funds for legal fees in the Department of Justice;
 - Increasing the federal authority to spend estimated Library Services and Technology Act (LSTA) grants awards and realign the biennial appropriation;
 - Additional 75,000 for Natural Heritage Program
 - Additional 150,000 for GIS portal development/maintenance (NRIS/Heritage)
 - Additional coal severance tax funding up to \$135,000 per year Federations and for Statewide Databases, figure may be slightly less based on actual coal severance tax

(CST) shared account balance, revenue projections. The current CST revenue projections from Governor's office and Legislative office not in agreement.

Please know that Senator David Wanzenried expressed some interest in making the motion to add the OCLC statewide payment to our budget but notified Lois Fitzpatrick that he just did not feel right about doing the motion at that time. There is a chance this will still come up in the subcommittee at a later date.

- January 9, 2007 Montana Library Association's Library Day Legislative reception 5:30 to 8:30pm. Attendance was down from previous such events but conversations and one on one discussions with Legislators were rated as very good. A positive event.
- January 12, 2007 Presented HB 132 State Publications Permanent Public Access before the House State Administration Committee. Hearing went well then spent some days negotiating a fiscal note with Department of Administration and the Governor's budget office. Executive action was scheduled on Wednesday, January 24, 2007 and motion to do pass, passed the Committee on a vote of 17 to 1. HB 132 passed second reading on the House Floor on Friday, January 26, 2007 by 88 to 12 vote. HB 132 passed third reading on the House Floor on Monday, January 29, 2007 by same vote. HB 132 has passed to the Senate and has been assigned to the Senate State Administration Committee, no hearing has been set as of today but will be soon most likely.
- January 18, 2007 Presented HB 133 Information Access Montana revisions before the House State Administration Committee. Some tough questions, but all except names of my Commissioners were handled well. A good hearing. Some follow up after hearing from librarians/legislators regarding the interlibrary loan issues. Executive action taken on Thursday, January 25, 2007 motion to do pass on HB 133 failed 10 to 8, then motion to table passed by 18 votes. The discussion before the vote indicated that a couple of Representatives had heard from librarians and there was concern about trusting the Commission with all the rule making power, concerns that the Commission not caring about rural small libraries, and concerns things moving to fast and a need to slow down and proceed more slowly. Comment was also made that the Montana Library Association person spoke in favor of bill but as with all Associations, not all members agree. The complaints I believe are all tied to the interlibrary loan reimbursement "entitlement" issues with some of the small non net lending libraries and the appearance of ignoring their concerns/comments in the rule making process. Although I was at the executive action session I was given no opportunity to speak. Additional issues working against us for HB 133 at the time of executive action was a recent discussion in the committee regarding the use of administrative rules, as well as some consistent party line votes happening in all Committees on that day. Lois Fitzpatrick, Montana Library Association is doing a quick vote on Mt-wired to see if the library community support is behind this legislation so we can get it off the table and back on it's way.

We have also been working with Lois Fitzpatrick, Montana Library Association, Representative Julie French, Senator Sam Kitzenberg, and our attorney on HB 374 which is the public library construction bill requesting five million dollars. We did provide a fiscal note requesting approximately \$100,000 to administer the program. The bill has been assigned to House Appropriations Committee and a hearing has been set for Tuesday, January 30, 2007. Lois Fitzpatrick's report on the hearing provided to Wired-MT: "The hearing for HB 374, the library construction bill was heard in House Appropriations yesterday afternoon. We had a wonderful hearing. Rep.

Julie French started by explaining her connection to libraries, her mom worked as a librarian in Scooby. Senator Kitzenberg also spoke to the bill. I want to thank those who came to testify, they did a magnificent job. Kim Crowley, Debbie Benedict, Phyllis Tappe, Bernadine Abbott Hoduski, City of Billings lobbyist, I cannot thank you all enough for traveling and testifying. Darlene Staffeldt was there as an Informational witness, Thank you Darlene. The committee had great questions and seemed interested in the bill. If you haven't contacted a representative on the appropriations committee there is still time. We are estimating that the bill will be voted on sometime this week. Even if you have contacted a representative, contact them again to see if they need any further information that I would be happy to get for them. I also want to thank Bob Cooper and the staff at the state library for doing the survey for me on construction needs. This is the information that I needed for the bill and really shows the need. Thank you also to all who responded. The sponsor of the bill did state in her opening comments that she wished she could get the type of response that librarians show when asked questions on a survey. I will keep you posted. Thank you all for all of your help."

- We have been ask to respond to at least sixteen additional fiscal note requests on a variety of bills, including but not limit to special purpose districts, resource indemnity trust funds, coals severance tax funds, county museum districts, standardized complaint form to be used by public if they have a problem with a state agencies, environmental contingency account funds, and alternative travel plan.
- I currently have 38 bills in my preference list that I am "watching" regarding possible impact on the State Library or local libraries.