

**MINUTES**

**MONTANA SENATE  
61st LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON EDUCATION AND CULTURAL RESOURCES**

**Call to Order:** Chairman Rick Laible, on February 9, 2009 at 3:30 P.M., in Room 303 Capitol.

**ROLL CALL**

**Members Present:**

Sen. Rick Laible, Chairman (R)  
Sen. Gary Branae (D)  
Sen. Taylor Brown (R)  
Sen. Bradley Hamlett (D)  
Sen. Dan McGee (R)  
Sen. Sharon Stewart-Peregoy (D)  
Sen. Ryan Zinke (R)

**Members Excused:** Sen. Rick Ripley, Vice Chairman (R)  
Sen. Bob Hawks (D)

**Members Absent:** None.

**Staff Present:** Casey Barrs, Legislative Branch  
Nadine Spencer, 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:**

Hearing & Date Posted: SB 302, 1/30/2009; SB 312,  
1/30/2009

Executive Action: SB 216; SB 273

00:01:07 Sen. Ripley entered the hearing.

**HEARING ON SB 312**

**Opening Statement by Sponsor:**

00:01:25 Sen. Bob Story (R), SD 30, opened the hearing on SB  
312, Drug and alcohol testing for certain occupations.  
**EXHIBIT (eds30a01)**

**Proponents' Testimony:**

00:03:01 Allan Sipes, Columbus Public Schools  
00:09:38 Darrell Rud, Montana Association of School  
Superintendents  
00:10:24 Lance Melton, Montana School Boards Association (MTSBA)

**Opponents' Testimony:**

00:11:18 Jane Hamman, Montana Traffic Education Association  
(MTEA)  
00:19:50 Marco Ferro, MEA-MFT  
00:21:59 Dave Puyear, Montana Rural Education Association (MREA)

**Informational Testimony:**

00:24:51 Ann Gilkey, Office of Public Instruction (OPI)  
00:25:51 Mark Cadwallader, Montana Department of Labor and  
Industry

**Questions from Committee Members and Responses:**

00:26:52 Sen. Ripley  
00:27:22 Darrell Rud  
00:27:48 Sen. Ripley  
00:28:13 Allan Sipes  
00:28:45 Sen. Ripley  
00:28:57 Lance Melton  
00:29:25 Sen. Branae  
00:29:46 Ann Gilkey  
00:30:20 Sen. Branae  
00:30:35 Ann Gilkey  
00:30:44 Sen. Zinke  
00:31:19 Dave Puyear  
00:32:39 Sen. Zinke  
00:33:59 Dave Puyear  
00:35:24 Sen. Stewart-Peregoy  
00:35:59 Allan Sipes  
00:36:28 Sen. Stewart-Peregoy

00:36:48 Allan Sipes  
00:37:40 Sen. McGee  
00:38:03 Allan Sipes  
00:38:26 Sen. McGee  
00:38:57 Ann Gilkey  
00:39:04 Sen. Hawks entered the hearing.  
00:40:12 Sen. Brown  
00:40:44 Allan Sipes  
00:42:00 Sen. Brown  
00:42:16 Allan Sipes  
00:43:33 Sen. Brown  
00:43:51 Allan Sipes  
00:44:57 Sen. Brown  
00:45:13 Allan Sipes  
00:46:09 Chairman Laible  
00:46:30 Sen. Story  
00:46:35 Chairman Laible  
00:46:47 Sen. Story

**Closing by Sponsor:**

00:47:16 Sen. Story  
00:48:28 Sen. Hawks left the hearing.

**EXECUTIVE ACTION ON SB 216**

**00:51:30 Motion:** Sen. Ripley moved that **SB 216 BE AMENDED.**  
**EXHIBIT** (eds30a02)

**Discussion:**

00:52:00 Sen. Ripley  
00:53:09 **Vote:** **MOTION CARRIED** unanimously by voice vote with  
Sen. Hawks voting by proxy.  
00:53:31 **Motion:** Sen. Ripley moved that **SB 216 DO PASS AS**  
**AMENDED.**

**Discussion:**

00:53:42 Sen. Brown  
00:54:14 Sen. McGee  
00:54:53 Chairman Laible  
00:54:58 Sen. Ripley  
00:55:08 Sen. McGee  
00:55:19 Chairman Laible  
00:55:30 Madalyn Quinlan, Office of Public Instruction (OPI)

00:55:55 Sen. McGee  
00:56:17 Madalyn Quinlan  
00:56:51 Sen. McGee  
00:56:55 Chairman Laible  
00:57:07 Sen. McGee  
  
00:57:14 **Vote:** **MOTION CARRIED** unanimously by voice vote with  
Sen. Hawks voting by proxy.

**HEARING ON SB 302**

**Opening Statement by Sponsor:**

00:57:44 Sen. David Wanzenried (D), SD 49, opened the hearing on  
SB 302, Revise school funding law by increasing general  
fund budget amount.

**Proponents' Testimony:**

01:00:34 Lance Melton  
01:03:39 Madalyn Quinlan  
01:05:50 Tom Bilodeau, MEA-MFT  
01:07:25 Bruce Messinger, Helena Public Schools  
01:09:34 Darrell Rud  
01:10:19 Dave Puyear

**Opponents' Testimony:** None.

Additional Exhibit:

**[EXHIBIT \(eds30a03\)](#)**

**Informational Testimony:**

01:10:48 Jim Standaert, Legislative Fiscal Division

**Questions from Committee Members and Responses:**

01:11:11 Sen. McGee  
01:11:35 Madalyn Quinlan  
01:11:45 Sen. McGee  
01:12:12 Madalyn Quinlan  
01:12:35 Sen. McGee  
01:13:21 Madalyn Quinlan  
01:14:01 Sen. McGee  
01:14:37 Sen. Wanzenried  
01:15:48 Sen. McGee  
01:16:15 Bruce Messinger  
01:17:45 Sen. Zinke  
01:18:14 Lance Melton

01:18:28 Sen. Zinke  
01:18:48 Lance Melton  
01:20:00 Sen. Zinke  
01:20:13 Lance Melton  
01:20:33 Sen. Zinke  
01:21:05 Lance Melton  
01:21:49 Sen. Zinke  
01:22:42 Lance Melton  
01:23:31 Sen. Ripley  
01:23:44 Jim Standaert  
01:23:50 Chairman Laible  
01:23:54 Sen. Branae  
01:24:17 Lance Melton  
01:25:41 Sen. Ripley  
01:26:05 Lance Melton  
01:27:42 Sen. Ripley  
01:27:53 Lance Melton  
01:28:21 Chairman Laible  
01:29:05 Jim Standaert  
01:29:55 Chairman Laible  
01:30:00 Jim Standaert  
01:30:13 Chairman Laible  
01:30:42 Lance Melton  
01:32:03 Chairman Laible  
01:32:32 Lance Melton  
01:32:47 Chairman Laible  
01:32:49 Lance Melton

**Closing by Sponsor:**

01:33:07 Sen. Wanzenried

**EXECUTIVE ACTION ON SB 273**

**01:37:54 Motion/Vote:** Sen. McGee moved that **SB 273 DO PASS.**  
**MOTION CARRIED** 8-1 by voice vote with Sen. Stewart-  
Peregoy voting no and Sen. Hawks voting by proxy.

**ADJOURNMENT**

Adjournment: 5:06 P.M.

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Nadine Spencer, Secretary

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Additional Documents:

**EXHIBIT ([eds30aad.pdf](#))**