

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON EDUCATION

**Call to Order:** Chair Scott Reichner, on February 18, 2011 at 3:00 PM, in Room 137  
Capitol

#### ROLL CALL

**Members Present:**

Rep. Scott Reichner, Chair (R)  
Rep. Kris Hansen, Vice Chair (R)  
Rep. Edith (Edie) McClafferty, Vice Chair (D)  
Rep. Bryce Bennett (D)  
Rep. Mark Blasdel (R)  
Rep. Joanne G. Blyton (R)  
Rep. Christy Clark (R)  
Rep. Lila Walter Evans (R)  
Rep. Sue Malek (D)  
Rep. Jonathan McNiven (R)  
Rep. Jean Price (D)  
Rep. Daniel R. Salomon (R)  
Rep. Bob Wagner (R)  
Rep. Jeffery W. Welborn (R)

**Members Excused:** None

**Members Absent:** Rep. Ted Washburn (R)  
Rep. Franke Wilmer (D)

**Staff Present:** Marissa Stockton, Committee Secretary  
Dan Whyte, Legislative Services Division

**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 and Date Posted: HB 558, 2/15/2011; HB 582 2/16/2011

00:00:01 Chairman Reichner

**HEARING ON HB 558**

**Opening Statement by Sponsor:**

00:01:35 Rep. Jerry O'Neil (R), HD 3, opened the hearing on HB 558, Revise laws regarding students and firearms in school.

**EXHIBIT(edh40a01)**

00:06:03 Chairman Reichner

**Proponents' Testimony:**

00:06:12 Gary Marbut, Montana School Sports Association (MSSA)

**EXHIBIT(edh40a02)**

**EXHIBIT(edh40a03)**

00:11:40 Chairman Reichner

00:12:34 Tracy DeReu

00:15:49 Chairman Reichner

00:15:57 Demari DeReu

00:16:53 Rep. Blasdel left.

00:17:00 Rep. Clark left.

00:19:33 Chairman Reichner

00:19:36 Tim Ravndal, Lewis and Clark Conservative Tea Party (LCCTP)

00:21:01 Lloyd Phillips, Flint Network and the Outdoors Network

00:22:23 Chairman Reichner

00:22:29 Fred Hodgeboom

00:23:30 Rep. Welborn left.

00:25:27 Mark French

00:26:04 Chairman Reichner

**Opponents' Testimony:**

00:26:21 Debra Silk, Montana Rural Education Association (MREA)

00:31:17 Rep. Blasdel returned.

00:31:26 Chairman Reichner

00:31:34 Dennis Parman, Office of Public Instruction (OPI)

00:33:37 Rep. Clark returned.

00:33:43 Rep. Washburn arrived.

00:34:14 Chairman Reichner

00:34:17 Jack Copps, School Administrators of Montana (SAM)

00:37:28 Chairman Reichner

00:37:35 Clyde Dailey, Montana Credit Unions Network

00:38:10 Chairman Reichner

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:38:23 Rep. Wagner  
00:39:13 Dennis Parman, OPI  
00:39:34 Rep. Wagner  
00:39:54 Dennis Parman, OPI  
00:40:17 Rep. Wagner  
00:40:19 Dennis Parman, OPI  
00:40:30 Rep. Wagner  
00:40:38 Debra Silk, MREA  
00:40:54 Rep. Wagner  
00:41:19 Debra Silk, MREA  
00:41:59 Rep. Wagner  
00:42:03 Chairman Reichner  
00:42:09 Rep. Salomon  
00:42:16 Debra Silk, MREA  
00:42:23 Rep. Salomon  
00:42:31 Debra Silk, MREA  
00:42:55 Rep. Salomon  
00:43:06 Debra Silk, MREA  
00:44:16 Rep. Salomon  
00:44:38 Debra Silk, MREA  
00:44:58 Rep. Salomon  
00:45:25 Debra Silk, MREA  
00:46:09 Chairman Reichner  
00:46:13 Rep. Malek  
00:46:49 Debra Silk, MREA  
00:47:41 Rep. Malek  
00:48:28 Debra Silk, MREA  
00:49:05 Rep. Malek  
00:49:47 Debra Silk, MREA  
00:50:10 Chairman Reichner  
00:50:11 Rep. Hansen  
00:50:29 Gary Marbut, MSSA  
00:50:33 Rep. Hansen  
00:51:34 Gary Marbut, MSSA  
00:52:17 Rep. Hansen  
00:52:23 Rep. Evans  
00:52:58 Rep. Hansen left.  
00:53:07 Debra Silk, MREA  
00:53:19 Rep. Evans  
00:53:30 Debra Silk, MREA  
00:53:56 Rep. Evans  
00:54:07 Rep. Hansen returned.  
00:54:10 Debra Silk, MREA  
00:54:29 Rep. McClafferty left.  
00:54:39 Rep. Evans  
00:54:49 Debra Silk, MREA

00:54:54 Rep. Evans  
00:54:58 Debra Silk, MREA  
00:55:00 Rep. Evans  
00:55:07 Rep. McNiven  
00:55:42 Debra Silk, MREA  
00:56:17 Rep. McNiven  
00:56:31 Debra Silk, MREA  
00:56:43 Chairman Reichner  
00:56:46 Demari DeReu  
00:56:56 Chairman Reichner  
00:57:00 Demari DeReu  
00:57:12 Chairman Reichner  
00:57:14 Demari DeReu  
00:57:29 Rep. Wagner  
00:58:38 Debra Silk, MREA  
00:58:46 Rep. Wagner  
00:58:52 Chairman Reichner  
00:59:08 Rep. Wagner  
00:59:27 Debra Silk, MREA  
00:59:41 Chairman Reichner

**Closing by Sponsor:**

00:59:53 Rep. McNeil  
01:02:52 Chairman Reichner

**HEARING ON HB 582**

**Opening Statement by Sponsor:**

01:03:45 Rep. John Esp (R), HD 61, opened the hearing on HB 582, Allow deductions for other states college savings plans.  
01:05:21 Rep. Washburn left.  
01:05:31 Rep. Reichner left.  
01:05:32 Rep. Wagner left.  
01:05:34 Rep. Malek left.

**Proponents' Testimony:**

01:05:39 Rep. Hansen  
01:05:47 Dan Sullivan, NAIFA-Montana  
01:06:20 Rep. Reichner returned.  
01:08:00 Rep. Washburn returned.  
01:11:17 Chairman Reichner

**Opponents' Testimony:**

01:12:02 Jason Thielman, College Savings Bank  
01:12:23 Rep. Malek returned.  
01:16:24 Rep. McClafferty returned.  
01:17:40 Chairman Reichner  
01:17:52 Jason Thielman, College Savings Bank  
01:19:47 Rep. Evans left.  
01:21:50 Chairman Reichner

**Informational Testimony:**

01:22:04 Bryan Olsen, Department of Revenue (DOR)  
01:22:25 Chairman Reichner  
01:22:31 Bryan Olsen, DOR  
01:22:40 Bruce Marks, Board of Regents (BOR)  
01:22:57 Chairman Reichner

**Questions from Committee Members and Responses:**

01:23:06 Rep. Blyton  
01:23:41 Rep. Evans returned.  
01:23:48 Jason Thielman, College Savings Bank  
01:24:25 Chairman Reichner  
01:24:30 Rep. Washburn  
01:24:55 Bruce Marks, BOR  
01:25:34 Chairman Reichner

**Closing by Sponsor:**

01:25:42 Rep. Esp  
01:26:19 Chairman Reichner

**EXECUTIVE ACTION ON HB 558**

01:33:59 **Motion:** Rep. Hansen moved that **HB 558 DO PASS.**

**Discussion:**

01:34:07 Chairman Reichner  
01:34:08 Rep. Hansen  
01:35:14 Chairman Reichner  
01:35:19 Rep. Salomon  
01:36:53 Chairman Reichner  
01:39:40 Rep. Wagner  
01:40:24 Chairman Reichner  
01:40:31 Rep. Washburn  
01:41:11 Rep. Welborn

- 01:41:20 Chairman Reichner  
01:41:25 Rep. Evans
- 01:41:42 Chairman Reichner
- 01:41:55 **Vote:** Motion failed 3-13 by roll call vote with Rep. Blasdel, Rep. Evans and Rep. Wagner voting aye. Rep. Wilmer voted by proxy.
- 01:43:09 **Motion/Vote:** Rep. Hansen moved that **HB 558 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 582**

- 01:43:30 **Motion:** Rep. Hansen moved that **HB 582 DO PASS**.

**Discussion:**

- 01:43:46 Chairman Reichner  
01:44:22 Rep. McClafferty  
01:44:29 Chairman Reichner  
01:44:35 Rep. McClafferty  
01:44:40 Chairman Reichner  
01:44:58 Rep. Clark  
01:45:29 Chairman Reichner  
01:45:33 Rep. Malek
- 01:45:45 **Vote:** Motion carried 10-6 by roll call vote with Rep. Bennett, Rep. Malek, Rep. McClafferty, Rep. Price, Rep. Salomon and Rep. Wilmer voting no. Rep. Wilmer voted by proxy.
- 01:46:30 Chairman Reichner

**ADJOURNMENT**

Adjournment: 01:47:34

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Marissa Stockton, Secretary

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**Additional Exhibits:**

**[EXHIBIT\(edh40a04\)](#)**

Additional Documents:

**[EXHIBIT\(edh40aad.pdf\)](#)**