

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION

Call to Order: Chair Scott Reichner, on March 25, 2011 at 3:39 PM, in Room 137
Capitol

ROLL CALL

Members Present:

Rep. Scott Reichner, Chair (R)
Rep. Edith (Edie) McClafferty, Vice Chair (D)
Rep. Bryce Bennett (D)
Rep. Joanne G. Blyton (R)
Rep. Christy Clark (R)
Rep. Sue Malek (D)
Rep. Jean Price (D)
Rep. Daniel R. Salomon (R)
Rep. Bob Wagner (R)
Rep. Jeffery W. Welborn (R)
Rep. Franke Wilmer (D)

Members Excused: Rep. Kris Hansen, Vice Chair (R)

Members Absent: Rep. Lila Walter Evans (R)
Rep. Jonathan McNiven (R)
Rep. Ted Washburn (R)
Rep. Mark Blasdel (R)

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 & Date Posted: SB 385, 3/22/2011; HB 639, 3/24/2011
Executive Action on: SB141, SB 244, SB 315, SJ 8, SJ 11, SB 385

00:00:06 Chairman Reichner

HEARING ON HB 639

Opening Statement by Sponsor:

00:01:55 Rep. Wayne Stahl (R), HD 35, opened the hearing on HB 639, Generally revise K-12 laws -- core curriculum teacher payment.

[EXHIBIT\(edh67a01\)](#)

00:01:57 Rep. Welborn arrived.

00:09:55 Rep. McNiven arrived.

00:12:48 Chairman Reichner

Proponents' Testimony:

00:13:04 Renae Rasmussen

00:14:14 Rep. McNiven left.

00:14:44 Chairman Reichner

00:14:54 Gordon Hahn, Saco Public Schools

00:17:05 Chairman Reichner

Opponents' Testimony:

00:17:15 Madalyn Quinlan, Office of Public Instruction (OPI)

00:21:47 Chairman Reichner

00:22:00 Darrell Rud, School Administrators of Montana (SAM)

00:25:03 Chairman Reichner

00:25:09 Bob Vogel, Montana School Board Association (MTSBA)

00:26:40 Rep. Malek left.

00:28:07 Chairman Reichner

00:28:13 Diane Fadmo, Montana Education Association-Montana Federation of Teachers (MEA-MFT)

00:28:58 Rep. McNiven returned.

00:31:11 Chairman Reichner

Informational Testimony:

Questions from Committee Members and Responses:

00:31:24 Rep. Clark

00:31:52 Bob Vogel, MTSBA

00:32:41 Chairman Reichner

00:32:47 Rep. Price

00:33:15 Bob Vogel, MTSBA

00:34:08 Rep. Price

00:34:15 Chairman Reichner

00:34:22 Rep. Wagner

00:35:00 Madalyn Quinlan, OPI

00:35:26 Rep. Wagner

00:35:46 Madalyn Quinlan, OPI
00:36:26 Rep. Wagner
00:36:51 Madalyn Quinlan, OPI
00:37:17 Rep. Wagner
00:37:26 Madalyn Quinlan, OPI
00:37:32 Rep. Wagner
00:38:25 Madalyn Quinlan, OPI
00:39:32 Rep. Wagner
00:39:50 Madalyn Quinlan, OPI
00:40:15 Rep. Wagner
00:40:19 Chairman Reichner
00:40:30 Rep. Wilmer
00:41:04 Rep. Stahl
00:42:48 Rep. Wilmer
00:42:54 Chairman Reichner
00:43:07 Rep. Wilmer
00:44:01 Rep. Stahl
00:44:42 Rep. Blasdel arrived.
00:44:59 Chairman Reichner
00:45:00 Rep. Salomon
00:45:21 Rep. Stahl
00:45:25 Rep. Malek left.
00:45:27 Rep. Blasdel left.
00:45:30 Rep. Salomon
00:45:45 Rep. Stahl
00:46:23 Rep. Salomon
00:46:57 Rep. Blasdel returned
00:47:03 Rep. Stahl
00:47:20 Rep. Salomon
00:47:29 Rep. Stahl
00:47:36 Rep. Blasdel left.
00:49:07 Rep. Salomon
00:49:24 Rep. Stahl
00:50:02 Rep. Salomon
00:50:37 Rep. Stahl
00:50:48 Rep. Blasdel returned.
00:51:08 Rep. Salomon
00:51:30 Rep. Stahl
00:52:05 Chairman Reichner
00:54:16 Rep. Stahl
00:54:57 Chairman Reichner
00:55:08 Rep. Stahl
00:55:10 Chairman Reichner
00:55:31 Rep. Stahl
00:56:21 Chairman Reichner
00:56:30 Rep. Washburn
00:56:40 Rep. Stahl
00:56:45 Rep. Washburn
00:56:48 Rep. Stahl
00:57:05 Rep. Washburn
00:57:24 Rep. Stahl
00:57:30 Rep. Washburn

00:57:36 Rep. Stahl
00:58:19 Rep. Washburn
00:59:00 Chairman Reichner
00:59:03 Rep. McClafferty
00:59:24 Rep. Stahl
00:59:44 Rep. McClafferty
00:59:50 Rep. Stahl
00:59:56 Chairman Reichner
01:00:01 Rep. Wilmer
01:00:55 Rep. Stahl
01:02:10 Rep. Blasdel left.
01:02:52 Rep. Wilmer
01:03:50 Rep. Stahl
01:03:56 Rep. Wagner
01:05:21 Rep. Stahl
01:06:58 Rep. Wagner
01:07:01 Chairman Reichner

Closing by Sponsor:

01:07:07 Rep. Stahl
01:09:22 Chairman Reichner

HEARING ON SB 385

Opening Statement by Sponsor:

01:10:02 Sen. Mary Caferro (D), SD 40, opened the hearing on SB 385, Provide for parents as scholars program.
01:11:34 Chairman Reichner

Proponents' Testimony:

01:11:51 Jan Cahill, MTSBA
01:12:05 Rep. McClafferty left.
01:12:49 Rep. Blasdel arrived.

Opponents' Testimony:

Informational Testimony:

01:13:06 Linda Snedigar, Department of Health and Human Services (DPHHS)

Questions from Committee Members and Responses:

01:13:39 Chairman
01:13:50 Rep. Clark
01:14:02 Sen. Caferro
01:14:10 Rep. Clark

01:14:16 Sen. Caferro
01:14:23 Rep. Wilmer left.
01:15:29 Rep. Clark
01:15:39 Sen. Caferro
01:16:29 Chairman Reichner

Closing by Sponsor:

01:16:36 Sen. Caferro
01:17:02 Chairman Reichner
01:20:41 15 Minute Break
01:40:51 Meeting resumed with all members present except for Rep. Blasdel, Rep. Malek
Rep. Hansen, and Rep. Evans.

EXECUTIVE ACTION ON SJ 11

01:43:02 Chairman Reichner
01:43:03 **Motion:** Rep. Salomon moved that **SJ 11 BE CONCURRED IN.**

Discussion:

01:43:15 Chairman Reichner
01:43:56 Rep. Wilmer
01:44:02 Rep. Blasdel returned.
01:44:48 Chairman Reichner
01:46:05 **Vote:** Motion carried 11-5 by roll call vote with Rep. Bennett, Rep. Malek, Rep. McClafferty, Rep. Price and Rep. Wilmer voting no. Rep. Evans, Rep. Hansen and Rep. Malek voted by proxy. Rep. Milburn will carry the bill.
01:46:45 Chairman Reichner

EXECUTIVE ACTION ON SJ 8

01:46:48 **Motion:** Rep. Salomon moved that **SJ 8 BE CONCURRED IN.**

Discussion:

01:46:57 Chairman Reichner
01:47:05 Rep. Bennett
01:47:08 Chairman Reichner
01:47:12 Rep. Wilmer
01:48:03 Chairman Reichner

- 01:48:05 **Vote:** Motion failed 7-9 by roll call vote with Rep. Bennett, Rep. Malek, Rep. McClafferty, Rep. Price, Rep. Salomon, Rep. Wagner and Rep. Wilmer voting aye. Rep. Hansen, Rep. Evans, and Rep. Malek voted by proxy.
- 01:49:25 **Motion/Vote:** Rep. Salomon moved that **SJ 8 BE TABLED AND THE VOTE REVERSED**. Motion carried by voice vote. Rep. Price, Bennett, Wilmer and McClafferty objected.
- 01:49:42 Rep. Bennett
01:49:53 Chairman Reichner
01:49:55 Rep. Wilmer
01:50:19 Dan Whyte, Legislative Services Division (LSD)
01:50:32 Rep. Bennett
01:50:36 Rep. Wilmer

EXECUTIVE ACTION ON SB 385

- 01:51:03 **Motion:** Rep. Salomon moved that **SB 385 BE CONCURRED IN**.

Discussion:

- 01:51:16 Rep. Clark
01:51:48 Chairman Reichner
- 01:51:54 **Vote:** Motion carried unanimously by roll call vote. Rep. Evans, Rep. Hansen and Rep. Malek voted by proxy. Rep. Clark will carry the bill.
- 01:52:58 Rep. Wagner
01:53:02 Chairman Reichner

EXECUTIVE ACTION ON SB 244

- 01:53:10 **Motion/Vote:** Rep. Salomon moved that **SB 244 BE CONCURRED IN**. Motion failed unanimously by roll call vote. Rep. Evans, Rep. Malek and Rep. Hansen voted by proxy.
- 01:53:22 Chairman Reichner
- 01:54:31 **Motion/Vote:** Rep. Salomon moved that **SB 244 BE TABLED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 141

- 01:54:45 Chairman Reichner
- 01:54:58 **Motion:** Rep. Salomon moved that **SB 141 BE CONCURRED IN**.

Discussion:

01:55:06 Chairman Reichner

01:55:14 **Motion:** Rep. Salomon moved that **SB 141 BE AMENDED.**
EXHIBIT(edh67a02)

Discussion:

01:55:29 Chairman Reichner

01:55:52 Rep. Salomon

01:55:59 Dan Whyte, LSD

01:56:36 Chairman Reichner

01:56:38 Rep. McClafferty

01:56:47 Rep. Salomon

01:57:01 Chairman Reichner

01:57:02 Rep. Salomon

01:57:47 Chairman Reichner

01:58:54 **Vote:** Motion carried 9-7 by roll call vote with Rep. Bennett, Rep. Clark, Rep. Evans, Rep. Hansen, Rep. Malek, Rep. McClafferty and Rep. Welborn voting no. Rep. Evans, Rep. Hansen and Rep. Malek voted by proxy.

01:58:56 **Motion:** Rep. Salomon moved that **SB 141 BE CONCURRED IN AS AMENDED.**

Discussion:

01:59:03 Rep. Wagner

01:59:10 Chairman Reichner

01:59:27 Rep. Washburn

01:59:56 Chairman Reichner

01:59:58 Rep. McClafferty

02:00:59 Chairman Reichner

02:01:01 Rep. Price

02:01:33 Chairman Reichner

02:01:36 Rep. McNiven

02:02:58 Rep. Wilmer

02:04:13 Chairman Reichner

02:04:18 Rep. Bennett

02:04:58 Rep. Clark

02:06:10 Chairman Reichner

02:06:15 Rep. Blyton

02:06:19 Chairman Reichner

02:06:21 Rep. Blyton

02:06:57 Chairman Reichner

02:07:12 **Vote:** Motion failed 6-10 by roll call vote with Rep. Bennett, Rep. Evans, Rep. Malek, Rep. McClafferty, Rep. Price and Rep. Wilmer voting aye. Rep. Evans, Rep. Hansen and Rep. Malek voted by proxy.

02:07:59 **Motion/Vote:** Rep. Salomon moved that **SB 141 BE TABLED**. Motion carried 9-4 by voice vote with Rep. Bennett, Rep. McClafferty, Rep. Price and Rep. Wilmer voting no. Rep. Evans, Rep. Hansen, and Rep. Malek were absent and did not vote.

EXECUTIVE ACTION ON SB 315

02:08:18 Chairman Reichner

02:08:39 **Motion:** Rep. Salomon moved that **SB 315 BE CONCURRED IN**.

Discussion:

02:09:18 Rep. Wagner

02:09:38 Chairman Reichner

02:09:45 Rep. Salomon

02:11:44 Chairman Reichner

02:11:51 Rep. Price

02:13:20 Chairman Reichner

02:13:31 Rep. Blyton

02:13:46 Chairman Reichner

02:14:07 Rep. Wilmer

02:15:07 Chairman Reichner

02:15:10 Rep. Bennett

02:15:47 Chairman Reichner

02:18:16 Rep. Price

02:18:50 Chairman Reichner

02:20:33 Rep. Washburn

02:21:19 Chairman Reichner

02:21:22 Rep. Wagner

02:24:20 **Vote:** Motion failed 8-8 by roll call vote with Rep. Blasdel, Rep. Clark, Rep. Evans, Rep. Hansen, Rep. McNiven, Rep. Reichner, Rep. Salomon and Rep. Wagner voting aye. Rep. Evans, Rep. Hansen and Rep. Malek voted by proxy. Rep. Salomon will carry the bill.

02:25:15 Chairman Reichner

02:26:18 **Motion/Vote:** Rep. Wilmer moved that **SB 315 BE TABLED**. Motion failed 7-9 by roll call vote with Rep. Bennett, Rep. Blyton, Rep. Malek, Rep. McClafferty, Rep. Price, Rep. Washburn and Rep. Wilmer voting aye. Rep. Evans, Rep. Hansen, Rep. Malek and Rep. Price voted by proxy.

02:28:22 Chairman Reichner

02:29:10 Rep. Wilmer

02:29:14 Chairman Reichner

02:29:17 Rep. Wagner

02:29:20 Chairman Reichner

02:29:28 Rep. Wilmer

02:29:31 Chairman Reichner

02:29:38 Rep. Wilmer
02:30:06 Chairman Reichner
02:30:12 Rep. Wilmer
02:30:15 Dan Whyte, LSD
02:30:23 Rep. Wilmer

02:35:15 **Motion:** Rep. B. Bennett moved that **SB 315 BE TABLED.**

02:35:43 Chairman Reichner
02:36:01 Rep. Bennett withdrew his motion.
02:36:27 Rep. Wilmer
02:36:31 Chairman Reichner
02:38:58 Rep. Wilmer
02:39:02 Chair Whyte
02:39:11 Dan Whyte, LSD
02:40:04 Chairman Reichner
02:40:06 Rep. Wilmer
02:40:15 Dan Whyte, LSD
02:40:30 Rep. Wilmer
02:40:49 Dan Whyte, LSD
02:41:03 Chairman Reichner
02:41:40 Dan Whyte, LSD
02:42:09 Chairman Reichner
02:42:11 Dan Whyte, LSD

02:42:28 **Motion:** Rep. Wagner moved to **RECONSIDER THE MOTION** on **SB 315.**

02:42:47 Rep. Washburn
02:43:03 Rep. Bennett
02:43:19 Chairman Reichner
02:43:21 Rep. Bennett
02:43:26 Chairman Reichner

02:43:34 **Motion/Vote:** Rep. B. Bennett moved that **SB 315 BE TABLED.** Motion carried 14-2 by voice vote with Rep. Salomon and Rep. Wagner voting no. Rep. Evans, Rep. Hansen, Rep. Malek and Rep. Price voted by proxy.

02:44:04 Chairman Reichner

ADJOURNMENT

Adjournment: 02:44:23

Marissa Stockton, Secretary

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Additional Documents:

EXHIBIT([edh67aad.pdf](#))