

## MINUTES

### MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

**Call to Order:** Chair Ryan Zinke, on February 18, 2011 at 3:00 PM, in Room 303 Capitol

#### ROLL CALL

**Members Present:**

Sen. Ryan Zinke, Chair (R)  
Sen. Gary Branae (D)  
Sen. Taylor Brown (R)  
Sen. Jeff Essmann (R)  
Sen. Tom Facey (D)  
Sen. Bob Hawks (D)  
Sen. Bob Lake (R)  
Sen. Frederick (Eric) Moore (R)  
Sen. Sharon Stewart-Peregoy (D)

**Members Excused:**

Sen. Rick Ripley, Vice Chair (R)

**Members Absent:** None

**Staff Present:** Casey Barrs, Legislative Branch  
Gilda Clancy, 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 329, 2/14/2011  
SB 355, 2/16/2011  
Executive Action: SB 244, SB 355, SB 315, HB 182, HB 204, HB 208

**HEARING ON SB 329**

**Opening Statement by Sponsor:**

00:00:53 Sen. Ryan Zinke (R), SD 2, opened the hearing on SB 329, Generally revise K-12 laws.

**Proponents' Testimony:**

00:04:45 Lance Melton, Montana School Boards Association (MTSBA)

[EXHIBIT\(eds40a01\)](#)

00:07:53 Gary Lusin, Trustee, Bozeman School District

[EXHIBIT\(eds40a02\)](#)

00:15:09 Dave Puyear, Montana Rural Education Association (MREA)

00:16:23 Mark Lambrecht, Montana Quality Education Association (MQEA)

00:17:47 Dan Villa, Education Advisor, Office of the Governor

[EXHIBIT\(eds40a03\)](#)

[EXHIBIT\(eds40a04\)](#)

[EXHIBIT\(eds40a05\)](#)

**Opponents' Testimony:** None

**Informational Testimony:**

00:27:24 Joan Anderson, representing Superintendent Denise Juneau, Office of Public Instruction (OPI)

[EXHIBIT\(eds40a06\)](#)

**Questions from Committee Members and Responses:**

00:38:13 Sen. Hawks

00:38:44 Sen. Zinke

00:41:50 Sen. Ripley entered the committee meeting.

00:46:25 Sen. Hawks

00:47:13 Sen. Zinke

00:49:29 Sen. Brown

00:50:02 Gary Lusin, Bozeman School District

00:52:10 Sen. Brown

00:52:40 Joan Anderson, OPI

00:54:24 Sen. Brown

00:54:48 Joan Anderson

00:55:45 Sen. Brown

00:56:07 Lance Melton, MTSBA

00:59:41 Sen. Hawks

01:00:14 Joan Anderson

**Closing by Sponsor:**

01:01:36 Sen. Zinke

**HEARING ON SB 355**

**Opening Statement by Sponsor:**

01:05:03 Sen. Bradley Hamlett (D), SD 10, opened the hearing on SB 355, Establish a Montana university assistance program for private donations.

**Proponents' Testimony:**

01:06:40 Sylvia Moore, Office of the Commission of Higher Education (OCHE)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:08:03 Sen Lake  
01:08:22 Sen. Hamlett  
01:08:47 Sen. Lake  
01:09:18 Sen. Hamlett  
01:09:25 Sen. Brown  
01:10:22 Sylvia Moore, OCHE  
01:11:18 Sen. Brown  
01:11:43 Sylvia Moore  
01:12:15 Sen. Brown  
01:12:34 Sylvia Moore  
01:12:52 Sen. Ripley  
01:13:08 Sylvia Moore

**Closing by Sponsor:**

01:13:32 Sen. Hamlett

**EXECUTIVE ACTION ON SB 244**

01:32:29 **Motion/Vote:** Sen. Lake moved that **SB 244 BE RECONSIDERED**. Motion carried unanimously by voice vote.

01:32:49 **Motion:** Sen. Lake moved that **SB 244 DO PASS**.

**Discussion:**

01:33:43 Sen. Facey

01:33:52 **Vote:** Motion carried 6-4 by roll call vote with Sen. Branae, Sen. Facey, Sen. Hawks and Sen. Stewart-Peregoy voting no.

**EXECUTIVE ACTION ON SB 355**

01:34:54 **Motion/Vote:** Sen. Facey moved that **SB 355 DO PASS**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 315**

01:35:17 **Motion:** Sen. Ripley moved that **SB 315 DO PASS**.

**Discussion:**

01:35:26 Sen. Brown  
01:35:36 Sen. Ripley  
01:35:46 Sen. Facey  
01:38:52 Sen. Hawks  
01:39:50 Sen. Branae  
01:40:43 Sen. Lake  
01:42:14 Sen. Ripley  
01:43:42 Sen. Brown  
01:44:33 Sen. Ripley  
01:45:08 Chairman Zinke

01:45:44 **Vote:** Motion carried 6-4 by roll call vote with Sen. Branae, Sen. Facey, Sen. Hawks and Sen. Stewart-Peregoy voting no.

**EXECUTIVE ACTION ON SB 182**

01:46:37 **Motion/Vote:** Sen. Ripley moved that **SB 182 DO PASS**. Motion carried unanimously by voice vote.

Please note: Chairman Zinke requested that this bill not be reported out of committee. There is a question of an amendment that may need to be discussed.

**EXECUTIVE ACTION ON HB 204**

01:47:30 **Motion/Vote:** Sen. Facey moved that **HB 204 DO CONCUR**. Motion carried unanimously by voice vote. Senator Rick Ripley will carry HB 204.

**EXECUTIVE ACTION ON HB 208**

01:48:16 **Motion:** Sen. Ripley moved that **HB 208 DO CONCUR**.

01:48:42 **Motion:** Sen. Facey moved that **HB 208 BE AMENDED**.  
**EXHIBIT(eds40a07)**

**Discussion:**

- 01:51:12 Sen. Brown  
01:51:25 Sen. Facey  
01:52:18 Chairman Zinke  
01:52:36 Sen. Brown  
01:52:54 Jan Rouse, Montana Youth Challenge (MYC)  
01:54:07 Sen. Brown  
01:54:45 Jan Rouse  
01:55:43 Sen. Brown  
01:57:09 Sen. Facey  
01:57:49 Sen. Stewart-Peregoy
- 02:00:17 **Vote:** Motion failed 5-5 by roll call vote with Sen. Branae, Sen. Facey, Sen. Hawks, Sen. Stewart-Peregoy and Sen. Zinke voting aye.
- 02:01:39 **Motion/Vote:** Sen. Ripley moved that **HB 208 DO CONCUR**. Motion carried 8-2 by roll call vote with Sen. Facey and Sen. Stewart-Peregoy voting no. Senator Ryan Zinke will carry HB 208.
- 02:02:43 Chairman Zinke regarding HB 182

**ADJOURNMENT**

Adjournment: 5:24 P.M.

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Gilda Clancy, Secretary

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Additional Documents:

**EXHIBIT([eds40aad.pdf](#))**