

## MINUTES

### MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

**Call to Order:** Chair Ryan Zinke, on March 7, 2011 at 3:00 PM, in Room 303 Capitol

#### ROLL CALL

##### **Members Present:**

Sen. Ryan Zinke, Chair (R)  
Sen. Rick Ripley, Vice Chair (R)  
Sen. Gary Branae (D)  
Sen. Taylor Brown (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. Jeff Essmann (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: HB 421, 3/2/2011

Executive Action: HB 357, HB 327, HB 288

Roll Call was taken, then the committee took a 10 minute recess.

**HEARING ON HB 421**

**Opening Statement by Sponsor:**

00:11:24 Rep. Sue Malek (D), HD 98, opened the hearing on HB 421, Expand provider types for adult basic education.

**Proponents' Testimony:**

00:13:45 Steve York, Assistant Superintendent, Educational Services, Office of Public Instruction (OPI)

[EXHIBIT\(eds51a01\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:20:13 Sen. Lake  
00:20:44 Steve York, OPI  
00:24:18 Sen. Lake  
00:24:36 Steve York  
00:26:04 Chairman Zinke  
00:26:20 Steve York  
00:28:07 Chairman Zinke  
00:28:10 Steve York  
00:28:37 Sen. Lake  
00:28:44 Steve York

**Closing by Sponsor:**

00:29:53 Rep. Malek

The committee took a 15 minute recess.

00:36:40 Chairman Zinke

**EXECUTIVE ACTION ON HB 356**

00:37:15 **Motion/Vote:** Sen. Ripley moved that **HB 356 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Essmann voted by proxy. Sen. Zinke will carry the bill.

**EXECUTIVE ACTION ON HB 327**

00:37:50 **Motion/Vote:** Sen. Facey moved that **HB 327 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Essmann voted by proxy. Sen. Hawks will carry the bill.

00:38:27 Chairman Zinke-It was decided there was an amendment to vote on and the committee should reverse the vote until the amendment arrives to be reviewed by the committee.

00:38:38 **Substitute Motion/Vote:** Sen. Facey made a substitute motion to **RECONSIDER THE ACTION ON HB 327**. Substitute Motion carried unanimously by voice vote. Sen. Essmann voted by proxy.

**EXECUTIVE ACTION ON HB 288**

00:39:33 **Motion:** Sen. Facey moved that **HB 288 BE CONCURRED IN**.

**Discussion:**

00:39:50 Sen. Lake  
 00:40:49 Sen. Hawks  
 00:41:35 Sen. Lake  
 00:42:14 Sen. Brown  
 00:42:30 Sen. Lake  
 00:43:44 Sen. Hawks  
 00:44:13 Sen. Lake  
 00:44:58 Sen. Facey  
 00:45:46 Sen. Lake  
 00:48:39 Sen. Facey  
 00:48:39 Sen. Ripley  
 00:49:42 Sen. Lake  
 00:50:00 Sen. Hawks  
 00:51:10 Sen. Stewart-Peregoy

00:53:15 **Vote:** Motion carried 6-4 by roll call vote with Sen. Essmann, Sen. Lake, Sen. Moore and Sen. Ripley voting no. Sen. Essmann voted by proxy. Sen. Facey will carry the bill.

**ADDITIONAL EXECUTIVE ACTION ON SB 327**

00:54:20 **Motion:** Sen. Hawks moved that **HB 327 BE CONCURRED IN**.

00:54:36 **Motion:** Sen. Hawks moved that **HB 327 BE AMENDED**.

**EXHIBIT(eds51a02)**

**Discussion:**

00:55:24 Casey Barrs, Legislative Services Division

00:56:59 Sen. Ripley

00:57:10 Casey Barrs

00:57:25 Sen. Hawks

00:58:06 **Vote:** Motion carried unanimously by voice vote. Sen. Essmann voted by proxy.

00:58:27 **Motion/Vote:** Sen. Hawks moved that **SB 327 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Essmann voted by proxy. Sen. Hawks will carry the bill.

**ADJOURNMENT**

Adjournment: 4:14 P.M.

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Gilda Clancy, Secretary

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Additional Documents:

**EXHIBIT([eds51aad.pdf](#))**