

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION

Call to Order: Chair Kris Hansen, on April 10, 2013 at 3:00 PM, in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Kris Hansen, Chair (R)
Rep. Joanne G. Blyton, Vice Chair (R)
Rep. Edith (Edie) McClafferty, Vice Chair (D)
Rep. Bryce Bennett (D)
Rep. Mark Blasdel (R)
Rep. Clarena Brockie (D)
Rep. Douglas Coffin (D)
Rep. Edward Greef (R)
Rep. David Halvorson (R)
Rep. Greg Hertz (R)
Rep. Sarah Laszloffy (R)
Rep. Jonathan McNiven (R)
Rep. Jean Price (D)
Rep. Daniel R. Salomon (R)
Rep. Casey Schreiner (D)
Rep. Nicholas Schwaderer (R)
Rep. Ted Washburn (R)
Rep. Franke Wilmer (D)

Members Excused: None

Members Absent: None

Staff Present: Laura Sankey, Legislative Branch
Marissa Stockton, 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 374, 4/6/2013
Executive Action: SB 374, SB 175, SB 342, HJ 22

00:17:55 Chair Hansen

EXECUTIVE ACTION ON SB 175

00:18:39 **Motion:** Rep. Blyton moved that **SB 175 BE CONCURRED IN.**

Discussion:

00:18:59 Rep. Schwaderer

00:19:14 Chair Hansen

00:20:09 **Motion:** Rep. Schwaderer moved that **SB 175 BE AMENDED.**

EXHIBIT(edh75a01)

Discussion:

00:20:47 Rep. Bennett

00:21:01 Rep. Schwaderer

00:21:24 **Vote:** Motion carried unanimously by roll call vote.

00:22:06 **Motion:** Rep. Blyton moved that **SB 175 BE CONCURRED IN AS AMENDED.**

00:23:13 **Motion:** Rep. Blasdel moved that **SB 175 BE AMENDED.**

EXHIBIT(edh75a02)

Discussion:

00:24:14 Rep. McNiven

00:25:22 Rep. Wilmer

00:25:35 Rep. Blasdel

00:25:36 Rep. Wilmer

00:25:49 Rep. Blasdel

00:26:28 Rep. Coffin

00:26:43 Rep. McNiven

00:27:23 Rep. Coffin

00:28:01 Rep. Halvorson

00:29:07 **Motion/Vote:** Rep. Blasdel moved that **SB 175 BE AMENDED.** Motion carried 10-8 by roll call vote with Rep. Bennett, Rep. Brockie, Rep. Coffin, Rep. McClafferty, Rep. McNiven, Rep. Price, Rep. Schreiner and Rep. Wilmer voting no.

00:30:03 **Motion:** Rep. Blyton moved that **SB 175 BE CONCURRED IN AS AMENDED.**

Discussion:

00:30:11 Chair Hansen

00:30:22 **Motion:** Rep. Salomon moved that **SB 175 BE AMENDED.**

EXHIBIT(edh75a03)

Discussion:

- 00:31:02 Rep. Schreiner
00:31:10 Rep. Bennett left the meeting.
00:31:15 Rep. Salomon
00:31:32 Rep. Schreiner
00:31:45 Rep. Salomon
- 00:32:12 **Vote:** Motion carried 12-6 by roll call vote with Rep. Bennett, Rep. Coffin, Rep. McClafferty, Rep. Price, Rep. Schreiner and Rep. Wilmer voting no. Rep. Bennett voted by proxy.
- 00:33:00 **Motion:** Rep. Blyton moved that **SB 175 BE CONCURRED IN AS AMENDED.**
- 00:33:32 **Motion/Vote:** Rep. Blyton moved that **SB 175 BE AMENDED.** Motion carried unanimously by roll call vote. Rep. Bennett voted by proxy. .

EXHIBIT(edh75a04)

- 00:34:58 **Motion:** Rep. Blyton moved that **SB 175 BE CONCURRED IN AS AMENDED.**

Discussion:

- 00:35:16 Rep. Coffin
- 00:35:33 **Motion:** Rep. Blyton moved that **SB 175 BE AMENDED.**

EXHIBIT(edh75a05)**Discussion:**

- 00:35:52 Laura Sankey, LSD
00:37:28 Rep. Schreiner
00:37:37 Rep. Blyton
00:38:38 Rep. Schreiner
00:39:00 Rep. Blyton
00:39:02 Chair Hansen
00:39:11 Rep. Schreiner
00:39:13 Chair Hansen
00:39:49 Rep. McClafferty
- 00:40:03 **Vote:** Motion carried 11-7 by roll call vote with Rep. Bennett, Rep. Coffin, Rep. McClafferty, Rep. Price, Rep. Salomon, Rep. Schreiner and Rep. Wilmer voting no. Rep. Bennett voted by proxy.
- 00:40:56 **Motion:** Rep. Blyton moved that **SB 175 BE CONCURRED IN AS AMENDED.**
- 00:41:04 **Motion:** Rep. Hansen moved that **SB 175 BE AMENDED.**

EXHIBIT(edh75a06)**Discussion:**

- 00:42:20 Rep. Wilmer
00:42:43 Chair Hansen
00:43:02 Jim Standaert, LFD
00:44:21 Rep. Wilmer

- 00:44:43 Jim Standaert, LFD
00:44:53 Chair Hansen
00:44:59 Jim Standaert, LFD
00:45:39 Rep. Wilmer
00:46:15 Rep. Schwaderer
00:47:22 Rep. Schreiner
00:47:34 Chair Hansen
00:48:25 Rep. Coffin
00:48:51 Jim Standaert, LFD
00:49:25 Rep. Coffin
00:49:36 Jim Standaert, LFD
00:50:12 Rep. Coffin
00:50:22 Jim Standaert, LFD
00:50:36 Rep. Coffin
00:51:16 Rep. Price
00:51:34 Chair Hansen
00:51:46 Rep. Price
00:51:51 Chair Hansen
00:52:01 Rep. Brockie
00:52:20 Chair Hansen
00:52:23 Rep. Brockie
00:52:34 Chair Hansen
00:52:37 Jim Standaert, LFD
- 00:53:27 **Vote:** Motion carried 11-7 by roll call vote with Rep. Bennett, Rep. Brockie, Rep. McClafferty, Rep. Price, Rep. Schreiner, Rep. Schwaderer and Rep. Wilmer voting no. Rep. Bennett voted by proxy.
- 00:53:32 **Motion:** Rep. Blyton moved that **SB 175 BE CONCURRED IN AS AMENDED.**
- 00:53:42 **Motion/Vote:** Rep. Hansen moved that **SB 175 BE AMENDED.** Motion carried 11-7 by roll call vote with Rep. Bennett, Rep. Brockie, Rep. Coffin, Rep. McClafferty, Rep. Price, Rep. Schreiner and Rep. Wilmer voting no. Rep. Bennett voted by proxy.

EXHIBIT(edh75a07)

- 00:56:11 **Motion:** Rep. Blyton moved that **SB 175 BE CONCURRED IN AS AMENDED.**
- 00:56:47 **Motion:** Rep. Hansen moved that **SB 175 BE AMENDED.**
- EXHIBIT(edh75a08)**

Discussion:

- 00:57:36 Rep. Schreiner
00:57:47 Chair Hansen
00:59:02 Rep. Schreiner
00:59:09 Chair Hansen
00:59:49 Rep. Schreiner

01:00:17 **Vote:** Motion carried 11-7 by roll call vote with Rep. Bennett, Rep. Brockie, Rep. Coffin, Rep. McClafferty, Rep. Price, Rep. Schreiner and Rep. Wilmer voting no. Rep. Bennett voted by proxy.

01:00:56 **Motion:** Rep. Blyton moved that **SB 175 BE CONCURRED IN AS AMENDED.**

01:01:06 Chair Hansen

01:01:10 Laura Sankey, LSD

01:02:00 **Motion:** Rep. Hansen moved that **SB 175 BE AMENDED.**

[EXHIBIT\(edh75a09\)](#)

Discussion:

01:02:10 Rep. Wilmer

01:02:31 Laura Sankey, LSD

01:02:42 Rep. Wilmer

01:02:54 Laura Sankey, LSD

01:03:04 Jim Standaert, LFD

01:03:07 Rep. Wilmer

01:03:20 Jim Standaert, LFD

01:04:40 **Vote:** Motion carried 18-0 by voice vote with Rep. Bennett voting by proxy.

01:04:50 **Motion:** Rep. Blyton moved that **SB 175 BE CONCURRED IN AS AMENDED.**

01:05:43 **Motion:** Rep. Hansen moved that **SB 175 BE AMENDED.**

[EXHIBIT\(edh75a10\)](#)

01:05:50 Rep. Bennett returned to the meeting.

01:05:58 **Motion:** Rep. Hansen moved to **SEGREGATE OUT SECTIONS 1,2,3,4,5,10 AND 11 FROM AMENDMENT SB017552.APM**

Discussion:

01:06:39 Rep. Schwaderer left the meeting.

01:06:50 Rep. Schreiner

01:07:04 Chair Hansen

01:07:26 Rep. Schreiner

01:07:33 Chair Hansen

01:07:40 **Vote:** Motion carried 12-6 by roll call vote with Rep. Bennett, Rep. Brockie, Rep. Coffin, Rep. Price, Rep. Schreiner and Rep. Wilmer voting no. Rep. Schwaderer voted by proxy.

01:09:04 **Motion:** Rep. Hansen moved **SB 175 BE AMENDED BY SB 017552.APM AS SEGREGATED.**

Discussion:

01:09:38 Rep. Laszloffy

01:09:45 Chair Hansen

01:10:31 **Vote:** Motion carried 15-3 by roll call vote with Rep. Bennett, Rep. Schreiner and Rep. Wilmer voting no. Rep. Schwaderer voted by proxy.

01:11:40 Chair Hansen

01:11:51 **Motion:** Rep. Blyton moved that **SB 175 BE CONCURRED IN AS AMENDED.**

Discussion:

01:12:04 Rep. McNiven
 01:14:01 Rep. Schreiner
 01:15:00 Rep. Halvorson
 01:15:14 Chair Hansen
 01:15:48 Rep. Schwaderer
 01:18:21 Rep. Coffin
 01:20:29 Rep. McNiven
 01:21:47 Rep. Price

01:23:44 **Vote:** Motion carried unanimously by roll call vote. Rep. Salomon will carry the bill.

01:23:57 Meeting recessed.

01:34:05 Meeting resumed with Rep. Blasdel not returning.

HEARING ON SB 374

Opening Statement by Sponsor:

01:34:26 Sen. Dave Lewis (R), SD 42, opened the hearing on SB 374, Establish public charter schools.

EXHIBIT(edh75a11)

Proponents' Testimony:

01:43:31 Eric Feaver, Montana Education Association-Montana Federation of Teachers (MEA-MFT)
 01:47:21 Bob Vogel, Montana School Boards Association (MTSBA)
 01:48:49 Kirk Miller, School Administrators of Montana (SAM)
 01:50:14 Mark Lambrecht, Montana Quality Education Association (MQEA)

Opponents' Testimony:

01:50:38 Denise Juneau, Superintendent, Office of Public Instruction (OPI)
 01:52:38 Jim Smith, Montana Rural Education Association (MREA)
 01:54:34 Debra Lamm, Montana Family Foundation (MFF)

EXHIBIT(edh75a12)

EXHIBIT(edh75a13)

02:01:20 Rebecca Beard, Self
 02:03:57 Jean Ruppert, Self
 02:09:58 Doug Carpenter, Self
 02:12:56 Michelle Ryan, Self
 02:14:03 Jeff Laszloffy, MFF

Informational Testimony: None

Questions from Committee Members and Responses:

02:21:45 Rep. Washburn
02:22:33 Chair Hansen
02:22:59 Sen. Lewis
02:23:53 Rep. Washburn
02:24:06 Sen. Lewis
02:25:22 Chair Hansen
02:25:31 Sen. Lewis
02:25:37 Chair Hansen

Closing by Sponsor:

02:25:42 Sen. Lewis

02:29:30 Chair Hansen
02:29:45 Rep. McNiven left the meeting.

EXECUTIVE ACTION ON SB 374

02:35:15 **Motion/Vote:** Rep. Blyton moved that **SB 374 BE TABLED**. Motion carried unanimously by voice vote. Rep. Blasdel and Rep. McNiven voted by proxy.

02:35:45 Chair Hansen

EXECUTIVE ACTION ON HJ 22

02:35:49 **Motion:** Rep. Coffin moved that **HJ 22 DO PASS**.

Discussion:

02:39:01 Rep. Wilmer
02:40:11 Rep. Halvorson

02:41:14 **Vote:** Motion carried 17-1 by voice vote with Rep. McNiven voting no. Rep. Blasdel and Rep. McNiven voted by proxy.

EXECUTIVE ACTION ON SB 342

02:41:30 **Motion:** Rep. Brockie moved to **RECONSIDER THE COMMITTEES ACTION ON SB 342 TAKEN ON APRIL 3RD, 2013**.

Discussion:

02:42:20 Chair Hansen

02:45:24 **Vote:** Motion carried 15-3 by roll call vote with Rep. Greef, Rep. Laszloffy and Rep. McNiven voting no. Rep. Blasdel and Rep. McNiven voted by proxy.

02:45:26 Chair Hansen
02:45:30 Rep. Brockie
02:48:34 Rep. Schwaderer

02:48:39 Chair Hansen

02:48:44 **Motion/Vote:** Rep. Brockie moved a **CONCEPTUAL AMENDMENT TO STRIKE SECTION 2 FROM THE AMENDMENT ADOPTED ON APRIL 3RD 2013**. Motion carried 15-3 by roll call vote with Rep. Halvorson, Rep. Laszloffy and Rep. McNiven voting no. Rep. Blasdel and Rep. McNiven voted by proxy.

02:49:22 Chair Hansen

02:50:35 **Motion/Vote:** Rep. Brockie moved that **SB 342 BE CONCURRED IN AS AMENDED**. Motion carried 16-2 by voice vote with Rep. Laszloffy and Rep. McNiven voting no. Rep. Blasdel and Rep. McNiven voted by proxy. Rep. Brockie will carry the bill.

02:51:18 Chair Hansen

[EXHIBIT\(edh75a14\)](#)

ADJOURNMENT

Adjournment: 02:52:15

Marissa Stockton, Secretary

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Additional Documents:

EXHIBIT([edh75aad.pdf](#))