

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

Call to Order: Chair Jim Peterson, on January 28, 2013 at 3:00 PM, in Room 303
Capitol

ROLL CALL

Members Present:

Sen. Jim Peterson, Chair (R)
Sen. Llew Jones, Vice Chair (R)
Sen. Elsie Arntzen (R)
Sen. Taylor Brown (R)
Sen. Robyn Driscoll (D)
Sen. Tom Facey (D)
Sen. Dave Lewis (R)
Sen. Frederick (Eric) Moore (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Jonathan Windy Boy (D)

Members Excused: None

Members Absent: None

Staff Present: Padraic McCracken, Legislative Branch
Elizabeth Whiting, 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 81, 1/22/2013
Executive Action: SB 13; SB 78; SB 102 Bills Failed to Pass; Tabled and Vote Reversed

HEARING ON SB 81

Opening Statement by Sponsor:

00:24:47 Sen. Dave Lewis (R), SD 42, opened the hearing on SB 81, Provide tax credits for contributions to scholarship organizations.

Proponents' Testimony:

00:30:21 Michael Bindas, Institute for Justice

[EXHIBIT\(eds18a01\)](#)

00:35:42 Jeff Laszloffy, President, Montana Family Foundation

[EXHIBIT\(eds18a02\)](#)

00:41:19 Moe Wospeka, Director of Montana Catholic Conference

00:43:43 Kirk Pugsley, Principal, Capstone Christian Academy, Butte, Montana

00:49:11 Henry Kriegel, Americans for Prosperity

[EXHIBIT\(eds18a03\)](#)

00:51:57 Scott Seigel, self

00:54:36 Bailey McCarbel, self

00:59:12 Pat Wagman, Montana Family Foundation (MFF)

[EXHIBIT\(eds18a04\)](#)

[EXHIBIT\(eds18a05\)](#)

[EXHIBIT\(eds18a06\)](#)

01:07:38 Steve White, Montana Coalition of Home Educators (MCHE)

01:08:37 Chris Bumgarner, Director, Mission Valley Christian Academy (MVCA)

Opponents' Testimony:

01:12:04 Jim Molloy, Senior Policy Advisor, Office of the Governor of the State of Montana

01:13:19 Madalyn Quinlan, Chief of Staff, Office of Public Instruction (OPI)

01:17:47 Tara Veazey, Executive Director, Montana Budget and Policy Center (MBPC)

01:21:49 Mark Lambrecht, Montana Quality Education Coalition (MQEC)

01:25:10 Kirk Miller, School Administrators of Montana (SAM)

01:32:34 Darlene Schottle, Superintendent of Kalispell Public Schools

[EXHIBIT\(eds18a07\)](#)

01:35:49 Lance Melton, Montana School Board Association (MTSBA)

01:41:07 Marco Ferro, Montana Educators Association-Montana Federation of Teachers (MEA-MFT)

Informational Testimony:

01:45:13 Dan Dodds, Department of Revenue (DOR)

[EXHIBIT\(eds18a08\)](#)

Questions from Committee Members and Responses:

01:57:49 Sen. Jones
 01:58:52 Sen. Lewis
 01:59:34 Pat Wagman, MFF
 02:01:30 Sen. Jones
 02:06:49 Pat Wagman
 02:06:56 Sen. Arntzen
 02:08:02 Brian Olsen, Department of Revenue (DOR)
 02:08:31 Sen. Arntzen
 02:08:48 Brian Olsen, DOR
 02:09:26 Sen. Arntzen
 02:10:26 Sen. Facey
 02:10:38 Sen. Arntzen
 02:11:28 Chairman Peterson
 02:11:49 Sen. Facey
 02:12:18 Chairman Peterson
 02:12:39 Pat Wagman
 02:12:59 Chairman Peterson
 02:13:13 Sen. Moore
 02:13:46 Brian Olsen

Closing by Sponsor:

02:14:06 Sen. Lewis

EXECUTIVE ACTION ON SB 78

02:20:19 **Motion:** Sen. Lewis moved that **SB 78 DO PASS.**

Discussion:

02:20:30 Sen. Facey
 02:21:21 Sen. Jones

02:21:45 **Vote:** Motion failed 3-7 by roll call vote with Sen. Lewis, Sen. Moore and Sen. Windy Boy voting aye.

02:23:22 **Motion/Vote:** Sen. L. Jones moved that **SB 78 BE TABLED AND THE VOTE REVERSED.** Motion carried 8-2 by voice vote with Sen. Lewis and Sen. Moore voting no.

EXECUTIVE ACTION ON SB 102

02:23:29 **Motion:** Sen. Facey moved that **SB 102 DO PASS.**

Discussion:

02:23:50 Sen. Facey
 02:24:56 Sen. Jones

02:25:13 **Vote:** Motion failed 2-8 by roll call vote with Sen. Facey and Sen. Windy Boy voting aye.

02:26:24 **Motion/Vote:** Sen. Facey moved that **SB 102 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 13

02:26:44 **Motion:** Sen. Facey moved that **SB 13 DO PASS.**

02:27:03 **Motion:** Sen. T. Brown moved that **SB 13 BE AMENDED.**
[EXHIBIT\(eds18a09\)](#)

Discussion:

02:27:09 Sen. Brown
[EXHIBIT\(eds18a10\)](#)

02:31:29 Sen. Lewis
02:32:07 Sen. Brown
02:32:46 Sen. Jones
02:33:04 Sen. Facey
02:34:28 Sen. Arntzen
02:34:53 Pad McCracken, LSD
02:35:21 Sen. Facey
02:36:22 Sen. Stewart-Peregoy
02:39:00 Sen. Jones

02:39:14 **Vote:** Motion carried 8-2 by voice vote with Sen. Lewis and Sen. Windy Boy voting no.

02:39:26 **Motion:** Sen. Facey moved that **SB 13 DO PASS AS AMENDED.**

Discussion:

02:39:39 Sen. Windy Boy
02:42:48 Sen. Brown
02:43:44 Sen. Facey
02:44:18 Sen. Arntzen

02:44:32 **Vote:** Motion failed 4-6 by roll call vote with Sen. Brown, Sen. Driscoll, Sen. Facey and Sen. Peterson voting aye.

02:46:51 **Motion/Vote:** Sen. L. Jones moved that **SB 13 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 6:02 p.m.

Elizabeth Whiting, Secretary

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Additional Documents:

EXHIBIT([eds18aad.pdf](#))