

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

Call to Order: Chair Jim Peterson, on February 22, 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 340, 2/18/2013; SB 348, 2/18/2013; SB 356, 2/18/2013; SB 359, 2/18/2013; SR 9, 2/18/2013

Executive Action: SB 302 - Do Pass As Amended (amend. SB 030202.als)
(Amend. SB 030201.als passed on 2/20)
SB 42 - Be Tabled
SB 340 - Be Tabled
SB 359 - Be Tabled

HEARING ON SB 340

Opening Statement by Sponsor:

00:11:32 Sen. John Brenden (R), SD 18, opened the hearing on SB 340, Require a U.S. flag in every school classroom.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:13:12 Chairman Peterson

00:13:35 Sen. Brenden

Closing by Sponsor:

00:14:00 Sen. Brenden

HEARING ON SB 359

Opening Statement by Sponsor:

00:15:06 Sen. Jennifer Fielder (R), SD 7, opened the hearing on SB 359, Post bill of rights in public buildings.

[EXHIBIT\(eds40a01\)](#)

[EXHIBIT\(eds40a02\)](#)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:18:03 Sen. Brown

00:18:58 Sen. Fielder

00:19:36 Sen. Brown

00:19:41 Sen. Fielder

00:19:58 Sen. Facey

00:20:56 Sen. Fielder

Closing by Sponsor:

00:21:15 Sen. Fielder

HEARING ON SB 356

Opening Statement by Sponsor:

00:22:22 Sen. Elsie Arntzen (R), SD 27, opened the hearing on SB 356, Clarify in-district school assignment appeal process.

[EXHIBIT\(eds40a03\)](#)

[EXHIBIT\(eds40a04\)](#)

Proponents' Testimony:

00:25:59 Lance Melton, Montana School Boards Association (MTSBA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:29:54 Sen. Driscoll

00:30:15 Lance Melton, MTSBA

00:30:56 Sen. Driscoll

00:31:35 Sen. Stewart-Peregoy left the hearing.

00:31:56 Sen. Moore

00:32:25 Lance Melton

Closing by Sponsor:

00:33:31 Sen. Arntzen

HEARING ON SB 348

Opening Statement by Sponsor:

00:34:54 Sen. Fred Thomas (R), SD 45, opened the hearing on SB 348, Providing for an act for Montana school safety.

[EXHIBIT\(eds40a05\)](#)

Proponents' Testimony:

00:43:26 Lance Melton, Montana School Boards Association (MTSBA)

00:49:42 Dave Puyear, Montana Rural Education Association (MREA)

00:51:38 Marco Ferro, Montana Education Association-Montana Federation of Teachers (MEA-MFT)

00:52:52 Beth McLaughlin, Court Administrator's Office, Youth Court

00:53:54 Andrea Johnson, self

00:55:07 Denise Ulberg, Montana Association of School Business Officials (MASBO)

Opponents' Testimony:

00:55:50 Charles Walking Child, self

Informational Testimony: None

Questions from Committee Members and Responses:

00:58:29 Sen. Moore
00:59:34 Sen. Thomas
01:00:23 Sen. Windy Boy
01:00:49 Sen. Thomas
01:01:16 Lance Melton, MTSBA
01:02:07 Sen. Arntzen
01:02:51 Lance Melton
01:04:03 Sen. Stewart-Peregoy entered the hearing.
01:05:32 Sen. Brown
01:06:07 Lance Melton
01:07:28 Sen. Lewis
01:08:01 Lance Melton

Closing by Sponsor:

01:09:47 Sen. Thomas

HEARING ON SR 9

Opening Statement by Sponsor:

01:12:05 Sen. Jonathan Windy Boy (D), SD 16, opened the hearing on SR 9, Joint resolution to support "Idle No More" movement and indigenous rights.

Proponents' Testimony:

01:14:46 Dustin Monroe, Montana Native Voice (MNV)

[EXHIBIT\(eds40a06\)](#)

[EXHIBIT\(eds40a07\)](#)

[EXHIBIT\(eds40a08\)](#)

01:19:26 Rosalyn La Pier, self

[EXHIBIT\(eds40a09\)](#)

01:23:00 Kenneth Flamand, self

01:25:05 David Beck, self

[EXHIBIT\(eds40a10\)](#)

01:28:26 Derf Johnson, self

01:29:02 Charles Walking Child, self

01:32:08 April Charlo, self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:34:16 Sen. Windy Boy

Committee Business:

01:34:52 Chairman Peterson
01:35:31 Sen. Driscoll
01:35:52 Chairman Peterson

EXECUTIVE ACTION ON SB 302

01:37:42 **Motion:** Sen. Arntzen moved that **SB 302 DO PASS.**

01:38:23 **Motion:** Sen. Arntzen moved that **SB 302 BE AMENDED.**
EXHIBIT(eds40a11)

Discussion:

01:39:30 Sen. Arntzen
01:40:54 Pad McCracken, Legislative Services Division (LSD)
01:41:21 Sen. Arntzen
01:41:35 Chairman Peterson

01:42:29 **Vote:** Motion carried 10-0 by voice vote.

01:42:47 **Motion:** Sen. Arntzen moved that **SB 302 DO PASS AS AMENDED.**

Discussion:

01:43:00 Sen. Jones
01:43:26 Sen. Facey

01:43:34 **Vote:** Motion carried 10-0 by voice vote.

EXECUTIVE ACTION ON SB 340

01:44:20 **Motion:** Sen. Facey moved that **SB 340 DO PASS.**

Discussion:

01:44:29 Sen. Brown
01:44:59 Sen. Facey
01:46:14 Sen. Arntzen

01:47:20 Chairman Peterson
01:47:46 Sen. Facey
01:47:57 Sen. Arntzen

01:48:34 **Substitute Motion/Vote:** Sen. Stewart-Peregoy made a substitute motion that **SB 340 BE TABLED**. Substitute Motion carried 7-3 by voice vote with Sen. Arntzen, Sen. Lewis and Sen. Moore voting no.

EXECUTIVE ACTION ON SB 359

01:49:28 **Motion:** Sen. Facey moved that **SB 359 DO PASS**.

Discussion:

01:49:28 Sen. Driscoll
01:50:11 Sen. Brown

01:51:07 **Substitute Motion/Vote:** Sen. Facey made a substitute motion that **SB 359 BE TABLED**. Substitute Motion carried 9-1 by voice vote with Sen. Moore voting no.

EXECUTIVE ACTION ON SB 42

01:51:43 **Motion/Vote:** Sen. Driscoll moved that **SB 42 BE TABLED**. Motion carried 10-0 by voice vote.

ADJOURNMENT

Adjournment: 6:01 p.m.

Elizabeth Whiting, Secretary

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Additional Documents

Additional Documents:

EXHIBIT([eds40aad.pdf](#))