

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

Call to Order: Chair Jim Peterson, on April 15, 2013 at 5:50 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: HB 213, 4/12/2013

Executive Action: HB 39 - Be Concurred In As Amended
HB 213 - Be Tabled
HB 637 - Be Tabled

HEARING ON HB 213

Opening Statement by Sponsor:

02:58:34 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 213, Providing a tuition tax credit for nonpublic school education.

Proponents' Testimony:

03:04:09 Chris Flook, self
03:06:46 Justin McKerrow, self
03:10:16 Laura d'Esterre, Montana Catholic Conference
03:12:02 Ann Morren, self
03:14:14 Jim Morren, self
03:15:30 Pat Wagman, Montana Family Foundation (MFF)

[EXHIBIT\(eds79a01\)](#)

Opponents' Testimony:

03:25:25 Dennis Parman, Deputy Superintendent, Office of Public Instruction (OPI)
03:30:54 Marco Ferro, Montana Education Association-Montana Federation of Teachers (MEA-MFT)
03:32:43 Kirk Milller, School Administrators of Montana (SAM)
03:34:49 Jim Smith, Montana Rural Education Association (MREA)

Informational Testimony: None

Questions from Committee Members and Responses:

03:36:39 Sen. Arntzen
03:41:31 Pat Wagman, MFF
03:41:58 Sen. Windy Boy
03:42:52 Dennis Parman, OPI
03:43:43 Sen. Windy Boy
03:44:13 Chris Flook, self

Closing by Sponsor:

03:44:35 Rep. Fitzpatrick

EXECUTIVE ACTION ON HB 39

03:47:06 **Motion:** Sen. L. Jones moved that **HB 39 BE CONCURRED IN.**

03:48:29 **Motion:** Sen. Driscoll moved that **HB 39 BE AMENDED.**

[EXHIBIT\(eds79a02\)](#)

Discussion:

03:48:55 Pad McCracken, Legislative Services Division (LSD)

03:49:39 Sen. Arntzen
 03:50:31 Pad McCracken, LSD
 03:50:52 Sen. Jones

03:51:08 **Vote:** Motion carried 10-0 by voice vote.

Discussion:

03:51:32 Sen. Facey

03:52:03 **Motion/Vote:** Sen. L. Jones moved that **HB 39 BE CONCURRED IN AS AMENDED.** Motion carried 10-0 by voice vote. Sen. Facey will carry the bill.

EXECUTIVE ACTION ON HB 637

03:53:07 **Motion:** Sen. L. Jones moved that **HB 637 BE CONCURRED IN.**

Discussion:

03:53:18 Sen. Jones
 03:54:00 Sen. Facey
 03:54:17 Sen. Brown
 03:54:46 Sen. Arntzen

03:54:34 **Substitute Motion:** Sen. Facey made a substitute motion that **HB 637 BE TABLED.**

Discussion:

03:55:06 Sen. Arntzen

03:55:47 **Vote:** Motion failed 4-6 by roll call vote with Sen. Arntzen, Sen. Driscoll, Sen. Moore and Sen. Windy Boy voting aye.

03:56:58 **Motion/Vote:** Sen. Facey moved that **HB 637 BE TABLED AND THE VOTE REVERSED.** Motion carried 10-0 by voice vote.

03:57:11 **Motion:** Sen. L. Jones moved that **HB 213 BE CONCURRED IN.**

Discussion:

03:57:23 Sen. Jones
 03:58:32 Sen. Moore
 03:58:54 Sen. Brown
 03:59:36 Sen. Windy Boy
 04:00:31 Sen. Stewart-Peregoy
 04:01:43 Chairman Peterson

04:01:48 **Vote:** Motion failed 5-5 by roll call vote with Sen. Arntzen, Sen. Jones, Sen. Lewis, Sen. Moore and Sen. Windy Boy voting aye.

04:02:46 **Motion/Vote:** Sen. Facey moved that **HB 213 BE TABLED**. Motion carried 6-4 by voice vote with Sen. Arntzen, Sen. Lewis, Sen. Moore and Sen. Windy Boy voting no.

ADJOURNMENT

Adjournment: 6:54 pm

Elizabeth Whiting, Secretary

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Additional Documents:

EXHIBIT([eds79aad.pdf](#))