

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION

Call to Order: By Chairman Rick Jore, on February 23, 2007 at 4:19 P.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Rep. Rick Jore, Chairman (C)
Rep. Roger Koopman, Vice Chairman (R)
Rep. Holly Raser, Vice Chairman (D)
Rep. Norma Bixby (D)
Rep. Mark Blasdel (R)
Rep. Edward B. Butcher (R)
Rep. Douglas Cordier (D)
Rep. George Everett (R)
Rep. Wanda Grinde (D)
Rep. Robin Hamilton (D)
Rep. Bob Lake (R)
Rep. Michael Lange (R)
Rep. Jesse O'Hara (R)
Rep. Franke Wilmer (D)

Members Excused: None.

Members Absent:

Rep. John Ward (R)

Staff Present: Donci Bardash, Committee Secretary
Susan Fox, Legislative Branch

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 280, 2/21/2007; HB 732, 2/21/2007; HB 733, 2/21/2007; HB 761, 2/21/2007; HJ 39, 2/21/2007
Executive Action:	HB 280, HB 732, HB 733, HB 761, HJ 39, HB 465, HB 515, HB 573, HB 614, HB 615, HB 672, HB 702, HB 716, HB 744, HB 769, HB 164

HEARING ON HJ 39

Opening Statement by Sponsor:

00:02:14 Rep. Ron Erickson (D), HD 93, opened the hearing on
HJ 39, Study economic development.

Proponents' Testimony:

00:05:30 Walter Hill, self

EXHIBIT(edh41a01)

00:12:29 Cathy Conover, Montana University System

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:16:53 Rep. Wilmer

00:17:18 Mr. Hill

Closing by Sponsor:

00:18:00 Rep. Erickson

HEARING ON HB 280

Opening Statement by Sponsor:

00:20:10 Rep. Ray Hawk (R), HD 90, opened the hearing on
HB 280, Revise impact fee laws.

Proponents' Testimony:

00:22:55 John McGee, Florence-Carlton School District

00:24:46 Steve Hall, Florence-Carlton School District

00:27:59 Linda Stoll, Montana Association of Planners

Opponents' Testimony:

00:29:25 Dustin Stewart, Montana Building Industry Association

Informational Testimony: None.

Questions from Committee Members and Responses:

00:32:25 Rep. Grinde

00:33:22 Rep. Hawk

00:33:49 Rep. Grinde
00:33:57 Rep. Hawk
00:34:31 Rep. Butcher
00:35:41 Rep. Hawk
00:36:09 Rep. Jore
00:36:37 Mr. McGee
00:38:55 Rep. Jore
00:39:10 Mr. McGee
00:39:40 Rep. Grinde
00:40:18 Mr. McGee

Closing by Sponsor:

00:40:26 Rep. Hawk

HEARING ON HB 733

Opening Statement by Sponsor:

00:41:12 Rep. Veronica Small-Eastman (D), HD 42, opened the hearing on HB 733, Cervical cancer immunization information for certain students.

[EXHIBIT \(edh41a02\)](#)

Proponents' Testimony:

00:47:22 Bob Runkel, Office of Public Instruction (OPI)
00:49:05 Jani McCall, Billings Clinic
00:50:23 Casey Blumenthal, Montana Hospital Association
00:52:48 Steve Yeakel, Montana Council for Maternal and Child Health
00:53:58 Erik Feaver, MEA-MFT
00:54:55 Nanette Gilbertson, American Cancer Society

[EXHIBIT \(edh41a03\)](#)

Opponents' Testimony:

00:56:17 Becky Stockton, parent
[EXHIBIT \(edh41a04\)](#)
01:00:08 Marissa Stockton, Eagle Forum
[EXHIBIT \(edh41a05\)](#)
01:02:02 Alicia Norling, self
01:02:22 Geogia Lindgren, self
[EXHIBIT \(edh41a06\)](#)
01:03:23 Vicki Norling, parent
01:04:05 Jodie Lindgren, self
01:04:21 Larry Chambers, Focus on the Family
[EXHIBIT \(edh41a07\)](#)
01:04:52 Andrea Walker, self

Informational Testimony:

01:08:31 Cathleen McCarthy

[EXHIBIT](#)(edh41a08)

Questions from Committee Members and Responses:

01:08:51 Rep. O'Hara
01:09:25 Ms. McCarthy
01:09:52 Rep. Butcher
01:12:40 Ms. McCarthy
01:13:58 Rep. Butcher
01:16:56 Ms. Gilbertson
01:17:21 Rep. Raser
01:17:48 Ms. McCarthy
01:18:18 Mr. Runkel
01:19:01 Rep. Raser
01:19:55 Rep. Small-Eastman
01:20:35 Rep. Koopman
01:23:05 Mr. Runkel
01:23:22 Rep. Koopman
01:23:40 Mr. Runkel
01:24:23 Rep. Koopman
01:25:16 Rep. Small-Eastman
01:25:26 Rep. Koopman
01:28:05 Rep. Small-Eastman
01:28:57 Rep. Koopman
01:29:47 Rep. Small-Eastman

Closing by Sponsor:

01:30:30 Rep. Small-Eastman

HEARING ON HB 732

Opening Statement by Sponsor:

01:34:22 Rep. Veronica Small-Eastman (D), HD 42, opened the
hearing on HB 732, Teacher Housing Incentive Program.

[EXHIBIT](#)(edh41a09)

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony:

01:38:37 Ethan Starp, Montana Department of Commerce

Questions from Committee Members and Responses:

01:39:03 Rep. Butcher
01:39:51 Mr. Starp
01:40:15 Rep. Butcher
01:41:07 Mr. Starp
01:41:33 Rep. Lange
01:42:05 Rep. Small-Eastman
01:43:04 Rep. Lange
01:45:35 Rep. Small-Eastman
01:45:48 Mr. Starp

Closing by Sponsor:

01:46:37 Rep. Small-Eastman

01:48:12 Break
02:05:32 Reconvene

HEARING ON HB 761

Opening Statement by Sponsor:

02:05:47 Rep. Julie French (D), HD 36, opened the hearing on
HB 761, Creditable retirement service for deployed
teachers.

[EXHIBIT\(edh41a10\)](#)

Proponents' Testimony:

02:08:05 Mr. Feaver

Opponents' Testimony:

02:11:11 David Senn, Teacher's Retirement System

Informational Testimony: None.

Questions from Committee Members and Responses:

02:14:58 Rep. O'Hara
02:15:16 Mr. Feaver
02:16:27 Rep. Cordier
02:16:54 Mr. Feaver
02:17:19 Mr. Senn
02:17:55 Rep. Cordier
02:18:11 Mr. Senn
02:18:23 Rep. Butcher
02:19:04 Mr. Feaver

02:20:00 Rep. Wilmer
02:20:45 Mr. Senn
02:21:12 Rep. Everett
02:21:28 Mr. Senn
02:22:02 Rep. Raser
02:22:20 Mr. Senn
02:22:33 Rep. Lake
02:23:15 Mr. Senn
02:24:00 Rep. Lake
02:24:08 Mr. Senn
02:24:34 Rep. Lange
02:25:10 Mr. Senn
02:25:47 Rep. Lange
02:26:26 Mr. Senn
02:26:48 Rep. Butcher
02:27:09 Mr. Senn
02:27:41 Rep. Butcher
02:28:28 Mr. Senn
02:28:54 Rep. Wilmer
02:29:38 Mr. Feaver

Closing by Sponsor:

02:30:42 Rep. French

EXECUTIVE ACTION ON HB 761

02:31:33 **Motion:** Rep Raser moved that **HB 761 DO PASS.**

02:31:45 **Motion:** Rep. Raser moved that **HB 761 BE AMENDED.**

Discussion:

02:32:10 Rep. Wilmer
02:32:23 Rep. Lange
02:32:50 Rep. Lake

02:33:17 **Vote:** The motion failed 6-9 by roll call vote with
Reps. Raser, Cordier, Bixby, Grinde, Wilmer, and
Hamilton voting aye. Rep. Ward voted by proxy.

Discussion:

02:34:44 Rep. Lange
02:35:17 Rep. Butcher
02:36:05 Rep. Koopman
02:37:05 Rep. Wilmer
02:38:15 Rep. Lake
02:38:53 Rep. O'Hara

02:39:30 Rep. Butcher

02:40:14 Rep. Jore

02:40:28 **Vote:** The motion carried 8-7 by roll call vote with Reps. O'Hara, Blasdel, Koopman, Jore, Everett, Ward and Butcher voting no. Rep. Ward voted by proxy.

EXECUTIVE ACTION ON HB 732

02:42:01 **Motion:** Rep. Raser moved that **HB 732 DO PASS.**

Discussion:

02:42:11 Rep. Butcher

02:43:20 Rep. Lange

02:43:38 Ms. Fox

02:43:43 **Motion:** Rep. Lange moved a that **HB 732 BE AMENDED CONCEPTUALLY TO APPROPRIATE \$5,000 TO THE DEPARTMENT OF COMMERCE.**

Discussion:

02:44:01 Ms. Fox

02:44:11 Rep. Lange

02:44:42 Rep. Lake

02:45:31 Rep. Lange

02:46:50 Rep. Cordier

02:46:57 Rep. Raser

02:47:54 **Vote:** The motion carried 9-6 by roll call vote with Reps. Koopman, Blasdel, Ward, Everett, Butcher and Jore voting no. Rep. Ward voted by proxy.

02:48:40 **Motion:** Rep. Raser moved that **HB 732 DO PASS AS AMENDED.**

Discussion:

02:48:53 Rep. Raser

02:49:20 Rep. Lange

02:49:37 Ms. Fox

02:50:18 Rep. Lange

02:50:36 Rep. Wilmer

02:51:33 **Vote:** The motion carried 9-6 by roll call vote with Reps. Koopman, Blasdel, Ward, Everett, Butcher and Jore voting no. Rep. Ward voted by proxy.

EXECUTIVE ACTION ON HB 733

02:52:33 **Motion:** Rep. Raser moved that **HB 733 DO PASS.**

Discussion:

02:52:43 Rep. Lake

02:53:25 **Substitute Motion/ Vote:** Rep. Lake moved a substitute motion that **HB 733 BE TABLED.** The motion carried 9-6 by roll call vote with Reps. Raser, Wilmer, Cordier, Grinde, Hamilton and Bixby voting no. Rep. Ward voted by proxy.

EXECUTIVE ACTION ON HB 280

02:54:33 Rep. Lake moved **HB 280 DO PASS.**

Discussion:

02:54:44 Rep. Lake

02:55:08 **Motion/Vote:** Rep. Lake moved that **HB 280 BE TABLED.** The motion carried 14-1 by roll call vote with Rep. Grinde voting no. Rep. Ward voted by proxy.

EXECUTIVE ACTION ON HJ 39

02:56:14 **Motion:** Rep Raser moved that **HJ 39 DO PASS.**

02:56:39 **Motion:** Rep. Raser moved that **HJ 39 BE AMENDED.**
EXHIBIT(edh41a11)

Discussion:

02:57:08 Ms. Fox

02:57:33 **Vote:** The motion passed unanimously by voice vote.
Rep. Ward voted by proxy.

02:57:45 **Motion:** Rep. Raser moved that **HJ 39 DO PASS AS AMENDED.**

Discussion:

02:57:53 Rep. Lake

02:58:25 Rep. Wilmer

02:58:39 **Vote:** The motion carried 13-2 by roll call vote with Reps. Koopman and Jore voting no. Rep. Ward voted by proxy.

EXECUTIVE ACTION ON HB 744

02:59:43 **Motion:** Rep. Lake moved that **HB 744 DO PASS.**

03:01:56 **Motion:** Rep. Koopman moved that **HB 744 BE AMENDED.**

EXHIBIT(edh41a12)

EXHIBIT(edh41a13)

Discussion:

03:02:14 Ms. Fox

03:03:24 Rep. Koopman

03:04:51 Rep. Cordier

03:05:21 Rep. Koopman

03:05:49 Rep. Rice

03:07:28 Rep. Lake

03:07:48 Rep. Rice

03:07:57 Rep. Raser

03:08:20 Rep. Koopman

03:08:57 **Vote:** The motion carried by unanimous voice vote. Rep. Ward voted by proxy.

03:09:15 **Motion/Vote:** Rep. Lake moved that **HB 744 DO PASS AS AMENDED.** The motion carried by unanimous voice vote. Rep. Ward voted by proxy.

EXECUTIVE ACTION ON HB 769

03:10:15 **Motion:** Rep. Lake moved that **HB 769 DO PASS.**

Discussion:

03:10:37 Rep. Butcher

03:11:16 Rep. O'Hara

03:11:21 Rep. Butcher

EXHIBIT(edh41a14)

03:12:44 Rep. Koopman

03:13:46 **Motion:** Rep. Cordier moved that **HB 769 BE AMENDED.**

EXHIBIT(edh41a15)

Discussion:

03:14:34 Rep. Cordier
03:16:57 Rep. Lake
03:17:40 Rep. Butcher
03:19:56 Rep. Lange

03:20:16 **Vote:** The motion failed 1-14 by roll call vote with
Rep. Cordier voting aye. Rep. Ward voted by proxy.

Discussion:

03:21:05 Rep. Lange
03:21:49 Rep. Koopman
03:22:47 Rep. Grinde
03:23:21 Rep. Lake
03:23:59 Rep. Cordier
03:25:21 Rep. Butcher
03:26:39 Rep. Lange
03:27:10 Rep. Bixby

03:27:32 **Vote:** The motion carried 11-4 by roll call vote with
Reps. Koopman, Cordier, Bixby and Jore voting no.
Rep. Ward voted by proxy.

DISCUSSION ON FALSE TESTIMONY

03:29:04 Rep. Butcher
03:29:54 Rep. Jore
03:30:35 Rep. Butcher
03:30:43 Rep. Jore
03:31:03 Rep. Cordier
03:31:10 Rep. Jore

EXECUTIVE ACTION ON HB 465

03:31:49 **Motion:** Rep. Everett moved that **HB 465 DO PASS.**

Discussion:

03:31:58 Rep. Jore
03:34:16 Rep. Lake
03:35:10 Rep. Jore
03:36:29 Rep. Wilmer
03:37:10 Rep. Raser
03:38:15 Rep. Butcher
03:40:13 Rep. Koopman
03:41:56 Rep. Jore

03:42:58 Rep. Lange

03:44:18 Rep. Jore

03:44:30 **Vote:** The motion carried 8-7 by roll call vote with Reps. Raser, Wilmer, Cordier, O'Hara, Grinde, Hamilton and Bixby voting no. Rep. Ward voted by proxy.

EXECUTIVE ACTION ON HB 515

03:45:48 **Motion:** Rep. Lake moved that **HB 515 DO PASS.**

Discussion:

03:46:40 Ms. Fox

EXHIBIT(edh41a16)

03:47:31 **Motion/Vote:** Rep. Lake moved that **HB 515 BE AMENDED.** The motion carried unanimously by voice vote. Reps. Ward and O'Hara voted by proxy.

03:48:02 **Motion:** Rep. Lake moved that **HB 515 DO PASS AS AMENDED.**

Discussion:

03:48:13 Rep. Grinde

03:48:31 **Vote:** The motion carried 12-3 by voice vote with Reps. Everett, Koopman, Jore voting no. Reps. Ward and O'Hara voted by proxy.

EXECUTIVE ACTION ON HB 573

03:49:20 **Motion:** Rep. Wilmer moved that **HB 573 DO PASS.**

Discussion:

03:50:08 Ms. Fox

EXHIBIT(edh41a17)

03:51:34 Rep. Wilmer

03:51:55 Rep. Jore

03:52:05 Rep. Raser

03:52:30 Rep. Everett

03:52:38 Ms. Fox

03:53:12 Rep. Everett

03:53:22 **Motion/ Vote:** Rep. Lake moved that **HB 573 BE AMENDED.** The motion carried unanimously by voice vote. Reps. Ward and O'Hara voted by proxy.

03:53:44 **Motion:** Rep. Wilmer moved that **HB 573 DO PASS AS AMENDED.**

Discussion:

03:53:51 Rep. Lake

03:54:46 Rep. Grinde

03:55:03 **Vote:** The motion failed 7-8 by roll call vote with Reps. Raser, Wilmer, Cordier, Grinde, Lange, Hamilton, Bixby voting aye. Reps. Ward and O'Hara voted by proxy.

03:55:56 **Motion/ Vote:** Rep. Butcher moved that **THE VOTE BE REVERSED AND THE BILL TABLED.** The motion carried 13-2 by voice vote with Reps. Raser and Wilmer voting no. Reps. Ward and O'Hara voted by proxy.

EXECUTIVE ACTION ON HB 614

03:56:27 **Motion:** Rep. Butcher moved that **HB 614 DO PASS.**

Discussion:

03:56:40 Rep. Butcher

03:58:08 Rep. Hamilton

03:58:48 Rep. Raser

03:59:16 **Substitute Motion/Vote:** Rep. Grinde moved that **HB 614 BE TABLED.** The motion carried 8-7 by roll call vote with Reps. Koopman, Blasdel, Ward, Everett, Butcher, Lange and Jore voting no. Reps. Ward voted by proxy.

EXECUTIVE ACTION ON HB 615

04:00:48 **Motion:** Rep. Butcher moved that **HB 615 DO PASS.**

04:00:58 **Vote:** The motion failed 5-10 by roll call vote with Reps. Blasdel, Lake, Everett, Butcher and Jore voting aye. Rep. Ward voted by proxy.

04:03:14 **Motion/Vote:** Rep. Butcher moved that **THE VOTE BE REVERSED AND THE BILL TABLED.** The motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 672

04:03:40 **Motion:** Rep. Grinde moved that **HB 672 DO PASS.**

Discussion:

04:04:08 Rep. Lake

04:04:33 **Vote:** The motion carried 12-3 by voice vote with Reps. Everett, Jore, Koopman voting no. Rep. Ward voted by proxy.

EXECUTIVE ACTION ON HB 702

04:05:19 **Motion:** Rep. Everett moved that **HB 702 DO PASS.**

Discussion:

04:05:28 Rep. Jore

04:09:04 Rep. Butcher

04:11:28 Rep. O'Hara

04:11:51 Rep. Wilmer

04:13:00 Rep. Lange

04:15:18 Rep. Raser

04:16:32 Rep. Koopman

04:18:27 Rep. Jore

04:19:29 **Vote:** The motion carried 8-7 by roll call vote with Reps. Grinde, Raser, Wilmer, Cordier, O'Hara, Hamilton, Bixby voting no. Rep. Ward voted by proxy.

EXECUTIVE ACTION ON HB 716

04:21:12 Ms. Fox

04:21:49 Rep. Lake

04:21:53 **Motion:** Rep. Raser moved that **HB 716 DO PASS.**

04:22:03 **Substitute Motion:** Rep. Everett made a substitute motion that **HB 716 BE TABLED.**

Discussion:

04:22:13 Rep. O'Hara

04:23:00 Rep. Jore

04:23:43 Rep. O'Hara

04:23:52 Rep. Lake

04:25:40 **Vote:** The motion carried 10-5 by roll call vote with Reps. Raser, Lange, Grinde, Hamilton, and Bixby voting no. Rep. Ward voted by proxy.

EXECUTIVE ACTION ON HB 164

04:26:31 **Motion:** Rep. Koopman that **HB 164 BE RECONSIDERED.**

Discussion:

04:26:57 Rep. Koopman

04:28:00 **Vote:** The motion carried 8-6 by roll call vote with Reps. Raser, Wilmer, Cordier, Grinde, Hamilton, and Bixby voting no.

04:29:05 **Motion:** Rep. Koopman moved that **HB 164 DO PASS.**

Discussion:

04:29:28 Rep. Lange

04:36:14 **Motion:** Rep. Koopman moved that **HB 164 BE AMENDED.**
EXHIBIT (edh41a18)

Discussion:

04:36:30 Rep. Koopman

04:38:45 **Vote:** The motion carried 8-6 by voice vote with Reps. Cordier, Raser, Bixby, Hamilton, Wilmer, Grinde voting no. Reps. Grinde and Ward voted by proxy.

04:39:39 **Motion:** Rep. Koopman moved that **HB 164 DO PASS AS AMENDED.**

Discussion:

04:39:50 Rep. Lange

04:40:10 Rep. Koopman

04:40:50 Rep. Lange

04:41:34 Rep. Koopman

04:41:44 Rep. Butcher

04:44:59 Rep. Raser

04:46:49 Rep. Koopman

04:47:44 **Vote:** The motion carried 8-7 by roll call vote with Reps. Raser, Wilmer, Cordier, O'Hara, Grinde, Hamilton and Bixby voting no. Reps. Ward and Grinde voted by proxy.

Additional Exhibits:

This document relates to HB 465 and was distributed via the committee secretary after the conclusion of the hearing.

EXHIBIT(edh41a19)

This document relates to HB 465 and was distributed via the committee secretary after the conclusion of the hearing.

EXHIBIT(edh41a20)

This document relates to HB 465 and was distributed via the chairman after the conclusion of the hearing.

EXHIBIT(edh41a21)

ADJOURNMENT

04:48:47 Adjournment: 9:08 P.M.

REP. RICK JORE, Chairman

DONCI BARDASH, Secretary

RJ/db

Additional Exhibits:

EXHIBIT ([edh41aad.pdf](#))