

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
61st LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON EDUCATION**

**Call to Order:** Chairman Wanda Grinde, on February 13, 2009 at  
3:00 P.M., in Room 137 Capitol.

**ROLL CALL**

**Members Present:**

Rep. Wanda Grinde, Chairman (D)  
Rep. Mark Blasdel, Vice Chairman (R)  
Rep. Robin Hamilton, Vice Chairman (D)  
Rep. Russell Bean (R)  
Rep. Paul Beck (D)  
Rep. Joel Boniek (R)  
Rep. Frosty Boss Ribs (D)  
Rep. Dee Brown (R)  
Rep. Edward B. Butcher (R)  
Rep. John Fleming (D)  
Rep. Bob Lake (R)  
Rep. Sue Malek (D)  
Rep. Edith (Edie) McClafferty (D)  
Rep. Ted Washburn (R)  
Rep. Franke Wilmer (D)

**Members Excused:** None.

**Members Absent:** Rep. Bob Wagner (R)

**Staff Present:** Debbie Carlson, Committee Secretary  
Jeremy Gersovitz, 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 388, 2/2/2009; HB 432, 2/2/2009;  
HB 456, 2/2/2009

Executive Action: None

00:00:01 Chairman Grinde

**HEARING ON HB 388**

**Opening Statement by Sponsor:**

00:00:49 Rep. Kendall Van Dyk (D), HD 49, opened the hearing on HB 388, Impose oil and gas surtax for quality educator energy for education payment.

**[EXHIBIT \(edh34a01\)](#)**

**Proponents' Testimony:**

00:14:11 Jan Lombardi, Governor's Education Policy Advisor

00:16:36 Eric Stearn, Senior Counsel, Office of the Governor

00:23:20 Jim Elliot, Former State Senator, Trout Creek

**[EXHIBIT \(edh34a02\)](#)**

00:33:44 Eric Feaver, MEA/MFT

**[EXHIBIT \(edh34a03\)](#)**

**[EXHIBIT \(edh34a04\)](#)**

**[EXHIBIT \(edh34a05\)](#)**

00:51:50 Diane Anfenson, Physical Education Teacher, Kalispell, Montana

00:55:31 Angela McLean, Teacher, Anaconda, Montana

01:02:15 Madalyn Quinlan, Chief of Staff, Office of Public Instruction

01:04:07 Lee Baerlocher, Montana Department of Revenue

01:04:34 Tom Altmaier, Volunteer Advocate, Montana Retired Educators Association

**[EXHIBIT \(edh34a06\)](#)**

01:05:21 Ross Keogh, Absarokee, Montana

01:06:21 Bob Decker, The Policy Institute, Helena, Montana

01:07:58 Bruce Messinger, Superintendent of Schools, Helena, Montana

**Opponents' Testimony:**

01:10:29 Patrick Montalban, Northern Montana Petroleum Association

**[EXHIBIT \(edh34a07\)](#)**

01:24:28 Mary Whittinghill, Montana Taxpayers Association

**[EXHIBIT \(edh34a08\)](#)**

01:34:15 Dave Galt, Executive Director, Montana Petroleum Association

**[EXHIBIT \(edh34a09\)](#)**

01:37:15 Johnny Brumley, Encore Oil Company, Fort Worth, Texas

01:42:11 Dave Ballard, President, Ballard Petroleum Association, Billings, Montana

01:49:31 Tom Luttrell, Senior Vice President, Continental  
Resources Incorporated  
01:56:40 Eric Olsen, Petroleum Engineer, Butte, Montana  
01:58:26 John Bennion, Montana Chamber of Commerce  
01:59:25 Bruce Williams, Fidelity Exploration & Production  
Company

**EXHIBIT (edh34a10)**

02:01:00 Mel Drake, Citizen

**EXHIBIT (edh34a11)**

02:02:25 Daniel Watson, Rosebud County Commissioner  
02:03:30 Mark Rehbein, Richland County Commissioner  
02:04:10 Bob Gilbert, Richland County, Dawson County,  
Musselshell County  
02:05:13 Richard Dunbar, Phillips County Commissioner  
02:05:40 Gary Amestoy, Richland County Economic Development  
Corporation  
02:08:10 Roger Hagen, Hagen Family Mineral Trust

**Informational Testimony:**

02:09:33 Nancy Hall, Senior Budget Analyst, Office of Budget and  
Program Planning

**Questions from Committee Members and Responses:**

02:12:20 Rep. Butcher  
02:13:01 Rep. Van Dyk  
02:13:56 Rep. Butcher  
02:14:52 Mr. Montalban  
02:15:12 Rep. Butcher  
02:15:30 Mr. Montalban  
02:16:04 Rep. Blasdel  
02:17:03 Rep. Van Dyk  
02:18:20 Rep. Wilmer  
02:18:51 Mr. Decker  
02:19:57 Rep. Wilmer  
02:20:13 Mr. Decker  
02:21:38 Rep. Wilmer  
02:22:47 Mr. Decker  
02:23:31 Rep. Fleming  
02:24:01 Mr. Decker  
02:26:37 Rep. Washburn  
02:26:59 Mr. Stearn  
02:27:17 Rep. Washburn  
02:27:42 Mr. Stearn  
02:28:11 Rep. Washburn  
02:28:21 Mr. Stearn  
02:29:58 Rep. Washburn  
02:30:16 Mr. Stearn

02:30:35 Rep. Butcher  
02:31:16 Mr. Ballard  
02:32:01 Rep. Butcher  
02:32:12 Mr. Ballard  
02:33:39 Rep. Boniek  
02:34:24 Mr. Galt  
02:34:55 Rep. Malek  
02:35:26 Mr. Luttrell  
02:35:58 Rep. Malek  
02:36:17 Mr. Luttrell  
02:36:58 Rep. Malek  
02:37:06 Mr. Luttrell  
02:38:02 Rep. Butcher  
02:38:23 Mr. Galt

**Closing by Sponsor:**

02:39:28 Rep. Van Dyk  
02:40:03 Break  
02:57:39 Reconvene

**HEARING ON HB 432**

**Opening Statement by Sponsor:**

02:57:49 Rep. Robert Mehlhoff (D), HD 26, opened the hearing on HB 432, Authorize school trustee election by acclamation.

**Proponents' Testimony:**

03:00:28 Bob Vogel, Montana School Boards Association  
03:02:45 Linda Brannon, Montana Association of School Business Association  
03:04:24 Lisa Kimmett, Elections Deputy, Secretary of State  
03:05:01 Dave Puyear, Montana Rural Education Association  
03:05:11 Bob Runkel, Acting Deputy Superintendent, Office of Public Instruction

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

03:05:52 Rep. Mehlhoff

03:06:47 Chairman Grinde

**HEARING ON HB 456**

**Opening Statement by Sponsor:**

03:06:54 Rep. Jill Cohenour (D), HD 78, opened the hearing on  
HB 456, Require seat belts on new school buses.

**[EXHIBIT \(edh34a12\)](#)**

**Proponents' Testimony:**

03:11:46 Joe Cohenour, Highway Patrol Office, School Board  
Trustee

**[EXHIBIT \(edh34a13\)](#)**

03:18:09 Al Smith, Montana Trial Lawyers' Association

03:18:57 Bruce Messinger, Superintendent of Public Schools

**Opponents' Testimony:**

03:20:43 Larry Woodring, School Bus Driver, Townsend, Montana

03:21:55 Bob Gilbert, Montana School Bus Drivers Association

03:24:07 Dave Puyear, Montana Rural Education Association

03:28:19 Robert G. Brastrup, School Bus Driver, Townsend,  
Montana

**Informational Testimony:**

03:37:12 Bob Runkel, Acting Deputy Superintendent, Office of  
Public Instruction

**Questions from Committee Members and Responses:**

03:48:07 Rep. McClafferty

03:48:27 Rep. Cohenour

03:48:41 Rep. Butcher

03:49:24 Mr. Cohenour

03:50:32 Rep. Butcher

**Closing by Sponsor:**

03:51:10 Rep. Cohenour

**ADJOURNMENT**

03:55:38 Adjournment: 7:00 P.M.

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Debbie Carlson, Secretary

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Additional Documents:

**EXHIBIT ([edh34aad.pdf](#))**