

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

Call to Order: Chairman Rick Laible, on February 13, 2009 at 3:00 P.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Rick Laible, Chairman (R)
Sen. Rick Ripley, Vice Chairman (R)
Sen. Gary Branae (D)
Sen. Taylor Brown (R)
Sen. Bradley Hamlett (D)
Sen. Bob Hawks (D)
Sen. Dan McGee (R)
Sen. Sharon Stewart-Peregoy (D)

Members Excused: Sen. Ryan Zinke (R)

Members Absent: None.

Staff Present: Casey Barrs, Legislative Branch
Nadine Spencer, 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: SJ 23, 2/10/2009

Executive Action: SB 69; SB 70; SB 248; SB 266;
SB 312; SJ 23; SB 279

HEARING ON SJ 23

Opening Statement by Sponsor:

00:01:21 Sen. Lynda Moss (D), SD 26, opened the hearing on SJ 23, Resolution promoting Children in Nature.

Proponents' Testimony:

00:05:58 Chas Van Genderen, Montana Department of Fish Wildlife & Parks

EXHIBIT(eds34a01)

00:09:00 Lawrence R. McEvoy, Montana Audubon

00:10:57 Jeff Tiberi, Montana Association of Conservation Districts (MACD)

00:12:08 Joe Lamson, Department of Natural Resources and Conservation (DNRC)

00:13:32 Liz Burke, Environmental Educator

00:15:26 Carol McEvoy, Rim Country Land Institute

EXHIBIT(eds34a02)

00:21:13 Casey Perkins, Montana Audubon

00:22:30 Frances Graham, Montana Environmental Education Association (MEEA)

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:26:32 Sen. Brown

00:26:57 Carol McEvoy

00:28:05 Sen. Brown

00:28:11 Carol McEvoy

00:29:42 Sen. Ripley

00:30:11 Carol McEvoy

00:31:59 Sen. Ripley

00:32:09 Carol McEvoy

00:32:46 Sen. Brown

00:33:53 Sen. Moss

00:34:48 Sen. Brown

00:36:04 Sen. Moss

Closing by Sponsor:

00:37:43 Sen. Moss

EXECUTIVE ACTION ON SB 69

00:40:44 **Motion:** Sen. Branae moved that **SB 69 DO PASS.**

Discussion:

00:40:53 Sen. Branae
00:42:29 Sen. Hawks
00:44:02 Sen. Ripley
00:44:51 Sen. Brown
00:46:35 Sen. Hawks
00:48:56 Sen. Hamlett
00:49:32 Sen. Brown
00:50:52 Sen. Hawks
00:51:25 Chairman Laible

00:52:00 **Vote:** **MOTION FAILED** 4-5 by roll call vote with Sens. Branae, Hamlett, Hawks and Stewart-Peregoy voting aye and Sen. Zinke voting by proxy.

00:53:04 **Motion:** Sen. McGee moved that **SB 69 BE TABLED AND THE VOTE REVERSED. MOTION CARRIED WITHOUT OBJECTION.**

EXECUTIVE ACTION ON SB 70

00:54:32 **Motion:** Sen. Branae moved that **SB 70 DO PASS.**

00:54:38 **Motion:** Sen. Branae moved that **SB 70 BE AMENDED.**
EXHIBIT(eds34a03)

Discussion:

00:54:51 Sen. Branae
00:55:19 Sen. Brown
00:55:55 Sen. McGee
00:56:30 Sen. Ripley

00:57:09 **Vote:** **MOTION CARRIED** 6-3 with Sens. McGee, Zinke and Laible voting no and Sen. Zinke voting by proxy.

00:57:44 **Motion:** Sen. Branae moved that **SB 70 DO PASS AS AMENDED.**

Discussion:

00:59:21 Sen. McGee
01:03:39 Sen. Brown
01:04:41 Sen. Hawks
01:07:16 Sen. Stewart-Peregoy
01:09:44 Sen. Ripley
01:10:17 Chairman Laible
01:11:20 Sen. Brown
01:11:42 Sen. McGee
01:15:45 Sen. Hawks
01:17:06 Chairman Laible
01:17:24 Sen. Hamlett
01:17:51 Sen. Branae
01:19:07 Sen. Ripley
01:19:25 Sen. Branae
01:19:47 Sen. Ripley
01:19:53 Sen. Branae
01:19:57 Sen. Ripley
01:20:05 Sen. Branae
01:20:26 Sen. Branae
01:20:56 Sen. McGee
01:20:59 Chairman Laible
01:21:02 Sen. McGee
01:21:14 Chairman Laible
01:21:28 Sen. McGee

01:21:35 **Motion:** Sen. Branae **WITHDREW THE MOTION TO DO PASS SB 70 AS AMENDED.**

EXECUTIVE ACTION ON SB 248

01:22:32 **Motion:** Sen. Hawks moved that **SB 248 DO PASS.**

Discussion:

01:22:50 Sen. McGee
01:23:09 Chairman Laible
01:23:11 Sen. McGee
01:23:52 Chairman Laible
01:23:58 Casey Barrs
01:24:06 Sen. McGee
01:24:10 Sen. Hamlett
01:24:29 Sen. Ripley
01:24:42 Chairman Laible
01:24:44 Sen. Ripley
01:24:54 Sen. Brown
01:25:26 Sen. Hawks

01:25:33 Chairman Laible
01:25:52 Sen. McGee
01:26:50 Sen. Hawks

01:28:06 **Vote: MOTION CARRIED** 7-2 by roll call vote with Sens. McGee, and Laible voting no and Sen. Zinke voting by proxy.

EXECUTIVE ACTION ON SB 266

01:29:37 **Motion/Vote:** Sen. Ripley moved that **SB 266 BE TABLED. MOTION CARRIED** 7-2 by roll call vote with Sens. Branae and Hawks voting no and Sen. Zinke voting by proxy.

EXECUTIVE ACTION ON SB 312

01:31:16 **Motion:** Sen. McGee moved that **SB 312 DO PASS.**

Discussion:

01:31:56 Chairman Laible
01:32:04 Sen. McGee
01:32:12 Chairman Laible
01:32:18 Casey Barrs

01:33:39 **Substitute Motion/Vote:** Sen. McGee made a substitute motion that **SB 312 BE TABLED. SUBSTITUTE MOTION CARRIED** unanimously by roll call vote with Sen. Zinke voting by proxy.

DISCUSSION ON SB 302

01:35:28 Sen. McGee
01:35:55 Chairman Laible
01:35:57 Casey Barrs
01:36:05 Sen. McGee
01:36:26 Sen. Hawks
01:36:37 Chairman Laible

EXECUTIVE ACTION ON SJ 23

01:37:14 **Motion:** Sen. Hawks moved that **SJ 23 DO PASS.**

Discussion:

01:37:29 Sen. Brown
01:38:13 Sen. Ripley
01:38:59 Sen. McGee
01:39:55 Sen. Hawks

01:40:44 Sen. Brown
01:41:24 Sen. McGee
01:42:29 Chairman Laible
01:42:46 Sen. Stewart-Peregoy
01:44:16 Sen. Ripley
01:44:39 Sen. Brown
01:45:46 Sen. Hamlett
01:46:13 Chairman Laible
01:46:35 Sen. Ripley

01:46:46 **Vote:** **MOTION CARRIED** 6-3 by roll call vote with Sens. Ripley, McGee, and Laible voting no and Sen. Zinke voting by proxy.

EXECUTIVE ACTION ON SB 279

01:48:38 **Motion:** Sen. McGee moved **SB 279 DO PASS.**

Discussion:

01:49:20 Sen. McGee

01:50:13 **Motion:** Sen. Brown moved that **SB 279 BE AMENDED.**
EXHIBIT(eds34a04)

Discussion:

01:50:37 Sen. Brown
01:50:54 Sen. McGee
01:52:05 Sen. Ripley
01:52:28 Sen. McGee
01:52:39 Sen. Ripley
01:52:55 Chairman Laible
01:53:06 Sen. McGee
01:53:21 Chairman Laible

01:53:27 **Substitute Motion/Vote:** Sen. McGee moved **TO SEGREGATE 3ii from THE AMENDMENT.** **MOTION CARRIED** unanimously by voice vote with Sen. Zinke voting by proxy.

Discussion:

01:54:19 Sen. Brown
01:55:17 Sen. McGee
01:55:22 Sen. Brown
01:55:30 Chairman Laible
01:55:42 Sen. Brown
01:55:58 Sen. Ripley
01:56:09 Sen. Hamlett

01:56:24 Chairman Laible
01:56:57 Sen. McGee
01:57:27 Sen. Brown
01:57:31 Sen. McGee
01:57:45 Sen. McGee **WITHDREW HIS MOTION TO AMEND AND SEN. BROWN
AGREED TO WITHDRAW THE DO PASS MOTION.**

Minutes have been corrected to reflect changes to proxy votes that were miscast for Sen. Zinke. Corrected proxy forms and Standing Committee Reports are included to reflect the changed votes.

ADJOURNMENT

Adjournment: 5:00 P.M.

Nadine Spencer, Secretary

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Additional Documents:

EXHIBIT ([eds34aad.pdf](#))