

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

Call to Order: Chair Taylor Brown, on April 13, 2015 at 3:00 PM, in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Taylor Brown, Chair (R)
Sen. Mark Blasdel, Vice Chair (R)
Sen. Elsie Arntzen (R)
Sen. Jill Cohenour (D)
Sen. Tom Facey (D)
Sen. Kris Hansen (R) (arrived after roll call)
Sen. Mary Sheehy Moe (D)
Sen. Sharon Stewart-Peregoy (D)

Members Excused:

Sen. Llew Jones (R)
Sen. Bob Keenan (R)

Members Absent: None

Staff Present: Angie Koehler, Committee Secretary
Padraic McCracken, 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 423, 4/7/2015; HB 559, 4/7/2015; HB 596, 4/7/2015

Executive Action:

HB 610 - Be Tabled
HB 559 - Be Concurred In
HB 423 - Be Concurred In As Amended
HB 617 - Be Concurred In As Amended

EXECUTIVE ACTION ON HB 610

00:01:57 **Motion:** Sen. Cohenour moved that **HB 610 BE CONCURRED IN.**

Discussion:

00:02:02 Chairman Brown

00:02:14 Sen. Cohenour

00:02:20 Chairman Brown

00:02:44 Sen. Facey

00:03:13 Sen. Hansen entered the hearing

00:03:23 **Substitute Motion/Vote:** Sen. Facey made a substitute motion that **HB 610 BE TABLED.** Substitute motion carried 7-3 by roll call vote with Sen. T. Brown, Sen. Cohenour and Sen. Hansen voting no. Sen. L. Jones and Sen. Keenan voted by proxy.

EXECUTIVE ACTION ON HB 617

00:04:59 **Motion:** Sen. Blasdel moved that **HB 617 BE CONCURRED IN.**

Discussion:

00:05:05 Chairman Brown

00:05:17 Sen. Blasdel

00:06:06 Chairman Brown

00:06:37 Padraic McCracken, Legislative Services Division (LSD)

00:09:09 Chairman Brown

00:09:33 Sen. Facey

00:09:41 Chairman Brown

00:09:44 Sen. Facey

00:09:46 Chairman Brown

00:10:20 **Motion:** Sen. Hansen moved that **HB 617 BE AMENDED.**
EXHIBIT(eds74a01)

Discussion:

00:10:26 Chairman Brown

00:10:34 Sen. Hansen

00:10:57 Without objection Sen. Facey moved to **SEGREGATE SECTION 3 FROM AMENDMENT HB061701.APM.**

Discussion:

00:11:17 Chairman Brown

00:11:32 Mr. McCracken, LSD

00:11:36 Sen. Facey
 00:11:38 Chairman Brown
 00:11:42 Mr. McCracken
 00:11:49 Chairman Brown
 00:11:51 Mr. McCracken
 00:12:02 Chairman Brown
 00:12:06 Mr. McCracken
 00:12:17 Chairman Brown
 00:12:24 Sen. Hansen
 00:12:35 Chairman Brown
 00:12:45 Sen. Facey
 00:12:46 Chairman Brown
 00:12:54 Sen. Facey
 00:12:57 Chairman Brown
 00:13:13 Sen. Facey
 00:13:14 Chairman Brown

00:13:19 **Motion:** Sen. Facey moved that **HB 617 BE AMENDED WITH SECTION 3 OF AMENDMENT HB061701.APM.**

Discussion:

00:13:33 Chairman Brown
 00:13:51 Sen. Facey
 00:14:05 Sen. Moe
 00:14:13 Chairman Brown
 00:14:32 Mr. McCracken
 00:14:39 Chairman Brown
 00:14:42 Sen. Moe
 00:15:17 Chairman Brown
 00:15:57 Mr. McCracken

00:16:10 **Vote:** Motion carried unanimously by voice vote. Sen. Jones and Sen. Keenan voted by proxy.

Discussion:

00:16:36 Chairman Brown
 00:16:58 Mr. McCracken
 00:17:10 Sen. Hansen
 00:17:28 Mr. McCracken
 00:17:40 Sen. Hansen
 00:17:48 Mr. McCracken
 00:18:03 Sen. Hansen
 00:19:17 Mr. McCracken
 00:20:26 Chairman Brown
 00:20:41 Mr. McCracken
 00:20:43 Sen. Hansen
 00:21:20 Mr. McCracken
 00:21:30 Sen. Hansen

00:21:58 Mr. McCracken
 00:22:04 Chairman Brown
 00:22:32 Sen. Moe
 00:23:28 Chairman Brown
 00:23:36 Sen. Moe
 00:23:55 Chairman Brown
 00:24:33 Sen. Moe
 00:24:59 Chairman Brown
 00:25:15 Sen. Hansen
 00:25:20 Chairman Brown
 00:25:25 Sen. Blasdel
 00:27:07 Chairman Brown
 00:27:49 Sen. Hansen
 00:28:52 Sen. Cohenour

00:29:22 Sen. Keenan entered the hearing.

00:30:10 Chairman Brown
 00:30:33 Sen. Facey
 00:30:46 Chairman Brown

00:30:55 Without objection, Sen. Hansen withdrew the BE AMENDED motion.

00:31:00 Chairman Brown

HEARING ON HB 596

Opening Statement by Sponsor:

00:31:44 Rep. Austin Knudsen (R), HD 34, opened the hearing on HB 596, Establish public charter schools.

Proponents' Testimony:

00:38:19 Dan Nicklay, principal, Coeur d' Alene Charter Academy (CCA)
 00:49:02 Elaine Herman, Eagle Forum
 00:53:42 Jeff Laszloffy, Montana Family Foundation
 00:57:26 Scott Mendenhall, parent, Clancy
 01:05:00 Rep. Debra Lamm (R), HD 60
 01:05:51 Brent Mead, executive director, Montana Policy Institute
 01:06:39 Rep. G. Bruce Meyers (R), HD 32
 01:17:25 Sen. Windy Boy (D), SD 16

Opponents' Testimony:

01:20:07 Jim Molloy, senior advisor, Governor's Office
 01:23:59 Dennis Parman, deputy superintendent, Office of Public Instruction (OPI)

EXHIBIT(eds74a02)

01:32:27 Peter Donovan, executive director, Board of Public Education (BPE)

01:34:18 Jordan Straub, student, Helena
 01:37:04 Connie Gates, retired teacher and school administrator, Helena
 01:41:15 Kaide Dodson, self; former charter school administrator

EXHIBIT(eds74a03)

01:49:55 Patrick Johnson, self
 01:53:53 Sen. Lea Whitford (D), SD 8
 01:58:13 Shawn Graham, executive director, Teachers' Retirement System (TRS)
 02:00:24 Melanie Symons, chief legal counsel, Montana Public Employees Retirement System
 02:01:36 Robert Filipovich, self, Helena
 02:06:33 Pat Kemp, Montana Human Rights Network

02:07:24 Chairman Brown turned over chair responsibilities to Vice Chair Blasdel.

02:07:32 Kirk Miller, School Administrators of Montana (SAM)
 02:12:03 Dianne Burke, Montana Quality Education Coalition
 02:12:41 Bob Vogel, Montana School Boards Association

02:12:55 Chairman Brown resumed the role as Chair.

02:13:36 Jim Smith, Montana Rural Education Association
 02:14:20 Eric Feaver, MEA-MFT

Informational Testimony: None

Questions from Committee Members and Responses:

02:15:38 Sen. Cohenour
 02:16:20 Mr. Parman, OPI
 02:16:32 Sen. Cohenour
 02:16:43 Mr. Parman
 02:17:36 Sen. Cohenour
 02:17:56 Mr. Parman
 02:18:14 Sen. Cohenour
 02:18:28 Chairman Brown
 02:18:33 Sen. Cohenour
 02:18:36 Mr. Donovan, BPE
 02:18:41 Sen. Cohenour
 02:19:03 Mr. Donovan
 02:19:08 Sen. Cohenour
 02:19:18 Mr. Donovan
 02:19:51 Sen. Cohenour
 02:20:05 Mr. Donovan
 02:20:12 Chairman Brown
 02:20:18 Sen. Cohenour
 02:20:24 Sen. Facey
 02:20:48 Mr. Parman
 02:20:53 Sen. Facey
 02:20:57 Mr. Parman

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02:21:02	Sen. Facey
02:21:17	Mr. Parman
02:22:08	Sen. Facey
02:22:10	Mr. Parman
02:22:21	Sen. Facey
02:22:25	Mr. Parman
02:22:38	Sen. Facey
02:22:44	Mr. Parman
02:22:52	Sen. Moe
02:23:11	Mr. Donovan
02:24:26	Sen. Moe
02:24:55	Mr. Donovan
02:25:03	Sen. Moe
02:25:31	Mr. Miller, SAM
02:25:41	Sen. Moe
02:25:53	Mr. Miller
02:25:57	Sen. Moe
02:26:29	Rep. Knudsen
02:26:43	Sen. Moe
02:26:54	Rep. Knudsen
02:26:56	Sen. Moe
02:26:58	Rep. Knudsen
02:27:02	Sen. Moe
02:27:16	Rep. Knudsen
02:27:25	Sen. Moe
02:28:22	Rep. Knudsen
02:28:53	Chairman Brown
02:28:57	Sen. Moe
02:29:49	Rep. Knudsen
02:30:21	Sen. Moe
02:30:30	Rep. Knudsen
02:30:34	Sen. Moe
02:30:49	Rep. Knudsen
02:31:05	Sen. Moe
02:31:18	Rep. Knudsen
02:32:03	Sen. Moe
02:32:08	Chairman Brown
02:32:13	Sen. Moe
02:32:15	Chairman Brown
02:32:19	Sen. Moe
02:32:47	Rep. Knudsen
02:32:49	Sen. Moe
02:33:05	Rep. Knudsen
02:33:13	Sen. Moe
02:33:18	Chairman Brown
02:33:24	Sen. Moe
02:34:06	Rep. Knudsen
02:35:01	Sen. Moe
02:35:35	Chairman Brown
02:35:39	Sen. Moe

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02:36:12 Rep. Knudsen
02:36:33 Sen. Moe
02:36:46 Sen. Facey
02:37:15 Rep. Lamm
02:37:19 Sen. Facey
02:37:52 Rep. Lamm
02:38:13 Sen. Facey
02:38:55 Rep. Lamm
02:39:19 Sen. Facey
02:39:29 Rep. Lamm
02:39:59 Sen. Facey
02:40:22 Rep. Lamm
02:40:55 Sen. Blasdel
02:42:00 Mr. Nicklay, CCA
02:45:30 Sen. Cohenour
02:46:32 Rep. Knudsen
02:47:05 Sen. Cohenour
02:47:30 Mr. Parman
02:47:59 Sen. Cohenour
02:48:18 Mr. Parman
02:48:42 Sen. Cohenour
02:48:55 Chairman Brown
02:48:57 Sen. Cohenour
02:48:59 Chairman Brown
02:49:03 Sen. Cohenour
02:49:06 Mr. Parman
02:49:30 Chairman Brown
02:49:44 Sen. Hansen
02:50:08 Mr. Parman
02:51:32 Sen. Hansen
02:52:24 Mr. Parman
02:53:08 Sen. Hansen
02:54:26 Chairman Brown
02:54:32 Sen. Hansen
02:54:51 Rep. Knudsen
02:55:11 Sen. Hansen
02:55:50 Rep. Knudsen
02:56:21 Sen. Hansen
02:57:24 Rep. Lamm
02:57:28 Sen. Hansen
02:57:35 Chairman Brown
02:57:37 Sen. Hansen
02:58:18 Rep. Lamm
02:59:02 Sen. Hansen
03:00:14 Mr. Graham, TRS
03:01:55 Sen. Hansen
03:02:07 Mr. Graham
03:02:57 Sen. Cohenour
03:03:24 Mr. Parman
03:04:07 Sen. Arntzen

03:05:21 Rep. Lamm
 03:06:26 Sen. Arntzen
 03:07:25 Mr. Parman
 03:09:32 Sen. Arntzen
 03:09:48 Mr. Parman
 03:11:07 Sen. Arntzen
 03:11:09 Chairman Brown
 03:11:14 Sen. Arntzen
 03:11:37 Mr. Parman
 03:12:49 Chairman Brown
 03:13:40 Rep. Lamm
 03:14:36 Sen. Arntzen
 03:14:38 Chairman Brown

Closing by Sponsor:

03:14:49 Rep. Knudsen

Committee Business:

03:16:44 Chairman Brown
 03:18:13 Brief Recess
 03:29:59 Reconvened
 03:30:01 Chairman Brown

HEARING ON HB 559

Opening Statement by Sponsor:

03:30:41 Rep. George Kipp (D), HD 15, opened the hearing on HB 559, Promote Montana Indian languages.

Proponents' Testimony:

03:31:58 Sen. Windy Boy (D), SD 16
 03:34:23 Sen. Lea Whitford (D), SD 8

[EXHIBIT\(eds74a04\)](#)

03:39:05 Jason Smith, director, Indian Affairs, Governor's Office
 03:41:35 Dan Antonietti, state chairman, Veterans of Foreign Wars
 03:43:19 Casey Lozar, enrolled member, Confederated Salish Kootenai Tribe; and
 program manager, Montana Tribal Economic Development Commission
 (MTEDC)

03:49:29 Rep. Bridget Smith (D), HD 31
 03:50:32 James Matt, secretary, Confederated Salish Kootenai Tribal Council

[EXHIBIT\(eds74a05\)](#)

03:53:47 Terry Brockie, superintendent, Blaine County Public Schools

03:59:12 Mildus Wilson, student, Billings and member, Crow Tribe
 04:01:07 Diana Wilson, coordinator, Apsaalooke' Crow Tribe, Montana Indian Language
 Preservation Pilot Program (MILP³)
 04:06:00 Heather O'Loughlin, Montana Budget and Policy Center

EXHIBIT(eds74a06)

04:07:17 Dennis Parman, deputy superintendent, Office of Public Instruction
 04:08:05 Eric Feaver, MEA-MFT
 04:08:46 Sen. Stewart-Peregoy (D), SD 21

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

04:10:38 Sen. Hansen
 04:10:58 Mr. Lozar, MTEDC
 04:11:05 Sen. Hansen
 04:12:35 Mr. Lozar
 04:14:12 Sen. Hansen
 04:14:50 Sen. Facey
 04:15:12 Mr. Lozar
 04:15:16 Sen. Facey
 04:15:32 Chairman Brown
 04:15:48 Sen. Arntzen
 04:16:14 Mr. Lozar
 04:17:18 Sen. Arntzen
 04:17:31 Mr. Lozar

Closing by Sponsor:

04:17:59 Rep. Kipp

HEARING ON HB 423

Opening Statement by Sponsor:

04:24:06 Rep. Scott Staffanson (R), HD 35, opened the hearing on HB 423, Revise
 education funding laws related to oil and natural gas production taxes.

Proponents' Testimony:

04:26:17 Rene Rasmussen, superintendent, Bainville Public Schools (BPS)
 04:31:20 Ken Morrison, NorthEast Montana Rural Schools
 04:31:48 Eric Feaver, MEA-MFT
 04:32:15 Rhett Harmon, student, Montana State University; former student, Bainville
 Public Schools
 04:33:06 Wagner Harmon, rancher, Bainville
 04:33:55 Bob Vogel, Montana School Boards Association (MTSBA)

04:35:44 Kirk Miller, School Administrators of Montana
04:36:16 Dianne Burke, Montana Quality Education Coalition
04:36:48 Garth Harmon, farmer, Bainville
04:39:38 Jim Smith, Montana Rural Education Association
04:40:00 Ron Butikofer, board member, Bainville Public Schools
04:41:27 E.J. Redding, Bainville Public Schools

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

04:43:39 Sen. Facey
04:44:11 Mr. Vogel, MTSBA
04:45:18 Sen. Facey
04:45:22 Chairman Brown
04:45:30 Mr. Vogel
04:46:29 Chairman Brown
04:46:43 Sen. Facey
04:46:53 Chairman Brown
04:46:59 Sen. Facey
04:47:05 Mr. Vogel
04:47:21 Sen. Facey
04:47:24 Chairman Brown
04:47:36 Sen. Keenan
04:48:31 Ms. Rasmussen, BPS
04:51:41 Sen. Keenan
04:51:45 Chairman Brown
04:51:46 Sen. Keenan
04:51:48 Chairman Brown

Closing by Sponsor:

04:52:02 Rep. Staffanson

EXECUTIVE ACTION ON HB 423

04:52:55 **Motion:** Sen. Cohenour moved that **HB 423 BE CONCURRED IN.**

04:53:14 **Motion:** Sen. Hansen moved that **HB 423 BE AMENDED.**
[EXHIBIT\(eds74a07\)](#)

Discussion:

04:53:20 Chairman Brown
04:53:31 Padraic McCracken, Legislative Services Division
04:54:22 Chairman Brown

04:54:40 **Vote:** Motion carried unanimously by voice vote. Sen. Jones voted by proxy.

04:55:10 **Motion/Vote:** Sen. Cohenour moved that **HB 423 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Jones voted by proxy. Sen. Facey will carry the bill.

EXECUTIVE ACTION ON HB 559

04:56:12 **Motion/Vote:** Sen. Blasdel moved that **HB 559 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Jones voted by proxy. Sen. Windy Boy will carry the bill.

EXECUTIVE ACTION ON HB 617

04:57:59 Sen. Blasdel
04:58:16 Chairman Brown

04:58:22 **Motion:** Sen. Blasdel moved that **HB 617 BE CONCURRED IN AS AMENDED**.

Discussion:

04:58:30 Chairman Brown
04:58:38 Sen. Blasdel
04:58:39 Chairman Brown
04:58:43 Sen. Blasdel

05:00:33 **Motion:** Sen. Blasdel moved to **RECONSIDER THE PREVIOUS ACTION ON AMENDMENT HB061701.APM SECTION 3**.

Discussion:

05:00:43 Chairman Brown
05:00:57 Sen. Facey
05:01:12 Sen. Moe
05:01:47 Sen. Hansen
05:01:53 Chairman Brown
05:02:08 Sen. Moe
05:02:37 Chairman Brown
05:02:40 Sen. Moe
05:03:03 Chairman Brown

05:03:15 **Vote:** Motion carried 9-0 by voice vote. Sen. Jones was excused.

Discussion:

05:03:29 Chairman Brown
05:03:57 Sen. Facey

05:04:23 **Motion:** Sen. Arntzen moved that **HB 617 BE AMENDED**.
[EXHIBIT\(eds74a08\)](#)

Discussion:

05:04:37 Sen. Arntzen
05:04:57 Chairman Brown
05:05:08 Sen. Blasdel
05:05:12 Chairman Brown

05:05:24 **Vote:** Motion carried unanimously by voice vote. Sen. Jones voted by proxy.

05:05:43 Chairman Brown

05:05:52 **Motion:** Sen. Stewart-Peregoy moved that **HB 617 BE AMENDED.**
EXHIBIT(eds74a09)

Discussion:

05:06:01 Chairman Brown
05:06:12 Sen. Stewart-Peregoy
05:06:55 Sen. Blasdel
05:08:07 Chairman Brown
05:08:25 Padraic McCracken, Legislative Services Division (LSD)
05:09:02 Chairman Brown
05:09:14 Sen. Moe
05:09:25 Sen. Arntzen
05:09:46 Chairman Brown
05:09:47 Mr. McCracken, LSD
05:09:54 Sen. Moe
05:10:08 Sen. Hansen
05:11:14 Mr. McCracken
05:11:39 Sen. Hansen
05:11:55 Chairman Brown
05:12:06 Mr. McCracken
05:13:17 Chairman Brown
05:13:26 Sen. Hansen
05:13:48 Chairman Brown
05:13:50 Sen. Cohenour
05:16:22 Sen. Moe
05:18:18 Chairman Brown
05:18:40 Sen. Moe
05:18:52 Chairman Brown
05:18:54 Sen. Facey
05:19:00 Chairman Brown
05:19:07 Sen. Blasdel
05:19:54 Sen. Hansen
05:20:05 Sen. Facey
05:20:11 Sen. Hansen
05:20:15 Sen. Arntzen
05:20:33 Sen. Blasdel

05:21:10 **Vote:** Motion carried 7-3 by roll call vote with Sen. Arntzen, Sen. T. Brown and Sen. Hansen voting no. Sen. Jones voted by proxy.

Discussion:

05:22:04 Chairman Brown

05:22:48 Sen. Facey

05:23:03 Chairman Brown

05:23:06 **Motion:** Sen. Blasdel moved that **HB 617 BE AMENDED CONCEPTUALLY.**

Discussion:

05:23:27 Chairman Brown

05:23:41 Sen. Arntzen

05:24:50 Chairman Brown

05:25:51 **Vote:** Motion carried 7-3 by roll call vote with Sen. Arntzen, Sen. Hansen and Sen. Moe voting no. Sen. Jones voted by proxy.

Discussion:

05:26:25 Chairman Brown

05:27:21 Sen. Moe

05:27:40 Chairman Brown

05:27:48 Sen. Hansen

05:27:53 Chairman Brown

05:28:00 Sen. Cohenour

05:28:33 Chairman Brown

05:28:52 Sen. Hansen

05:29:06 Sen. Arntzen

05:30:25 **Motion/Vote:** Sen. Blasdel moved that **HB 617 BE CONCURRED IN AS AMENDED.** Motion carried 7-3 by roll call vote with Sen. Arntzen, Sen. T. Brown and Sen. Hansen voting no. Sen. Jones voted by proxy. Sen. Blasdel will carry the bill.

Committee Business:

05:31:25 Chairman Brown

05:31:43 Sen. Hansen

05:31:50 Padraic McCracken, Legislative Services Division (LSD)

05:31:53 Sen. Hansen

05:31:54 Chairman Brown

05:32:04 Sen. Hansen

05:32:08 Chairman Brown

05:32:54 Sen. Arntzen

05:33:01 Chairman Brown

05:33:06 Sen. Hansen

05:33:16 Chairman Brown

05:33:20 Sen. Arntzen
05:33:24 Chairman Brown
05:33:31 Mr. McCracken, LSD
05:33:45 Chairman Brown

ADJOURNMENT

Adjournment: 8:37 P.M.

Angie Koehler, Secretary

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Additional Documents:

EXHIBIT([eds74aad.pdf](#))