

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION

Call to Order: Chair Seth Berglee, on February 4, 2019 at 3:00 PM, in Room 137
Capitol

ROLL CALL

Members Present:

Rep. Seth Berglee, Chair (R)
Rep. John Fuller, Vice Chair (R)
Rep. Sue Vinton, Vice Chair (R)
Rep. Fred Anderson (R)
Rep. Jacob Bachmeier (D)
Rep. Becky Beard (R)
Rep. Laurie Bishop (D)
Rep. Greg DeVries (R)
Rep. Bruce Grubbs (R)
Rep. Connie Keogh (D)
Rep. Wendy McKamey (R)
Rep. Shane A. Morigeau (D)
Rep. Tyson T. Runningwolf (D)
Rep. Casey Schreiner (D)
Rep. Brad Tschida (R)

Members Excused: Rep. Moffie Funk, Vice Chair (D)
Rep. Greg Hertz (R)

Members Absent: None

Staff Present: Jordee Bomgardner, Committee Clerk
Laura Sankey Keip, 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 225, 2/4/2019; HB 303, 2/4/2019; HB 354, 2/4/2019
Executive Action: SB 10, SB 11, SB 16, HB 27, HB 158, HB 191, HB 247

HEARING ON HB 354**Opening Statement by Sponsor:**

15:01:25 Rep. Rodney Garcia (R), HD 52, opened the hearing on HB 354, Restrict sexually explicit materials and sexually oriented businesses.

15:02:40 Chair Berglee

Proponents' Testimony:

None

Opponents' Testimony:

15:03:32 Kelly Lynch, Montana League of Cities and Towns (MLCT)

15:07:49 John Finn, Director, Lewis and Clark Library

15:10:09 Nanette Gilbertson, Montana Library Association

[EXHIBIT\(edh22a01\)](#)

15:13:49 Dave Hanson, Adam and Eve, Teasers

15:14:49 Eric Fever, Montana Public Education Center (MTPEC)

15:15:49 SK Rossi, American Civil Liberties Union of Montana (ACLU)

15:16:55 Beth Brennehan, Disability Rights Montana (DRM)

Informational Testimony:

15:19:46 Jennie Stapp, Montana State Librarian

15:19:57 Rep. Funk entered the meeting.

Questions from Committee Members and Responses:

None

Closing by Sponsor:

15:20:13 Rep. Garcia

15:22:57 Chair Berglee

HEARING ON HB 225**Opening Statement by Sponsor:**

15:23:45 Rep. Casey Schreiner (D), HD 26, opened the hearing on HB 225, Revise school laws related to inflation, preschool, and special education.

Proponents' Testimony:

15:26:52 Siri Smillie, Governor's Office

[EXHIBIT\(edh22a02\)](#)**[EXHIBIT\(edh22a03\)](#)**

15:33:12 Dale Olinger, Lolo Public Schools

[EXHIBIT\(edh22a04\)](#)

15:37:13 Tammy Lacey, Great Falls Public Schools (GFPS)

[EXHIBIT\(edh22a05\)](#)

15:49:03 LaBerta Simpson, Great Falls Public Schools
15:54:02 Heidi Tussing, Hawthorne Elementary School
16:00:10 Jill Miller, Principal, Eastgate School
16:06:06 Chair Berglee
16:06:27 Les Meyer, Fairfield Public Schools
16:10:08 Lance Melton, Montana School Boards Association (MTSBA)
16:12:44 Denise Williams, Montana Association of School Business Officials (MASBO)
16:14:23 Dennis Parman, Montana Rural Education Association (MREA)
16:15:15 Dianne Burke, Montana Quality Education Coalition (MQEC)
16:15:52 Eric Fever, Montana Federation of Public Employee (MFPE)
16:16:05 Kirk Miller, School Administrators of Montana (SAM)
16:18:31 Beth Breneman, Disability Rights Montana (DRM)
16:18:45 Nanette Gilbertson, Montana Advocates for Children

Opponents' Testimony:

None

Informational Testimony:

16:19:53 Paul Taylor, Office of Public Instruction (OPI)

Questions from Committee Members and Responses:

None

Closing by Sponsor:

16:20:23 Rep. Schreiner

16:22:24 Recessed
16:30:39 Reconvened
16:30:30 Rep. Tschida left the meeting.

HEARING ON HB 303**Opening Statement by Sponsor:**

16:30:56 Rep. Greg DeVries (R), HD 75, opened the hearing on HB 303, Eliminate compulsory education requirements.

Proponents' Testimony:

16:40:56 Christopher Miltenberger, Self
16:42:43 Jayson Heslep, Self
16:44:23 Rep. Bishop left the meeting.
16:45:38 Jonathan Heslep, Self
16:46:54 Jonah Barnes, Self
16:50:34 Cindi Hamilton, Self

Opponents' Testimony:

16:52:35 Eric Fever, Montana Public Education Center (MTPEC)
16:57:38 Abigail St. Lawrence, Montana's Association for Gifted and Talented Education (AGATE)

Informational Testimony:

16:58:50 Paul Taylor, Office of Public Instruction (OPI)

Questions from Committee Members and Responses:

16:59:10 Rep. Fuller
16:59:34 Rep. DeVries
16:59:42 Rep. Fuller
17:00:45 Rep. DeVries

Closing by Sponsor:

17:01:04 Rep. DeVries

17:04:09 Chair Berglee

17:04:20 Recessed
17:07:09 Rep. Tschida entered the meeting.
17:07:45 Reconvened

EXECUTIVE ACTION ON SB 10

17:08:01 **Motion/Vote:** Rep. Vinton moved that **SB 10 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Bishop and Rep. Hertz voted by proxy. Rep. Anderson will carry the bill.

EXECUTIVE ACTION ON SB 11

17:09:52 **Motion/Vote:** Rep. Vinton moved that **SB 11 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Bishop and Rep. Hertz voted by proxy. Rep. Funk will carry the bill.

EXECUTIVE ACTION ON SB 16

17:11:00 **Motion/Vote:** Rep. Vinton moved that **SB 16 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Bishop and Rep. Hertz voted by proxy. Rep. Bachmeier will carry the bill.

EXECUTIVE ACTION ON HB 27

17:12:22 **Motion:** Rep. Vinton moved that **HB 27 DO PASS**.

Discussion:

17:12:31 Vice Chair Funk
17:13:22 **Motion/Vote:** Rep. Funk moved that **HB 27 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Bishop and Rep. Hertz voted by proxy.

EXHIBIT(edh22a06)

17:14:40 **Motion:** Rep. Vinton moved that **HB 27 DO PASS AS AMENDED**.

Discussion:

17:14:57 Rep. Schreiner

17:15:27 Rep. Anderson

17:16:27 Chair Berglee

17:17:02 **Vote:** Motion carried 15-2 by roll call vote with Rep. DeVries and Rep. Fuller voting no. Rep. Bishop and Rep. Hertz voted by proxy.

EXECUTIVE ACTION ON HB 158

17:18:32 **Motion:** Rep. Vinton moved that **HB 158 DO PASS**.

17:18:54 **Motion:** Rep. Berglee moved that **HB 158 BE AMENDED**.

EXHIBIT(edh22a07)

Discussion:

17:19:39 Rep. McKamey

17:19:54 Rep. Schreiner

17:20:02 Chair Berglee

17:20:39 Rep. Funk

17:21:20 Chair Berglee

17:21:37 Rep. Fuller

17:22:00 **Vote:** Motion carried 14-3 by voice vote with Rep. Bachmeier, Rep. Morigeau and Rep. Schreiner voting no. Rep. Bishop and Rep. Hertz voted by proxy.

17:22:37 **Motion/Vote:** Rep. Vinton moved that **HB 158 DO PASS AS AMENDED**. Motion carried 16-1 by voice vote with Rep. Beard voting no. Rep. Bishop and Rep. Hertz voted by proxy.

EXECUTIVE ACTION ON HB 191

17:23:25 **Motion:** Rep. Vinton moved that **HB 191 DO PASS**.

Discussion:

17:23:31 Rep. Grubbs

17:26:52 Vice Chair Vinton

17:27:33 Rep. McKamey

17:29:10 **Vote:** Motion failed 1-16 by roll call vote with Rep. Grubbs voting aye. Rep. Bishop and Rep. Hertz voted by proxy.

17:30:00 Without objection, Chair Berglee moved **TO REVERSE THE VOTE AND TABLE HB 191**. Motion Carried.

EXECUTIVE ACTION ON HB 247

17:30:35 **Motion:** Rep. Vinton moved that **HB 247 DO PASS.**

Discussion:

17:30:59 Rep. Grubbs

17:32:57 Chair Berglee

17:33:02 **Motion/Vote:** Rep. Grubbs moved that **HB 247 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Bishop and Rep. Hertz voted by proxy.

EXHIBIT(edh22a08)

17:34:32 **Motion/Vote:** Rep. Vinton moved that **HB 247 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Rep. Bishop and Rep. Hertz voted by proxy.

ADJOURNMENT

Adjournment: 17:35:12

Jordee Bomgardner, Secretary

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Additional Documents:

EXHIBIT([edh22aad.pdf](#))