

MINUTES
MONTANA SENATE
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (S) EDUCATION AND CULTURAL RESOURCES

Call to Order: Chair Sen. Daniel Salomon-R, on February 27, 2023 at 3:31 PM, in 422

ROLL CALL

Members Present: Sen. Daniel Salomon, Chair (R)
Sen. Edith (Edie) McClafferty, Vice Chair (D)
Sen. Russel (Russ) Tempel, Vice Chair (R)
Sen. Daniel Emrich (R)
Sen. John Fuller (R)
Sen. Shannon O'Brien (D)
Sen. Keith Regier (R)

Members Excused: Sen. Steve Fitzpatrick (R)
Sen. Greg Hertz (R)
Sen. Andrea Olsen (D)
Sen. Susan Webber (D)

Staff Present: Pad McCracken, Research Analyst
Lynnette Sena, 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:

SB 413 02/22/2023

SB 480 02/23/2023

Executive Action:

SB 389 TO TABLE

SB 390 TO TABLE

SB 413 TO TABLE

SB 480 DO PASS

SB 9 TO TABLE

HEARING ON SB 413 - Prohibit sex education instruction below sixth grade in public schools

Opening Statement:

15:32:41 Sen. Carl Glimm (R), SD 6, opened the hearing on SB 413, Prohibit sex education instruction below sixth grade in public schools.

15:33:00 Sen. Emrich has left

Proponent Testimony:

15:34:33 Elsie Arntzen, State Superintendent, Office of Public Instruction (OPI)

[EXHIBIT\(230227EDSa1\)](#)

15:37:50 Jeff Laszloffy, Montana Family Foundation (MFF)

Opponent Testimony:

15:41:53 Doug Reisig, Executive Director, Coalition of Advocates for Montana Public Schools (CAMP)

15:44:52 McCall Flynn, Executive Director, Board of Public Education (BPE)

15:46:01 Sarah Piper, Montana Federation of Public Employees (MFPE)

15:48:20 Reg Hageman, President, State Health and PE Teachers Association (SHAPE MT)

15:50:54 Sam Forstag, Montana Library Association

15:52:13 Kasey Hugs, self

15:55:22 Anna Wiseman, self

15:56:15 Sen. Andrea Olsen joined the meeting.

15:57:36 Cami Armijo-Grover, Education Director, Bridgercare

16:00:22 Eleanor Cornish, self

16:03:13 Maxwell DeFanti, self

16:06:10 Will Mitchell, self

16:08:54 Seeley Davidson, Blue Mountain Clinic

Informational Witness Testimony:

None

Questions from Committee:

16:10:08 Sen. John Fuller
16:10:32 Superintendent Elsie Arntzen, OPI
16:11:48 Sen. John Fuller
16:12:15 McCall Flynn, BPE
16:12:26 Sen. John Fuller
16:12:56 Sen. Keith Regier
16:14:38 Reg Hageman, SHAPE MT
16:14:53 Sen. Daniel Salomon
16:15:11 Jeff Laszloffy, MFF
16:15:45 Sen. Daniel Salomon
16:17:01 Sen. Carl Glimm
16:17:17 Sen. Russel (Russ) Tempel
16:18:54 Sen. Carl Glimm
16:19:15 Sen. Daniel Salomon
16:20:10 Sen. Carl Glimm
16:20:25 Sen. Daniel Salomon
16:20:36 Sen. Edith (Edie) McClafferty
16:21:59 Sen. Carl Glimm

Closing Statement:

16:22:22 Sen. Carl Glimm (R), SD 6, closed the hearing on SB 413.

16:23:40 Recessed

16:24:55 Reconvened

**HEARING ON SB 480 - Remove opt in requirement for student contact information on
ACT test**

Opening Statement:

16:25:00 Sen. Mary Ann Dunwell (D), SD 84, opened the hearing on SB 480,
Remove opt in requirement for student contact information on ACT test.

Proponent Testimony:

16:28:03 Erik Rose, Carroll College on behalf of President John Cech

16:30:19 Kaitlyn Ruch, Student Senator, Associated Students of Carroll College

16:31:47 Sandra Bauman, Dean/CEO, Helena College

Opponent Testimony:

None

Informational Witness Testimony:

16:34:54 Helen Thigpen, Deputy Commissioner, Office of the Commissioner of
Higher Education

16:35:12 David Smith, Executive Director, Montana Contractor Association (MCA)

Questions from Committee:

16:36:22 Sen. John Fuller

16:39:07 Helen Thigpen, Office of the Commissioner of Higher Education

16:41:35 Sen. Greg Hertz joined the meeting.

16:41:57 Sen. Keith Regier

16:44:22 Helen Thigpen, Office of the Commissioner of Higher Education

16:44:46 Sen. Keith Regier

16:45:00 David Smith, MCA

16:45:17 Sen. Edith (Edie) McClafferty

16:45:31 Helen Thigpen, Office of the Commissioner of Higher Education
16:46:28 Sen. Edith (Edie) McClafferty
16:46:56 Sandra Bauman, Helena College
16:47:52 Sen. Andrea Olsen
16:49:42 Helen Thigpen, Office of the Commissioner of Higher Education
16:50:52 Pad McCracken
16:51:10 Sen. Daniel Salomon
16:51:44 David Smith, MCA
16:52:22 Sen. Daniel Salomon

Closing Statement:

16:52:36 Sen. Mary Ann Dunwell (D), SD 84, closed the hearing on SB 480.
16:54:41 Recessed
17:05:30 Reconvened

EXECUTIVE ACTION ON SB 389 - Revising education laws to add a definition of "civics"

17:05:55 **Motion:** Sen. Russel (Russ) Tempel moved that **SB 389 DO PASS.**

Discussion:

17:06:32 Sen. Shannon O'Brien
17:07:05 Sen. Daniel Salomon
17:07:19 Sen. John Fuller
17:07:26 **Substitute Motion:** Sen. Edith (Edie) McClafferty moved that **SB 389 TO TABLE.**
17:07:26 **Vote:** Substitute Motion carried 9 - 2 by voice vote with Sen. Emrich, Sen. Regier, voting no.
Sen. Emrich, By Proxy

EXECUTIVE ACTION ON SB 390 - Provide freedom in school choice

17:08:25 **Motion:** Sen. Russel (Russ) Tempel moved that **SB 390 DO PASS.**

Discussion:

- 17:09:13 Pad McCracken
- 17:10:22 Sen. Andrea Olsen
- 17:10:40 Pad McCracken
- 17:11:02 Sen. Daniel Salomon
- 17:11:59 Sen. Keith Regier
- 17:12:09 **Motion:** Sen. Russel (Russ) Tempel moved that **SB 390 BE AMENDED.**
- 17:12:09 **Vote:** Motion carried unanimously by voice vote.
- 17:13:24 **Motion:** Sen. Russel (Russ) Tempel moved that **SB 390 DO PASS AS AMENDED.**
- 17:13:51 **Substitute Motion:** Sen. Edith (Edie) McClafferty moved that **SB 390 TO TABLE.**
- 17:13:51 **Vote:** Substitute Motion carried 8 - 3 by roll call vote with Sen. Emrich, Sen. Fuller, Sen. Regier, voting no.
Sen. Emrich, By Proxy

EXECUTIVE ACTION ON SB 413 - Prohibit sex education instruction below sixth grade in public schools

- 17:15:29 **Motion:** Sen. Russel (Russ) Tempel moved that **SB 413 DO PASS.**

Discussion:

- 17:16:06 Sen. John Fuller
- 17:17:26 Sen. Russel (Russ) Tempel
- 17:17:39 Sen. John Fuller
- 17:19:07 Sen. Edith (Edie) McClafferty
- 17:19:56 **Substitute Motion:** Sen. Shannon O'Brien moved that **SB 413 TO TABLE.**
- 17:19:56 **Vote:** Substitute Motion carried 6 - 5 by roll call vote with Sen. Emrich, Sen. Fitzpatrick, Sen. Fuller, Sen. Hertz, Sen. Regier, voting no.
Sen. Emrich, Sen. Fitzpatrick, By Proxy

EXECUTIVE ACTION ON SB 480 - Remove opt in requirement for student contact information on ACT test

17:20:59 **Motion:** Sen. Russel (Russ) Tempel moved that **SB 480 DO PASS.**

Discussion:

17:21:21 Sen. Shannon O'Brien

17:21:39 Sen. John Fuller

17:22:35 Sen. Edith (Edie) McClafferty

17:23:25 Sen. Andrea Olsen

17:20:59 **Vote:** Motion carried 8 - 3 by roll call vote with Sen. Fuller, Sen. Hertz, Sen. Regier, voting no.

EXECUTIVE ACTION ON SB 9 - Prohibit school districts operating schools outside district boundaries

17:25:35 **Motion:** Sen. Russel (Russ) Tempel moved that **SB 9 DO PASS.**

Discussion:

17:25:39 Sen. Daniel Salomon

17:26:23 **Substitute Motion:** Sen. John Fuller moved that **SB 9 TO TABLE.**

17:26:23 **Vote:** Substitute Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 17:28:37

Lynnette Sena, Secretary

Additional Documents: [EXHIBIT\(230227EDSaad\)](#)