

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

Call to Order: Chair Daniel Salomon-R, on March 29, 2023 at 2:45 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. John Fuller (R)
Sen. Greg Hertz (R)
Sen. Shannon O'Brien (D)
Sen. Andrea Olsen (D)
Sen. Keith Regier (R)

Members Excused: Sen. Daniel Emrich (R)
Sen. Steve Fitzpatrick (R)
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:

HB 408 03/20/2023
HB 744 03/22/2023
HB 745 03/22/2023

Executive Action:

HB 36 BE CONCURRED IN
HB 203 BE CONCURRED IN AS
AMENDED
HB 231 BE CONCURRED IN AS
AMENDED
HB 245 BE CONCURRED IN AS
AMENDED
HB 257 BE CONCURRED IN
HB 501 TO TABLE

EXECUTIVE ACTION ON HB 36 - Revising school funding laws related to enrollment increases

14:46:27 **Motion:** Sen. Russel (Russ) Tempel moved that **HB 36 BE CONCURRED IN.**

Discussion:

14:46:35 Chair Daniel Salomon

14:46:56 Sen. John Fuller

14:47:08 Sen. Keith Regier

14:47:19 Chair Daniel Salomon

14:46:27 **Vote:** Motion carried unanimously by voice vote.

14:46:27 **Carrier Assigned:** Sen. Daniel Salomon

EXECUTIVE ACTION ON HB 203 - Generally revise education laws to enhance educational opportunities

14:49:05 **Motion:** Sen. Russel (Russ) Tempel moved that **HB 203 BE CONCURRED IN.**

Discussion:

14:49:08 Chair Daniel Salomon

14:49:55 Pad McCracken

14:50:32 **Motion:** Sen. Russel (Russ) Tempel moved that **HB 203 BE AMENDED.**

Discussion:

14:50:56 Pad McCracken

14:52:45 Sen. John Fuller

14:52:49 Chair Daniel Salomon

14:50:32 **Vote:** Motion carried unanimously by voice vote.

14:53:27 **Motion:** Sen. Russel (Russ) Tempel moved that **HB 203 BE CONCURRED IN AS AMENDED.**

14:53:27 **Vote:** Motion carried unanimously by voice vote.

14:53:27 **Carrier Assigned:** Sen. Daniel Salomon

**EXECUTIVE ACTION ON HB 231 - Eliminate certification standards and practices
advisory council**

14:54:06 **Motion:** Sen. Russel (Russ) Tempel moved that **HB 231 BE CONCURRED IN.**

Discussion:

14:54:11 Chair Daniel Salomon

14:54:24 Pad McCracken

14:55:13 Chair Daniel Salomon

14:55:23 Pad McCracken

14:55:55 Sen. Emrich has arrived

14:56:22 **Motion:** Sen. Russel (Russ) Tempel moved that **HB 231 BE AMENDED.**

14:56:22 **Vote:** Motion carried unanimously by voice vote.

14:57:04 **Motion:** Sen. Russel (Russ) Tempel moved that **HB 231 BE CONCURRED IN AS AMENDED.**

Discussion:

14:57:14 Vice Chair Edith (Edie) McClafferty

14:57:56 Sen. John Fuller

14:58:36 Sen. Shannon O'Brien

15:00:18 **Motion:** Sen. Edith (Edie) McClafferty moved that **HB 231 TO TABLE.**

15:00:18 **Vote:** Motion failed 6 - 5 by roll call vote with Sen. McClafferty, Sen. O'Brien, Sen. Olsen, Sen. Tempel, Sen. Webber, voting yes.
Sen. Webber, By Proxy

15:01:21 **Motion:** Sen. Daniel Salomon moved that **HB 231 BE CONCURRED IN AS AMENDED.**

Discussion:

15:01:26 Sen. Andrea Olsen

15:02:28 Sen. John Fuller

15:03:36 Sen. Shannon O'Brien

15:04:36 Sen. John Fuller

15:04:51 Sen. Daniel Emrich

15:05:56 Sen. Andrea Olsen

15:07:20 Chair Daniel Salomon

15:01:21 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. McClafferty, Sen. O'Brien, Sen. Olsen, Sen. Webber, voting no.
Sen. Webber, By Proxy

15:01:21 **Carrier Assigned:** Sen. John Fuller

HEARING ON HB 744 - Revise laws to protect religious expression for students and teachers

Opening Statement:

15:08:41 Rep. Greg Kmetz (R), HD 38, opened the hearing on HB 744, Revise laws to protect religious expression for students and teachers.

[EXHIBIT\(230329EDSa1\)](#)

15:09:37 Sen. Olsen has left

Proponent Testimony:

15:10:29 Jeff Laszloffy, Montana Family Foundation (MFF)

15:12:54 Garrett Bacon, self

15:13:48 Chiko Olson, self

Opponent Testimony:

15:15:58 Brian Barnes, self

Informational Witness Testimony:

None

Questions from Committee:

15:20:13 Sen. John Fuller

15:21:00 Jeff Laszloffy, MFF

15:21:16 Sen. John Fuller

15:21:58 Chair Daniel Salomon

Closing Statement:

15:22:08 Rep. Greg Kmetz (R), HD 38, closed the hearing on HB 744.

HEARING ON HB 745 - Revise laws related to religious materials and prayer in schools

Opening Statement:

15:24:24 Rep. Greg Kmetz (R), HD 38, opened the hearing on HB 745, Revise laws related to religious materials and prayer in schools.

Proponent Testimony:

15:25:24 Jeff Laszloffy, Montana Family Foundation (MFF)

15:28:32 Chiko Olson, self

15:29:57 Garrett Bacon, self

Opponent Testimony:

15:31:08 Brian Barnes, self

Informational Witness Testimony:

None

Questions from Committee:

15:34:06 Sen. Shannon O'Brien

15:39:01 Jeff Laszloffy, MFF

15:39:36 Sen. Shannon O'Brien

15:39:46 Chair Daniel Salomon

15:39:55 Jeff Laszloffy, MFF

15:40:10 Sen. Daniel Emrich

15:40:59 Brian Barnes, self

Closing Statement:

15:42:33 Rep. Greg Kmetz (R), HD 38, closed the hearing on HB 745.

HEARING ON HB 408 - Revise student scholarship organization and innovative education tax credits

Opening Statement:

15:44:32 Rep. Sue Vinton (R), HD 56, opened the hearing on HB 408, Revise student scholarship organization and innovative education tax credits.

Proponent Testimony:

15:46:30 Dylan Klapmeier, Governor's Education Advisor, Governor's Office

15:48:00 Jeff Laszloffy, Montana Family Foundation (MFF)

15:49:42 Doug Reisig, Coalition of Advocates for Montana's Public Schools (CAMP)

15:51:31 Ross Izard, National Director of Policy, ACE Scholarships

15:51:54 Charles Denowh, Yes Every Kid

15:52:24 Henry Kriegel, Americans for Prosperity

15:54:10 Jake Penwell, State Director, ACE Scholarships Montana

15:57:41 Matthew Zwicker, Head of School, Hamilton Christian Academy (HCA)

16:01:03 Matt Brower, Executive Director, Montana Catholic Conference

16:03:08 Christine Oschell, self

16:05:52 Traci McGough, self

16:08:25 Lisa Winter, self

16:10:46 Amber Phillips, self

Opponent Testimony:

16:13:48 Erik Burke, Montana Federation of Public Employees (MFPE)

16:21:56 Jenny Murnane Butcher, Deputy Director, Montanans Organized for Education (MOFE)

Informational Witness Testimony:

16:24:03 Paul Taylor, Office of Public Instruction (OPI)

16:24:31 Robert Finstad, Deputy Administrator for Technology Service, Department of Revenue (DOR)

Questions from Committee:

16:24:54 Sen. John Fuller

16:26:00 Rep. Sue Vinton

16:26:14 Sen. Daniel Emrich

16:27:14 Jenny Murnane Butcher, MOFE

16:27:35 Sen. Daniel Emrich

16:29:42 Erik Burke, MFPE

[EXHIBIT\(230329EDSa2\)](#)

16:30:11 Sen. Daniel Emrich

16:30:23 Erik Burke, MFPE

16:30:40 Sen. Edith (Edie) McClafferty

16:31:51 Rep. Sue Vinton

16:32:25 Sen. Edith (Edie) McClafferty

16:33:10 Ross Izard, ACE Scholarships

16:33:18 Sen. Edith (Edie) McClafferty

16:33:41 Paul Taylor, OPI

16:34:20 Sen. Edith (Edie) McClafferty

16:34:40 Paul Taylor, OPI

16:36:00 Sen. Edith (Edie) McClafferty

16:37:00 Robert Finstad, DOR

16:37:36 Sen. Edith (Edie) McClafferty

16:38:12 Dylan Klapmeier, Governor's Office

16:39:02 Chair Daniel Salomon

16:39:10 Dylan Klapmeier, Governor's Office

16:39:14 Sen. Daniel Salomon

16:40:18 Ross Izard, ACE Scholarships

Closing Statement:

16:40:41 Rep. Sue Vinton (R), HD 56, closed the hearing on HB 408.

EXECUTIVE ACTION ON HB 245 - Revise tax credit for trades education and training

16:43:00 **Motion:** Sen. Russel (Russ) Tempel moved that **HB 245 BE CONCURRED IN.**

Discussion:

16:43:04 Chair Daniel Salomon

16:43:25 Pad McCracken

16:43:42 Chair Daniel Salomon

16:43:50 Vice Chair Russel (Russ) Tempel

16:44:19 **Motion:** Sen. Russel (Russ) Tempel moved that **HB 245 BE AMENDED.**

16:44:19 **Vote:** Motion carried unanimously by voice vote.

16:45:08 **Motion:** Sen. Russel (Russ) Tempel moved that **HB 245 BE CONCURRED IN AS AMENDED.**

Discussion:

16:45:17 Chair Daniel Salomon

16:45:27 Vice Chair Edith (Edie) McClafferty

16:45:48 Sen. John Fuller

16:46:13 Sen. Keith Regier

16:45:08 **Vote:** Motion carried unanimously by voice vote.

16:45:08 **Carrier Assigned:** Sen. John Fuller

EXECUTIVE ACTION ON HB 257 - Revise education laws related to advanced opportunities program

16:47:11 **Motion:** Sen. Russel (Russ) Tempel moved that **HB 257 BE CONCURRED IN.**

Discussion:

16:47:19 Chair Daniel Salomon

16:47:38 Sen. John Fuller

16:47:49 Dylan Klapmeier, Governor's Education Advisor, Governor's Office

16:48:13 Sen. Keith Regier

16:49:09 Sen. Daniel Emrich

16:49:33 Dylan Klapmeier, Governor's Office

16:50:10 Sen. Keith Regier
16:50:28 Pad McCracken
16:51:08 Chair Daniel Salomon
16:52:15 Pad McCracken
16:53:58 Chair Daniel Salomon
16:54:46 Sen. John Fuller
16:55:03 Chair Daniel Salomon
16:55:48 Nancy Hall, Lead Budget Analyst, Governor's Office
16:56:30 Chair Daniel Salomon
16:57:02 Nancy Hall, Governor's Office
16:57:38 Vice Chair Edith (Edie) McClafferty
16:57:47 Nancy Hall, Governor's Office
16:57:58 Chair Daniel Salomon
16:58:15 Sen. Keith Regier
16:58:34 Nancy Hall, Governor's Office
16:59:08 Sen. Keith Regier
16:47:11 **Vote:** Motion carried unanimously by voice vote.
16:47:11 **Carrier Assigned:** Sen. Daniel Salomon

EXECUTIVE ACTION ON HB 501 - Revise school textbook laws

17:00:59 **Motion:** Sen. Russel (Russ) Tempel moved that **HB 501 BE CONCURRED IN.**

Discussion:

17:01:09 Chair Daniel Salomon
17:02:07 Sen. John Fuller
17:03:17 Sen. Daniel Salomon
17:03:33 Sen. Daniel Emrich
17:07:19 Sen. Edith (Edie) McClafferty
17:08:04 Sen. Daniel Emrich
17:09:03 Sen. Edith (Edie) McClafferty

17:09:43 Chair Daniel Salomon
17:10:31 Sen. John Fuller
17:11:02 Sen. Keith Regier
17:11:33 Sen. Edith (Edie) McClafferty
17:12:00 Sen. Daniel Emrich
17:12:03 Chair Daniel Salomon
17:12:17 Sen. Shannon O'Brien
17:00:59 **Vote:** Motion failed 8 - 3 by roll call vote with Sen. Emrich, Sen. Fuller, Sen. Regier, voting yes.
17:14:28 **Motion:** Sen. Russel (Russ) Tempel moved that **HB 501 TO TABLE.**
17:14:28 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 17:15:23

Lynnette Sena, Secretary

Additional Documents: [EXHIBIT\(230329EDSaad\)](#)