

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

Call to Order: Chair Daniel Salomon-R, on April 05, 2023 at 3:12 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. Greg Hertz (R)
Sen. Shannon O'Brien (D)
Sen. Keith Regier (R)

Members Excused: Sen. Steve Fitzpatrick (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:

HB 396 03/29/2023
HB 403 03/29/2023
HB 482 03/31/2023
HB 504 03/29/2023

Executive Action:

HB 214 BE CONCURRED IN AS
AMENDED
HB 338 BE CONCURRED IN AS
AMENDED
HB 566 BE CONCURRED IN AS
AMENDED
HB 502 TO TABLE
HB 396 BE CONCURRED IN
HB 504 BE CONCURRED IN

EXECUTIVE ACTION ON HB 214 - Revise education laws related to remote instruction

15:13:06 **Motion:** Vice Chair Russel (Russ) Tempel moved that **HB 214 BE CONCURRED IN.**

Discussion:

15:13:15 Chair Daniel Salomon

15:13:48 **Motion:** Vice Chair Russel (Russ) Tempel moved that **HB 214 BE AMENDED.**

Discussion:

15:14:05 Pad McCracken

15:18:16 Sen. Keith Regier

15:19:00 Pad McCracken

15:19:22 Sen. Shannon O'Brien

15:20:05 Vice Chair Russel (Russ) Tempel

15:20:48 **Vote:** Motion carried unanimously by voice vote.

15:20:54 **Motion:** Vice Chair Russel (Russ) Tempel moved that **HB 214 BE CONCURRED IN AS AMENDED.**

Discussion:

15:21:10 Sen. Greg Hertz

15:21:31 Vice Chair Russel (Russ) Tempel

15:22:48 **Vote:** Motion carried unanimously by voice vote.

15:22:48 **Carrier Assigned:** Sen. Daniel Salomon

HEARING ON HB 403 - Generally revise laws concerning fees for teacher and specialist certificates

Opening Statement:

15:23:11 Rep. David Bedey (R), HD 86, opened the hearing on HB 403, Generally revise laws concerning fees for teacher and specialist certificates.

15:24:40 Sen. Regier has left

Proponent Testimony:

None

Opponent Testimony:

15:25:30 Amanda Curtis, President, Montana Federation of Public Employees (MFPE)

Informational Witness Testimony:

15:27:54 Jay Phillips, Chief Financial Officer, Office of Public Instruction (OPI)

15:28:09 McCall Flynn, Executive Director, Board of Public Education (BPE)

Questions from Committee:

15:28:30 Sen. John Fuller

15:29:12 Rep. David Bedey

15:29:48 Sen. Daniel Emrich

15:30:19 McCall Flynn, BPE

15:30:52 Chair Daniel Salomon

15:32:28 Rep. David Bedey

15:32:51 Sen. Greg Hertz

15:33:09 Amanda Curtis, MFPE

Closing Statement:

15:33:32 Rep. David Bedey (R), HD 86, closed the hearing on HB 403.

HEARING ON HB 482 - Provide access to education and supports for children aging out of foster care

Opening Statement:

15:34:37 Rep. Jane Gillette (R), HD 64, opened the hearing on HB 482, Provide access to education and supports for children aging out of foster care.

5:35:21 Sen. Hertz has left

Proponent Testimony:

15:41:14 Kelly Cresswell, Executive Director, Reach Higher Montana

15:42:46 Rhonda Safford, Student Services Director, Reach Higher Montana

15:44:36 Sen. Keith Regier joined the meeting.

15:45:01 Maggie Bornstein, American Civil Liberties Union of Montana (ACLU MT)

15:46:12 Justin Villmer, President, Dawson Community College (DCC)

15:48:35 DeQuincy Bergen, self

Informational Witness Testimony:

15:50:37 Erica Johnston, Human Services Executive Director, Department of Public Health and Human Services (DPHHS)

Opponent Testimony:

None

Questions from Committee:

15:51:15 Sen. John Fuller

15:53:08 Rep. Jane Gillette

15:53:25 Sen. John Fuller

15:53:41 Vice Chair Russel (Russ) Tempel

15:54:04 Rhonda Safford, Reach Higher Montana

15:54:36 Sen. Keith Regier

16:00:05 Rep. Jane Gillette

16:00:25 Sen. Keith Regier

16:00:40 Sen. Shannon O'Brien

16:01:48 Rep. Jane Gillette

16:01:59 Sen. Daniel Emrich

16:04:39 Rep. Jane Gillette

16:05:40 Vice Chair Edith (Edie) McClafferty

16:06:01 Erica Johnston, DPHHS

16:06:38 Vice Chair Edith (Edie) McClafferty

16:06:56 Rhonda Safford, Reach Higher Montana
16:07:33 Chair Daniel Salomon
16:08:20 Justin Villmer, DCC
16:08:56 Chair Daniel Salomon
16:11:34 Rep. Jane Gillette
16:12:15 Chair Daniel Salomon
16:12:27 Sen. John Fuller
16:12:48 Erica Johnston, DPHHS
16:13:34 Chair Daniel Salomon
16:13:42 Erica Johnston, DPHHS
16:14:59 Sen. Daniel Emrich
16:16:41 Erica Johnston, DPHHS

Closing Statement:

16:16:51 Rep. Jane Gillette (R), HD 64, closed the hearing on HB 482.

HEARING ON HB 396 - Require school trustees to admit resident children on a part-time basis

Opening Statement:

16:19:37 Rep. Naarah Hastings (R), HD 50, opened the hearing on HB 396, Require school trustees to admit resident children on a part-time basis.

Proponent Testimony:

16:21:44 Doug Reisig, Coalition of Advocates for Montana's Public Schools (CAMPS)
16:23:36 Wyatt LaPraim, Americans for Prosperity (AFP)
16:25:43 Lance Melton, Montana School Boards Association (MTSBA)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

16:27:36 Sen. Keith Regier
16:27:55 Lance Melton, MTSBA
16:28:38 Sen. Keith Regier
16:29:20 Chair Daniel Salomon
16:29:46 Lance Melton, MTSBA
16:30:32 Chair Daniel Salomon
16:31:02 Sen. Keith Regier
16:31:09 Chair Daniel Salomon
16:31:23 Sen. Keith Regier
16:31:31 Vice Chair Edith (Edie) McClafferty
16:31:52 Lance Melton, MTSBA
16:32:29 Sen. Daniel Emrich
16:32:56 Chair Daniel Salomon
16:34:05 Sen. John Fuller
16:34:35 Rep. Naarah Hastings
16:35:03 Vice Chair Russel (Russ) Tempel
16:36:23 Lance Melton, MTSBA

Closing Statement:

16:36:54 Rep. Naarah Hastings (R), HD 50, closed the hearing on HB 396.

HEARING ON HB 504 - Revise school laws to require trustees to adopt a grievance policy

Opening Statement:

16:37:22 Rep. Naarah Hastings (R), HD 50, opened the hearing on HB 504, Revise school laws to require trustees to adopt a grievance policy.

Proponent Testimony:

16:38:27 Doug Reisig, Coalition of Advocates for Montana's Public Schools (CAMPS)

16:40:19 Jenna McKinney, Director of Family Engagement, Office of Public Instruction (OPI)

16:42:00 Lance Melton, Montana School Boards Association (MTSBA)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

None

Closing Statement:

16:42:37 Rep. Naarah Hastings (R), HD 50, closed the hearing on HB 504.

EXECUTIVE ACTION ON HB 338 - Revise laws related to Indian Education for All

16:44:05 **Motion:** Vice Chair Edith (Edie) McClafferty moved that **HB 338 BE CONCURRED IN.**

Discussion:

16:44:19 Pad McCracken

16:45:02 Motion to remove amendment HB.0338.002.001 from HB 338

16:46:44 Motion carried unanimously by voice vote.

16:47:03 **Motion:** Sen. Shannon O'Brien moved that **HB 338 BE AMENDED.**

Discussion:

16:47:21 Sen. Shannon O'Brien

16:48:07 Sen. John Fuller

16:48:17 Sen. Shannon O'Brien

16:49:22 Sen. Keith Regier
16:49:38 Pad McCracken
16:50:14 Sen. John Fuller
16:50:37 McCall Flynn, Executive Director, Board of Public Education (BPE)
16:51:38 Sen. Hertz has arrived
16:51:48 **Vote:** Motion carried unanimously by voice vote.
16:51:51 **Motion:** Vice Chair Russel (Russ) Tempel moved that **HB 338 BE CONCURRED IN AS AMENDED.**

Discussion:

16:52:01 Sen. Shannon O'Brien
16:53:00 Sen. Daniel Emrich
16:53:43 Chair Daniel Salomon
16:53:56 McCall Flynn, BPE
16:54:49 Sen. John Fuller
16:55:48 **Vote:** Motion carried unanimously by voice vote.
16:55:48 **Carrier Assigned:** Sen. Shannon O'Brien

EXECUTIVE ACTION ON HB 566 - Revise notice requirements for human sexuality instruction

16:56:14 **Motion:** Vice Chair Russel (Russ) Tempel moved that **HB 566 BE CONCURRED IN.**

Discussion:

16:56:19 Chair Daniel Salomon
16:57:02 **Motion:** Vice Chair Russel (Russ) Tempel moved that **HB 566 BE AMENDED.**

Discussion:

16:57:15 Chair Daniel Salomon
16:57:51 Pad McCracken
17:00:18 Chair Daniel Salomon
17:00:42 Sen. Keith Regier
17:01:35 Chair Daniel Salomon

17:01:50 Sen. John Fuller

17:02:11 Sen. Greg Hertz

17:02:30 Chair Daniel Salomon

17:02:51 **Vote:** Motion carried unanimously by voice vote.

17:03:30 **Motion:** Sen. Daniel Emrich moved that **HB 566 BE AMENDED.**

Discussion:

17:03:46 Sen. Daniel Emrich

17:06:12 Sen. John Fuller

17:07:06 Sen. Daniel Emrich

17:08:17 Vice Chair Edith (Edie) McClafferty

17:08:33 Lance Melton, Montana School Boards Association (MTSBA)

17:09:11 Chair Daniel Salomon

17:09:45 Sen. Daniel Emrich

17:10:02 Lance Melton, MTSBA

17:10:20 Sen. Keith Regier

17:10:39 Pad McCracken

17:11:03 Sen. Greg Hertz

17:11:44 **Vote:** Motion failed 10 - 1 by roll call vote with Sen. Emrich, voting yes.

17:13:10 **Motion:** Sen. Daniel Emrich moved that **HB 566 BE AMENDED.**

Discussion:

17:13:22 Sen. Daniel Emrich

17:14:26 Sen. John Fuller

17:14:12 **Vote:** Motion failed 10 - 1 by voice vote with Sen. Emrich, voting yes.

17:15:27 **Motion:** Vice Chair Russel (Russ) Tempel moved that **HB 566 BE CONCURRED IN AS AMENDED.**

17:15:39 **Vote:** Motion carried 9 - 2 by voice vote with Sen. Olsen, Sen. Webber, voting no.
Sen. Olsen, Sen. Webber, By Proxy

17:15:39 **Carrier Assigned:** Sen. John Fuller

EXECUTIVE ACTION ON HB 502 - Revise education laws related to human sexuality instruction

17:16:35 **Motion:** Vice Chair Russel (Russ) Tempel moved that **HB 502 BE CONCURRED IN.**

Discussion:

17:16:39 Chair Daniel Salomon

17:16:49 **Substitute Motion:** Sen. John Fuller moved that **HB 502 TO TABLE.**

17:16:49 **Vote:** Substitute Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 396 - Require school trustees to admit resident children on a part-time basis

17:18:08 **Motion:** Vice Chair Russel (Russ) Tempel moved that **HB 396 BE CONCURRED IN.**

Discussion:

17:18:13 Chair Daniel Salomon

17:18:31 Sen. John Fuller

17:18:48 **Vote:** Motion carried unanimously by voice vote.

17:18:48 **Carrier Assigned:** Sen. John Fuller

EXECUTIVE ACTION ON HB 504 - Revise school laws to require trustees to adopt a grievance policy

17:19:21 **Motion:** Vice Chair Russel (Russ) Tempel moved that **HB 504 BE CONCURRED IN.**

17:19:48 **Vote:** Motion carried unanimously by voice vote.

17:19:48 **Carrier Assigned:** Sen. John Fuller

ADJOURNMENT

Adjournment: 17:20:28

Lynnette Sena, Secretary

Additional Documents: [EXHIBIT\(230405EDSaad\)](#)