



ECONOMIC AFFAIRS INTERIM COMMITTEE

68th Montana Legislature

SENATE MEMBERS

Kenneth Bogner
Carlie Boland
Jason Ellsworth
Shane Morigeau

HOUSE MEMBERS

Alice Buckley
Derek Harvey
Joshua Kassmier
Brandon Ler
Mark Noland
Katie Sullivan

COMMITTEE STAFF

Bethany McDowell James - Secretary
Erin Sullivan - Research Analyst
Jameson Walker - Attorney

MINUTES LOG

October 03, 2022
Zoom
Helena, Montana

Please note: This document is a Minutes Log and provides annotation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video recording of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of the meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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MEMBERS PRESENT:

Sen. Kenneth Bogner, Chair (R)
Rep. Derek Harvey, Vice Chair (D)
Sen. Jason Ellsworth (R)
Rep. Joshua Kassmier (R)
Rep. Brandon Ler (R)
Sen. Shane Morigeau (D)
Rep. Mark Noland (R)
Rep. Katie Sullivan (D)

MEMBERS EXCUSED:

Rep. Alice Buckley (D)
Sen. Carlie Boland (D)

MEMBERS ABSENT:

STAFF PRESENT:

Bethany McDowell James,
Secretary
Erin Sullivan, Research Analyst
Jameson Walker, Attorney

AGENDA ([Attachment 1](#))

VISITORS' LIST ([Attachment 2](#))

COMMITTEE ACTION

CALL TO ORDER/ROLL CALL

15:30:29 Sen. Kenneth Bogner called the meeting to order at 3:30 PM. The committee secretary took roll.

OPENING REMARKS

15:32:25 Sen. Bogner discussed the topic of the meeting.

15:32:54 Erin Sullivan, Legislative Services Research Analyst reviewed HB 745. ([Exhibit 1](#) and [Exhibit 2](#))

FACIAL RECOGNITION TECHNOLOGY IN SCHOOLS

Stakeholder Discussion on Facial Recognition Technology in Schools

15:38:46 David Marzolf, Superintendent of Sun River Valley School District

Committee Questions for Mr. Marzolf

15:40:26 Rep. Noland asked about the security of the facial recognition technology used in the Sun River Valley School District.

15:42:48 Rep. Sullivan asked about attendance from technology vendors.

15:44:19 Rep. Noland asked about Mr. Marzolf's district's compliance with the Children's Online Privacy Protection Act (COPPA).

15:46:18 Rep. Noland commented on parental awareness of the technology.

15:47:43 Sen. Ellsworth asked about students who do not participate in the facial recognition technology.

15:48:27 Sen. Ellsworth asked about the opportunity for students to opt out of using the facial recognition technology.

15:49:25 Sen. Bogner asked about the difference between video recording and facial recognition technology in schools.

15:50:18 Sen. Ellsworth commented on privacy concerns for children in schools.

15:51:06 Rep. Sullivan commented on understanding the use of facial recognition technology.

Stakeholder Discussion on Facial Recognition Technology in Schools

15:52:56 Kris Goss, Director of Policy Services at Montana School Board Association (MTSBA) ([Exhibit 3](#))

Committee Questions for Mr. Goss

16:02:45 Rep. Noland asked about the contents within the MTSBA packet presented to the committee. (See exhibit 3)

16:06:14 Rep. Noland commented on studies from other states regarding facial recognition technology in their schools.

- 16:08:00 Sen. Ellsworth asked about the opt-out process for participation in facial recognition technology.
- 16:11:40 Rep. Sullivan asked about the number of school districts using facial recognition technology.
- 16:13:55 Rep. Sullivan commented on student safety in schools. She followed by asking about potential policy that ensures compliance from vendors.
- 16:17:46 Rep. Sullivan asked about the possibility of unauthorized vendors reaching out to schools.

Stakeholder Discussion on Facial Recognition Technology in Schools

- 16:20:15 Rob Watson, Executive Director of School Administrators of Montana (SAM)
- 16:24:16 Robert Stutz, Chief Legal Counsel at the Office of Public Instruction (OPI)

Committee Questions/Discussion

- 16:27:41 Rep. Noland asked Mr. Goss about the contents of the MTSBA packet that was presented to the committee. (See exhibit 3)
- 16:35:36 Rep. Noland asked Mr. Goss about sharing information outside of the United States.
- 16:38:16 Rep. Noland asked Mr. Goss about cloud ownership.
- 16:39:34 Rep. Sullivan asked Mr. Goss about required agreements with vendor contracts.
- 16:42:29 Rep. Sullivan asked Mr. Goss for clarification.
- 16:43:22 Sen. Bogner commented on potential ideas to improve current laws regarding privacy protection for students.

Public Comment on Facial Recognition Technology in Schools

- 16:44:35 Steve Cape, Coalition for Safety and Justice
- 16:53:14 Clemente Arciga, Self

Committee Questions/Discussion

- 16:55:55 Rep. Sullivan commented on hearing from the vendors who offer facial recognition technology in Montana.
- 16:56:23 Sen. Bogner reviewed the conversations from the meeting.

ADJOURNMENT

- 16:57:59 Sen. Bogner adjourned the meeting at 16:57:59 (4:57pm).