



# Nominating Committee for Commissioner of Political Practices

## 65th Montana Legislature

### SENATE MEMBERS

SCOTT SALES  
JON SESSO

### HOUSE MEMBERS

AUSTIN KNUDSEN  
JENNY ECK

### COMMITTEE STAFF

SUSAN FOX, Executive Director  
LAURA SHERLEY, Secretary

## MINUTES LOG

Thursday, March 9, 2017 at 10:00 AM  
Room 472, Capitol Building  
Helena, Montana

Please note: This document is a Minutes Log and provides a notation 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 record 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 meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side menu of the home page, select Committees, then Interim. Once on the page for Interim Committees, scroll down to the appropriate committee. The written Minutes Log, along with the audio and video recordings, is listed by meeting date on the interim committee's web page. Each of the "Exhibits" is linked and can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed.

Please contact the Legislative Services Division at 406-444-3064 for more information.

### COMMITTEE MEMBERS PRESENT

SEN. SCOTT SALES  
SEN. JON SESSO

REP. AUSTIN KNUDSEN  
REP. JENNY ECK

### COMMITTEE MEMBERS EXCUSED

NONE

### STAFF PRESENT

SUSAN BYORTH FOX, Executive Director  
LAURA SHERLEY, Committee Secretary

### VISITORS' LIST ([Attachment 1](#))

### AGENDA ([Attachment 2](#))

### COMMITTEE ACTION

## **CALL TO ORDER and ROLL CALL**

00:00:04 Sen. Sales called the meeting to order at 10:00 a.m. The committee secretary recorded the roll ([Attachment 3](#)). Sen. Sales also provided details of the interview process ([Exhibit 1](#)).

## **INDIVIDUAL APPLICANT INTERVIEWS**

### **Commissioner of Political Practice Applicant -- Robert Hoffman**

#### **Applicant Introduction**

00:00:55 Mr. Hoffman ([Exhibit 2](#))

#### **Questions 1 and 2: Outline Qualifications and Give Reason for Applying to the Commissioner of Political Practice Position**

00:02:50 Mr. Hoffman

#### **Question 3: Detail Experience with Campaigns, Candidates, Political Parties or Committees**

00:05:30 Mr. Hoffman

#### **Question 4: Provide Examples from Past Experience that Demonstrate Abilities to Interpret Statutes, Legal Opinions, and Regulations and Experience with Judicial or Quasi-Judicial Proceedings**

00:06:51 Mr. Hoffman

#### **Question 5: Provide further Information or Ask Questions of the Committee Pertaining to the Commissioner or Political Practices Position**

00:07:43 Mr. Hoffman

#### **Committee Questions**

00:08:59 Rep. Knudsen asked Mr. Hoffman to detail how he would handle different contrasting aspects of the Commissioner of Political Practices position.

00:13:03 Sen. Sesso asked Mr. Hoffman to detail why he wants to be Commissioner of Political Practices and how this position fits in his career path.

## **SELECTION OF CANDIDATES**

00:16:58 Sen. Sales reminded the committee that selection of the candidates will be postponed until after the Senate and House floor sessions to allow more time for each committee member to review the interviews of the candidates.

00:17:30 Rep. Knudsen commented on the importance of the additional time for the members to review the additional information gathered from each candidate during the interview process.

00:17:45 Sen. Sesso asked Ms. Fox to review the candidate selection procedure. Ms. Fox referred to the procedure outlined in statute ([Exhibit 3](#)).

00:18:37 Sen. Sales made recommendations on how the committee should proceed with the selection process.

00:19:02 Sen. Sesso asked Ms. Fox for clarification on nominating candidates.

00:19:52 Sen. Sales asked Ms. Fox if the committee does not reach a consensus on 2-5 candidates, then no names will be submitted to the Governor.

**RECESS**

00:20:14 Sen. Sales recessed the meeting until 3:00 p.m. Thursday, March 9, 2017.

Thursday, March 9, 2017 at 3:00 PM  
Room 350, Capitol Building  
Helena, Montana

**VISITORS' LIST** ([Attachment 1](#))

**AGENDA** ([Attachment 2](#))

**COMMITTEE ACTION**

**RECONVENE and ROLL CALL**

00:00:04 Sen. Sales called the meeting to order at 3:00 p.m. The committee secretary recorded roll call ([Attachment 3](#)).

**SELECTION OF CANDIDATES**

00:00:30 Rep. Knudsen discussed Michael Larson and recommended he be a candidate submitted to the Governor for the Commissioner of Political Practices position.  
00:01:16 Rep. Knudsen asked for clarification of how the committee will proceed in the selection process for this meeting.

**MOTION**

00:01:24 Rep. Knudsen moved that the committee submit Michael Larson's name and application to the governor for consideration of the Commissioner of Political Practices position.

**MOTION DISCUSSION**

00:01:32 Rep. Eck commented on the importance of selecting an attorney for the position and avoid the possibility of outsourcing legal work.  
00:02:11 Sen. Sesso voiced his agreement with Rep. Eck's comment and stressed the importance of maintaining an attorney in office due to the percentage of legal work in the daily workload of the Commissioner of Political Practices position.

**VOTE**

00:03:18 The motion failed on a 2-2 voice vote, with Sen. Sesso and Rep. Eck voting "no".

**MOTION**

00:03:36 Rep. Eck moved that the committee submit Jamie MacNaughton's name and application to the governor for consideration of the Commissioner of Political Practices position.

**DISCUSSION ON THE MOTION**

00:04:18 Rep. Knudsen discussed Ms. MacNaughton's involvement in the current Commissioner of Political Practices work and voiced his concern that this would limit the growth of the office.

**VOTE**

00:04:48 The motion failed on a 2-2 voice vote, with Sen. Sales and Rep. Knudsen voting "no".

**MOTION**

00:05:08 Rep. Eck moved that the committee submit Michael Black's name and application to the governor for consideration of the Commissioner of Political Practices position.

**DISCUSSION ON THE MOTION**

00:05:38 Sen. Sesso commented on Mr. Black's well-rounded background in legal aspects.

00:06:06 Rep. Knudsen voiced his concern about Mr. Black's background involvement in political cases.

**VOTE**

00:06:40 The motion failed on a 2-2 voice vote, with Sen. Sesso and Rep. Knudsen voting "no".

**MOTION**

00:06:53 Sen. Sales moved that the committee submit Debbie Shea's name and application to the Governor for consideration of the Commissioner of Political Practices position.

**DISCUSSION OF THE MOTION**

00:07:49 Sen. Sesso commented on Ms. Shea's character assessment but stressed the importance of selecting an attorney for the Commissioner of Political Practices position.

00:08:39 Rep. Eck voiced her concern about Ms. Shea's reluctance to move to Helena and commented on the importance that the Commissioner of Political Practices was stationed in Helena.

00:08:58 Sen. Sales asked if Sen. Sesso and Rep. Eck would reconsider their decisions of Ms. Shea if the office was able to re-commission a staff attorney to assist the Commissioner of Political Practices.

**VOTE**

00:11:30 The motion failed on a voice vote 2-2, with Sen. Sesso and Rep. Eck voting "no".

**MOTION**

00:11:52 Rep. Knudsen moved that the committee submit Jeff Mangan's name and application to the governor for consideration of the Commissioner of Political Practices position.

**DISCUSSION ON THE MOTION**

00:12:04 Rep. Knudsen voiced his appreciation of Mr. Mangan's legal background and his impressive resume.

00:12:59 Sen. Sesso voiced his concern about Mr. Mangan's comment regarding his reliance of the staff attorney.

00:13:37 Sen. Sales commented on Mr. Mangan's character and previous work.

**VOTE**

00:14:18 The motion failed on a 2-2 voice vote, with Sen. Sesso and Rep. Eck voting "no".

**MOTION**

00:14:47 Rep. Knudsen moved that the committee submit Benjamin Tiller's name and application to the governor for consideration of the Commissioner of Political Practices position.

**DISCUSSION ON THE MOTION**

00:14:55 Rep. Knudsen discussed Mr. Tiller's legal and nonpartisan background.

00:15:50 Rep. Eck commented on Mr. Tiller's previous experiences in state government and his legal background.

**VOTE**

00:16:25 The motion passed unanimously.

00:16:30 Sen. Sales offered the committee members to make a motion to submit Robert Hoffman's name and application to the governor for consideration of the Commissioner of Political Practices position.

**SCHEDULE TO MEET AGAIN**

00:17:24 Sen. Sales recommended that the members continue to consider the applicants and meet again at 3:00 p.m. on Monday, March 13, 2017 to re-discuss the applicants and come to a consensus on 2-5 names.

00:17:40 Sen. Sesso commented his concern about possible schedule conflicts and recommended moving the meeting time to 4:00 p.m.

00:18:09 Rep. Knudsen reminded the committee that Rep. Zinke will be at the Capitol the afternoon of March 13, 2017 at 1:00 p.m.

00:18:28 Rep. Eck voiced her agreement to meet on March 13, 2017 at 4:00 p.m.

00:18:37 Rep. Knudsen asked for clarification that the committee will meet again on Monday, March 13, 2017 at 4:00 p.m.

**ADJOURNMENT**

00:18:49 Sen. Sales adjourned the meeting at 3:20 p.m.

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