MINUTES LOG
September 6, 2018
Room 172, 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.

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COMMITTEE MEMBERS PRESENT
SEN. SUE MALEK, Chair
SEN. DOUG KARY, Vice Chair
SEN. DEE BROWN
SEN. FRANK SMITH
REP. DENISE HAYMAN
REP. FORREST MANDEVILLE
REP. WENDY MCKAMEY
REP. KATHY SWANSON

COMMITTEE MEMBERS EXCUSED

STAFF PRESENT
SHERI SCURR, Lead Staff
K. VIRGINIA ALDRICH, Staff Attorney
LAURA SHERLEY, Secretary
COMMITTEE ACTIONS
The State Administration and Veterans Affairs Interim Committee:
• voted to forward LCsa04 with amendments, a bill draft entitled ‘An Act exempting certain lottery game parameters from rulemaking procedures under the Montana administrative procedure act; and providing an immediate effective date, and
• voted to forward LCsa5A with amendments, a bill draft requesting an interim legislative study on accessibility for electors with disabilities.

CALL TO ORDER AND ROLL CALL
00:00:02 Sen. Malek called the meeting to order at 9:01 a.m. The committee secretary took roll (Attachment 3).

VETERANS AFFAIRS - VET CHOICE PROGRAM AND 2018 VA MISSION ACT
Informational Briefing
Dr. Kathy Berger, Director, U.S. Department of Veterans Affairs (VA), Montana
Anthony Giljum, Montana VA Associate Director
Patrick Hutchison, Montana VA Public Affairs Officer
Christian Lundstrom, Montana VA Congressional Liaison
Tova Reddick, Montana VA Chief of Health Administration Services
00:02:22 Speaker introductions
00:03:01 Director Berger (Exhibit 1)

Committee questions
00:08:14 Rep. Hayman asked Director Berger how the VA MISSION Act will improve medical care for physically disabled veterans.
00:10:03 Sen. Kary asked Director Berger if telehealth mental health services will be implemented in the VA MISSION Act, how many telehealth systems would be set up around the state, and what are the parameters of the services.
00:12:31 Sen. Kary asked Director Berger if veterans are being informed of the mental health services available though the Montana VA.
00:13:33 Sen. Brown asked Director Berger what the job requirements are for the unfilled Montana VA positions.
00:15:26 Sen. Brown commented on the Kalispell Montana VA center staff.
00:16:01 Sen. Malek asked Director Berger if the veteran caregivers program was discontinued and, if it was, will it be reimplemented.
00:16:55 Sen. Malek asked Director Berger if there will be a new infrastructure in Missoula and where it will be located. The question was redirected to Mr. Giljum.
00:17:44 Sen. Malek asked Director Berger for more information on the Montana VA electronic health records system. The question was redirected to Mr. Giljum.
00:19:34 Sen. Smith asked Director Berger how the Montana VA handles dual provider care when providers are in different states.
Veterans' Affairs Staff Liaisons for Montana's U.S. Congressional Delegation
Bruce Knutson for U.S. Sen. Jon Tester
Jim Korth for U.S. Sen. Steve Daines

00:21:57 Speaker introductions
00:22:41 Mr. Knutson (Exhibit 2) (Exhibit 3) (Exhibit 4)
00:23:55 Mr. Simons (Exhibit 5)
00:26:18 Mr. Korth (Exhibit 6)

Committee questions
00:29:34 Rep. Mandeville asked the speakers for contact information from each office to give to state veterans who have questions regarding the VA MISSION Act.
00:32:44 Sen. Smith asked Mr. Knutson if there will be paperwork to assist veterans who need to switch from the VA CHOICE program to the VA MISSION Act.
00:34:33 Rep. McKamey asked Mr. Knutson how the VA MISSION Act will keep the VA accountable during implementation.
00:36:02 Sen. Smith asked Mr. Knutson how the VA MISSION Act will be funded.
00:36:43 Rep. Hayman asked Mr. Knutson if there will be a hotline for state veterans to call if they have questions and concerns about the VA MISSION Act.
00:37:55 Sen. Malek asked Mr. Knutson how veterans are informed if they qualify for veteran services.
00:39:47 Sen. Malek asked Mr. Knutson if job services are still available to veterans.
00:40:28 Sen. Malek asked Mr. Knutson how the office handles misfiled veteran services applications.
00:42:03 Sen. Malek asked Mr. Knutson if the Montana VA is handling Affordable Care Act bundled payments.
00:42:58 Sen. Malek asked Mr. Knutson if there has been discussion regarding major corporations paying for common major surgeries. The question was redirected to Robyn Madison, Regional Director for Sen. Jon Tester.
00:47:44 Rep. Hayman asked Mr. Knutson how the VA MISSION Act will improve veterans’ quality of life.
00:50:53 Sen. Malek reviewed the speakers' comments and commented on the importance of state veterans being informed of Montana VA services.

Provider comments -- Jean Branscum, CEO, Montana Medical Association
00:52:02 Ms. Branscum

Committee questions
01:04:21 Sen. Brown asked for further information on the preapproval process.
01:05:46 Sen. Brown asked how the preapproval process is handled for emergency situations outside VA clinic hours.
01:07:25 Sen. Malek asked for more information on the state’s VA residency programs.
01:09:49 Rep McKamey asked if there is medical school involvement in residency program implementation.
Veteran comments
01:12:34  Gary White, American Legion of Montana

Committee questions
01:15:08  Rep. McKamey asked Mr. White if the Montana Joining Community Forces coalition works with the American Legion of Montana.
01:16:20  Sen. Malek commented on the work of the Montana VA and asked Director Berger to comment on the VA residency programs.
01:18:53  Sen. Malek asked Director Berger if the Iraq and Afghanistan Veterans of American Services is a Montana VA recognized group.
01:19:20  Sen. Malek asked Joe Foster, Administrator, Montana Veterans Affairs Division (MVAD), if he had comments to add to the discussion. He introduced Kelly Ackerman, who would be the MVAD administrator when Mr. Foster retires effective October 1st.

Public comment
None

Committee discussion
01:22:34  Sen. Brown commented on the VA MISSION Act update from the Montana VA.

PUBLIC ACCESS TO VOTER INFORMATION - LAWS IN OTHER STATES -- Ms. Scurr
01:23:40  Ms. Scurr (Exhibit 7) (Exhibit 8) (Exhibit 9)

Committee questions
01:35:31  Sen. Brown asked why the state's election records cost more than other states.
01:36:47  Sen. Malek asked if voter information is a subscription and if social security and drivers license numbers are required for voter enrollment. (Exhibit 10)
01:39:35  Sen. Malek asked if incarcerated persons or persons on parole can vote.
01:40:10  Sen. Malek asked if the voter registration form is produced by the Secretary of State (SOS) and reviewed by the SAVA committee.
01:40:32  Sen. Malek asked Dana Corson, Election Director, SOS, if voter social security and driver license numbers are included in voter files.
01:42:00  Sen. Malek asked Director Corson why voter information would be requested.
01:43:31  Sen. Malek asked Director Corson to comment on restricting birth dates on voter forms, and to comment on the cost of the voter file.
01:45:41  Ms. Aldridge responded to the committee's questions on SOS forms.
01:46:13  Ms. Scurr reminded the committee of the Voter Information File and Date Fields document from the SOS that was distributed to the committee at their July 18, 2018, meeting. (Exhibit 11)
01:47:06  Sen. Malek asked Director Corson for clarification on the voter registration process for voters who are 17 years-old.
01:47:45  Sen. Brown asked Director Corson how early a voter 17 years-old and younger can preregister.
UPDATE ON ELECTION SECURITY ACTIVITIES AND 2018 HAVA GRANT -- Dana Corson, Election Director, Secretary of State's Office
01:49:00 Director Corson

Committee questions
01:52:33 Director Corson continued his presentation.

Committee questions
01:54:31 Sen. Malek asked if the SOS needs to submit an information technology plan by the end of September 2018, and if there will be a new computer system to secure the voter file.
02:03:13 Rep. McKamey asked how voter machine maintenance agreements are established and if they are mandatory or optional.
02:05:40 Sen. Malek asked if there will be updates to the SOS My Voter Page web page.
02:08:54 Sen. Malek asked there was recently a cyber attack on the SOS website.
02:10:26 Sen. Malek asked if the computer security system being replaced at the state level is due to the cyber attack.
02:11:28 Sen. Malek asked about state assistance to replace voting machines in counties.
02:13:38 Sen. Malek asked if a notification will be sent out when the new information technology plan is implemented.
02:14:14 Sen. Malek requested a link to the plan be in the SOS newsletter and asked if the SOS newsletter is available online and if anyone can sign up for the SOS newsletter.
02:15:27 Rep. Mandeville requested that the link to the information technology plan be sent to the committee.

AGENCY BILL DRAFT PROPOSALS
Department of Military Affairs -- Brigadier General Donald Emerson, Assistant Adjunct General
02:16:35 Mr. Emerson
02:17:38 Major Mike Talia handed out the department's bill draft proposals. (Exhibit 12)
02:17:46 Ms. Scurr reminded the committee of their handouts that outlined the various department's bill draft proposals. (Exhibit 13) (Exhibit 14) (Exhibit 15)
02:18:10 Mr. Emerson continued his presentation. (see Exhibit 12)

Committee questions
02:20:30 Rep. Hayman asked Dan Hubber, Deputy Construction & Facilities Management Officer, Department of Military Affairs, for an update on and cost of the next construction project.
Committee discussion/action

Motion
02:23:10 Rep. Hayman moved to approve all of the Department of Military Affairs’s bill draft proposals.

Vote

Public Employees' Retirement Board -- Dore Schwinden, Montana Public Employee Retirement Administration (MPERA) Executive Director
02:25:39 Director Schwinden
02:27:05 William Holahan, Legal Council, MPERA (see Exhibit 14)

Committee questions
02:35:12 Sen. Malek asked Mr. Holahan for clarification on the board's bill draft proposal to generally revise laws related to the administration of Public Employee Retirement Systems (see Exhibit 14).
02:35:42 Rep. Mandeville asked Director Schwinden for clarification on board's bill draft proposal regarding employer contribution for the Game Wardens’ and Peace Officers' Retirement System (see Exhibit 14).

Public comment
None

Committee discussion

Motion
02:38:29 Rep. Hayman moved to approve the MPERA bill draft proposals.

Vote

Teachers' Retirement Board -- Shawn Graham, Teachers' Retirement System Executive Director
02:39:37 Director Graham (see Exhibit 15) (Exhibit 16)

Committee questions
02:46:18 Rep. Mandeville asked for clarification on the Montana University System Retirement Program (MUSRP) supplemental contribution rate increase.
02:48:35 Sen. Malek asked if the MUSRP supplemental contribution rate increase will be paid for by employees or split between employees and employers.
02:49:18 Sen. Malek asked if the board will propose legislation regarding retired superintendents returning to work in communities.
Committee discussion

Motion
02:50:00 Rep. Swanson moved to approve the TRS bill draft bill proposals.

Vote

PRELIMINARY COMMITTEE BILL LCSA04 - INITIAL REVIEW -- Ms. Aldrich
02:51:28 Ms. Aldrich (Exhibit 17)

Committee questions
02:54:32 Sen. Brown recommended keeping the bracketed language section in the bill draft LCSA04 (see Exhibit 17).

Public comment
02:55:22 Angela Wong, Montana Lottery

Committee questions/discussion
02:57:25 Sen. Brown asked Ms. Wong for clarification on gaming end-date language.
03:01:26 Sen. Brown recommended further defining language on gaming end-dates and asked Ms. Aldrich if there is language that could further define gaming.
03:02:58 Rep. Hayman recommended that the committee staff work with the Montana Lottery to address language that would efficiently define gaming and gaming end-dates.
03:05:19 Rep. Mandeville asked Ms. Wong if online fantasy games are owned by the Montana Lottery.
03:06:13 Committee discussion
03:07:47 Sen. Malek asked Sen. Brown if she had specific language changes to LCSA04 (see Exhibit 17).
03:08:38 Rep. Mandeville recommended an individual legislator introduce the bill rather than it be a committee bill.
03:09:04 Sen. Malek asked if online fantasy games are regulated.
03:09:35 Sen. Malek asked Ms. Wong if the legislature could address online fantasy gaming regulations.
03:10:48 Sen. Brown asked Ms. Wong and Ms. Aldrich if the commission can change rules to clarify the gaming end-date language rather than the committee drafting legislation.
03:13:49 Rep. Hayman asked Ms. Aldrich for clarification on LCSA04 and asked Ms. Wong if she agrees with the recommended changes to the bill draft (see Exhibit 17).

Motion
03:15:20 Rep. Hayman moved to forward LCSA04 with the amendment to remove the bracketed language (see Exhibit 17).
Vote
03:16:48 Sen. Malek said she would carry the bill on behalf of the committee.

RULE REVIEW -- Ms. Aldrich
03:17:32 Ms. Aldrich (Exhibit 18)

Committee questions/discussion
03:18:45 Sen. Brown asked that the committee send a letter to the agencies under the jurisdiction of the committee that they submit rule changes a week before a scheduled committee meeting.
03:20:40 Sen. Malek asked Ms. Aldrich to comment on the discussion.

LUNCH (Reconvened at 1:35 p.m.)

PRELIMINARY COMMITTEE BILL LCsa05 - INITIAL REVIEW -- Ms. Scurr
04:34:21 Ms. Scurr (Exhibit 19)

Stakeholder comments
Beth Brenneman, Disability Rights Montana
Dana Corson, Elections Director, Secretary of State's Office
Regina Plettenberg, County Election Administrators Association
04:40:55 Speaker introductions
04:41:27 Ms. Brenneman (Exhibit 20)
04:43:18 Ms. Plettenberg
04:45:45 Director Corson
04:46:24 Ms. Brenneman
04:48:54 Ms. Plettenberg

Committee questions/discussion
04:49:54 Sen. Malek asked Ms. Brenneman for clarification on her comments regarding voters in irrigation districts.
04:51:19 Rep. Mandeville commented on the study resolution and requested that the committee input the speakers' recommended changes.
04:53:05 Committee discussion

Motion
04:59:12 Rep. Mandeville moved to forward LCsa5A with amendments (see Exhibit 19).

Public comment
05:00:18 Shantil Siaperas, Montana Association of Counties

Vote
05:00:56 The motion passed on a 5-0 voice vote. Sen. Kary, Sen. Brown, and Rep. McKamey were excused.
PUBLIC COMMENT ON ANY TOPIC UNDER THE COMMITTEE'S JURISDICTION
05:02:33 Joe Walsh, Swan Valley
05:13:53 Rep. Hayman asked Mr. Walsh for clarification of his comments.

AGENCY OVERSIGHT - STATUTORILY REQUIRED REPORTS
Montana Board of Veterans' Affairs
05:17:13 Joe Foster, Administrator, Montana Veterans' Affairs Division (MVAD)
05:18:51 Kelly Ackerman, Administrator Select, MVAD

Committee Bill
05:21:22 Ms. Scurr discussed a potential committee bill on Department of Administration IT statutory reporting requirements based on Senate Bill No. 19, 2017 (Exhibit 21) (Exhibit 22).

Department of Administration
05:29:18 Tim Bottenfield, State Information Technology Services Division (SITSD), Department of Administration

Committee questions
05:32:07 Sen. Malek asked if state agencies contract with the SITSD for IT security and if the SITSD helped the Department of Public Health and Human Services with their IT security contract.
05:35:15 Rep. Hayman asked Director Bottenfield if he replaced Ron Baldwin and commented on her vote on SB 19.
05:37:00 Sen. Malek asked Director Bottenfield to comment on SB No.19 and the IT security reports from SITSD.
05:38:03 Sen. Malek asked why the department reports to the Legislative Fiscal Division on contracts $500,000 or more and commented on SB No. 19.
05:39:37 Rep. Hayman left the meeting at 2:41 p.m.

WRAP UP AND PLANNING FOR NEXT MEETING
Agenda items
05:39:54 Sen. Malek asked Ms. Scurr about the Legislative Guide to the retirement systems.
05:40:55 Sen. Malek asked Ms. Scurr what other items will be on the agenda for the committee's November 2018 meeting.

November meeting date
05:41:53 Ms. Scurr asked if the committee wanted to be polled for a November 2018 meeting date.
05:42:05 Rep. Swanson asked Ms. Scurr to include in the poll a set of dates to pick from for their November 2018 meeting date.

ADJOURNMENT
05:43:00 Sen. Malek adjourned the meeting at 2:44 p.m.

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