



PO BOX 201706
Helena, MT 59620-1706
(406) 444-3064
FAX (406) 444-3036

**STATE ADMINISTRATION AND VETERAN AFFAIRS INTERIM
COMMITTEE
67th Montana Legislature**

SENATE MEMBERS

Dee Brown
Janet Ellis
Douglas (Doug) Kary
Edith (Edie) McClafferty

HOUSE MEMBERS

Jacob Bachmeier
Jessica Karjala
Forrest Mandeville
Wendy McKamey
Ray Shaw
Marvin Weatherwax

COMMITTEE STAFF

K.V. Aldrich - Attorney
Bri Nordhagen - Secretary
Sheri Scurr - Research
Analyst

MINUTES LOG

January 16, 2020
Capitol Room 102

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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COMMITTEE MEMBERS PRESENT:

REP. WENDY MCKAMEY, CHAIR (R)
SEN. JANET ELLIS, VICE CHAIR (D)

SEN. DEE BROWN (R)
SEN. DOUGLAS (DOUG) KARY (R)

REP. JACOB BACHMEIER (D)
REP. JESSICA KARJALA (D)
REP. FORREST MANDEVILLE (R)
REP. RAY SHAW (R)
REP. MARVIN WEATHERWAX (D)

MEMBERS EXCUSED:

SEN. EDITH (EDIE) MCCLAFFERTY (D)

STAFF PRESENT:

SHERI SCURR, Research Analyst
JAMESON WALKER, Staff Attorney
LAURA SHERLEY, Secretary

AGENDA ([Attachment 1](#))

COMMITTEE BUSINESS SUMMARY

SAVA Actions for 1/16/2020

- Chairwoman McKamey dissolved the Subcommittee on Lobbying and set the February 27, 2020, meeting as a full SAVA meeting.
- By consensus, the committee narrowed the committee's scope of work on lobbying laws to the following:
 - Cleaning up outdated statutory terminology and conform the statutory definition of lobbying to court rulings.
 - Revising reporting requirements to simplify the process.
 - Reviewing the lobbying fee and how it is allocated.
 - Receiving updates on progress towards a better electronic filing system for the Office of Commissioner of Political Practices.

CALL TO ORDER - ROLL CALL

08:03:00 Rep. McKamey called the meeting to order at 8:03 a.m. The secretary took roll.

ETHICS - LEGISLATOR PARTICIPATION IN EDUCATIONAL

Summary of Issue

08:04:37 Todd Everts, Legal Director, LSD discussed his memo to leadership ([Exhibit 1](#)), and a decision-tree flow chart ([Exhibit 2](#)).

08:10:42 Jeff Mangan, Commissioner of Political Practices (COPP) discussed his initial memo ([Exhibit 3](#)) and his clarification memo ([Exhibit 4](#)).

Committee questions

08:14:26 Sen. Brown asked if travel paid for a political figure is considered a gift.

08:16:47 Sen. Brown commented on the definition of gift bans for political figures.

Public Comment

None

LOBBYING LAWS - SCOPE OF STUDY

Issue Brief

08:19:21 Ms. Scurr presented her issue brief ([Exhibit 5](#)).

08:33:11 Comm. Mangan discussed the questions his office receives on lobbying and provided a copy of a 2003 communication from then Commissioner Linda Vaughey ([Exhibit 6](#)).

Public Comment

08:41:36 Web Brown, Montana Society of Association Executives

08:47:51 Bruce Spencer, State Bar of Montana

08:51:18 Shelby DeMars, self

08:57:03 Dan Smith, Montana Police Protective Association

08:58:52 Jennifer Hensley, self

09:01:37 Lis Moore, Montana Nonprofit Association

09:02:13 Rhonda Wiggers, self

Committee questions

- 09:06:46 Sen. Kary asked Comm. Mangan to comment on the restructuring of the COPP IT department, who handles the database structure, and how the office works with other companies under contract to update the database.
- 09:10:10 Sen. Brown asked Comm. Mangan to discuss the COPP website.
- 09:12:35 Sen. Brown commented on bidding the job to restructure the COPP website to high school or college students, commented on lobbyist forms, and asked if the office could work with lobbyists to draft legislation regarding the issue of various lobbyist forms.
- 09:14:31 Sen. Brown commented on the need to update the COPP website and asked the commissioner to report to the committee about the process of updating the COPP website.
- 09:15:59 Rep. Bachmeier asked Comm. Mangan to provide more information on citizen lobbying.
- 09:19:45 Rep. Karjala asked Ms. Scurr what the best practices are about grassroots lobbying and how to determine the difference among lobbyists.
- 09:22:28 Rep. Mandeville asked Comm. Mangan if the lobbyist fee breakdown is statutory or in administrative rules, and asked Comm. Mangan if he has a recommendation for a fee structure.
- 09:26:09 Rep. Mandeville asked Ms. Scurr if the upcoming subcommittee meeting could be converted into a full SAVA committee meeting.

MOTION

- 09:27:39 Rep. McKamey moved to dissolve the subcommittee and convert the next scheduled meeting date into a full SAVA committee meeting.

VOTE

- 09:27:44 The motion passed on a unanimous voice vote.
- 09:28:00 Sen. Brown recommended discussing what direction the committee wants to take on the topic of lobbying and next meeting agenda items.
- 09:33:29 Rep. Shaw asked Comm. Mangan if the COPP has the resources available to handle the recommendations the legislature could make.
- 09:35:06 Rep. Shaw commented on lobbying laws and making laws simpler.
- 09:36:03 Sen. Ellis commented on grassroots lobbying.
- 09:37:34 Sen. Ellis asked Comm. Mangan to clarify what lobbying information is not being reported and asked Comm. Mangan to discuss out-of-state grassroots lobbying.
- 09:41:37 Sen. Ellis asked Jamie MacNaughton, Staff Attorney, Commissioner of Political Practices, how the supreme court handles legislator lobbying.
- 09:43:05 Sen. Ellis asked Ms. MacNaughton to comment on the reporting requirements from the COPP.
- 09:45:39 Sen. Ellis asked Comm. Mangan to comment on the foreseen updates to the COPP website and reporting system and associated costs.
- 09:48:33 Sen. Ellis asked Comm. Mangan for clarification on the COPP administrative fees.

HJ 23 - STUDY OF STRUCTURE & FUNDING OF MONTANA VETERANS' AFFAIRS
DIVISION

Staff Report on Research of Selected States

- 09:51:37 Ms. Scurr presented her research report ([Exhibit 7](#)).

Committee questions

- 10:16:45 Rep. McKamey commented on the information given in Ms. Scurr's presentation.
- 10:17:30 Rep. Karjala asked how counties in the state generate revenue.
- 10:17:54 Sen. Brown commented on the importance of reporting requirements.

Ravalli County Veteran Services Center (VVSC) structure and funding

- 10:19:58 Mike Warner, Lead Veteran Service Officer (VSO), Ravalli County Veteran Services Center (VVSC)
- 10:20:13 Greg Chilcott, Ravalli County Commissioner
- 10:20:28 Ms. Scurr noted the committee's materials included a packet of information about the VVSC ([Exhibit 8](#)) and a copy of HB 172 (2019) that established a grant program for county veteran service officers ([Exhibit 9](#)).
- 10:20:48 Mr. Warner and Comm. Chilcott provided a history of the VVSC ([Exhibit 10](#)).

Public Comment

- 10:25:40 Roger Hagan, Montana Department of the American Legion

HB 172 - State Grant Program Implementation

- 10:27:14 Kelly Ackerman, Montana Veteran Affairs Division (MVAD) Administrator, provided a timeline on the HB 172 grant implementation ([Exhibit 11](#)).

Public Comment

None

Committee questions

- 10:30:51 Rep. Mandeville asked Comm. Chilcott if there is a VVSC board and who appoints the board.
- 10:32:16 Sen. Brown asked Comm. Chilcott if Ravalli County has statistics displaying the effectiveness of the VVSC services.
- 10:33:49 Sen. Brown asked Mr. Warner if there are performance requirements in the national certification for a VSO.
- 10:35:31 Rep. Karjala asked Ms. Scurr and the panel for clarification on the Washington veteran services program funding and what constitutes the dollar amount for a claim.
- 10:39:22 Rep. Karjala asked the panel if veterans are traveling long distances to the VVSC offices.
- 10:40:07 Sen. Ellis asked Mr. Warner for clarification on the grant process timeline.
- 10:41:31 Sen. Ellis asked Mr. Warner to discuss how success rate is measured and how VSOs are monitored.
- 10:47:52 Rep. Shaw commented on the use of state veteran services and asked Ms. Ackerman to speak to the accessibility of veteran services.
- 10:54:59 Rep. Mandeville asked for an update on which hospitals dropped out of the veteran services system due to costs.
- 10:55:39 Rep. Bachmeier asked for a projected timeline on how long it would take to get hospitals back online with the veteran services system.
- 10:55:58 Rep. Shaw asked Ms. Ackerman if the MVAD could get Beaverhead County hospitals online with the veteran services system.
- 10:57:23 Rep. Bachmeier commented on a metric system to measure the success of the VVSC.

- 11:01:37 Rep. Karjala commented on determining the metrics to measure the success of the VVSC.
- 11:03:17 Rep. McKamey commented on the sacrifices of veterans, the work of the VVSC, and asked Ms. Ackerman for a list of the hospitals currently online with veteran services, hospitals who are not, and why those hospitals are no longer online.

GENERAL PUBLIC COMMENT

None

LUNCH

RULE REVIEW

- 12:01:37 Jameson Walker, Attorney, LSD, presented a rule review memo about the 9-1-1 grant award criteria ([Exhibit 12](#)), and a rule review memo on a Public Employee Retirement Board rule ([Exhibit 13](#)).

HJ 10 - VOTING CHALLENGES FOR AMERICAN INDIANS LIVING ON RESERVATIONS

Progress Report

- 12:02:42 Hope Stockwell, Research Analyst, LSD, discussed the State-Tribal Relations Committee activities related to HJ 10 ([Exhibit 14](#)).

Public Comment

- 12:07:36 Tajin Perez, Western Native Voice
- 12:08:45 Nancy Leifer, Legal Voters for Montana ([Exhibit 15](#))

Committee questions

- 12:09:57 Sen. Brown asked Mr. Perez to comment on tribal IDs and asked clarifying questions about tribal IDs.
- 12:14:20 Sen. Ellis asked Mr. Perez what eligibility is required for a tribal ID. Rep. Weatherwax also responded to the question.

HJ 3 - STUDY OF ACCESSIBILITY FOR DISABLED ELECTORS

- 12:18:03 Ms. Scurr noted the committee's materials included survey results on special district elections ([Exhibit 16](#)) and survey results on county-run school elections ([Exhibit 17](#)).

Survey Results

- 12:20:03 Shantil Siaperas, Montana Association of Counties and Montana Association of Clerk and Recorders and Election Administrators, and Regina Plettenberg, Ravalli County Elections Administrator, presented a PowerPoint on county-administered school and special district elections ([Exhibit 18](#)).

Committee questions

- 12:37:46 Sen. Brown asked the panel for clarification on voting center accessibility.
- 12:39:29 Sen. Brown asked the panel for clarification of the shared costs for high school elections.
- 12:41:48 Sen. Brown asked if it would be cheaper for school districts to have the county do counting.

12:43:24 Rep. Mandeville asked Ms. Plettenberg if accessible machine and ballots cost the county more and commented on the importance of having access to vote regardless of cost.

12:45:25 Ms. Siaperas continued the presentation.

Public Comment

12:53:33 Emily Dean, Montana School Boards Association ([Exhibit 19](#))

12:55:42 Denise Williams, Montana Association of School Business Officials

Survey Results Continued

12:59:59 Nicole Thuotte, Finance and Elections Specialist, OPI, presented the survey results for school-run school elections ([Exhibit 20](#)).

Committee questions

13:12:43 Sen. Ellis asked Ms. Siaperas what kind of elections special districts run.

LCsa01 - Bill draft revising laws on accessibility for disabled electors - roundtable with stakeholders

Stakeholders participating in the roundtable:

Regina Plettenberg, County Election Administrator, provided handout on election administrator comments ([Exhibit 21](#)) and a county equipment chart ([Exhibit 22](#)).

Shantil Siaperas, County Election Administrator's Association

Nicole Thuotte, OPI, provided a handout on OBI's comments ([Exhibit 23](#))

Denise Williams, MASBO

Beth Brenneman, Disability Rights Montana

Joel Peden, disabled elector, Summit Independent Living

Dana Corson, Elections Director, Secretary of State's Office

Tajin Perez, Western Native Voice

Emily Dean, Montana School Boards Association

13:13:53 Ms. Scurr began a section-by-section walk-through of LCsa01 ([Exhibit 24](#)).

Discussion

13:28:45 Committee and stakeholder discussion on definitions.

13:35:02 Ms. Scurr continued the presentation on LCsa01.

Discussion

13:37:55 Committee and stakeholder discussion.

13:40:37 Ms. Scurr continued the presentation on LCsa01.

Committee questions/discussion

13:42:05 Sen. Brown asked for clarification on special and school district funding.

13:43:38 Committee and stakeholder discussion.

13:45:03 Rep. Karjala asked if the new proposed voting system will be more expensive for larger counties.

13:48:58 Committee and stakeholder discussion.

14:00:40 Rep. Karjala asked if counties could handle the costs of staffing the new proposed voting system.

14:01:38 Committee and stakeholder discussion.

14:13:00 Ms. Scurr continued the presentation on LCsa01.

Discussion

14:14:20 Committee and stakeholder discussion.

14:14:54 Ms. Scurr continued the presentation on LCsa01.

Discussion

14:15:49 Committee and stakeholder discussion.

14:16:35 Ms. Scurr continued the presentation on LCsa01.

Committee questions/discussion

14:17:00 Committee and stakeholder discussion

14:17:25 Rep. Mandeville asked if school districts and buildings are required to be accessible.

14:18:00 Ms. Scurr continued the presentation on LCsa01 and provided a handout on polling place exemptions (**Exhibit 25**).

Committee questions/discussion

14:20:48 Committee and stakeholder discussion.

14:23:32 Rep. Mandeville asked Ms. Plettenberg if accessibility surveys would change with the new proposed voting system.

14:25:20 Committee and stakeholder discussion.

14:26:26 Ms. Scurr continued the presentation on LCsa01.

Committee questions/discussion

14:27:50 Committee and stakeholder discussion.

14:29:14 Rep. Mandeville asked Ms. Scurr to draft language for rural districts to allow electors to be reassigned due to inaccessibility.

14:31:22 Committee and stakeholder discussion.

Committee questions/discussion

14:47:50 Sen. Ellis asked Ms. Scurr for clarification on the committee's next steps.

14:48:47 Rep. Mandeville recommended staff provide multiple draft language options at the next meeting for the committee to decide on.

14:49:20 Committee and stakeholder discussion.

Public Comment

14:52:16 Nancy Leifer, Legal Voters for Montana (**Exhibit 26**)

Committee questions/discussion

14:54:24 Ms. Scurr provided information to clarify previous comments about the lobbyist fee and what portion is used to fund the Montana Public Affairs Network (MPAN).

14:55:22 Rep. McKamey asked for clarification on how much of the lobbyist fee goes to MPAN.
14:56:35 Committee discussion

BREAK

WRAP-UP DISCUSSION

15:07:20 Committee discussion
15:10:40 Rep. McKamey asked Mr. Walker if lobbyist fees are in statute.
15:11:15 Committee discussion
15:11:56 Ms. Scurr asked for clarification of the committee's meeting dates.
15:12:44 Committee discussion on meeting dates.
15:17:05 Rep. Bachmeier asked what the lobbyist fee is currently and how much of a raise on the fee is being considered.
15:17:50 Ms. Scurr asked the committee for clarification on their work plan requests.
15:18:30 Committee discussion
15:20:18 Sen. Ellis asked Ms. MacNaughton to comment on the discussion and if the COPP can complete the committee's requests.
15:23:14 Rep. McKamey asked Ms. Scurr to review the committee's requests.

ADJOURNMENT

15:24:26 Rep. McKamey adjourned the meeting at 3:25 p.m.

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