

MINUTES LOG

June 24, 2021
Room 137
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:

Rep. Marta Bertoglio (R)
Sen. Mike Cuffe (R)
Rep. Julie Dooling (R)
Sen. Janet Ellis (D)
Sen. Douglas (Doug) Kary (R)
Rep. Kelly Kortum (D)
Sen. Edith (Edie) McClafferty (D)
Rep. Wendy McKamey (R)

MEMBERS EXCUSED:

Rep. Jessica Karjala (D)
Rep. Marvin Weatherwax (D)

MEMBERS ABSENT:

STAFF PRESENT:

K.V. Aldrich, Attorney
Bri Nordhagen, Secretary
Rebecca Power, Research
Analyst

AGENDA [\(Attachment 1\)](#)

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

CALL TO ORDER/ROLL CALL/ WELCOME AND INTRODUCTIONS

08:30:35 Sen. Kary called the meeting to order at 8:30 A.M. The committee secretary took roll.

Administrative Overview

08:44:56 Sen. Ellis asked if the plus's and minuses could be summarized and stated in the past this committee had not accepted proxies.

08:46:12 Rep. McKamey stated because of Zoom/telephone capabilities there was an option to participate remotely thus eliminating the need for proxies.

08:48:19 Sen. McClafferty stated she liked having proxy's and did have them in other committees and objected to the motion.

08:49:36 Sen. Ellis agreed with Sen. McClafferty stating at times schedules do not permit being able to use the phone or participate via Zoom.

08:50:43 Sen. Kary stated the committee would have to define how proxies were allowed and asked the committee if they wanted to change the rules, gave an overview of the "Rules, Procedures, and Guidelines for Interim Committees" handout.
(Exhibit 1)

08:52:35 Sen. Cuffe asked what the written statement would say and if there needed to be specific direction.

08:53:19 Rep. Dooling asked if written proxies would be like ones used in session.

08:55:36 Sen. Ellis asked for more detail from Rep. McKamey regarding the written proxies.

08:57:41 Sen. Kary withdrew his motion and asked the committee to move forward as seen fit.

Motion

08:59:01 Rep. McClafferty made a motion for the committee to accept proxies.

Vote

08:59:12 The motion to accept proxy's failed 5 to 3 on a roll call vote, with Rep. Karjala and Rep. Weatherwax excused. **(Attachment 3)**

Work Session – Committee Rules and Election of Officers

09:03:05 Sen. Cuffe asked for clarification on whether the Senate vote and House would be tallied for consensus on an issue as two different consensuses.

09:04:16 Sen. McClafferty asked Joe Kolman, Legislative Services Division (LSD), Research Office and Environmental Policy Director, if other committees always voted on a consensus.

Motion

09:05:27 Sen. McClafferty made a motion that the State Administration and Veterans' Affairs Interim (SAVA) vote as a body as a whole.

Work Session – Committee Rules and Election of Officers (continued)

09:05:47 The committee continued the discussion on voting as a body***

Vote

09:08:00 The motion for the State Administration and Veterans' Affairs Interim committee to vote passed unanimously on a voice vote.

Motion

09:08:39 Sen. Kary made a motion to accept the changes in the rules.

Vote

09:08:44 The motion to accept the changes to the rules passed unanimously on a voice vote.

Work Session – Committee Rules and Election of Officers (continued)

09:08:59 Sen. Cuffe nominated Sen. Kary as Presiding Officer.

09:09:22 Sen. McClafferty nominated Sen. Ellis as Presiding Officer.

09:13:17 Rep. McKamey nominated Sen. Ellis as Presiding Officer and Sen. Kary as Vice Presiding Officer.

09:15:14 Sen. Cuffe referred to the "History of SAVA Presiding Officers" handout. ([Exhibit 2](#))

09:15:51 Rep. McKamey asked if either Mr. Kolman or Ginger Aldrich, staff attorney LSD, could give input on the past presiding officers history and how that correlated in voting of presiding officers.

09:18:07 Rep. Dooling asked Sen. Kary how other interim committees decided their presiding officers.

Motion

09:19:09 Rep. Kortum made a motion nominating Sen. Ellis as Chair and Sen. Kary as Vice Chair.

Work Session – Committee Rules and Election of Officers (continued)

09:20:00 Sen. Kary asked Rep. Kortum how the committee should vote should there be a Libertarian candidate.

Vote

09:21:45 The motion nominating Sen. Ellis as Chair passed 5 to 3 on a roll call vote, with Rep. Bertoglio, Sen. Cuffe and Sen. Kary voting against Sen. Ellis. Rep. Karjala and Rep. Weatherwax were excused. ([Attachment 4](#))

BREAK (Reconvened at 09:35:55)

09:22:35

Work Session – Committee Rules and Election of Officers (continued)

09:36:03 Sen. Ellis continued the discussion regarding the election of Vice Chair.

09:36:31 Rep. McKamey nominated Sen. Kary as Vice Chair.

09:36:49 Sen. Kary nominated Rep. Bertoglio as Vice Chair.

09:37:18 Sen. Cuffe made a motion the nominations be closed.

Motion

09:37:36 Sen. Ellis made a motion for Rep. Bertoglio to be Vice Chair for the State Administration and Veterans' Affairs Interim Committee.

Vote

09:37:50 The motion to nominate Rep. Bertoglio as Vice Chair passed unanimously on a voice vote.

BREAK (Reconvened at 09:41:07)

09:38:00

Welcome to SAVA

09:41:27 Rebecca Power, LSD Research Analyst, began her overview of the “Welcome Packet & Draft Work Plan”, “Agency, Report(s), Statute”, “A Legislator’s Guide to Montana’s Public Employee Retirement System”, “Green Sheets” handouts. [\(Exhibit 3\)](#) [\(Exhibit 4\)](#) [\(Exhibit 5\)](#) [\(Exhibit 6\)](#)

09:51:12 Ms. Power continued her overview of the assigned studies handouts; HJ 8 and SJ 35. [\(Exhibit7\)](#) [\(Exhibit 8\)](#)

Questions from the committee

09:58:40 Madam Chair Ellis asked about budget guidelines and requested from staff the Montana’s Public Pensions – Where We’ve Been, handout to have for future reference.

10:00:47 Rep. McKamey asked Ms. Power to provide that document to the committee as soon as possible.

09:58:17 Sen. Ellis asked Ms. Power if the changes made to the pensions program in 2013 were SAVA initiated or separate departments/budgets.

Welcome to SAVA

10:01:33 Ms. Power continued her overview of the draft work plan and meeting schedule.

Introductions and Overviews of Assigned Agencies

10:03:53 Jeff Mangan, Commissioner of Political Practices, began his overview of the agency.

Questions from the committee

10:10:34 Rep. McKamey asked Commissioner Mangan if some of the legislation passed has caused more work for his division.

10:11:16 Madam Chair Ellis asked Commissioner Mangan if he could summarize the bills passed regarding lobbying fees, political practices, etc.

Introductions and Overviews of Assigned Agencies (continued)

10:16:10 Christi Jacobsen, Secretary of State, began her overview of the agency and introduced members.

10:27:48 Misty Ann Giles, Director of the Department of Administration, began her overview and reviewed the “Department of Administration” handout. [\(Exhibit 9\)](#)

Questions from the committee

10:41:40 Madam Chair Ellis asked Director Giles for an acronym sheet that could be given to staff and asked what the timeline was regarding the space study.

10:44:01 Rep. McKamey asked Director Giles if she oversaw the changes, and if the changes would require legislation on the committee’s part.

10:47:50 Sen. Ellis asked for clarification on the ARPA funds and if that pot that was based on the gas tax.

Introductions and Overviews of Assigned Agencies (continued)

10:50:32 Major General J. Peter Hronek, Adjutant General, Montana National Guard, began his overview of the agency.

Questions from the committee

10:58:04 Rep. McKamey asked General Hronek if there was a possibility of increasing the funds regarding election security in all counties, as they run out in 2023. Rep. McKamey asked Major Mike Talia, Montana National Guard attorney, if the requirement from the legislative auditor was to provide the security check and evaluation throughout the state and if counties needed to approach him or vice versa. Rep. McKamey asked for clarification that counties needed to approach the Montana National Guard in order to start the process of the security evaluation.

11:04:53 Sen. Cuffe asked Major Talia if elections were a civil function of government and moving towards a military control of that function was not happening.

11:08:48 Sen. Ellis asked General Hronek if he could provide the committee with a list of the counties that have completed the election security assessment and the counties that are scheduled to get an assessment throughout the state.

11:09:51 Kelly Ackerman, Administrator, Montana Veteran's Affairs Division/Board of Veteran Affairs (MVAD) began her overview of the division.

Questions from the committee

11:23:07 Sen. Kary asked Ms. Ackerman how many VSO's were out of the 22 staff members for the regional staff offices and about the numbers of staff not adding up.

11:26:39 Madam Chair Ellis asked Ms. Ackerman about the Ravalli County Program and if they've reported their statistical data to her division.

11:29:21 Rep. Dooling asked Ms. Ackerman if additional funding would still be needed to get a program started along with the grant.

LUNCH (Reconvened at 12:35:20)

11:32:44

Introductions and Overviews of Assigned Agencies (continued)

12:35:39 Shawn Graham, Executive Director, Montana Teachers' Retirement System, began his overview of the division.

12:38:57 Dore Schwinden, Executive Director, Montana Public Employee Retirement Administration, began his overview of the division.

12:42:55 Dan Villa, Executive Director, Montana Board of Investments, began his overview of the division.

Questions from the committee

12:48:20 Rep. Dooling asked Director Villa if the committee could get a copy of the figures presented.

12:49:13 Rep. McKamey asked for the information from the previous two directors to be sent to the committee as well.

12:49:30 Madam Chair Ellis asked Director Villa about the defined contribution and how that gets managed.

Work Session – Overview of SAVA’s Agency Rule Review Duties

12:51:06 Ginger Aldrich, LSD staff attorney, began her review of the MAPA slideshow as well as the “Overview of the Rulemaking and Administrative Rule Activity”, and “State Administration and Veterans’ Affairs Legislation” handouts. (Exhibit 10) (Exhibit 11) (Exhibit 12)

Questions and discussion from the committee

13:10:40 Sen. Ellis asked the committee how they would like to receive the rule review briefings.

13:13:36 Sen. Cuffe asked if all the communications come by email or do some come as written copies

13:17:16 Madam Chair Ellis asked Ms. Aldrich about MAPA and rules regarding to public comment.

Public comment

13:18:43 None

Work Session – SAVA’s Work Plan Options and Study Priorities

13:19:47 Ms. Power began her review of the decision matrix; the committee discussed the work plan***

16:06:44 Madam Chair Ellis asked if staff could keep the committee posted on the status of the lawsuits going forward.

Public comment

14:10:54 Brian Thompson, The Association of Montana Retired Public Employees

14:13:00 Mark Murphy, Montana Association of Chiefs of Police

14:15:38 Dave Maslowski, Montana State Firemen’s Association

14:16:21 Carole Mackin, Retiree

Discussion from the committee

14:17:59 Sen. Kary asked Mr. Kolman if he knew offhand whether the 2017 audit would still be available in paper form.

Public Comment* on Any Topic in the Committee’s Jurisdiction

14:22:01 Lauren Caldwell, Montana Federation of Public Employees

14:22:44 Roger Hagan, Montana Department of the American Legion and the Army National Guard

14:25:09 Carole Mackin, Retiree

Meeting Wrap Up

14:26:08 Madam Chair Ellis and committee discussed future meeting dates.

ADJOURNMENT

14:54:21 Madam Chair Ellis adjourned the State Administration and Veterans’ Affairs Interim Committee at 2:54 p.m.