



STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE

68th Montana Legislature

SENATE MEMBERS

Mike Cuffe
Janet Ellis
Forrest Mandeville
Wendy McKamey

HOUSE MEMBERS

Marta Bertoglio
Julie Dooling
Ross Fitzgerald
Gregory Frazer
Kelly Kortum
Ed Stafman

COMMITTEE STAFF

Ania Alduenda - Secretary
Andria Hardin - Attorney
Rebecca Power - Research Analyst

MINUTES LOG

May 23, 2024
Capitol Room 137 & 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:

Rep. Julie Dooling, Chair (R)
Rep. Kelly Kortum, Vice Chair (D)
Rep. Marta Bertoglio (R)
Sen. Mike Cuffe (R)
Sen. Janet Ellis (D)
Rep. Ross Fitzgerald (R)
Rep. Gregory Frazer (R)
Sen. Forrest Mandeville (R)
Sen. Wendy McKamey (R)
Rep. Ed Stafman (D)

LEGISLATIVE FISCAL COMMITTEE:

Sen. Tom McGillvray (R)
Rep. Jim Hamilton (D)
Rep. Eric Matthews (D)

MEMBERS EXCUSED:

LEGISLATIVE FISCAL COMMITTEE:

Rep. Terry Moore (R)

MEMBERS ABSENT:

STAFF PRESENT:

Ania Alduenda, Secretary

Andria Hardin, Attorney

Rebecca Power, Research Analyst

AGENDA ([Attachment 1](#))

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

COMMITTEE ACTION

CALL TO ORDER/ROLL CALL

08:04:17 Presiding Officer Julie Dooling called the meeting to order at 8:04 AM. The committee secretary took roll.

SENATE JOINT 4: PROVIDE FOR INTERIM STUDY OF PUBLIC EMPLOYEE RETIREMENT SYSTEM (PERS) AND TEACHERS' RETIREMENT SYSTEM (TRS)

08:06:32 Vice Presiding Officer Kelly Kortum

State Pension Practices and Considerations for Montana

08:07:29 David Draine, Principal Officer, The Pew Charitable Trusts, State Fiscal Policy Project

[EXHIBIT 1](#)

08:23:09 Rep. Ross Fitzgerald joined the meeting.

08:26:03 Sen. Forrest Mandeville joined the meeting.

Committee Questions / Discussion

08:34:51 Rep. Jim Hamilton

08:35:42 David Draine

08:36:05 Sen. Mike Cuffe

08:36:42 David Draine

08:42:05 Sen. Tom McGillvray

08:42:42 David Draine

08:43:37 Sen. Janet Ellis

08:44:00 David Draine

MT Rate of Return and Asset Allocation History

08:52:22 Dan Villa, Executive Director, Montana Board of Investments

[EXHIBIT 2](#)

Committee Questions / Discussion

09:13:28 Rep. Ed Stafman

09:14:38 Dan Villa
09:18:35 Sen. Janet Ellis
09:19:31 Dan Villa
09:20:46 Sen. Tom McGillvray
09:22:03 Dan Villa
09:25:50 Sen. Wendy McKamey
09:26:29 Dan Villa
09:29:02 Sen. Forrest Mandeville
09:30:25 Dan Villa
09:34:53 Sen. Mike Cuffe
09:35:31 Dan Villa
09:35:52 Rep. Jim Hamilton
09:36:30 Dan Villa
09:44:10 Rebecca Power, Research Analyst, Legislative Services Division (LSD)
09:44:25 Rep. Jim Hamilton

National Institute on Retirement Security (NIRS): A Look at the Outcomes of Closing a Public Pension Plan

09:49:02 Dan Doonan, Executive Director, NIRS
[EXHIBIT 3](#)
[EXHIBIT 4](#)

Committee Questions / Discussion

10:23:34 Rep. Jim Hamilton
10:24:07 Dan Doonan
10:27:24 Sen. Tom McGillvray
10:27:57 Dan Doonan

10:32:45 **Recessed**

10:46:10 **Reconvened**

History of the MT University System – Retirement Plan (MUS-RP) and Split from TRS

10:46:53 Shawn Graham, Executive Director, TRS
[EXHIBIT 5](#)
[EXHIBIT 6](#)
[EXHIBIT 7](#)
[EXHIBIT 8](#)
(See EXHIBIT 4)

Committee Questions / Discussion

11:04:40 Sen. Mike Cuffe
11:04:55 Shawn Graham
11:07:43 Sen. Janet Ellis
11:08:08 Shawn Graham

Defined Contribution Account Balances by Years of Service

11:09:33 William Holahan, Acting Executive Director, Montana Public Employees' Retirement Administration (MPERA)
[EXHIBIT 9](#)

Committee Questions / Discussion

11:18:25 Sen. Forrest Mandeville
11:19:17 William Holahan
11:22:10 Rep. Ed Stafman
11:23:02 William Holahan
11:24:13 Rep. Jim Hamilton
11:24:49 William Holahan
11:25:53 Sen. Tom McGillvray
11:26:12 William Holahan
11:26:29 Sen. Mike Cuffe
11:26:49 William Holahan
11:27:41 Sen. Janet Ellis
11:28:17 William Holahan

Research Request: Pensions as a Public Sector Recruitment and Retention Tool

11:29:36 Rebecca Power
[EXHIBIT 10](#)
[EXHIBIT 11](#)
(See EXHIBITS 3 & 4)

Committee Questions / Discussion

11:38:00 None

Updating the Legislator's Guide to Montana's Public Employee Retirement Systems

11:38:12 Rebecca Power
[EXHIBIT 12](#)
[EXHIBIT 13](#)
[EXHIBIT 14](#)

Committee Questions / Discussion

11:43:10 Sen. Janet Ellis
11:45:03 Sen. Tom McGillvray
11:46:00 Rep. Jim Hamilton
[EXHIBIT 15](#)
11:48:53 Rep. Eric Matthews

Public Comment for Senate Joint 4: Provide for Interim Study of PERS and TRS

11:49:52 Kim Popham, Director of Policy and Research, Montana Federation of Public Employees

Committee Work Session

11:51:39 Sen. Forrest Mandeville
11:52:09 Sen. Janet Ellis
11:53:24 Rebecca Power
11:53:56 Rep. Eric Matthews
11:54:15 Rebecca Power
11:55:20 Sen. Forrest Mandeville
11:55:53 Rep. Jim Hamilton
11:57:46 Sen. Mike Cuffe

11:58:33 **Recessed**

13:02:58 **Reconvened**

PUBLIC COMMENT ON ANY TOPIC UNDER THE JURISDICTION OF SAVA

13:03:30 Dean Martin, Service Officer, POST Council
13:10:25 Lacy Bray, Member of American Legion and Veterans of Foreign Wars (VFW)
13:14:11 Bill White, Member of American Legion, Department of Montana

PENSION OVERSIGHT

13:16:40 Vice Presiding Officer Kelly Kortum

Data Request: Public Safety System Numbers

13:17:01 William Holahan
[EXHIBIT 16](#)

Committee Questions / Discussion

13:24:00 Sen. Janet Ellis
13:24:18 William Holahan

Provisional Bill Drafts Related to Pension Oversight

13:25:05 Rebecca Power
[EXHIBIT 17](#)
[EXHIBIT 18](#)
[EXHIBIT 19](#)
[EXHIBIT 20](#)
[EXHIBIT 21](#)

Committee Questions / Discussion

13:33:20 Sen. Forrest Mandeville
13:34:00 Rebecca Power
13:34:23 Rep. Ed Stafman
13:35:00 Rebecca Power
13:37:56 Sen. Janet Ellis
13:38:40 William Holahan

Public Comment

- 13:39:50 Jessie Luther, Association of Montana Troopers
13:43:05 Shelby DeMars, Montana Police Protective Association and Montana Association of Chiefs of Police
13:44:30 Kim Popham

Committee Work Session

- 13:46:30 Vice Presiding Officer Kelly Kortum
13:46:42 Sen. Forrest Mandeville
13:47:00 Rebecca Power

Motion

- 13:47:21 Sen. Wendy McKamey moved to split PD0009 into two drafts.
[EXHIBIT 22](#)

Discussion on the Motion

- 13:49:53 Rep. Ed Stafman
13:50:18 Rebecca Power
13:51:32 **Vote:** Carried unanimously by roll call vote.

Motion

- 13:51:44 Sen. Wendy McKamey moved to change the title of PD0011 to 'An Act Revising Retirement Criteria for the Highway Patrol Officers' System and the Sheriffs' Retirement System.'

Discussion on the Motion

- 13:52:00 Rebecca Power
13:52:15 Sen. Wendy McKamey
13:53:06 Sen. Forrest Mandeville
13:53:28 Rebecca Power
13:53:55 Sen. Wendy McKamey

Motion

- 13:55:15 Sen. Wendy McKamey moved to retitle PD0011 to 'An Act Revising Retirement Criteria for the Highway Patrol Officers' System and the Sheriffs' Retirement System.'

Discussion on the Motion

- 13:55:50 Sen. Forrest Mandeville
13:56:35 Rebecca Power
13:57:37 Vice Presiding Officer Kelly Kortum
13:58:05 Sen. Mike Cuffe

- 13:58:30 **Recessed**

14:12:53 **Reconvened**

Public Comment

14:13:06 Rep. Ross Fitzgerald
14:13:43 Dean Martin
14:16:00 Rep. Ed Stafman
14:16:49 Dean Martin
14:18:01 Sen. Wendy McKamey
14:19:10 Roger Hagan, American Legion, Department of Montana

Committee Work Session

14:20:00 Vice Presiding Officer Kelly Kortum
14:20:13 Rebecca Power
14:21:00 Sen. Wendy McKamey withdrew motion for PD 0011.

Motion

14:21:25 Sen. Wendy McKamey moved to retitle PD0011 to 'An Act Revising Retirement Criteria for the Highway Patrol Officers' System and the Sheriffs' Retirement System' and to edit the current draft to only include sections 7 and 10 with retroactive applicability.
(See Exhibit 22)

Discussion on the Motion

14:21:55 Sen. Forrest Mandeville
14:22:20 Rebecca Power
14:22:51 **Vote:** Carried 8 - 1 by roll call vote with Sen. Forrest Mandeville voting no.

Motion

14:24:05 Sen. Wendy McKamey moved to revise PD0009 into two drafts with the first draft titled 'An Act Repealing the Actuarially Determined Employer Contribution Rate for the Highway Patrol Officers' Retirement System, the Sheriffs' Retirement System, and the Game Wardens' and Peace Officers' Retirement System.'
(See EXHIBIT 22)
14:25:16 Rebecca Power

Discussion on the Motion

14:24:53 None
14:25:48 **Vote:** Carried 9 - 1 by roll call vote with Sen. Forrest Mandeville voting no.

Motion

14:26:39 Sen. Wendy McKamey moved to revise PD0009 into two drafts with the second draft titled 'An Act Providing for Supplemental Contributions for the Public Employee's Retirement System, the Highway Patrol Officers' Retirement System,

the Sheriffs' Retirement System, and the Game Wardens' and Peace Officers' Retirement System.'

(See EXHIBIT 22)

14:27:31 Rebecca Power

Discussion on the Motion

14:27:55 None

14:28:11 **Vote:** Carried unanimously by roll call vote.

Motion

14:28:52 Sen. Forrest Mandeville moved to revise PD0009 to include a limit for employer contributions on a yearly decrease that can be no more than .5% per year to match the yearly increase limit.

14:29:52 Rebecca Power

Discussion on the Motion

14:31:10 Sen. Wendy McKamey

14:31:37 Rebecca Power

14:32:33 Presiding Officer Julie Dooling

14:33:04 Jessie Luther

14:34:14 Vice Presiding Officer Kelly Kortum

Motion

14:34:43 Sen. Forrest Mandeville moved to make an amendment for retroactive applicability to his previous motion.

Discussion on the Motion

14:34:57 Rep. Ross Fitzgerald

14:35:33 Rep. Ed Stafman

14:35:48 Sen. Forrest Mandeville

14:36:54 Vice Presiding Officer Kelly Kortum

14:37:27 **Vote:** Carried unanimously by voice vote.

Motion

14:38:00 Rebecca Power

14:38:30 Sen. Forrest Mandeville moved to revise PD0009 to include a limit for employer contributions of a yearly decrease that can be no more than .5% per year to match the yearly increase limit and to add a clause of retroactive applicability.

Discussion on the Motion

14:38:35 Sen. Wendy McKamey

14:39:01 **Vote:** Failed 9 - 1 by roll call vote with Sen. Forrest Mandeville voting yes.

ADMINISTRATIVE RULE REVIEW

14:40:35 Andria Hardin, Staff Attorney, LSD
[EXHIBIT 23](#)
[EXHIBIT 24](#)

Public Comment

14:42:58 None

Committee Questions / Discussion

14:43:16 None

14:43:33 **Recessed**

14:57:13 **Reconvened**

MEMBER TOPIC: ELECTION SECURITY STUDY

14:57:50 Chris Gallus, Commissioner of Political Practices, (COPP)

14:59:27 Shelley Hendricksen-Scott, COPP Chief Legal Counsel

15:00:05 Darci Humphrey, Analyst, Department of Justice

[EXHIBIT 25](#)

15:04:05 Chris Gallus

15:15:39 Shelley Hendricksen-Scott

15:17:15 Chris Gallus

15:19:03 Darci Humphrey
(See EXHIBIT 25)

Committee Questions / Discussion

15:20:51 Rep. Ed Stafman

15:21:58 Chris Gallus

15:25:45 Shelley Hendricksen-Scott

15:26:23 Sen. Janet Ellis

15:28:20 Chris Gallus

15:30:00 Shelley Hendricksen-Scott

15:31:29 Darci Humphrey

15:32:04 Sen. Mike Cuffe

15:34:45 Darci Humphrey

15:36:06 Chris Gallus

MEMBER TOPIC: ELECTION SECURITY STUDY – Continued

15:37:00 Rebecca Power

[EXHIBIT 26](#)

[EXHIBIT 27](#)

Committee Questions / Discussion

15:38:25 None

Costs Associated with Cast Vote Records

15:38:43 Rebecca Power

[EXHIBIT 28](#)

[EXHIBIT 29](#)

Committee Questions / Discussion

15:41:17 Sen. Janet Ellis
15:41:50 Rebecca Power

Public Comment

15:42:30 Steve Turkiewicz, Representative, Secure Democracy USA
[EXHIBIT 30](#)
[EXHIBIT 31](#)

Committee Questions / Discussion

15:48:19 Rep. Ed Stafman
15:49:15 Rebecca Power

Motion

15:50:30 Rep. Ed Stafman moved to draft a bill to add online registration as an option for voters.

Discussion on the Motion

15:51:00 Sen. Janet Ellis
15:51:31 Sen. Mike Cuffe
15:53:10 Sen. Wendy McKamey
15:55:21 Rep. Stafman withdrew the motion to draft a bill to add online registration as an option for voters.
15:56:11 Rebecca Power
15:56:30 Sen. Forrest Mandeville
15:56:45 Sen. Wendy McKamey

Committee Discussion / Questions

15:57:26 Sen. Janet Ellis
15:58:35 Vice Presiding Officer Kelly Kortum
15:58:46 Rebecca Power

HOUSE JOINT 23 SUBCOMMITTEE UPDATE

15:59:35 Rep. Ross Fitzgerald
[EXHIBIT 32](#)

Public Comment

16:08:02 Rebecca Boslough King

Committee Questions / Discussion

16:09:05 Sen. Janet Ellis
16:09:40 Rebecca Boslough King
16:10:44 Rep. Ross Fitzgerald
16:11:55 Sen. Forrest Mandeville

16:12:50 Sen. Wendy McKamey
16:17:45 Rep. Ross Fitzgerald

EMERGING ISSUE: RECONCILIATION OF TRAUMATIC MEMORIES (RTM) PROTOCOL

16:19:45 Lawrence Anderson, Mentor, Missoula Veteran's Court
16:26:04 Rep. Ed Stafman left the meeting.

The Use of RTM Protocol for Post Traumatic Stress Disorder

16:26:12 Dr. Frank Bourke
[EXHIBIT 33](#)

Committee Questions / Discussion

16:46:45 Sen. Wendy McKamey
16:47:02 Dr. Frank Bourke
16:47:45 Vice Presiding Officer Kelly Kortum
16:48:00 Dr. Frank Bourke
16:48:25 Rep. Ross Fitzgerald
16:48:50 Dr. Frank Bourke check time
16:51:51 Sen. Forrest Mandeville
16:52:52 Rebecca Power

Public Comment

16:53:53 Lawrence Anderson
16:56:00 Dr. Frank Bourke
16:56:59 Barry Maylor, Missoula

MEETING WRAP UP

16:57:45 Vice Presiding Officer Kelly Kortum
16:59:12 Rebecca Power
[EXHIBIT 34](#)
17:00:30 Sen. Janet Ellis
17:01:16 Sen. Forrest Mandeville
17:01:25 Rebecca Power
17:03:02 Sen. Janet Ellis
17:03:27 Sen. Mike Cuffe
17:03:36 Rebecca Power

ADJOURNMENT

Adjournment: 17:03:50