



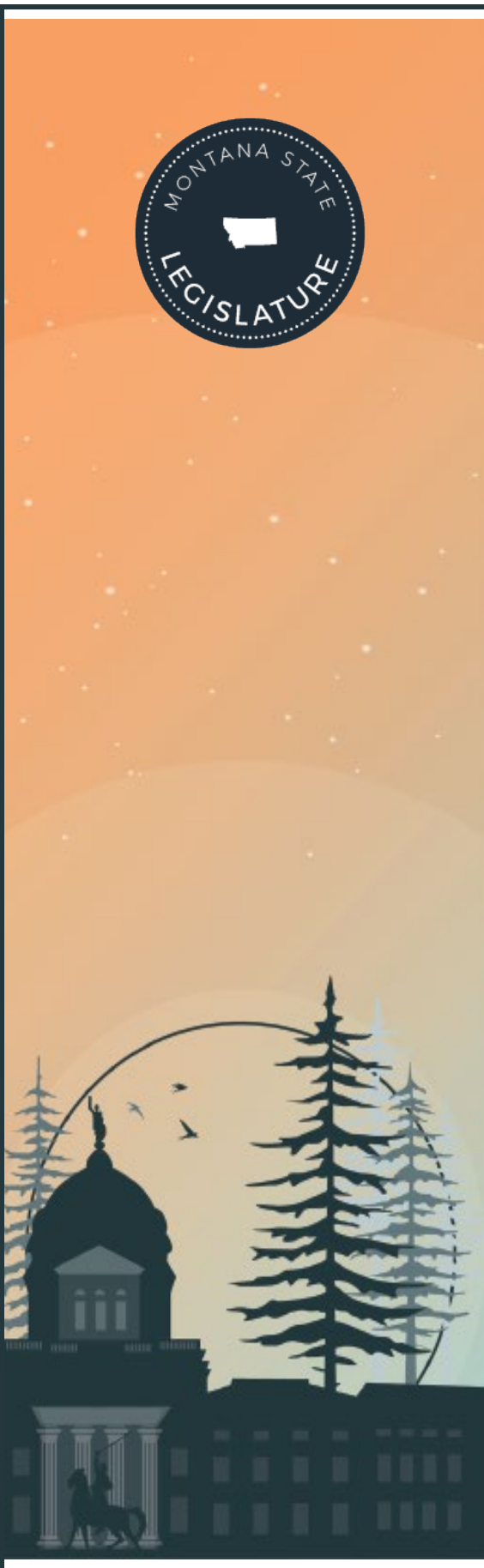
# DRAFT WORK PLAN

STATE ADMINISTRATION &  
VETERANS' AFFAIRS  
INTERIM COMMITTEE  
2023-2024 INTERIM

Updated August 2023

For Committee Review and  
Discussion September 11, 2023

Prepared by: Rebecca C. Power, Legislative Research Analyst



# TABLE OF CONTENTS

---

<b>Committee Members &amp; Staff.....</b>	<b>3</b>
Senators.....	3
Representatives.....	3
Committee Staff.....	3
Committee Website.....	3
<b>Introduction &amp; Purpose.....</b>	<b>4</b>
Purpose of Draft Work Plan.....	4
Committee Procedures and Public Participation.....	4
<b>State Administration and Veterans' Affairs Interim Committee Statutory Duties &amp; Obligations.....</b>	<b>5</b>
Overview.....	5
General Duties for All Interim Committees.....	5
State Administration and Veterans' Affairs Interim Committee Duties.....	6
<b>Agency Oversight.....</b>	<b>8</b>
Agencies.....	8
Administrative Rule Review.....	8
Program Monitoring.....	9
Review of Draft Agency Legislation.....	9
Required Agency Reports.....	10
Secretary of State.....	10
Commissioner of Political Practices.....	10
Department of Administration.....	10
Department of Military Affairs.....	10
Montana Veterans' Affairs Division.....	10
Department of Public Health and Human Services & Montana Veterans' Affairs Division.....	11
Board of Investments.....	11
Public Employees' Retirement Board.....	11
Teachers' Retirement System Board.....	11
Additional Agency Reports.....	11
<b>Pension Oversight.....</b>	<b>13</b>
Pension Statutory Duties.....	13
Annual Actuarial Valuation Reports.....	13
Legislator's Guide to Montana's Public Employee Retirement Systems.....	14
<b>Interim Studies.....</b>	<b>15</b>
Study Process.....	15

Phase One: Gather Information .....	15
Phase Two: Identify Issues & Narrow Focus .....	15
Phase Three: Analyze Information & Identify Options for Action .....	15
Phase Four: Finalize Findings, Recommendations, & Deliverables.....	15
SJ 4: Provide for Interim Study of PERS and TRS .....	15
Tasks Listed in Study Resolution .....	15
<b>Other Committee Work.....</b>	<b>17</b>
Review Proposed Statewide Initiatives .....	17
Member Topics.....	17
Emerging Issues.....	17
Committee Legislation.....	18
<b>Proposed Member Topics &amp; Emerging Issues.....</b>	<b>19</b>
Introduction.....	19
Pensions.....	19
Elections .....	19
Military & Veterans' Affairs.....	20
State Government .....	20
<b>Proposed Meeting Schedule.....</b>	<b>21</b>
Allocation of Committee Time .....	21
Proposed Meeting Dates.....	21
Proposed Timeline of Activities .....	22

# COMMITTEE MEMBERS & STAFF

---

## SENATORS

<b>Senator Mike Cuffe (R)</b>	Eureka, Montana	<a href="mailto:mike.cuffe@legmt.gov">mike.cuffe@legmt.gov</a>
<b>Senator Janet Ellis (D)</b>	Helena, Montana	<a href="mailto:janet.ellis@legmt.gov">janet.ellis@legmt.gov</a>
<b>Senator Forrest Mandeville (R)</b>	Columbus, Montana	<a href="mailto:forrest.mandeville@legmt.gov">forrest.mandeville@legmt.gov</a>
<b>Senator Wendy McKamey (R)</b>	Great Falls, Montana	<a href="mailto:wendy.mckamey@legmt.gov">wendy.mckamey@legmt.gov</a>

## REPRESENTATIVES

<b>Representative Marta Bertoglio (R)</b>	Clancy, Montana	<a href="mailto:marta.bertoglio@legmt.gov">marta.bertoglio@legmt.gov</a>
<b>Representative Julie Dooling (R)</b>	Townsend, Montana	<a href="mailto:julie.dooling@legmt.gov">julie.dooling@legmt.gov</a>
<b>Representative Ross Fitzgerald (R)</b>	Power, Montana	<a href="mailto:ross.fitzgerald@legmt.gov">ross.fitzgerald@legmt.gov</a>
<b>Representative Gregory Frazer (R)</b>	Deer Lodge, Montana	<a href="mailto:gregory.frazer@legmt.gov">gregory.frazer@legmt.gov</a>
<b>Representative Kelly Kortum (D)</b>	Bozeman, Montana	<a href="mailto:kelly.kortum@legmt.gov">kelly.kortum@legmt.gov</a>
<b>Representative Ed Stafman (D)</b>	Bozeman, Montana	<a href="mailto:ed.stafman@legmt.gov">ed.stafman@legmt.gov</a>

## COMMITTEE STAFF

**Rebecca C. Power**, Legislative Research Analyst & Lead Committee Staff  
[rebecca.power@legmt.gov](mailto:rebecca.power@legmt.gov) | (406) 444-3596

**Andria Hardin**, Legislative Attorney  
[andria.hardin@legmt.gov](mailto:andria.hardin@legmt.gov) | (406) 444-4464

**LJ Jennings**, Legislative Secretary  
[lavanda.jennings@legmt.gov](mailto:lavanda.jennings@legmt.gov)

**Erin Sullivan**, Legislative Research Analyst (*may assist with SAVA projects as needed*)  
[erin.sullivan@legmt.gov](mailto:erin.sullivan@legmt.gov) | (406) 444-3594

## COMMITTEE WEBSITE

<https://leg.mt.gov/committees/interim/sava/>

# INTRODUCTION & PURPOSE

---

## PURPOSE OF DRAFT WORK PLAN

This draft work plan details the State Administration and Veterans' Affairs (SAVA) Interim Committee's study and agency oversight duties for the interim, which runs from July 2023 through September 15, 2024. It also discusses other activities the committee may undertake. The draft work plan includes tools to help the committee determine its level of involvement in its interim study assignment, pension oversight responsibilities, and its agency monitoring duties. The primary constraint limiting the work plan for the interim is the number of issues that can be effectively addressed within the available time and resources of the committee members and staff.

Once adopted, the committee's work plan serves as the blueprint for the committee's activities over the interim. The final work plan reflects the committee's priorities, as indicated by the amount of time the committee decides to spend on each of its tasks. Staff uses the work plan to undertake research and arrange presentations related to the committee's studies and duties. Stakeholders and other members of the public use the plan to track various study topics and other items of interest. The work plan is intended to be a fluid document, subject to change during the interim as questions and topics arise and committee decisions are made.

### DECISION POINT

Using the information in this work plan and the accompanying work plan decision matrix, the committee discusses and votes on how much time to allocate to various study topics and statutory duties. The committee can choose to study a few topics in great depth, or many topics on a surface level. The work plan may be finalized at the September SAVA meeting.

## COMMITTEE PROCEDURES AND PUBLIC PARTICIPATION

The SAVA Interim Committee will operate under the Rules, Procedures, and Guidelines for Interim Committees adopted by the Legislative Council. As required by law, 10-day advance public notice will be given for all meetings and the public will be given an opportunity to comment on any matter that is within the jurisdiction of the committee. The Presiding Officer may establish time limits for public comments if necessary. Interested persons may sign up to receive electronic meeting notifications and submit public comment on the SAVA website. Agendas, memos, links, and other information can be found on the SAVA website: <https://leg.mt.gov/committees/interim/sava/>.

### DECISION POINT

The committee votes on whether to adopt the legislative rules, including whether to allow the use of proxy votes. The legislative rules discourage proxy votes, and historically the SAVA committee has not allowed them.

# STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE STATUTORY DUTIES & OBLIGATIONS

---

## OVERVIEW

The State Administration and Veterans' Affairs Interim Committee draws its statutory responsibilities from a number of sources identified below. As applied to SAVA, statutes require the committee to:

1. **Conduct interim studies** as assigned. The committee may recommend to the Legislative Council that a study be assigned to another committee or not be conducted.
2. **Review administrative rules** of the Department of Administration, the Public Employees' Retirement Board, the Teachers' Retirement System Board, the Department of Military Affairs, the Montana Veterans' Affairs Division, the Office of the Secretary of State, and the Commissioner of Political Practices.
3. **Review the statutorily established advisory councils and required reports** of assigned agencies to make recommendations to the next legislature on retention or elimination of any advisory council or required reports (*required only if requested by a member of the interim committee*).
4. **Review legislation** proposed by the Department of Administration, the Public Employees' Retirement Board, the Teachers' Retirement System Board, the Department of Military Affairs, the Montana Veterans' Affairs Division, the Office of the Secretary of State, and the Commissioner of Political Practices. Bills requested by an individual member of the Legislature are not subject to this requirement.
5. **Review proposed statewide initiatives** within the interim committee's subject area and vote to either support or not support the placement of the test of a proposed statewide initiative on the ballot.
6. **Complete additional statutory duties** including oversight of the statewide public pension systems.
7. **Monitor the operation** of the Department of Administration, the Public Employees' Retirement Board, the Teachers' Retirement System Board, the Department of Military Affairs, the Montana Veterans' Affairs Division, the Office of the Secretary of State, and the Commissioner of Political Practices with specific attention to the following:
  - a. identification of issues likely to require future legislative attention;
  - b. opportunities to improve existing law through the analysis of problems; and
  - c. the experiences of Montana's citizens with the agency and whether these experiences may be amenable to improvement through legislative action.
8. (Committee driven): **Prepare bills and resolutions** that, in the committee's opinion, the welfare of the state may require for presentation to the next regular legislative session. An interim committee may, by vote, request four bill drafts on a partisan basis and an unlimited number of bill drafts on a bipartisan basis.

## GENERAL DUTIES FOR ALL INTERIM COMMITTEES

Section 5-5-215, MCA, outlines the general duties of all interim committees.

### 5-5-215. Duties of interim committees.

- 1) Each interim committee shall:
  - a. review administrative rules within its jurisdiction;
  - b. subject to 5-5-217(3), conduct interim studies as assigned;

- c. monitor the operation of assigned executive branch agencies with specific attention to the following:
    - i. identification of issues likely to require future legislative attention;
    - ii. opportunities to improve existing law through the analysis of problems experienced with the application of the law by an agency; and
    - iii. experiences of the state's citizens with the operation of an agency that may be amenable to improvement through legislative action;
  - d. review if requested by any member of the interim committee, the statutorily established advisory councils and required reports of assigned agencies to make recommendations to the next legislature on retention or elimination of any advisory council or required reports pursuant to 5-11-210;
  - e. review proposed legislation of assigned agencies or entities as provided in the joint legislative rules;
  - f. accumulate, compile, analyze, and furnish information bearing upon its assignment and relevant to existing or prospective legislation as it determines, on its own initiative, to be pertinent to the adequate completion of its work; and
  - g. review proposed **ballot statewide** initiatives **as defined in [section 1]** within the interim committee's subject area and vote to either support or not support the placement of the text of **an the proposed statewide** initiative on the ballot in accordance with **13-27-202 [section 13]**.
- 2) Each interim committee shall prepare bills and resolutions that, in its opinion, the welfare of the state may require for presentation to the next regular session of the legislature. **An interim committee may by vote request four bill drafts on a partisan basis and an unlimited number of bill drafts on a bipartisan basis.**
- 3) The legislative services division shall keep accurate records of the activities and proceedings of each interim committee.
- 4) **As used in this section:**
- a. **"bipartisan basis" means a vote in which members from more than one party vote to request a bill draft; and**
  - b. **"partisan basis" means a vote in which members from only one party vote to request a bill draft.**

*\*The changes in bold reflect enacted legislation from the 2023 Legislature: changes in subsection (1)(g) are from Senate Bill No. 93; changes in subsection (2) and new subsection (4) are from Senate Bill No. 176.*

## STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE DUTIES

Section 5-5-228, MCA, provides specifically for the State Administration and Veterans' Affairs Interim Committee's powers and duties.

### **5-5-228. State administration and veterans' affairs interim committee.**

- 1) The state administration and veterans' affairs interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the public employee retirement plans and for the following executive branch agencies and, unless otherwise assigned by law, the entities attached to the agencies for administrative purposes:
  - a. department of administration, except:
    - i. the state compensation insurance fund provided for in 39-71-2313, including the board of directors of the state compensation insurance fund established in 2-15-1019;

- ii. the Montana tax appeal board established in 2-15-1015;
    - iii. the division of banking and financial institutions; and
    - iv. the office of state public defender;
  - b. department of military affairs; and
  - c. office of the secretary of state.
- 2) The committee shall:
  - a. consider the actuarial and fiscal soundness of the state's public employee retirement systems, based on reports from the teachers' retirement board, the public employees' retirement board, and the board of investments, and study and evaluate the equity and benefit structure of the state's public employee retirement systems;
  - b. establish principles of sound fiscal and public policy as guidelines;
  - c. as necessary, develop legislation to keep the retirement systems consistent with sound policy principles; and
  - d. publish, for legislators' use, information on the public employee retirement systems that the committee considers will be valuable to legislators when considering retirement legislation.
- 3) The committee may:
  - a. specify the date by which retirement board proposals affecting a retirement system must be submitted to the committee for the review pursuant to subsection (1); and
  - b. request personnel from state agencies, including boards, political subdivisions, and the state public employee retirement systems, to furnish any information and render any assistance that the committee may request.



# AGENCY OVERSIGHT

---

## AGENCIES

Pursuant to 5-5-228, MCA, the State Administration and Veterans' Affairs Interim Committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the following executive branch agencies and, unless otherwise assigned by law, the entities attached to the agencies for administrative purposes:

- **The Department of Administration (DOA)** and the following administratively attached entities and boards, councils, and commissions:
  - Public Employees' Retirement Board (PERB / MPERA)
  - Teachers' Retirement Board (TRS)
  - State Lottery Commission
  - Advisory Council on Workforce Development and Planning
  - Board of County Printing
  - Board of Examiners
  - Burial Preservation Board
  - Capitol Complex Advisory Council
  - Information Technology Board
  - Information Technology Managers Council
  - Montana Information Security Advisory Council
  - State Banking Board
  - State Employee Charitable Giving Campaign Advisory Council
  - State Employee Group Benefits Advisory Council
  - Employee Investment Advisory Council
  - *Note: The following entities within or attached to DOA are assigned to other interim committees:*
    - *Division of Banking and Financial Institutions (Economic Affairs)*
    - *State Compensation Insurance Fund (Economic Affairs)*
    - *Office of State Public Defender (Law and Justice)*
    - *Montana Tax Appeal Board (Revenue)*
- **The Department of Military Affairs (DMA)** and the following administratively attached entities:
  - Board of Veterans' Affairs
  - Montana Veterans' Affairs Division (MVAD)
- **The Office of the Secretary of State (SOS)** and the following administratively attached entities:
  - Office of Commissioner of Political Practices (COPP)
  - Board of State Canvassers

## ADMINISTRATIVE RULE REVIEW

Interim committees are required to review administrative rule proposals for the agencies for which they have oversight responsibility. The committee's legislative attorney reviews rulemaking notices and provides regular updates, noting any rules that may be out of compliance with the Montana Administrative Procedure Act (MAPA). That law allows committees to:

- obtain an agency's rulemaking records to review them for compliance;
- submit written recommendations on adopting, amending, or rejecting a rule;
- require that a rulemaking hearing be held;
- require an economic impact statement relating to a rule adoption; and

- poll the Legislature by mail to determine if a proposed rule is consistent with legislative intent.

Interim committees may not prevent a rule or proposed amendment to a rule from being adopted, but a committee may object to the rule or amendment. If the majority of committee members object to the rule, the agency is notified, and the committee then addresses the rule at its next meeting. An objection may prevent a rule from being adopted for 6 months, during which time the agency may (but is not required to) withdraw or revise its proposed rule or rule change, or the committee may withdraw its objection. SB 82 (2021) allows the Speaker of the House and the Senate President to break a tie vote on any rule objection being considered by an interim committee.

### DECISION POINT

By law, each interim committee meeting agenda includes an item for administrative rule review. The committee decides whether to ask for a formal presentation of each administrative rule review memorandum, or to have a discussion only if committee members have questions or concerns. The committee will receive a memo prior to each meeting no matter which approach to the agenda they choose.

## PROGRAM MONITORING

Interim committees are tasked with monitoring the operation of assigned executive branch agencies with specific attention to the following:

- identification of issues likely to require future legislative attention;
- opportunities to improve existing law through the analysis of problems experienced with the application of the law by an agency; and
- experiences of the state's citizens with the operation of an agency that may be amenable to improvement through legislative action.

### DECISION POINT

During the organizational meeting, each agency under the committee's purview presents an introductory overview. When finalizing the work plan, the committee decides how much time to allocate for program monitoring activities throughout the rest of the interim.

## REVIEW OF DRAFT AGENCY LEGISLATION

The interim committee process allows for an early review of agency-requested legislation. Interim committees can begin reviewing proposed legislation as early as June in the year preceding the next legislative session. This process frees up time for the Legislative Services Division to concentrate on legislator bill draft requests after the election. Agency bills drafted through this process must be introduced before the 2025 Legislative Session begins.

## REQUIRED AGENCY REPORTS

Agencies are required to submit certain reports to the State Administration and Veterans' Affairs Interim Committee annually, biennially, decennially, or as needed or requested. These reports are submitted in compliance with 5-11-210, MCA, which establishes the Legislative Services Division as the clearinghouse for the reports. Per HB 400 (2023), all reports must be submitted in writing.

### SECRETARY OF STATE

REPORT	FREQUENCY	MCA
<b>Statewide Election Security Report</b>	Annual	13-1-205 (2) 5-11-222 (3)(b)(vi)
<b>Report on the Use of Help America Vote Act (HAVA) Funds</b>	Annual	NEW - SB 432 (2023)
<b>Youth Voting Program</b>	If Requested by a Member of the SAVA Interim Committee	13-22-108 (1) 5-11-222 (3)(b)(vii)
<b>Changes Affecting Filing-Office Rules under the Uniform Commercial Code</b>	As Needed	5-11-222 (3)(b)(xiii)

### COMMISSIONER OF POLITICAL PRACTICES

REPORT	FREQUENCY	MCA
<b>Commissioner of Political Practices Report</b>	Biennial	13-37-120 5-11-222 (3)(b)(viii)

### DEPARTMENT OF ADMINISTRATION

REPORT	FREQUENCY	MCA
<b>Report on Information Technology Activities</b>	Biennial	2-17-512 (1)(x) 2-17-513 (9) 5-11-222 (3)(b)(i)
<b>Capitol Complex Advisory Council Report</b>	Biennial	2-17-804 (3) 5-11-222 (3)(b)(ii)
<b>Employee Incentive Program Report</b>	Biennial	2-17-804 (3) 5-11-222 (3)(b)(ii)

### DEPARTMENT OF MILITARY AFFAIRS

REPORT	FREQUENCY	MCA
<b>Grants to the Montana Civil Air Patrol</b>	Biennial	10-3-802 5-11-222 (3)(b)(v)

### MONTANA VETERANS' AFFAIRS DIVISION

REPORT	FREQUENCY	MCA
<b>Montana Board of Veterans' Affairs Report</b>	Biennial	10-2-102 (1)(i) 5-11-222 (3)(b)(iv)

**DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES & MONTANA VETERANS' AFFAIRS  
DIVISION**

REPORT	FREQUENCY	MCA
<b>Decennial Veterans' Long Term Care Needs Study</b>	Decennial	NEW - HB 264 (2023)

**BOARD OF INVESTMENTS**

REPORT	FREQUENCY	MCA
<b>Report on Retirement System Trust Investments</b>	Annual	17-6-230(2) 5-11-222 (3)(b)(ix)

**PUBLIC EMPLOYEES' RETIREMENT BOARD**

REPORT	FREQUENCY	MCA
<b>Actuarial Valuation Reports</b>	Annual	19-2-405 (7) 19-3-117 5-11-222 (3)(b)(x)

**TEACHERS' RETIREMENT SYSTEM BOARD**

REPORT	FREQUENCY	MCA
<b>Actuarial Valuation Report</b>	Annual	19-20-201 (4) 19-20-216 5-11-222 (3)(b)(xi)
<b>Report on Reemployment of Retired TRS Members</b>	Biennial	19-20-732 (1)(e) 5-11-222 (3)(b)(xii)

**DECISION POINT**

Each agency report is due, in writing, by September 1<sup>st</sup> annually, biennially, or as requested or needed. The committee determines how much time to devote to reviewing the reports, and if they would like to request presentations from the agencies on some or all of the reports.

**ADDITIONAL AGENCY REPORTS**

In addition to the reports the agencies are required to submit to the State Administration and Veterans' Affairs Interim Committee, there are several other reports that are statutorily required to be submitted to the legislature and may be of interest to committee members.

REPORT	ENTITY	FREQUENCY	MCA
<b>Activities of the State Records Committee</b>	State Records Committee	Biennially	2-6-1108 5-11-222 (2)(c)
<b>Allocation of Space Report</b>	Department of Administration	Biennially	2-17-101 (1) 5-11-222 (2)(k)

<b>Statewide Facility Inventory and Condition Assessment</b>	Department of Administration	Biennially	17-7-202 (2)(e) 5-11-222 (2)(jj)
<b>Report of Political Committee Operations Conducted on State-Owned Property</b>	Commissioner of Political Practices	If Required	13-37-404 (1) 5-11-222 (2)(x)
<b>State Lottery Reports</b>	State Lottery Commission	Biennially	23-7-202 (9) 5-11-222 (2)(yy)
<b>Veterans' Home Loan Mortgage Loan Reports</b>	Board of Housing	Biennially	90-6-604 (8) 5-11-222 (2)(llll)

# PENSION OVERSIGHT

---

## PENSION STATUTORY DUTIES

The State Administration and Veterans' Affairs Interim Committee has specific statutory responsibilities with respect to the statewide public employee retirement systems. Per 5-5-228, MCA, the SAVA committee shall:

- consider the actuarial and fiscal soundness of the state's public employee retirement systems, based on reports from the teachers' retirement board, the public employees' retirement board, and the board of investments, and study and evaluate the equity and benefit structure of the state's public employee retirement systems;
- establish principles of sound fiscal and public policy as guidelines;
- as necessary, develop legislation to keep the retirement systems consistent with sound policy principles; and
- publish, for legislators' use, information on the public employee retirement systems that the committee considers will be valuable to legislators when considering retirement legislation.

### DECISION POINT

The committee decides how much time to devote to this responsibility during the interim. In addition to SAVA's pension statutory duties, the committee has also been assigned a pension study (SJ 4). The committee has the option to choose to combine these responsibilities as the 2021-2022 SAVA interim committee did with the HJ 8 pension study.

## ANNUAL ACTUARIAL VALUATION REPORTS

The two major pension bills that passed the 2013 Session, House Bill 377 and House Bill 454 respectively, require the Teachers' Retirement Board and the Public Employees' Retirement Board to each make a special report to SAVA and the Legislative Finance Committee (LFC). The reporting provision included in both bills states:

"As soon as possible after the completion of each annual actuarial valuation for the [teachers' retirement system or retirement systems administered by the public employees' retirement board], the board shall have its actuary present a detailed actuarial report to the legislative finance committee, provided for in 5-12-201, and the state administration and veterans' affairs interim committee, provided for in 5-5-228. The actuarial report must provide a trend analysis of the system's actual and projected progress toward 100% funding."

### DECISION POINT

The committee is required to receive the valuation reports annually. The committee decides whether to hear the valuation reports at the SAVA meetings in November 2023 and October 2024 or to hold a joint meeting with the Legislative Finance Committee in December of each year.

## LEGISLATOR'S GUIDE TO MONTANA'S PUBLIC EMPLOYEE RETIREMENT SYSTEMS

The SAVA committee is responsible for updating and publishing the Legislator's Guide to Montana's Public Employee Retirement Systems prior to each legislative session.

### DECISION POINT

The committee is required to update the Legislator's Guide prior to each session. The committee can decide to combine the updated Legislator's Guide with the SJ 4 final study report as the 2021-2022 SAVA committee did with the HJ 8 study or to produce two separate documents. The committee can also decide to devote agenda time to looking at the Legislator's Guide to decide if additional changes are needed to the overall format and content to better serve the needs of the Legislature.

# INTERIM STUDIES

---

## STUDY PROCESS

An interim study typically involves information gathering, issue identification, and recommendations.



### PHASE ONE: GATHER INFORMATION

The first phase of the study is carried out over the first few meetings of the interim, when the Committee:

- reviews staff research papers and other informational materials on study topics;
- hears presentations by people with experience and expertise on various aspects of the study topics; and
- takes public comment from interested parties, who may offer specific study-related suggestions.

### PHASE TWO: IDENTIFY ISSUES & NARROW FOCUS

In the second phase, the Committee spends a meeting or two narrowing the focus of the study. Members identify topics or questions they'd like to analyze further. This phase helps members concentrate on the issues they consider to be of the greatest importance and obtain any additional information needed to make final recommendations.

### PHASE THREE: ANALYZE INFORMATION & IDENTIFY OPTIONS FOR ACTION

During the third stage, members review and decide on options for action. Potential solutions, including legislation, are usually reviewed and refined at multiple meetings before the Committee takes final action.

### PHASE FOUR: FINALIZE FINDINGS, RECOMMENDATIONS, & DELIVERABLES

By the end of the interim, the committee should finalize a set of findings and recommendations and complete any deliverables including a final report and possibly committee legislation for the next legislative session.

## SJ 4: PROVIDE FOR INTERIM STUDY OF PERS AND TRS

At the May 18, 2023, Legislative Council meeting, the State Administration and Veterans' Affairs Interim Committee was assigned SJ 4: Provide for Interim Study of PERS and TRS. The study resolution was requested by the 2021-2022 SAVA Interim Committee and is intended to build upon the findings of the HJ 8 (2021) study, with a specific focus on the Public Employee Retirement System Defined Benefit Plan and the Teachers' Retirement System Defined Benefit Plan.

### TASKS LISTED IN STUDY RESOLUTION

- Form a joint committee with the Legislative Finance Committee to conduct the study with all members having full voting power



- Study the financial stability of the Public Employees' Retirement System defined benefit plan and the Teachers' Retirement System
- Study the history of contributions from the general fund and other sources to the Public Employees' Retirement System defined benefit plan and the Teachers' Retirement System
- Investigate alternate approaches to funding and amortization policies and the actuarial impact of changes to the current plan policies
- Examine legislative education, oversight, and goals concerning the Public Employees' Retirement System defined benefit plan and the Teachers' Retirement System, including decision benchmarks or indicators for future action
- Develop recommendations for a long-term strategic approach to funding the Public Employees' Retirement System defined benefit plan and the Teachers' Retirement System that will ensure the financial strength of the systems while also recognizing the responsibility placed on the taxpayers and citizens of this state.
- Conduct the study and develop the recommendations in consultation with all interested stakeholders, including but not limited to representatives of:
  - the state's taxpayers;
  - active and retired members of the retirement systems;
  - employers, including local governments, school districts, and state agencies;
  - key agencies, including the Governor's Office, the retirement boards, and the Board of Investments; and
  - other interested parties as considered appropriate.

## DECISION POINT

The committee decides how much time to devote to the SJ 4 pension study, and how deep of a dive to take into the topic. The committee can also choose to combine the study with their regular pension statutory duties like the 2021-2022 SAVA committee did with HJ 8. The committee can also decide not to move forward with the study.

## OTHER COMMITTEE WORK

---

### REVIEW PROPOSED STATEWIDE INITIATIVES

The State Administrative and Veterans' Affairs Interim Committee is required to review proposed statewide initiatives that relate to its subject area. The Legislature enacted [Senate Bill 93](#) (SB 93) in 2023 to clarify and revise the review process enacted in [House Bill 651](#) (HB 651) in 2021. The revised law provides that a statewide initiative includes a constitutional initiative, a constitutional convention initiative, or a statutory initiative.

Section 13 of SB 93 requires the interim committee to hold a public hearing on a statewide initiative referred to the committee by the executive director of the Legislative Services Division. The committee then votes to either support or not support the placement of the proposed statewide initiative on the ballot. The petition used to gather signatures to place the statewide initiative on the ballot must include the interim committee vote.

SB 93 applies to statewide initiatives submitted to the secretary of state after May 19, 2023. The review process may result in additional committee meetings because the committee vote must be submitted to the secretary of state no later than 14 days after receipt of the final text of the statewide initiative.

A complaint was filed May 26, 2023, in Lewis and Clark County District Court challenging SB 93, which may also alter the committee's work depending on the findings of the Court.

### MEMBER TOPICS

Interim committees may take up other matters related to the agencies and topics areas they oversee. Depending on whether committee members put greater or less emphasis on their statutory duties related to interim studies and agency monitoring, they have more time to focus on SAVA-relevant member topics.

#### DECISION POINT

A list of member and staff proposed topics is included later in the draft work plan. The committee decides which topics to focus on and how much time to allocate to each within the work plan. The committee can choose to study a few topics in great depth, or many topics on a surface level.

### EMERGING ISSUES

Members may propose investigation of emerging issues at any time during the interim. Agencies may also request that the committee study an emerging issue that has resulted from court decisions, federal actions, or another cause.

Emerging issues are not necessarily member issues and may be raised by an agency or by staff. However, to be on the agenda, the Presiding Officer or other SAVA member must request agenda time. Staff resources are limited, so additions to the work plan must be accompanied by deletions to retain scheduling balance.

## DECISION POINT

Issues often arise throughout the interim, so the committee can choose to save a little time in the work plan to address them as they emerge, or to reallocate time from other topics as needed.

### COMMITTEE LEGISLATION

Per section 5-5-215, MCA, interim committees "shall prepare bills and resolutions that, in its opinion, the welfare of the state may require for presentation to the next regular session of the legislature." SB 176 (2023) revised 5-5-215 to state that:

(2) An interim committee may by vote request four bill drafts on a partisan basis and an unlimited number of bill drafts on a bipartisan basis.

.....

(4) As used in this section:

(a) "bipartisan basis" means a vote in which members from more than one party vote to request a bill draft; and

(b) "partisan basis" means a vote in which members from only one party vote to request a bill draft.

# PROPOSED MEMBER TOPICS & EMERGING ISSUES

## INTRODUCTION

The following topics were submitted by members of the State Administration and Veterans' Affairs Interim Committee and by staff based on trends observed during the 2021-2022 interim and the 2023 legislative session. Each is marked as either "agenda item", which means it would take 1-2 meetings to address, or "study topic", which means it would take 3 or more meetings to address. These markers are based on staff's conversations with committee members and preliminary research of the topics.

## PENSIONS

Topic	Agenda Item or Study Topic
Monitor the impact of <a href="#">HB 569</a> on the public safety retirement systems	Agenda Item
Continue supplemental employer contribution for PERS-DB ( <a href="#">SB 29</a> )	Agenda Item
Review the history and impact of general fund and other fund contributions to retirement systems	Agenda Item
Change or eliminate GABA for new hires ( <a href="#">SB 348</a> )	Study Topic
Move PERS to a layered amortization model ( <a href="#">HB 226</a> )	Study Topic
Switch the PERS default plan from defined benefit to defined contribution ( <a href="#">HB 226</a> )	Study Topic
Add a defined contribution plan to TRS	Study Topic

**Committee Decision: At the August 2023 meeting, committee members decided to incorporate all of the proposed pension topics into the SJ 4 pension study.**

## ELECTIONS

Topic	Agenda Item or Study Topic
Follow-up/clean-up bill to align Title 7 provisions to the changes made in <a href="#">SB 93</a>	Agenda Item
Review current training for election administrators and determine if changes are needed	Agenda Item
Review current protections and rules for poll watchers and determine if changes are needed	Agenda Item
Update from Secretary of State's Office on the transition to and implementation of Elect MT system	Agenda Item
Review past legislation related to special district elections and determine if additional changes are needed	Agenda Item
Field trip to election office during an election to observe the election day processes and procedures - <b>SCHEDULED FOR SEPTEMBER 12, 2023</b>	Agenda Item
Review and revise filing timelines for school trustee elections ( <a href="#">HB 784</a> )	Agenda Item
Review bills from Joint Select Committee on Election Security and consider introducing as SAVA bills in the 2025 session ( <a href="#">SB 481</a> and <a href="#">SB 482</a> )	Agenda Item
Remove postage requirements for certain election materials	Agenda Item
Consolidate the election schedule and timeline so all types of elections are held on either primary or general election day ( <a href="#">HB 774</a> ); Look at incremental approach to	Study Topic

implementation and/or pilot project to determine what's feasible; Work with election administrators and other interested parties	
Study the possible implementation of universal voter registration ( <a href="#">HB 756</a> )	Study Topic
Study election security in Montana	Study Topic

**Committee Decision: At the August 2023 meeting, committee members decided to do a field trip to the Missoula County Elections Office in September. The committee members decided to vote via poll on the rest of the proposed topics.**

## MILITARY & VETERANS' AFFAIRS

Topic	Agenda Item or Study Topic
Decennial Long Term Care Needs Study ( <a href="#">HB 264</a> )	Agenda Item
Review the military contracting process	Agenda Item

**Committee Decision: At the August 2023 meeting, committee members decided to request a presentation from DPHHS and MVAD on their plan for the study during the September or November 2023 meeting and another presentation on the findings of the study in 2024.**

## STATE GOVERNMENT

Topic	Agenda Item or Study Topic
Review the impact of the transition to partisan interim committees ( <a href="#">SB 176</a> )	Agenda Item
Study the creation of the office of public records ombudsman ( <a href="#">HB 893</a> )	Study Topic
<a href="#">SJ 26</a> - Study of public information requests	Study Topic
<a href="#">HJ 23</a> - Study of disaster and emergency service recovery response	Study Topic

# PROPOSED MEETING SCHEDULE

---

## ALLOCATION OF COMMITTEE TIME

Interim committees typically meet every other month throughout the interim. Committees can decide to hold all their meetings in Helena, to hold some two-day meetings, to add field trips to the schedule, and to hold joint meetings with the Legislative Finance Committee and/or the Section A Interim Budget Committee. Considerations include:

- **Travel:** Legislative Council rules state that interim committee meetings are held in the Capitol "unless otherwise designated by the Presiding Officer". Committees sometimes travel within or outside of Helena to carry out activities related to a specific study or to the committee's general agency oversight duties. Meetings held outside of Helena generally cost more than those held in Helena. As a result, the committee may need to hold fewer meetings to accommodate the additional costs of travel.
- **Coordination with Interim Budget Committees:** HB 110 (2023) codified the interim budget committees. The interim budget committees meet quarterly. If the committee is interested in coordinating a meeting with the Section A Interim Budget Committee, the proposed meeting schedule will likely need to be changed.
- **Coordination with Legislative Finance Committee:** SJ 4 calls for SAVA to form a joint committee with the Legislative Finance Committee. Depending on how the SAVA committee decides to approach this, the proposed schedule may need to be changed to accommodate.

## PROPOSED MEETING DATES

The proposed meeting schedule can be revised if the Committee decides to hold one or more two-days meetings, decides to travel, decides to hold a joint meeting with the Section A IBC, or decides to align some of their meeting dates with the Legislative Finance Committee for the purpose of working on SJ 4.

### July 2023

- **Organizational Meeting - Friday, July 21<sup>st</sup>**

### September 2023

- **Zoom Meeting - Monday, September 11<sup>th</sup>**
- **Field Trip - Tuesday, September 12<sup>th</sup>**

### November 2023

- **Proposed Meeting Date: Wednesday, November 15<sup>th</sup> & Thursday, November 16<sup>th</sup>**
- Alternate Meeting Dates: Tuesday, November 14<sup>th</sup>; Tuesday, November 28<sup>th</sup>; Wednesday, November 29<sup>th</sup>; Thursday, November 30<sup>th</sup>

### January 2024

- **Proposed Meeting Date: Thursday, January 25<sup>th</sup>**
- Alternate Meeting Dates: Tuesday, January 23<sup>rd</sup>; Wednesday, January 24<sup>th</sup>

### March 2024

- **Proposed Meeting Date: Thursday, March 14<sup>th</sup>**
- Alternate Meeting Dates: Tuesday, March 12<sup>th</sup>; Wednesday, March 13<sup>th</sup>

## May 2024

- **Proposed Meeting Date: Thursday, May 23<sup>rd</sup>**
- Alternate Meeting Dates: Tuesday, May 21<sup>st</sup>; Wednesday, May 22<sup>nd</sup>

## July 2024

- **Proposed Meeting Date: Thursday, July 25<sup>th</sup>**
- Alternate Meeting Dates: Tuesday, July 23<sup>rd</sup>; Wednesday, July 24<sup>th</sup>

## September 2024

- **Proposed Meeting Date: Thursday, September 5<sup>th</sup>**
- Alternate Meeting Dates: Wednesday, September 4<sup>th</sup>; Tuesday, September 10<sup>th</sup>; Wednesday, September 11<sup>th</sup>; Thursday, September 12<sup>th</sup>

## October 2024

- **Proposed Meeting Date: Thursday, October 24<sup>th</sup>**
- Alternate Meeting Dates: Wednesday, October 23<sup>rd</sup>; Tuesday, October 29<sup>th</sup>; Wednesday, October 30<sup>th</sup>

## PROPOSED TIMELINE OF ACTIVITIES

JULY 2023	SEPT. 2023	NOV. 2023	JAN. 2024	MARCH 2024	MAY 2024	JULY 2024	SEPT. 2024	
Draft work plan	Finalize work plan	Implement & revise work plan as necessary	→					
Begin statutory duties	Continue statutory duties	→						
Consider study resolution	Begin study & gather background	Continue to gather background	Identify issues & narrow focus	Analyze information & identify options for action	Continue to analyze information and identify options for action	Develop draft findings & recs	Finalize findings & recs	
Prioritize member topics	Explore member topics	→						
					Propose draft committee legislation	Review draft committee legislation	Approve committee legislation for pre-intro	
						Review agency legislation for pre-intro	Review agency legislation for pre-intro	
	Receive required annual reports from agencies						Receive required biennial reports from agencies	