



## STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE

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### 68th Montana Legislature

#### SENATE MEMBERS

Mike Cuffe  
Janet Ellis  
Forrest Mandeville  
Tom McGillvray  
Wendy McKamey

#### HOUSE MEMBERS

Marta Bertoglio  
Julie Dooling  
Ross Fitzgerald  
Gregory Frazer  
Jim Hamilton  
Kelly Kortum  
Eric Matthews  
Terry Moore  
Ed Stafman

#### COMMITTEE STAFF

Andria Hardin - Attorney  
LJ Jennings - Secretary  
Rebecca Power - Research Analyst

## MINUTES LOG

January 25, 2024  
Capitol 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. 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**

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

**MEMBERS EXCUSED:**

**MEMBERS ABSENT:**

**STAFF PRESENT:**

Andria Hardin, Attorney  
LJ Jennings, Secretary  
Rebecca Power, Research  
Analyst

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

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

**COMMITTEE ACTION**

**CALL TO ORDER/ROLL CALL**

09:00:21 Presiding Officer Dooling called the meeting to order at 9:00 AM. The committee secretary took roll.

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

09:02:32 Presiding Officer Dooling

**Historical Look at PERS and TRS**

09:03:02 Rebecca Power, Lead Staff, LSD

[EXHIBIT1](#)

09:05:44 Dan Villa, Executive Director, BOI

[EXHIBIT2](#)

**Committee Discussion and Questions**

09:08:58 Sen. Cuffe

09:09:11 Rep. Hamilton

09:12:59 Sen. Mandeville

09:17:37 Sen. McGillvray

09:20:31 Rep. Moore

09:22:26 Rep. Hamilton

**Historical Look at PERS and TRS- Cont'd**

09:26:50 Dan Villa

09:35:09 William Holahan, Deputy Director, MPERA

**Committee Discussion and Questions**

09:41:57 Rep. Hamilton

**Historical Look at PERS and TRS- Cont'd**

09:43:45 William Holahan

[EXHIBIT3](#)

09:53:09 Shawn Graham, Executive Director, TRS

## [EXHIBIT4](#)

### **Committee Discussion and Questions**

10:01:52 Rep. Hamilton to William Holahan  
10:04:05 Vice Presiding Officer Kortum  
10:09:38 Rep. Moore

### **PERS and TRS Contribution Rates & Funding Sources**

10:18:27 Rebecca Power  
[EXHIBIT5](#)  
[EXHIBIT6](#)  
[EXHIBIT7](#)  
10:19:35 Sen. McKamey  
10:20:03 William Holahan  
10:21:34 Sen. McKamey

### **Committee Discussion and Questions**

10:24:19 Rep. Stafman to Sen. McKamey  
10:24:45 Sen. McKamey  
10:25:08 Sen. McGillvray  
10:29:54 Rep. Moore

### **Statutory Appropriations**

10:31:46 Rebecca Power  
[EXHIBIT8](#)

### **NASRA Briefs**

10:33:14 Rebecca Power  
[EXHIBIT9](#)  
[EXHIBIT10](#)  
[EXHIBIT11](#)  
[EXHIBIT12](#)  
[EXHIBIT13](#)

### **Committee Discussion and Questions**

10:34:53 Sen. McGillvray

### **RECESS**

10:36:20 Reconvened at 10:50:55

### **Work Session – SJ 4 Study Plan**

10:51:43 Rebecca Power  
[EXHIBIT14](#)  
[EXHIBIT15](#)  
10:54:50 Presiding Officer Dooling  
10:55:20 Sen. Ellis  
10:55:23 Presiding Officer Dooling  
10:55:26 Sen. Ellis

10:56:35	Rep. Hamilton
10:56:54	Sen. Ellis
10:57:22	Sen. McKamey
10:57:45	Sen. Ellis
10:58:19	Rep. Hamilton
10:58:56	Sen. Ellis
10:59:46	Rebecca Power
11:00:31	Presiding Officer Dooling
11:01:05	Sen. McKamey (See Exhibit 1)
11:02:39	Rep. Matthews
11:03:27	Sen. Ellis
11:05:17	Rep. Hamilton
11:06:11	Sen. Ellis
11:06:30	Presiding Officer Dooling
11:06:56	Rep. Moore
11:08:13	Rep. Matthews
11:08:50	Sen. McKamey
11:09:28	Rebecca Power
11:09:45	Sen. Mandeville
11:10:24	Rep. Bertoglio
11:11:09	Sen. Ellis
11:12:48	Sen. McKamey
11:13:36	Rebecca Power
11:13:57	Sen. McKamey
11:14:34	Presiding Officer Dooling
11:15:10	Vice Presiding Officer Kortum
11:15:35	Rebecca Power
11:16:14	Vice Presiding Officer Kortum
11:16:30	Rebecca Power
11:17:44	Vice Presiding Officer Kortum
11:18:04	Presiding Officer Dooling

**Public Comment on SJ 4**

11:18:55	Eric Burke, Montana Federation of Public Employees
11:22:14	Mark Murphy, Self
11:27:19	Jesse Luther, Association of Montana Troopers
11:30:56	Brian Thompson, Montana Sheriffs and Peace Officers Association

**Committee Discussion and Questions**

11:33:34	Presiding Officer Dooling
11:34:53	Vice Presiding Officer Kortum

11:35:47 Presiding Officer Dooling  
11:35:59 Sen. Cuffe  
11:36:33 Rep. Moore  
11:40:42 Presiding Officer Dooling  
11:41:27 Rep. Matthews  
11:41:53 Sen. Mandeville  
11:42:12 Presiding Officer Dooling  
11:42:37 Sen. Ellis  
11:44:04 Rep. Hamilton  
11:45:23 Sen. Ellis  
11:46:24 Vice Presiding Officer Kortum  
11:47:08 Presiding officer Dooling

**MOTION**

11:47:39 Rep. Matthews moved to combine bullet points 2, 14, and 13. (See Exhibit 15)

**Discussion on the Motion**

11:49:11 Rep. Hamilton  
11:49:55 Rep. Matthews

**MOTION**

11:50:09 Rep. Hamilton proposed a substitute motion to combine bullet points 2 and 14 as a topic and combine bullet points 4, 5, and 13 as another topic. (See Exhibit 15)

**Discussion on the Motion**

11:51:03 Rep. Matthews  
11:51:20 Sen. Ellis  
11:52:06 Rep. Moore  
11:54:11 Rep. Hamilton

**VOTE**

11:54:42 Carried 8 - 6 by roll call vote with Rep. Kortum, Rep. Matthews, Rep. Stafman, Sen. Cuffe, Sen. Ellis, Sen. McKamey, voting no.

**MOTION**

11:57:14 Sen. Ellis moved to amend substitute motion to add bullet point 10. (See Exhibit 15)

**Discussion on the Motion**

11:57:52 Rep. Bertoglio

**MOTION**

11:58:22 Rep. Moore proposed a substitute motion to add bullet points 8 and 10. (See Exhibit 15)

**Discussion on the Motion**

11:59:18 Sen. McKamey

11:59:50 Rep. Matthews

**VOTE**

12:00:29 Failed 9 - 5 by roll call vote with Rep. Dooling, Rep. Hamilton, Rep. Moore, Sen. Mandeville, Sen. McGillvray, voting yes.

**MOTION**

12:02:09 Sen. Ellis moved to amend substitute motion to add bullet point 10. (See Exhibit 15)

**VOTE**

12:02:10 Carried 12 - 2 by roll call vote with Rep. Fitzgerald, Rep. Moore, voting no.

**Committee Discussion and Questions**

12:03:09 Presiding Officer Dooling

12:03:53 Sen. Mandeville

12:04:04 Presiding Officer Dooling

12:04:24 Sen. Mandeville

12:04:31 Presiding Officer Dooling

**MOTION**

12:05:19 Sen. Mandeville moved to combine bullet points 2, 4, 5, and 13 into 1 topic and to combine bullet points 10 and 11 into another topic. (See Exhibit 15)

**Discussion on the Motion**

12:05:43 Sen. Cuffe

12:06:11 Rep. Matthews

12:07:01 Sen. Mandeville

12:07:56 Presiding Officer Dooling

12:08:23 Sen. Ellis

**VOTE**

12:10:01 Carried 7 - 6 by roll call vote with Rep. Frazer, Rep. Kortum, Rep. Matthews, Rep. Stafman, Sen. Ellis, Sen. McKamey, voting no.

**Committee Discussion and Questions**

12:11:14 Presiding Officer Dooling

12:11:15 Rep. Moore left the meeting.

**MOTION**

12:11:35 Vice Presiding Officer Kortum moved to adopt the SJ 4 study plan as amended.

**VOTE**

12:11:37 Carried 9 - 4 by roll call vote with Rep. Kortum, Rep. Matthews, Rep. Stafman, Sen. Ellis, voting no.

**RECESS**

12:13:08 Reconvened at 13:01:00

12:13:09 The Legislative Fiscal Committee left the meeting and will not be returning.

**PUBLIC COMMENT ON ANY TOPIC UNDER THE COMMITTEE'S JURISDICTION**

13:04:56 NONE

**Public Comment on Administrative Rule Review**

13:05:38 Andria Hardin

[EXHIBIT16](#)

[EXHIBIT17](#)

[EXHIBIT18](#)

[EXHIBIT19](#)

[EXHIBIT20](#)

[EXHIBIT21](#)

**Public Comment on Administrative Rule Review**

13:09:27 NONE

**RECESS**

13:11:43 Reconvened at 13:30:27

**ELECTMT UPDATE – REDISTRICTING**

13:30:41 Stuart Fuller, Office of the Secretary of State

**Committee Discussion and Questions**

13:37:35 Presiding Officer Dooling

13:39:10 Sen. Mandeville

13:40:59 Sen. Ellis

13:44:51 Presiding Officer Dooling

13:52:14 Sen. Ellis

13:52:55 Sen. Cuffe

13:55:56 Vice Presiding Officer Kortum

**MEMBER TOPIC – TRAINING FOR ELECTION ADMINISTRATORS**

13:57:01 Stuart Fuller, SOS

[EXHIBIT22](#)

14:02:53 Janel Tucek, Fergus County Clerk and Recorder

14:06:09 Regina Plettenberg, Ravalli County Clerk and Recorder

**Committee Discussion and Questions**

14:08:35 Presiding Officer Dooling

14:08:59 Sen. Ellis to Stuart Fuller

14:10:54 Janel Tucek

14:11:48 Sen. Mandeville  
14:17:52 Presiding Officer Dooling  
14:18:05 Sen. McKamey  
14:21:31 Presiding Officer Dooling

**Public Comment on Training for Election Administrators**

14:23:30 NONE

**Committee Discussion and Questions**

14:24:05 Rebecca Power  
14:24:17 Sen. Ellis  
14:24:37 Sen. Mandeville  
14:25:16 Presiding Officer Dooling  
14:25:29 Sen. Cuffe  
14:26:02 Sen. McKamey

**RECESS**

14:26:55 Reconvened at 14:41:40

**MEMBER TOPIC – RULES AND PROTECTIONS FOR POLL WATCHERS**

14:41:55 Regina Plettenberg  
[EXHIBIT23](#)  
14:48:50 Janel Tucek  
[EXHIBIT24](#)

**Committee Discussion and Questions**

14:51:05 Sen. Cuffe  
14:54:29 Sen. Ellis  
14:58:17 Presiding Officer Dooling  
15:01:02 Sen. McKamey  
15:04:07 Presiding Officer Dooling

**Public Comment on Rules and Protections for Poll Watchers**

15:05:22 NONE

**EMERGING ISSUE – USE OF AI IN ELECTIONS**

15:05:49 Rebecca Power  
[EXHIBIT25](#)  
[EXHIBIT26](#)  
15:11:35 Chris Gallus, Commissioner of Political Practices  
15:12:11 Shelly Hendricksen-Scott

**Committee Discussion and Questions**

15:23:03 Vice Presiding Officer Kortum  
15:28:26 Rep. Stafman to Rebecca Power



15:32:44 Sen. Ellis  
15:34:32 Sen. Mandeville  
15:36:26 Rebecca Power  
15:39:47 Rep. Fitzgerald

**Public Comment on Use of AI in Elections**

15:44:01 NONE

**Committee Discussion and Questions**

15:44:33 Rep. Stafman  
15:45:53 Sen. Ellis  
15:46:51 Vice Presiding Officer Kortum

**WORK SESSION – MEMBER TOPIC STUDY PLANS**

**HJ 23 Study Plan**

15:47:34 Rebecca Power  
[EXHIBIT27](#)  
[EXHIBIT28](#)

**Committee Discussion and Questions**

15:51:04 Sen. McKamey  
15:52:11 Rep. Fitzgerald  
15:52:42 Sen. Mandeville  
15:53:59 Presiding Officer Dooling  
15:54:21 Sen. McKamey  
15:55:14 Sen. Ellis  
15:55:45 Sen. Mandeville  
15:57:57 Sen. McKamey  
15:58:09 Presiding Officer Dooling  
15:59:19 Vice Presiding Officer Kortum  
15:59:31 Sen. Mandeville  
16:00:04 Rep. Fitzgerald  
16:00:38 Sen. McKamey  
16:01:35 Presiding Officer Dooling

**Election Security Study Plan**

16:03:33 Rebecca Power  
[EXHIBIT29](#)

**Committee Discussion and Questions**

16:05:44 Vice Presiding Officer Kortum  
16:06:16 Sen. McKamey  
16:07:45 Presiding Officer Dooling

16:07:55 Sen. Ellis  
16:08:51 Sen. McKamey  
16:10:50 Presiding Officer Dooling

**Public Comment on Member Topic Study Plans**

16:11:35 Steve Turkiewicz, Secure Democracy

**MOTION**

16:15:37 Vice Presiding Officer Kortum moved to amend the election Study security plan to include the AI topic.

**VOTE**

16:16:34 Carried 9 - 1 by voice vote with Sen. Cuffe, voting no.

**MOTION**

16:17:11 Vice Presiding Officer Kortum moved to adopt the election study plan as amended.

**VOTE**

16:17:46 Carried unanimously by voice vote.

**Committee Discussion and Questions**

16:18:11 Sen. McKamey mentioned the Decennial Veterans' Long-Term Care Needs Study and what progress has been made.  
16:23:12 Rep. Bertoglio  
16:24:50 Sen. McKamey  
16:27:37 Presiding Office Dooling  
16:27:53 Rep. Bertoglio  
16:29:10 Sen. McKamey  
16:30:22 Presiding Officer Dooling  
16:30:43 Sen. McKamey  
16:31:11 Rep. Stafman  
16:32:09 Sen. McKamey  
16:33:02 Sen. Cuffe

**MEETING WRAP UP**

16:35:09 Rebecca Power

**Committee Discussion and Questions**

16:35:42 Sen. Mandeville

**ADJOURNMENT**

16:36:45 Presiding Officer Dooling adjourned the meeting.