



## **SELECT COMMITTEE ON ELECTIONS APPOINTMENTS**

### **69th Montana Legislature**

#### **SENATE MEMBERS**

Mike Cuffe  
Edie McClafferty  
Ryan Lynch  
Theresa Manzella  
Shelley Vance

#### **COMMITTEE STAFF**

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

# **MINUTES LOG**

September 03, 2024  
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.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <https://leg.mt.gov>. From the home page, select the "Committees" drop down menu at the top, then select Administrative or Interim, and the appropriate committee. The written minutes log can be located by expanding the accordion menu for the date of the meeting. Links to the audio/video files can be located by selecting the Video/Audio button on the same page, then the "past/current recordings" button. From there, use the calendar to select the date of the meeting you wish to view/listen to. The written Minutes Log, along with links to the audio and video recordings, is listed by meeting date on the interim committee's web page. Each of the Exhibits is linked and can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed. Please contact the Legislative Services Division at 406-444-3064 for more information.

#### **MEMBERS PRESENT:**

Sen. Mike Cuffe, Presiding Officer (R)  
Sen. Edie McClafferty, Vice Presiding Officer (D)  
Sen. Theresa Manzella (R)  
Sen. Ryan Lynch (D)

#### **MEMBERS EXCUSED:**

Sen. Shelley Vance (R)

#### **MEMBERS ABSENT:**

#### **STAFF PRESENT:**

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

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

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

**CALL TO ORDER / ROLL CALL**

12:02:43 Presiding Officer Mike Cuffe called the meeting to order at 12:02 PM. The committee secretary took roll.

**RECAP OF BUTTE-SILVER BOW COUNTY RECOUNT**

**Overview of Recount Process**

12:07:34 Andria Hardin, Attorney, Legislative Services Division (LSD)  
[EXHIBIT 1](#)

**Committee Questions / Discussion**

12:12:09 Presiding Officer Mike Cuffe  
12:12:53 Andria Hardin  
12:13:27 Sen. Theresa Manzella  
12:13:47 Andria Hardin  
12:15:14 Presiding Officer Mike Cuffe

**Review of Butte-Silver Bow County Primary and Recount Results**

12:15:46 Rebecca Power, Research Analyst, LSD  
[EXHIBIT 2](#)  
[EXHIBIT 3](#)  
[EXHIBIT 4](#)

**Committee Questions / Discussion**

12:18:24 Presiding Officer Mike Cuffe  
12:20:50 Sen. Theresa Manzella  
(See Exhibit 4)  
12:22:02 Vice Presiding Officer Edie McClafferty

**RECAP OF BUTTE-SILVER BOW COUNTY RECOUNT - Continued**

12:23:33 Linda Sajor-Joyce, Clerk & Recorder, Butte-Silver Bow County  
[EXHIBIT 5](#)  
[EXHIBIT 6](#)  
[EXHIBIT 7](#)  
(Relevant pages: 192-220)  
[EXHIBIT 8](#)  
(Relevant pages: 7-11)  
[EXHIBIT 9](#)

**Committee Questions / Discussion**

12:34:58 Sen. Theresa Manzella  
12:35:34 Linda Sajor-Joyce, Butte-Silver Bow County  
12:36:34 Presiding Officer Mike Cuffe  
12:36:50 Linda Sajor-Joyce  
12:38:01 Vice Presiding Officer Edie McClafferty  
12:38:31 Linda Sajor-Joyce  
12:40:19 Presiding Officer Mike Cuffe

**RECAP OF BUTTE-SILVER BOW COUNTY RECOUNT - Continued**

12:41:16 Linda Sajor-Joyce  
(See Exhibit 5)

**Committee Questions / Discussion**

12:42:05 Presiding Officer Mike Cuffe  
12:42:15 Linda Sajor-Joyce  
12:46:44 Sen. Theresa Manzella  
(See Exhibit 7)  
12:47:50 Linda Sajor-Joyce  
12:53:47 Presiding Officer Mike Cuffe  
12:54:08 Linda Sajor-Joyce  
12:54:37 Sen. Theresa Manzella  
(See Exhibit 7)  
12:55:43 Linda Sajor-Joyce  
12:58:10 Vice Presiding Officer Edie McClafferty  
12:58:29 Sen. Theresa Manzella  
12:59:02 Presiding Officer Mike Cuffe

**RECAP OF BUTTE-SILVER BOW COUNTY RECOUNT - Continued**

13:00:02 Austin James, Chief Legal Counsel & Director of Elections, Office of the  
Secretary of State

**Committee Questions / Discussion**

13:06:01 Sen. Theresa Manzella  
13:06:49 Austin James  
13:08:27 Presiding Officer Mike Cuffe  
13:09:14 Rebecca Power, LSD  
  
13:09:55 **Recessed**  
13:35:29 **Reconvened**

**Committee Questions / Discussion**

13:35:30 Sen. Shelley Vance joined the meeting  
13:35:31 Presiding Officer Mike Cuffe  
13:37:31 Vice Presiding Officer Edie McClafferty  
13:37:46 Rebecca Power  
[EXHIBIT 10](#)  
13:42:00 Presiding Officer Mike Cuffe  
13:42:09 Sen. Theresa Manzella  
[EXHIBIT 11](#)  
13:45:22 Presiding Officer Mike Cuffe

**RECAP OF BUTTE-SILVER BOW COUNTY RECOUNT - Continued**

13:46:29 Linda Sajor-Joyce  
(See Exhibit 7)

**Committee Questions / Discussion**

- 13:48:45 Sen. Theresa Manzella
- 13:49:20 Maureen Driscoll, Tabulation Group Supervisor, Silver Bow County
- 13:50:04 Linda Sajor-Joyce
- 13:50:10 Sen. Theresa Manzella
- 13:51:21 Presiding Officer Mike Cuffe
- 13:51:52 Sen. Shelley Vance

**RECAP OF BUTTE-SILVER BOW COUNTY RECOUNT - Continued**

- 13:52:16 Linda Sajor-Joyce  
(See Exhibits 5, 6, 7, 8)

**Committee Questions / Discussion**

- 13:56:22 Presiding Officer Mike Cuffe
- 13:56:40 Sen. Shelley Vance  
[EXHIBIT 12](#)  
[EXHIBIT 13](#)
- 13:58:22 Linda Sajor-Joyce  
[EXHIBIT 14](#)
- 14:05:56 Rebecca Power  
[EXHIBIT 15](#)  
[EXHIBIT 16](#)
- 14:06:21 Linda Sajor-Joyce

**RECAP OF BUTTE-SILVER BOW COUNTY RECOUNT - Continued**

- 14:07:24 Regina Plettenberg, Clerk and Recorder, Ravalli County and Chair, Legislative Committee, Association of Clerk and Recorders  
(See Exhibit 13)

**Committee Questions / Discussion**

- 14:13:31 Sen. Shelley Vance
- 14:14:07 Regina Plettenberg
- 14:17:38 Sen. Theresa Manzella
- 14:17:57 Regina Plettenberg
- 14:19:04 Presiding Officer Mike Cuffe
- 14:21:39 Sen. Shelley Vance

**PUBLIC COMMENT ON ANY TOPIC UNDER THE JURISDICTION OF SCEA**

- 14:23:13 Jeff O'Donnell, Naples, FL
- 14:25:41 Sharon Patton-Griffin, Great Falls
- 14:27:18 Phillip Johnson, Election Judge, Lewis and Clark County
- 14:29:52 Bill Lussenheide, Elected Officer, Ravalli County Republican Central Committee
- 14:34:22 Greg Woodward, Missoula
- 14:43:34 Loy Chvilicek
- 14:44:47 Dr. Brooke Trey, Election Judge, Gallatin County

14:51:51 Presiding Officer Mike Cuffe  
14:52:13 Esther Fishbaugh, Bozeman  
15:00:18 Lisa Bennett, Carbon County  
[EXHIBIT 17](#)  
15:13:13 Loy Chvilicek  
15:14:32 Darin Gaub, Helena  
15:17:15 Dave Nims  
[EXHIBIT 18](#)  
15:20:12 Presiding Officer Mike Cuffe  
15:21:00 Rebecca Power, LSD  
[EXHIBIT 19](#)  
  
15:22:13 **Recessed**  
15:38:05 **Reconvened**

### **Committee Questions / Discussion**

15:38:06 Presiding Officer Mike Cuffe  
15:38:38 Regina Plettenberg, Ravalli County  
15:39:55 Vice Presiding Officer Edie McClafferty  
15:40:34 Linda Sajor-Joyce, Silver Bow County  
15:44:30 Presiding Officer Mike Cuffe  
15:44:48 Linda Sajor-Joyce  
15:47:18 Sen. Shelley Vance  
(See Exhibits 13, 15)  
15:48:39 Linda Sajor-Joyce  
15:49:26 Presiding Officer Mike Cuffe  
15:51:38 Sen. Theresa Manzella  
15:52:38 Linda Sajor-Joyce  
15:56:00 Vice Presiding Officer Edie McClafferty  
15:56:19 Sen. Theresa Manzella  
15:58:06 Presiding Officer Mike Cuffe  
15:58:32 Linda Sajor-Joyce  
16:00:49 Sen. Shelley Vance  
[EXHIBIT 20](#)  
16:01:52 Linda Sajor-Joyce  
16:04:57 Sen. Theresa Manzella  
16:05:28 Linda Sajor-Joyce  
16:06:42 Presiding Officer Mike Cuffe

### **COMMITTEE WORK SESSION**

16:11:32 Presiding Officer Mike Cuffe  
(See Exhibit 14)  
16:12:42 Andria Hardin, LSD  
16:16:11 Rebecca Power, LSD

16:16:24 Presiding Officer Mike Cuffe  
16:16:44 Sen. Theresa Manzella  
16:18:11 Vice Presiding Officer Edie McClafferty  
16:18:56 Sen. Shelley Vance  
16:21:27 Presiding Officer Mike Cuffe  
16:24:19 Sen. Theresa Manzella  
16:26:24 Rebecca Power  
[EXHIBIT 21](#)  
16:27:52 Presiding Officer Mike Cuffe  
16:28:12 Sen. Ryan Lynch  
16:28:25 Rebecca Power  
(See Exhibit 21)  
16:29:19 Presiding Officer Mike Cuffe  
16:29:54 Sen. Theresa Manzella  
16:33:00 Sen. Shelley Vance  
16:33:16 Presiding Officer Mike Cuffe  
16:33:32 Sen. Theresa Manzella  
16:33:34 Presiding Officer Mike Cuffe  
16:36:02 Sen. Shelley Vance  
16:36:49 Sen. Theresa Manzella  
16:38:48 Presiding Officer Mike Cuffe  
16:38:54 Sen. Shelley Vance  
16:39:01 Sen. Theresa Manzella  
16:39:16 Presiding Officer Mike Cuffe  
16:39:37 Rebecca Power  
16:40:51 Sen. Shelley Vance  
16:41:04 Presiding Officer Mike Cuffe  
16:41:23 Sen. Theresa Manzella  
16:41:29 Rebecca Power  
16:41:43 Vice Presiding Officer Edie McClafferty  
16:42:16 Rebecca Power  
16:42:39 Presiding Officer Mike Cuffe  
16:42:52 Rebecca Power  
16:43:55 Sen. Theresa Manzella  
16:44:51 Presiding Officer Mike Cuffe  
16:45:41 Sen. Shelley Vance  
16:49:17 Presiding Officer Mike Cuffe  
16:50:27 Rebecca Power  
16:50:56 Vice Presiding Officer Edie McClafferty  
16:52:05 Presiding Officer Mike Cuffe

**COMMITTEE WORK SESSION - Continued**

16:52:16 Sen. Shelley Vance  
16:52:31 Sen. Ryan Lynch  
16:53:18 Presiding Officer Mike Cuffe  
16:53:39 Rebecca Power

**Motion**

16:59:47 Sen. Theresa Manzella moved to order a forensic audit of the Butte-Silver Bow County vote tabulators to verify the explanation provided by county officials

**Discussion on the Motion**

17:01:34 Presiding Officer Mike Cuffe  
17:02:56 Vice Presiding Officer Edie McClafferty  
17:03:39 Sen. Shelley Vance  
17:03:51 Sen. Theresa Manzella  
17:04:33 Presiding Officer Mike Cuffe  
17:04:52 Rebecca Power, LSD

**Vote**

17:05:25 Failed 1 - 4 by roll call vote with Sen. Manzella voting 'yes'.  
17:06:10 Presiding Officer Mike Cuffe

**ADJOURNMENT**

Adjournment: 17:06:31