

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Douglas (Doug) Kary, on February 26, 2021 at 3:20 PM, in Room 335 Capitol

ROLL CALL

Members Present in the Committee Room:

Sen. Douglas (Doug) Kary, Chair (R)
Sen. Bryce Bennett, Vice Chair (D)
Sen. Gordon Vance, Vice Chair (R)
Sen. Mike Cuffe (R)
Sen. Mike Fox (D)
Sen. Ryan Osmundson (R)
Sen. Walt Sales (R)

Members Present by Zoom Video Conference:

Sen. Janet Ellis (D)

Members Excused: None

Members Absent: None

Staff Present: Ginger Aldrich, Legislative Branch
Alex Colafrancesco, Remote Meeting Coordinator
Jacelyn Sterling, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 309, 2/24/2021; SB 319, 2/24/2021; SB 329, 2/24/2021; SB 330, 2/24/2021; SB 335, 2/24/2021; SB 339, 2/24/2021; SB 350, 2/24/2021; SB 351, 2/24/2021; SJ 17, 2/24/2021; SJ 19, 2/24/2021

Executive Action: SB 272 Do Pass as Amended; SB 287 Do Pass as Amended; SB 228 Do Pass as Amended; SB 351 Do Pass; SB 350 Do Pass, SB 339 Do Pass; SB 276 Do Pass; SB 232 Do Pass; SJ 17 Do Pass; SJ 19 Do Pass; SB 94 Be Tabled; SB 146 Be Tabled; SB 139 Be Tabled; SB 254 Be Tabled; SB 299 Be Tabled; SB 310 Be Tabled; SB 329 Be Tabled; SB 330 Be Tabled; SB 335 Do Pass

EXECUTIVE ACTION ON SB 139

15:20:04 Chair Kary
15:20:08 Sen Fox entered the meeting.
15:20:33 Sen Cuffe
15:21:13 **Motion/Vote:** Sen. Vance moved that **SB 139 BE TABLED**. Motion carried unanimously by voice vote.
EXHIBIT(sts41a01)

HEARING ON SB 309

Opening Statement by Sponsor:

15:21:44 Sen. Walt Sales (R), SD 35, opened the hearing on SB309, Revising state lottery laws relating to compensation of lottery employees.

Proponents' Testimony:

15:22:35 Lieutenant Governor Kristen Juras (GOV)

EXHIBIT(sts41a02)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

15:26:08 Sen. Bennett

15:26:28 Ms. Juras, GOV

Closing by Sponsor:

15:26:52 Sen. Sales

Sen. Osmundson left the meeting.

HEARING ON SB 319

Opening Statement by Sponsor:

15:27:25 Sen. Greg Hertz (R), SD 6, opened the hearing on SB319, Generally revise campaign finance laws.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

15:31:38 Jaime MacNaughton, chief legal counsel, Commissioner of Political Practices (COPP)

Questions from Committee Members and Responses:

15:32:33 Sen. Bennett
15:34:34 Sen. Hertz
15:35:15 Sen. Ellis
15:37:30 Sen. Hertz
15:38:43 Sen. Bennett
15:39:05 Ms. MacNaughton, COPP

Closing by Sponsor:

15:40:57 Sen. Hertz

HEARING ON SB 350

Opening Statement by Sponsor:

15:42:42 Sen. Greg Hertz (R), SD 6, opened the hearing on SB350, Generally revise election laws related to minor parties.

Opponents' Testimony: None

Proponents' Testimony:

15:45:38 Dana Corson, Montana Secretary of State's office (SOS)

Informational Testimony:

15:46:35 Austin Marcus James, SOS
15:46:56 Jaime MacNaughton, Commissioner of Political Practices (COPP)
15:47:29 Jeff Mangan, COPP

Questions from Committee Members and Responses:

15:47:53 Sen. Bennett
15:48:29 Sen. Hertz
15:48:46 Mr. James, SOS
15:49:22 Sen. Bennett
15:49:54 Mr. James

Closing by Sponsor:

15:50:28 Sen. Hertz

HEARING ON SB 351

Opening Statement by Sponsor:

15:51:17 Sen. Bryce Bennett (D), SD 50, opened the hearing on SB351, Revise ballot tabulation dates for counties.

Proponents' Testimony:

15:55:05 Monica Eisenzimer, election manager, Flathead County

Opponents' Testimony:

15:57:14 Dana Corson, Montana Secretary of State's office (SOS)

Additional Proponents' Testimony:

15:58:38 Regina Plettenberg, Ravalli County Clerk and Recorder

Informational Testimony: None

Questions from Committee Members and Responses:

16:00:26 Sen. Ellis
16:00:59 Ms. Plettenberg, Ravalli County
16:01:50 Sen. Ellis
16:01:57 Chair Kary
16:05:17 Ms. Plettenberg
16:05:56 Sen. Cuffe
16:07:28 Sen. Bennett
16:07:45 Sen. Cuffe
16:09:42 Ms. Eisenzimer, Flathead County
16:09:53 Sen. Sales
16:11:18 Mr. Corson, SOS
16:11:33 Chair Kary
16:12:01 Mr. Corson
16:13:29 Chair Kary
16:13:40 Sen. Ellis
16:14:40 Mr. Corson

Closing by Sponsor:

16:15:02 Sen. Bennett

HEARING ON SB 329

Opening Statement by Sponsor:

16:16:39 Sen. Brad Molnar (R), SD28, opened the hearing on SB329, Revise board of investment laws.

EXHIBIT(sts41a03)

Proponents' Testimony: None

Opponents' Testimony:

16:22:28 Dan Villa, executive director, Montana Board of Investments, Department of Commerce (DOC)

Informational Testimony: None

Questions from Committee Members and Responses:

16:26:18 Sen. Sales
16:27:07 Mr. Villa, DOC
16:28:49 Sen. Ellis
16:31:45 Mr. Villa

Closing by Sponsor:

16:32:43 Sen. Molnar

HEARING ON SB 330

Opening Statement by Sponsor:

16:37:38 Sen. Brad Molnar (R), SD 28, opened the hearing on SB330, Revise financial investment policy laws.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

16:39:26 Dan Villa, executive director, Montana Board of Investments, Department of Commerce (DOC)

Questions from Committee Members and Responses:

16:39:44 Chair Kary

16:39:57 Mr. Villa, DOC

16:40:53 Sen. Ellis

16:41:24 Mr. Villa

Closing by Sponsor:

16:43:05 Sen. Molnar

HEARING ON SJ 19

Opening Statement by Sponsor:

16:45:06 Sen. Mike Cuffe (R), SD 1, opened the hearing on SJ19, Resolution to honor 75th anniversary of ending of WWII.

Proponents' Testimony:

16:46:50 Raymond K. Read, veteran

16:51:37 Roger Hagan, Montana Department of the American Legion

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

16:54:05 Sen. Cuffe

EXECUTIVE ACTION ON SJ 19

16:55:34 Chair Kary

16:55:51 **Motion/Vote:** Sen. Vance moved that **SJ 19 DO PASS**. Motion carried 7-0 by voice vote. Sen Osmundson was excused.

16:56:29 Sen. Cuffe left the meeting.

HEARING ON SB 335

Opening Statement by Sponsor:

16:57:03 Sen. Gordon Vance (R), SD 34, opened the hearing on SB335, Prohibiting certain funding to be used for state or local elections.

Proponents' Testimony:

16:58:33 Dana Corson, Montana Secretary of State's office (SOS)

Informational Testimony:

17:02:01 Jaime MacNaughton, chief legal counsel, Commissioner of Political Practices (COPP)

Opponents' Testimony:

17:02:31 Sam Forstag, American Civil Liberties Union (ACLU)

Questions from Committee Members and Responses:

17:03:41 Sen. Ellis
17:06:05 Mr. Corson, SOS
17:06:46 Sen. Bennett
17:08:37 Mr. Corson
17:09:20 Chair Kary
17:10:46 Mr. Corson

Closing by Sponsor:

17:11:18 Sen. Vance

HEARING ON SB 339

Opening Statement by Sponsor:

17:13:25 Sen. JP Pomnichowski (D), SD 33, opened the hearing on SB339, Solely correcting an erroneous campaign finance statutory reference.

Proponents' Testimony:

17:15:07 Jeff Mangan, Commissioner of Political Practices (COPP)
17:16:03 Jaime MacNaughton, chief legal counsel, COPP

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

17:16:49 Chair Kary
17:17:04 Sen. Pomnichowski

Closing by Sponsor:

17:17:20 Sen. Pomnichowski

HEARING ON SJ 17

Opening Statement by Sponsor:

17:17:48 Sen. Bryce Bennett (D), SD 50, opened the hearing on SJ17, Resolution on daylight savings time.

Proponents' Testimony: None

Opponents' Testimony:

17:19:45 Rick Duncan, citizen

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

17:21:57 Sen. Bennett

17:23:04 Chair Kary

17:23:32 Recess

17:46:46 Reconvened

Sen. Osmundson entered the meeting.

EXECUTIVE ACTION ON SB 94

17:47:02 **Motion/Vote:** Sen. Vance moved that **SB 94 DO PASS**. Motion failed 3-5 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting aye. Sen. Cuffe voted by proxy.

17:48:34 **Motion/Vote:** Sen. Vance moved that **SB 94 BE TABLED**. Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 146

17:49:39 **Motion:** Sen. Vance moved that **SB 146 DO PASS**.

Discussion:

17:50:00 Sen. Bennett

17:50:50 Sen. Vance

17:51:15 **Substitute Motion/Vote:** Sen. Osmundson made a substitute motion that **SB 146 BE TABLED**. Substitute Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 228

17:52:05 **Motion:** Sen. Vance moved that **SB 228 DO PASS**.

17:53:05 **Motion:** Sen. Vance moved that **SB 228 BE AMENDED.**
[EXHIBIT\(sts41a04\)](#)

Discussion:

17:53:17 Ginger Aldrich, Legislative Services Division (LSD)
 17:54:18 Sen. Ellis
 17:54:45 Ms. Aldrich, LSD
 17:55:25 Sen. Ellis
 17:55:58 Ms. Aldrich
 17:56:28 Sen. Vance
 17:56:50 Sen. Ellis

17:57:22 **Vote:** Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Cuffe voted by proxy.

17:57:52 **Motion/Vote:** Sen. Vance moved that **SB 228 DO PASS AS AMENDED.** Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SJ 17

17:58:44 **Motion:** Sen. Vance moved that **SJ 17 DO PASS.**

Discussion:

17:58:52 Sen. Osmundson
 17:59:02 Sen. Vance

17:59:17 **Vote:** Motion carried unanimously by voice vote. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 254

17:59:53 **Motion:** Sen. Vance moved that **SB 254 DO PASS.**

18:00:09 **Substitute Motion/Vote:** Sen. Osmundson made a substitute motion that **SB 254 BE TABLED.** Substitute Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 232

18:01:14 **Motion:** Sen. Vance moved that **SB 232 DO PASS.**

Discussion:

18:01:45 Chair Kary

18:02:24 **Vote:** Motion carried unanimously by voice vote. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 272

18:03:00 **Motion:** Sen. Vance moved that **SB 272 DO PASS.**

18:03:04 **Motion:** Sen. Vance moved that **SB 272 BE AMENDED.**
[EXHIBIT\(sts41a05\)](#)

Discussion:

18:03:30 Sen. Osmundson

18:03:52 Sen. Ellis

18:04:31 **Vote:** Motion carried 7-1 by roll call vote with Sen. Ellis voting no. Sen. Cuffe voted by proxy.

18:04:58 **Motion:** Sen. Vance moved that **SB 272 DO PASS AS AMENDED.**

Discussion:

18:05:09 Sen. Ellis

18:05:20 **Vote:** Motion carried unanimously by voice vote. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 276

18:05:45 **Motion:** Sen. Vance moved that **SB 276 DO PASS.**

Discussion:

18:05:56 Sen. Bennett

18:06:08 Chair Kary

18:06:11 Sen. Bennett

18:06:49 **Vote:** Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 287

18:07:21 **Motion:** Sen. Vance moved that **SB 287 DO PASS.**

18:07:46 **Motion/Vote:** Sen. Sales moved that **SB 287 BE AMENDED.** Motion carried unanimously by roll call vote. Sen. Cuffe voted by proxy.

[EXHIBIT\(sts41a06\)](#)

18:09:54 **Motion/Vote:** Sen. Vance moved that **SB 287 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 299

18:10:37 **Motion:** Sen. Vance moved that **SB 299 DO PASS.**

Discussion:

18:10:57 Sen. Bennett

18:11:46 Sen. Sales

18:12:10 Sen. Vance

18:12:23 Ginger Aldrich, Legislative Services Division (LSD)

18:12:40 Sen. Vance

18:12:48 **Vote:** Motion failed 3-5 by roll call vote with Sen. Cuffe, Sen. Osmundson and Sen. Vance voting aye. Sen. Cuffe voted by proxy.

18:13:14 **Motion/Vote:** Sen. Vance moved that **SB 299 BE TABLED**. Motion carried unanimously by voice vote. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 309

18:13:50 **Motion:** Sen. Vance moved that **SB 309 DO PASS**.

Discussion:

18:14:03 Chair Kary

18:14:41 **Vote:** Motion carried unanimously by voice vote. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 310

18:15:01 **Motion:** Sen. Vance moved that **SB 310 DO PASS**.

Discussion:

18:15:21 Chair Kary

18:15:38 **Vote:** Motion failed 4-4 by voice vote with Sen. Cuffe, Sen. Kary, Sen. Osmundson and Sen. Sales voting aye. Sen. Cuffe voted by proxy.

18:16:04 **Motion/Vote:** Sen. Vance moved that **SB 310 BE TABLED**. Motion carried unanimously by voice vote. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 319

18:16:34 **Motion:** Sen. Vance moved that **SB 319 DO PASS**.

18:16:54 **Motion:** Sen. Vance moved that **SB 319 BE AMENDED**.

EXHIBIT([sts41a07](#))

Discussion:

18:17:09 Ginger Aldrich, Legislative Services Division (LSD)

18:18:26 **Vote:** Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Cuffe voted by proxy.

18:18:58 **Motion:** Sen. Vance moved that **SB 319 DO PASS AS AMENDED**.

Discussion:

18:19:07 Chair Kary

18:19:20 Sen. Ellis

18:19:37 Chair Kary

18:19:47 Sen. Vance

18:20:05 **Vote:** Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 329

18:20:37 **Motion/Vote:** Sen. Vance moved that **SB 329 BE TABLED**. Motion carried unanimously by voice vote. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 330

18:21:15 **Motion/Vote:** Sen. Vance moved that **SB 330 BE TABLED**. Motion carried unanimously by voice vote. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 335

18:21:49 **Motion:** Sen. Vance moved that **SB 335 DO PASS**.

Discussion:

18:22:08 Sen. Ellis

18:23:07 **Vote:** Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Cuffe voted by proxy. (bill not reported out of committee pending receipt of the fiscal note)

EXECUTIVE ACTION ON SB 339

18:23:36 **Motion/Vote:** Sen. Vance moved that **SB 339 DO PASS**. Motion carried unanimously by voice vote. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 350

18:24:20 **Motion:** Sen. Vance moved that **SB 350 DO PASS**.

Discussion:

18:24:40 Sen. Bennett

18:25:41 **Vote:** Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Cuffe voted by proxy.

EXECUTIVE ACTION ON SB 351

18:26:14 **Motion:** Sen. Vance moved that **SB 351 DO PASS**.

Discussion:

18:26:43 Sen. Bennett

18:27:10 **Vote:** Motion carried 5-3 by roll call vote with Sen. Cuffe, Sen. Osmundson and Sen. Vance voting no. Sen. Cuffe voted by proxy.

Committee Business:

18:27:38 Chair Kary
18:27:54 Ginger Aldrich, Legislative Services Division (LSD)
18:28:25 Chair Kary
18:28:47 Ms. Aldrich, LSD
18:29:09 Chair Kary
18:29:38 Sen. Vance

ADJOURNMENT

Adjournment: 6:30 PM

Jacelyn Sterling, Secretary

js

Additional Documents:

EXHIBIT([sts41aad.pdf](#))