

MINUTES
MONTANA HOUSE OF REPRESENTATIVES
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (H) STATE ADMINISTRATION

Call to Order: Chair Julie Dooling-R, on April 14, 2023 at 9:00 AM, in 455

ROLL CALL

Members Present: Rep. Julie Dooling, Chair (R)
Rep. Kelly Kortum, Vice Chair (D)
Rep. Bob Phalen, Vice Chair (R)
Rep. Denise Baum (D)
Rep. Marta Bertoglio (R)
Rep. Tony Brockman (R)
Rep. Gregory Frazer (R)
Rep. Paul Green (R)
Rep. Gary Parry (R)
Rep. Linda Reksten (R)
Rep. Tyson Running Wolf (D)
Rep. Frank Smith (D)
Rep. Courtenay Sprunger (R)
Rep. Ed Stafman (D)
Rep. Kenneth Walsh (R)
Rep. Zack Wirth (R)
Rep. Michael Yakawich (R)

Members Excused: Rep. Marvin Weatherwax (D)

Staff Present: Heather Kellum, Secretary
Rebecca Power, Research Analyst

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 565 04/07/2023

SB 566 04/07/2023

Executive Action:

SB 481 TO TABLE

SB 482 TO TABLE

SB 232

SB 385 TO TABLE

HEARING ON SB 565 - Generally revise primary election and nomination laws

Opening Statement:

09:02:42 Sen. Greg Hertz (R), SD 6, opened the hearing on SB 565, Generally revise primary election and nomination laws.

Proponent Testimony:

None

Opponent Testimony:

09:09:22 Sid Daud, Montana Libertarian Party
09:11:25 Marty Albini, Montana Libertarian Party
09:12:28 Apollo Pazell, Rainey Center
09:13:34 John Lamb, Private Citizen
09:14:58 Pat Clancey, Private Citizen
09:16:13 Lain Kay, Private Citizen
09:16:45 Robyn Morrison, League of Women Voters
09:18:14 Ta'jin Perez, Western Native Voice
09:19:28 Dr. Tony Rosales, Cascade County Libertarian Party
09:21:13 Danielle Vazquez, Montana Women Vote
09:21:49 Doug Campbell, Private Citizen

Informational Witness Testimony:

None

Questions from Committee:

09:24:09 Rep. Denise Baum
09:28:22 Rep. Linda Reksten

09:30:18 Rep. Kenneth Walsh

09:33:11 Rep. Paul Green

09:34:44 Rep. Ed Stafman

Closing Statement:

09:37:52 Sen. Greg Hertz (R), SD 6, closed the hearing on SB 565.

HEARING ON SB 566 - Require top two primary for U.S. Senate races

Opening Statement:

09:40:53 Sen. Greg Hertz (R), SD 6, opened the hearing on SB 566, Require top two primary for U.S. Senate races.

Discussion:

[EXHIBIT\(230414STHa1\)](#)

Proponent Testimony:

09:55:33 Angie Paulsen, Broadwater County Clerk and Recorder

09:58:04 David Sanders, Private Citizen

10:00:24 Tony Hudson, Private Citizen

10:02:57 Danielle Tribble, Montana Republican Party

10:04:02 Larry Ashcraft, Private Citizen

10:05:09 Terry Nelson, Private Citizen

10:06:26 James Carl, Private Citizen

10:07:04 Jenna Mckinney, Private Citizen

10:08:13 Tiffany Floden, Private Citizen

Opponent Testimony:

10:09:06 Thomas Stockton, Private Citizen

10:11:59 Sid Daud, Montana Libertarian Party

10:14:15 Apollo Pazell, Rainey Center

10:16:01 Marty Albini, Montana Libertarian Party

10:17:15 Lain Kay, Private Citizen

10:19:43 John Lamb, Private Citizen

10:21:34 Pat Clancey, Private Citizen

10:23:03 Becky Stockton, Private Citizen

10:24:03 Melanie Sako, Private Citizen

10:26:21 Linda Schmitt, Democratic Central Committee

10:28:09 Ta'jin Perez, Western Native Voice

10:29:55 Robyn Morrison, League of Women Voters

10:31:39 Karen Wickersham, Private Citizen

10:33:42 Dr. Tony Rosales, Cascade County Libertarian Party

10:35:18 Danielle Vasquez, Montana Women Vote

10:36:22 Izzy Milch, Forward Montana

10:37:59 Sharon Patton-Griffin, Private Citizen

10:40:06 Jeremy Gruber, Open Primaries

10:42:16 Mary Catherine Dunphy, Private Citizen

10:44:38 Ed Regan, Private Citizen

Informational Witness Testimony:

10:49:18 Dana Corson, Secretary of State's Office

Questions from Committee:

10:49:47 Vice Chair Kelly Kortum

10:51:26 Rep. Ed Stafman

[EXHIBIT\(230414STHa2\)](#)

10:57:03 Rep. Michael Yakawich

11:01:10 Rep. Linda Reksten
11:03:15 Rep. Kenneth Walsh
11:05:27 Vice Chair Bob Phalen
11:06:18 Rep. Courtenay Sprunger
11:08:03 Rep. Denise Baum
11:12:04 Rep. Ed Stafman

Closing Statement:

11:15:55 Sen. Greg Hertz (R), SD 6, closed the hearing on SB 566.

11:27:53 **Recessed**

11:42:09 Rep. Weatherwax has arrived

11:49:43 **Reconvened**

EXECUTIVE ACTION ON SB 481 - Require cast vote records

11:49:53 **Motion:** Vice Chair Bob Phalen moved that **SB 481 BE CONCURRED IN.**

11:50:02 **Motion:** Vice Chair Bob Phalen moved that **SB 481 BE AMENDED.**

Discussion:

11:50:19 Rebecca Power

11:51:54 Vice Chair Bob Phalen

11:50:02 **Vote:** Motion carried 15 - 3 by voice vote with Rep. Kortum, Rep. Smith, Rep. Weatherwax, voting no.

11:52:50 **Motion:** Vice Chair Bob Phalen moved that **SB 481 BE CONCURRED IN AS AMENDED.**

Discussion:

11:53:06 Rep. Kenneth Walsh

11:54:07 Rep. Ed Stafman

11:56:18 Rep. Frank Smith

11:57:05 Rep. Tony Brockman

- 11:58:28 Vice Chair Bob Phalen
- 11:52:50 **Vote:** Motion failed 10 - 8 by voice vote with Rep. Bertoglio, Rep. Brockman, Rep. Dooling, Rep. Phalen, Rep. Reksten, Rep. Sprunger, Rep. Wirth, Rep. Yakawich, voting yes.
- 12:00:03 **Motion:** Vice Chair Bob Phalen moved that **SB 481 TO TABLE.**
- 12:00:03 **Vote:** Motion carried 17 - 1 by voice vote with Rep. Dooling, voting no.

EXECUTIVE ACTION ON SB 482 - Revise laws related to voting system testing and certification

- 12:00:31 **Motion:** Vice Chair Bob Phalen moved that **SB 482 BE CONCURRED IN.**
- 12:00:44 **Motion:** Vice Chair Bob Phalen moved that **SB 482 BE AMENDED.**
- Discussion:**
- 12:01:11 Rep. Linda Reksten
- 12:00:44 **Vote:** Motion carried 17 - 1 by voice vote with Rep. Kortum, voting no.
- 12:01:55 **Motion:** Vice Chair Bob Phalen moved that **SB 482 BE CONCURRED IN AS AMENDED.**
- Discussion:**
- 12:02:16 Rep. Ed Stafman
- 12:01:55 **Vote:** Motion tied 9 - 9 by voice vote
- 12:03:06 **Motion:** Vice Chair Bob Phalen moved that **SB 482 TO TABLE.**
- 12:03:05 **Vote:** Motion carried 17 - 1 by voice vote with Rep. Dooling, voting no.

EXECUTIVE ACTION ON SB 232 - Provide for deadlines to respond to public information requests

- 12:04:26 **Motion:** Rep. Tyson Running Wolf moved that **SB 232 TO TAKE FROM THE TABLE.**
- Discussion:**
- 12:07:11 Rep. Tyson Running Wolf
- 12:07:30 Chair Julie Dooling
- 12:08:12 Rep. Gary Parry
- 12:09:13 Vice Chair Kelly Kortum
- 12:09:30 Rep. Linda Reksten

- 12:04:26 **Vote:** Motion carried 15 - 3 by voice vote with Rep. Phalen, Rep. Reksten, Rep. Walsh, voting no.
- 12:09:05 **Motion:** Rep. Tyson Running Wolf moved that **SB 232 BE CONCURRED IN.**
- 12:09:05 **Vote:** Motion carried 15 - 3 by voice vote with Rep. Brockman, Rep. Dooling, Rep. Wirth, voting no.
- 12:09:05 **Carrier Assigned:** Rep. Bill Mercer

EXECUTIVE ACTION ON SB 385 - Generally revise election laws

- 12:12:13 **Motion:** Vice Chair Bob Phalen moved that **SB 385 TO TAKE FROM THE TABLE.**
- 12:12:13 **Vote:** Motion carried 14 - 4 by voice vote with Rep. Baum, Rep. Kortum, Rep. Stafman, Rep. Wirth, voting no.
- 12:13:24 **Motion:** Vice Chair Bob Phalen moved that **SB 385 BE CONCURRED IN AS AMENDED.**

Discussion:

- 12:13:44 Rep. Linda Reksten
- 12:14:26 Rep. Zack Wirth
- 12:15:36 Rep. Courtenay Sprunger
- 12:16:15 Rep. Michael Yakawich
- 12:17:04 Rep. Ed Stafman
- 12:13:24 **Vote:** Motion tied 9 - 9 by voice vote
- 12:18:40 **Motion:** Vice Chair Bob Phalen moved that **SB 385 TO TABLE.**
- 12:18:40 **Vote:** Motion carried 17 - 1 by voice vote with Rep. Phalen, voting no.

ADJOURNMENT

Adjournment: 12:19:28

Heather Kellum, Secretary

Additional Documents: [EXHIBIT\(230414STHaad\)](#)