

MINUTES
MONTANA SENATE
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (S) STATE ADMINISTRATION

Call to Order: Chair Mike Cuffe-R, on February 08, 2023 at 2:59 PM, in 335

ROLL CALL

Members Present: Sen. Mike Cuffe, Chair (R)
Sen. Denise Hayman, Vice Chair (D)
Sen. Wendy McKamey, Vice Chair (R)
Sen. Dan Bartel (R)
Sen. Janet Ellis (D)
Sen. Mike Fox (D)
Sen. Theresa Manzella (R)
Sen. Mark Noland (R)
Sen. Shelley Vance (R)

Members Excused: Sen. Steve Fitzpatrick (R)

Staff Present: Joe Carroll, Attorney
Daisy Rhodes, 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 197 02/02/2023

SB 200 02/06/2023

SB 254 02/02/2023

Executive Action:

SB 117 DO PASS AS AMENDED

SB 93 DO PASS AS AMENDED

HEARING ON SB 197 - Revise and extend post-election audit process

Opening Statement:

15:01:21 Chair Mike Cuffe (R), SD 1, opened the hearing on SB 197, Revise and extend post-election audit process.

Proponent Testimony:

None

Opponent Testimony:

None

Informational Witness Testimony:

15:04:49 Dana Corson, Secretary of State Office (SOS)

15:05:17 Regina Plettenberg, Montana Association of Clerk and Recorders (MACR)

Questions from Committee:

15:05:51 Sen. Janet Ellis

15:06:42 Sen. Mike Cuffe-R

15:07:21 Sen. Dan Bartel

15:07:31 Sen. Mike Cuffe-R

15:08:18 Vice Chair Denise Hayman

15:08:34 Sen. Mike Cuffe-R

15:08:36 Vice Chair Denise Hayman

15:08:52 Regina Plettenberg, MACR

15:09:36 Dana Corson, SOS

15:09:58 Vice Chair Wendy McKamey

15:11:49 Sen. Mike Cuffe-R

15:13:08 Vice Chair Wendy McKamey

15:13:35 Dana Corson, SOS

Closing Statement:

15:14:24 Chair Mike Cuffe (R), SD 1, closed the hearing on SB 197.

HEARING ON SB 254 - Generally revise election laws

Opening Statement:

15:15:30 Sen. Kenneth Bogner (R), SD 19, opened the hearing on SB 254,
Generally revise election laws.

Proponent Testimony:

15:17:28 Regina Plettenberg, Montana Association of Clerks and Recorders
(MACR)

Opponent Testimony:

None

Informational Witness Testimony:

15:18:51 Dana Corson, Secretary of State Office (SOS)

Questions from Committee:

15:19:30 Vice Chair Denise Hayman

15:20:45 Sen. Kenneth Bogner-R

15:21:11 Dana Corson, SOS

15:21:40 Vice Chair Denise Hayman

15:22:22 Dana Corson, SOS

Closing Statement:

15:23:32 Sen. Kenneth Bogner (R), SD 19, closed the hearing on SB 254.

HEARING ON SB 200 - Revise use of party affiliation for nonpartisan races

Opening Statement:

15:26:07 Sen. Greg Hertz (R), SD 6, opened the hearing on SB 200, Revise use of
party affiliation for nonpartisan races.

Discussion:

[EXHIBIT\(230208STSa1\)](#)

Proponent Testimony:

15:33:09 Gina Reilly, self

Opponent Testimony:

15:36:16 Norane Appling-Freistadt, self

15:38:40 John Mud, Montana State Bar

[EXHIBIT\(230208STSa2\)](#)

15:44:42 Malinda Reed, Helena City Commission

15:45:38 Patrick Yawakie, Blackfeet Tribe

15:46:38 Mike Swingley, Lewis and Clark Justice of the Peace, Montana Magistrates

15:49:02 Jocelyn Loroux, Montana Conservation Voters

15:50:22 Jenny Murnane-Butcher, Montanans Organized for Education

15:51:27 Lauren Caldwell, Montana Federation of Public Employees (MFPE)

15:55:07 Robert Filipovich, self

[EXHIBIT\(230208STSa3\)](#)

15:59:54 Ann Peterson, Helena Municipal Judge, Montana Magistrates Association

16:00:55 Ella Smith, Montana Women Vote (MWV)

16:01:41 Bruce Spencer, Montana Judges Association

16:04:27 Laura Obert, self

16:09:55 Al Smith, Montana Trial Lawyers Association (MTLA)

16:13:56 Shawn Slanger, Montana Defense Trial Lawyers Association (MDTLA)

16:15:50 Richard Liebert, self

16:19:02 Dennis Parman, Montana Rural Education Association (MREA)

16:22:37 Deborah Hanson, self

16:25:57 Monte Beck, self

Informational Witness Testimony:

None

Questions from Committee:

16:30:51 Vice Chair Denise Hayman

16:31:56 Monte Beck

16:33:44 Vice Chair Wendy McKamey

16:34:40 Richard Liebert

16:36:38 Vice Chair Wendy McKamey

16:38:15 Sen. Greg Hertz-R

16:39:12 Sen. Janet Ellis

16:39:50 Sen. Greg Hertz-R

16:42:25 Sen. Mark Noland

16:46:16 John Mud, Montana State Bar

16:48:09 Sen. Shelley Vance

16:49:59 Sen. Greg Hertz-R

16:50:12 Vice Chair Wendy McKamey

16:50:38 Sen. Greg Hertz-R

16:50:43 Vice Chair Wendy McKamey

16:51:12 Chair Mike Cuffe

16:57:37 Al Smith, MTLA

16:58:17 Chair Mike Cuffe

16:58:53 Sen. Greg Hertz-R

16:59:35 Chair Mike Cuffe

Closing Statement:

16:59:49 Sen. Greg Hertz (R), SD 6, closed the hearing on SB 200.

17:04:13 **Recessed**

17:14:42 **Reconvened**

EXECUTIVE ACTION ON SB 117 - Prohibiting use of certain funds for conducting an election

17:16:20 **Motion:** Sen. Shelley Vance moved that **SB 117 DO PASS.**

17:16:28 **Motion:** Sen. Shelley Vance moved that **SB 117 BE AMENDED.**

Discussion:

17:17:02 Sen. Shelley Vance

17:17:53 Joe Carroll

17:18:59 Chair Mike Cuffe

17:19:31 Sen. Janet Ellis

17:20:36 Chair Mike Cuffe

17:20:47 Sen. Janet Ellis

17:21:12 Chair Mike Cuffe

17:21:22 Vice Chair Wendy McKamey

17:22:19 Sen. Shelley Vance

17:23:23 Sen. Janet Ellis

17:24:49 Chair Mike Cuffe

17:24:57 Vice Chair Wendy McKamey

17:25:25 Chair Mike Cuffe

17:28:14 Vice Chair Denise Hayman

17:30:48 Sen. Janet Ellis

17:31:41 Sen. Dan Bartel

17:32:42 Chair Mike Cuffe

17:33:34 Sen. Theresa Manzella

- 17:34:18 Chair Mike Cuffe
- 17:34:29 Sen. Mark Noland
- 17:16:28 **Vote:** Motion carried 7 - 3 by roll call vote with Sen. Ellis, Sen. Hayman, Sen. Manzella, voting no.
- 17:35:53 **Motion:** Sen. Shelley Vance moved that **SB 117 DO PASS AS AMENDED.**
- Discussion:**
- 17:36:29 Sen. Mike Fox
- 17:37:43 Sen. Shelley Vance
- 17:38:30 Sen. Mike Fox
- 17:38:48 Chair Mike Cuffe
- 17:35:53 **Vote:** Motion carried 8 - 2 by roll call vote with Sen. Ellis, Sen. Hayman, voting no.

EXECUTIVE ACTION ON SB 93 - Generally revising ballot issues

- 17:40:23 **Motion:** Sen. Wendy McKamey moved that **SB 93 DO PASS.**
- 17:40:50 **Motion:** Sen. Mike Cuffe moved that **SB 93 BE AMENDED.**
- Discussion:**
- 17:42:13 Sen. Janet Ellis
- 17:42:37 Chair Mike Cuffe
- 17:42:54 Sen. Janet Ellis
- 17:46:40 Chair Mike Cuffe
- 17:46:45 Sen. Janet Ellis
- 17:46:50 Chair Mike Cuffe
- 17:46:55 Vice Chair Denise Hayman
- 17:47:15 Sen. Mark Noland
- 17:47:58 Sen. Theresa Manzella
- 17:40:50 **Vote:** Motion carried 6 - 4 by roll call vote with Sen. Ellis, Sen. Fox, Sen. Hayman, Sen. McKamey, voting no.
- 17:49:58 **Motion:** Sen. Denise Hayman moved that **SB 93 BE AMENDED.**
- Discussion:**
- 17:50:30 Vice Chair Denise Hayman

17:49:58 **Vote:** Motion failed 7 - 3 by roll call vote with Sen. Ellis, Sen. Fox, Sen. Hayman, voting yes.

17:55:40 **Motion:** Sen. Janet Ellis moved that **SB 93 BE AMENDED.**

Discussion:

17:56:26 Sen. Janet Ellis

18:00:06 Chair Mike Cuffe

18:00:13 Sen. Mark Noland

18:00:31 Sen. Janet Ellis

18:01:12 Sen. Mark Noland

18:02:53 Chair Mike Cuffe

17:55:40 **Vote:** Motion failed 7 - 3 by roll call vote with Sen. Ellis, Sen. Fox, Sen. Hayman, voting yes.

18:04:42 **Motion:** Sen. Wendy McKamey moved that **SB 93 DO PASS AS AMENDED.**

Discussion:

18:05:02 Chair Mike Cuffe

18:04:42 **Vote:** Motion carried 6 - 4 by roll call vote with Sen. Ellis, Sen. Fox, Sen. Hayman, Sen. McKamey, voting no.

ADJOURNMENT

Adjournment: 18:07:25

Daisy Rhodes, Secretary

Additional Documents: [EXHIBIT\(230208STSaad\)](#)