

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

**Call to Order:** Chair Mike Cuffe-R, on February 25, 2023 at 9:03 AM, in 335

**ROLL CALL**

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

**Members Excused:** Sen. Dan Bartel (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 395 02/23/2023  
SB 418 02/23/2023  
SB 481 02/23/2023  
SB 482 02/23/2023  
SB 483 02/23/2023  
SB 484 02/23/2023  
SB 432 02/21/2023  
SB 433 02/21/2023  
SB 435 02/21/2023

Executive Action:

SB 395 TO TABLE  
SB 418 TO TABLE  
SB 483 DO PASS  
SB 481 REMOVED  
SB 482 REMOVED

SB 432 DO PASS  
SB 433 TO TABLE  
SB 435 TO TABLE  
SB 484 TO TABLE

**HEARING ON SB 395 - Allow judicial candidates to announce endorsements**

**Opening Statement:**

09:07:38 Sen. Carl Glimm (R), SD 6, opened the hearing on SB 395, Allow judicial candidates to announce endorsements.

**Proponent Testimony:**

09:08:31 Lisa Bennett, self

09:09:50 Terri Barney, self

09:11:24 Lant Barney, self

**Opponent Testimony:**

09:13:03 Bruce Spencer, Montana Judges Association (MJA)

[EXHIBIT\(230225STSa1\)](#)

09:16:53 Sean Slanger, Montana State Bar (MSB) and Montana Defense Trial Lawyers Association (MDTL)

09:18:50 Patrick Yawakie, Blackfeet Tribe

09:20:20 Kegan Medrano, American Civil Liberties Union of Montana (ACLU-MT)

09:20:59 Robyn Morrison, League of Women Voters (LWV)

09:22:53 Danielle Vazquez, Montana Women Vote (MWV)

09:23:38 Al Smith, Montana Trial Lawyers Association (MTLA)

09:27:00 Norane Appling-Freistadt, self

09:28:16 Lynne Boone, self

**Informational Witness Testimony:**

None

**Questions from Committee:**

09:29:06 Chair Mike Cuffe

09:29:55 Sen. Theresa Manzella

09:30:11 Chair Mike Cuffe

09:30:28 Sen. Steve Fitzpatrick  
09:35:33 Bruce Spencer, MJA  
09:35:49 Sen. Janet Ellis  
09:36:16 Chair Mike Cuffe  
09:36:31 Sen. Shelley Vance  
09:37:23 Bruce Spencer, MJA  
09:38:28 Sen. Steve Fitzpatrick  
09:39:22 Bruce Spencer, MJA  
09:42:35 Vice Chair Wendy McKamey  
09:43:06 Bruce Spencer, MJA  
09:44:47 Sen. Theresa Manzella  
09:46:37 Bruce Spencer, MJA  
09:47:07 Sen. Theresa Manzella  
09:47:38 Chair Mike Cuffe  
09:48:10 Sen. Fitzpatrick has left  
09:54:30 Robyn Morrison, LWV  
09:54:38 Chair Mike Cuffe  
09:59:13 Sean Slanger, MSB and MDTL  
10:00:21 Chair Mike Cuffe  
10:01:48 Patrick Yawakie, Blackfeet Tribe  
10:02:46 Chair Mike Cuffe  
10:03:08 Sen. Theresa Manzella  
10:03:51 Sean Slanger, MSB, MDTL  
10:04:51 Chair Mike Cuffe

10:08:31 Bruce Spencer, MJA

**Closing Statement:**

10:09:35 Sen. Carl Glimm (R), SD 6, closed the hearing on SB 395.

10:33:05 **Recessed**

10:46:01 **Reconvened**

**HEARING ON SB 481 - Require cast vote records**

**Opening Statement:**

10:12:11 Sen. Carl Glimm (R), SD 6, opened the hearing on SB 481, Require cast vote records.

**Proponent Testimony:**

10:14:11 Lisa Bennet, self

10:16:58 Jennifer Hensley, County of Missoula

10:18:26 Robin Peters, self

10:19:32 Terri Barney, self

10:20:36 James Gomolka, self

10:21:34 Terri Lackey, self

**Opponent Testimony:**

10:23:04 Eric Bryson, Montana Association of Counties (MACo)

**Informational Witness Testimony:**

10:25:39 Regina Plettenberg, Montana Association of Clerks and Recorders (MACR)

**Questions from Committee:**

10:26:15 Sen. Theresa Manzella

10:28:16 Jennifer Hensley, County of Missoula

10:28:33 Vice Chair Denise Hayman

10:31:08 Regina Pletenberg, MACR  
10:32:05 Chair Mike Cuffe  
10:47:09 Vice Chair Wendy McKamey  
10:48:21 Sen. Carl Glimm-R  
10:48:36 Sen. Janet Ellis  
10:49:15 Eric Bryson, MACo  
10:50:15 Sen. Shelley Vance  
10:51:50 Regina Plettenberg, MACR  
10:52:57 Chair Mike Cuffe  
10:53:04 Sen. Carl Glimm-R

[EXHIBIT\(230225STSa2\)](#)

10:53:44 Vice Chair Wendy McKamey

**Closing Statement:**

10:54:21 Sen. Carl Glimm (R), SD 6, closed the hearing on SB 481.

**HEARING ON SB 482 - Revise laws related to voting system testing and certification**

**Opening Statement:**

10:54:47 Sen. Carl Glimm (R), SD 6, opened the hearing on SB 482, Revise laws related to voting system testing and certification.

**Proponent Testimony:**

10:56:49 Jennifer Hensley, County of Missoula

10:57:55 Glenda Edgeworth, self

**Opponent Testimony:**

10:58:40 Eric Bryson, Montana Association of Counties (MACo)

**Informational Witness Testimony:**

10:59:44 Regina Plettenberg, Montana Association of Clerks And Recorders (MACR)

**Questions from Committee:**

11:00:14	Sen. Janet Ellis
11:01:17	Regina Plettenberg, MACR
11:01:32	Sen. Carl Glimm-R
11:01:46	Sen. Janet Ellis
11:02:02	Sen. Carl Glimm-R
11:02:22	Vice Chair Wendy McKamey
11:02:40	Sen. Carl Glimm-R
11:02:48	Vice Chair Wendy McKamey
11:03:31	Eric Bryson, MACR
11:03:44	Sen. Shelley Vance
11:04:29	Sen. Carl Glimm-R
11:05:19	Sen. Mark Noland
11:05:38	Sen. Carl Glimm-R
11:06:16	Chair Mike Cuffe
11:08:58	Sen. Carl Glimm-R
11:09:04	Sen. Mark Noland
11:09:43	Sen. Carl Glimm-R
11:09:53	Sen. Mark Noland
11:10:20	Vice Chair Wendy McKamey
11:12:52	Sen. Carl Glimm-R
11:13:03	Sen. Mike Fox
11:13:20	Sen. Carl Glimm-R
11:13:31	Vice Chair Denise Hayman

11:14:07 Sen. Carl Glimm-R  
11:14:54 Chair Mike Cuffe  
11:15:02 Vice Chair Denise Hayman

**Closing Statement:**

11:15:20 Sen. Carl Glimm (R), SD 6, closed the hearing on SB 482.

**HEARING ON SB 483 - Generally revising alternative project delivery laws**

**Opening Statement:**

11:17:21 Sen. Christopher Pope (D), SD 65, opened the hearing on SB 483, Generally revising alternative project delivery laws.

**Proponent Testimony:**

11:30:05 Steve Wade, Montana Contractors Association (MCA)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

11:32:26 Russ Katherman, Department of Administration - State Architecture and Engineering Division (DOA-AE)

**Questions from Committee:**

11:32:58 Sen. Mark Noland  
11:34:39 Sen. Christopher Pope-D  
11:34:54 Chair Mike Cuffe  
11:36:00 Russ Katherman, DOA-AE  
11:36:16 Chair Mike Cuffe  
11:36:33 Vice Chair Denise Hayman  
11:37:05 Sen. Christopher Pope-D  
11:38:47 Vice Chair Wendy McKamey  
11:39:12 Steve Wade, MCA

11:40:16 Chair Mike Cuffe

**Closing Statement:**

11:42:26 Sen. Christopher Pope (D), SD 65, closed the hearing on SB 483.

**HEARING ON SB 418 - Incentives for trust land lessees to provide public access**

**Opening Statement:**

11:46:38 Sen. Brad Molnar (R), SD 28, opened the hearing on SB 418, Incentives for trust land lessees to provide public access.

**Proponent Testimony:**

11:52:16 Jake Schwaller, Montana Chapter of Backcountry Hunters and Anglers

**Opponent Testimony:**

11:53:39 Nicole Rolf, Montana Farm Bureau Federation (MFBF)

[EXHIBIT\(230225STSa3\)](#)

11:59:49 Raylee Honeycutt, Montana Stockgrowers Association (MSGA)

**Informational Witness Testimony:**

12:03:30 Shawn Thomas, Montana Department of Natural Resources and Conservation (DNRC)

12:04:06 Dustin Temple, Deputy Director, Montana Department of Fish ,Wildlife and Parks (FWP)

**Questions from Committee:**

12:04:36 Sen. Theresa Manzella

12:07:08 Sen. Brad Molnar-R

12:07:51 Sen. Theresa Manzella

12:08:04 Vice Chair Wendy McKamey

12:08:27 Nicole Rolf, MFBF

12:09:59 Vice Chair Wendy McKamey

12:10:35 Shawn Thomas, DNRC

12:10:54 Dustin Temple, FWP  
12:11:47 Sen. Mark Noland  
12:12:11 Nicole Rolf, MFBF  
12:13:03 Sen. Janet Ellis  
12:13:41 Sen. Brad Molnar-R

**Closing Statement:**

12:14:16 Sen. Brad Molnar (R), SD 28, closed the hearing on SB 418.

12:18:37 **Recessed**

13:02:00 Sen. Fitzpatrick has arrived

13:02:36 **Reconvened**

**EXECUTIVE ACTION ON SB 395 - Allow judicial candidates to announce endorsements**

13:03:05 **Motion:** Sen. Wendy McKamey moved that **SB 395 DO PASS.**

**Discussion:**

13:03:10 Chair Mike Cuffe

13:03:05 **Vote:** Motion tied 5 - 5 roll call vote

13:04:25 **Motion:** Sen. Wendy McKamey moved that **SB 395 TO TABLE.**

13:04:25 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 418 - Incentives for trust land lessees to provide public access**

13:04:52 **Motion:** Sen. Wendy McKamey moved that **SB 418 DO PASS.**

**Discussion:**

13:05:07 Vice Chair Wendy McKamey

13:05:13 Chair Mike Cuffe

13:05:31 Sen. Janet Ellis

13:05:43 Sen. Steve Fitzpatrick

13:06:21 Vice Chair Wendy McKamey  
13:07:26 Sen. Theresa Manzella  
13:07:53 Vice Chair Wendy McKamey  
13:08:25 Chair Mike Cuffe  
13:04:52 **Vote:** Motion failed 9 - 1 by roll call vote with Sen. Hayman, voting yes.  
Sen. Hayman, By Proxy  
13:10:08 **Motion:** Sen. Wendy McKamey moved that **SB 418 TO TABLE.**  
13:10:08 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 483 - Generally revising alternative project delivery laws**

13:10:36 **Motion:** Sen. Wendy McKamey moved that **SB 483 DO PASS.**

**Discussion:**

13:10:50 Sen. Theresa Manzella  
13:11:32 Vice Chair Wendy McKamey  
13:12:58 Sen. Steve Fitzpatrick  
13:14:08 Sen. Mark Noland  
13:15:13 Vice Chair Wendy McKamey  
13:16:26 Chair Mike Cuffe  
13:10:36 **Vote:** Motion carried unanimously by roll call vote.  
13:19:06 Sen. Noland has left

**HEARING ON SB 432 - Require a report on the use of Help America Vote Act funds**

**Opening Statement:**

13:19:52 Sen. Theresa Manzella (R), SD 85, opened the hearing on SB 432,  
Require a report on the use of Help America Vote Act funds.

**Proponent Testimony:**

13:27:11 Lisa Bennett, self  
13:28:15 Terri Barney, self  
13:28:43 James Gomolka, self

13:29:21 Terri Lackey, self

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

13:30:35 Sen. Shelley Vance  
13:31:18 Chair Mike Cuffe  
13:31:45 Sen. Janet Ellis  
13:32:01 Chair Mike Cuffe  
13:32:09 Sen. Shelley Vance  
13:32:59 Vice Chair Wendy McKamey

**Closing Statement:**

13:33:32 Sen. Theresa Manzella (R), SD 85, closed the hearing on SB 432.

**HEARING ON SB 433 - Revise laws related to tallying and publicizing election results**

**Opening Statement:**

13:34:39 Sen. Theresa Manzella (R), SD 85, opened the hearing on SB 433, Revise laws related to tallying and publicizing election results.

**Proponent Testimony:**

13:37:11 Lisa Bennett, self  
13:38:10 Terri Barney, self  
13:38:54 Terri Lackey, self  
13:39:22 James Gomolka, self  
13:40:02 Alan Lackey, self

**Opponent Testimony:**

13:41:26 Lynne Boone, self  
13:44:58 Conner Fitzpatrick, Elections Division Supervisor, Lewis and Clark County (LCC)  
13:47:44 Jennifer Hensly, County of Missoula  
13:49:23 Regina Plettenberg, Montana Association of Clerks and Recorders (MACR)  
13:51:05 Zachary Mangels, Forward Montana

**Informational Witness Testimony:**

13:52:00 Klint Curdis, self

**Questions from Committee:**

13:53:12 Sen. Janet Ellis  
13:54:49 Jennifer Hensley, Missoula County  
13:55:48 Sen. Janet Ellis  
13:56:17 Connor Fitzpatrick, Elections Division Supervisor, LCC  
13:58:20 Vice Chair Wendy McKamey  
13:58:41 Sen. Theresa Manzella-R  
13:59:16 Vice Chair Wendy McKamey  
14:00:43 Jennifer Hensley, Missoula County  
14:01:20 Sen. Shelley Vance  
14:02:17 Connor Fitzpatrick, Elections Division Supervisor, LCC  
14:03:09 Sen. Shelley Vance  
14:04:10 Regina Plettenberg, MACR  
14:05:18 Sen. Shelley Vance  
14:05:50 Sen. Theresa Manzella-R  
14:07:18 Sen. Mike Fox  
14:07:48 Sen. Theresa Manzella-R

14:08:44 Chair Mike Cuffe  
14:10:06 Sen. Theresa Manzella-R  
14:10:21 Vice Chair Wendy McKamey  
14:10:51 Regina Plettenberg, MACR

**Closing Statement:**

14:12:24 Sen. Theresa Manzella (R), SD 85, closed the hearing on SB 433.

14:32:22 **Recessed**

14:35:26 **Reconvened**

**HEARING ON SB 435 - Require hand counting as the official manner of counting ballots**

**Opening Statement:**

14:36:02 Sen. Theresa Manzella (R), SD 85, opened the hearing on SB 435,  
Require hand counting as the official manner of counting ballots.

**Discussion:**

[EXHIBIT\(230225STSa4\)](#)

[EXHIBIT\(230225STSa5\)](#)

[EXHIBIT\(230225STSa6\)](#)

**Proponent Testimony:**

14:48:50 Robin Peters, self  
14:51:22 Gail Asbury, self  
14:52:48 Clint Curtis, self  
14:54:53 Eileen Guthrie, self  
14:55:41 Terri Barney, self  
14:56:18 Lisa Bennett, self  
14:59:06 Robyn Mohs, self

15:01:45 James Gomolka, self  
15:04:42 Alan Lackey, self  
15:06:58 Terri Lackey, self  
15:10:09 Glenda Edgeworth, self

**Opponent Testimony:**

15:10:57 Nancy Perry, self  
15:12:45 Eric Bryson, Montana Association of Counties (MACo)  
15:14:39 Vera Pederson, President, Montana Association of Clerks and Recorders (MACR)  
15:16:29 Lynne Boone, self  
15:19:04 Jennifer Hensley, County of Missoula  
15:21:05 Connor Fitzpatrick, Elections Division Supervisor, Lewis and Clark County (LCC)

[EXHIBIT\(230225STSa7\)](#)

15:25:04 Keegan Medrano, American Civil Liberties Union of Montana (ACLU-MT)  
15:27:40 Jasmine Krotkov, Montana Farmers Union  
15:28:59 Zachary Mangels, Forward Montana  
15:31:10 Evan Preston, Director of Advocacy, Secure Democracy USA  
15:33:11 Carole Mackin, self  
15:33:53 Regina Plettenberg, Montana Association of Clerks and Recorders (MACR)

**Informational Witness Testimony:**

None

**Questions from Committee:**

15:36:05 Vice Chair Wendy McKamey  
15:36:24 Sen. Theresa Manzella-R

15:36:39 Chair Mike Cuffe

15:36:56 Sen. Theresa Manzella-R

**Closing Statement:**

15:37:01 Sen. Theresa Manzella (R), SD 85, closed the hearing on SB 435.

**HEARING ON SB 484 - Revise primary election procedures**

**Opening Statement:**

15:42:59 Sen. Theresa Manzella (R), SD 85, opened the hearing on SB 484, Revise primary election procedures.

**Proponent Testimony:**

15:44:42 Eileen Guthrie, self

15:45:34 Terri Lackey, self

15:45:58 Glenda Edgeworth, self

15:46:25 Alan Lackey, self

15:47:33 James Gomolka, self

15:48:06 Robin Peters, self

**Opponent Testimony:**

15:48:23 Eric Bryson, Montana Association of Counties (MACo)

15:50:03 Lynne Boone, self

15:54:22 Jennifer Hensley, County of Missoula

15:55:35 Conner Fitzpatrick, Elections Division Supervisor, Lewis and Clark County (LCC)

15:56:35 Mark Mackin, self

[EXHIBIT\(230225STSa8\)](#)

15:58:47 Keegan Medrano, American Civil Liberties Union of Montana (ACLU-MT)

16:01:07 Nancy Perry, self

16:03:10 Jasmine Krotkov, Montana Farmers Union  
16:04:05 Molly Bell, Montana Conservation Voters Education Fund (CVEF)  
16:04:50 Zachary Mangels, Forward Montana  
16:05:27 Robyn Morrison, League of Women Voters of Montana (LWV)  
16:07:47 Carole Mackin, self

**Informational Witness Testimony:**

None

**Questions from Committee:**

16:10:30 Vice Chair Wendy McKamey  
16:14:10 Sen. Theresa Manzella-R

**Closing Statement:**

16:14:36 Sen. Theresa Manzella (R), SD 85, closed the hearing on SB 484.  
  
16:17:00 **Recessed**  
16:37:06 **Reconvened**

**EXECUTIVE ACTION ON SB 481 - Require cast vote records**

16:37:27 **Motion:** Sen. Wendy McKamey moved that **SB 481 DO PASS.**

**Discussion:**

16:37:37 Sen. Janet Ellis  
16:38:44 Vice Chair Wendy McKamey  
16:39:02 Sen. Theresa Manzella  
16:40:13 Vice Chair Wendy McKamey  
16:40:19 Sen. Steve Fitzpatrick  
16:41:18 Chair Mike Cuffe  
16:41:26 Sen. Steve Fitzpatrick  
16:41:39 Sen. Janet Ellis

16:41:48 Sen. Steve Fitzpatrick  
16:42:31 Chair Mike Cuffe  
16:43:41 Sen. Shelley Vance  
16:43:54 Sen. Theresa Manzella  
16:44:55 Sen. Janet Ellis  
16:45:16 Joe Carroll  
16:46:02 Chair Mike Cuffe  
16:46:27 Vice Chair Wendy McKamey  
16:46:55 Sen. Theresa Manzella  
16:47:04 Chair Mike Cuffe  
16:47:27 **Motion:** Sen. Wendy McKamey moved that **SB 481 REMOVED.**

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

16:48:37 **Motion:** Sen. Wendy McKamey moved that **SB 482 DO PASS.**

**Discussion:**

16:48:58 Chair Mike Cuffe  
16:49:27 Sen. Theresa Manzella  
16:49:46 Vice Chair Wendy McKamey  
16:50:02 Sen. Shelley Vance  
16:50:38 Chair Mike Cuffe  
16:50:43 Joe Carroll  
16:51:32 Chair Mike Cuffe  
16:51:41 Vice Chair Wendy McKamey  
16:51:46 **Motion:** Sen. Mike Cuffe moved that **SB 482 REMOVED.**

**EXECUTIVE ACTION ON SB 432 - Require a report on the use of Help America Vote Act funds**

16:52:39 **Motion:** Sen. Wendy McKamey moved that **SB 432 DO PASS.**

**Discussion:**

16:52:58 Chair Mike Cuffe  
16:53:07 Vice Chair Wendy McKamey  
16:53:33 Sen. Theresa Manzella  
16:54:26 Sen. Janet Ellis  
16:54:49 Chair Mike Cuffe  
16:54:53 Sen. Shelley Vance  
16:56:07 Chair Mike Cuffe  
16:56:24 Sen. Theresa Manzella  
16:52:39 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 433 - Revise laws related to tallying and publicizing election results**

16:58:18 **Motion:** Sen. Wendy McKamey moved that **SB 433 DO PASS.**

**Discussion:**

16:58:51 Sen. Theresa Manzella

16:59:29 **Motion:** Sen. Steve Fitzpatrick moved that **SB 433 BE AMENDED.**

16:59:29 **Vote:** Motion carried unanimously by voice vote.

17:00:14 **Motion:** Sen. Theresa Manzella moved that **SB 433 DO PASS AS AMENDED.**

**Discussion:**

17:00:33 Sen. Steve Fitzpatrick

17:01:17 Sen. Theresa Manzella

17:01:50 Vice Chair Wendy McKamey

17:02:48 Sen. Shelley Vance

17:04:02 Sen. Theresa Manzella

17:04:38 Vice Chair Wendy McKamey

17:00:14 **Vote:** Motion failed 7 - 3 by roll call vote with Sen. Bartel, Sen. Manzella, Sen. Noland, voting yes.  
Sen. Bartel, Sen. Noland, By Proxy

17:05:59 **Motion:** Sen. Wendy McKamey moved that **SB 433 TO TABLE.**

17:05:59 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 435 - Require hand counting as the official manner of counting ballots**

17:06:35 **Motion:** Sen. Wendy McKamey moved that **SB 435 DO PASS.**

**Discussion:**

17:07:04 Vice Chair Wendy McKamey

17:07:17 Chair Mike Cuffe

17:07:19 Sen. Theresa Manzella

17:07:30 **Substitute Motion:** Sen. Theresa Manzella moved that **SB 435 TO TABLE.**

17:07:30 **Vote:** Substitute Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 484 - Revise primary election procedures**

17:08:12 **Motion:** Sen. Wendy McKamey moved that **SB 484 DO PASS.**

17:08:30 **Substitute Motion:** Sen. Theresa Manzella moved that **SB 484 TO TABLE.**

17:08:30 **Vote:** Substitute Motion carried unanimously by voice vote.

**ADJOURNMENT**

Adjournment: 17:10:32

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Daisy Rhodes, Secretary

Additional Documents: [EXHIBIT\(230225STSaad\)](#)