

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

Call to Order: Chair Mike Cuffe-R, on March 31, 2023 at 3:43 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)

Members Excused: Sen. Steve Fitzpatrick (R)
Sen. Mark Noland (R)
Sen. Shelley Vance (R)

Staff Present: Joe Carroll, Attorney
Lorna Mason, 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:

HB 724 03/14/2023
SB 542 03/28/2023
SB 560 03/29/2023
SB 562 03/28/2023
SB 565 03/28/2023
SB 566 03/28/2023

Executive Action:

SB 560 TO TABLE
HB 724 TO TABLE
SB 562 TO TABLE
SB 542 TO TABLE
SB 565 DO PASS
SB 566 TO TABLE

HEARING ON SB 560 - Establish the Defend the Montana Guard Act

Opening Statement:

15:46:23 Sen. John Fuller (R), SD 8, opened the hearing on SB 560, Establish the Defend the Montana Guard Act.

Proponent Testimony:

15:49:30 Darin Gaub, self

[EXHIBIT\(230331STSa1\)](#)

15:55:35 Representative Caleb Hinkle, House District 68

15:56:21 Chris Inget, self

15:58:22 Tom Jandron, self

[EXHIBIT\(230331STSa2\)](#)

15:59:47 Richard Klose, self

[EXHIBIT\(230331STSa3\)](#)

16:01:01 Ray Southworth, self

16:03:06 Liam McCollum, self

[EXHIBIT\(230331STSa4\)](#)

16:04:33 Dustin Scott, self

[EXHIBIT\(230331STSa5\)](#)

16:06:22 Druanna Koester, self

16:07:33 Elizabeth Hale, self

16:08:10 Keegan Medrano, Montana American Civil Liberties Union, (MT-ACLU)

16:09:48 Henry Kriegel, self

16:12:12 Scott Horton, The Libertarian Institute

16:13:32 Sid Daoud, self

16:14:34 Dan McKnight, self
16:16:02 Cheryl Tusken, self
16:16:36 Pat Earnest, self
16:17:34 Brian Sharpe, self

Opponent Testimony:

16:19:25 J.Peter Horonek, Executive Director, Military Affairs
[EXHIBIT\(230331STSa6\)](#)
16:26:01 Sundi West, Deputy Director, Department of Military Affairs (DMA)
16:27:37 Brad Barker, Carbon County
16:29:04 Mike Talia, American Legion Department of Montana
[EXHIBIT\(230331STSa7\)](#)
16:30:14 Charles Mueller, self
16:31:36 John Christiansen, self
16:33:34 Joe Fletcher, Veterans of Foreign Wars (VFW)
16:35:26 Duane Cunningham, American Legion, Department of Montana
16:36:48 Bill White, American Legion, Department of Montana
16:37:17 Joshua Clement, self
16:38:26 Roger Hagan, American Legion, Department of Montana
16:40:21 Rex Tanberg, self
16:42:11 Lowel Long, self

Proponent Testimony:

16:43:21 Alba Pimentel, self

Opponent Testimony:

16:44:15 Richard Liebert, self
16:45:33 Julie Vacurra, self

Informational Witness Testimony:

16:47:44 Beverly Schneider, General Counsel and State Staff Judge Advocate for Montana National Guard

[EXHIBIT\(230331STSa8\)](#)

16:48:46 Janae Grotbo, Chief Financial Officer, Department of Military Affairs

Questions from Committee:

16:50:13 Chair Mike Cuffe

16:50:33 Sen. Steve Fitzpatrick

16:53:35 Sen. John Fuller-R

16:54:20 Sen. Steve Fitzpatrick

16:54:45 Sen. John Fuller-R

16:56:11 Sen. Theresa Manzella

16:58:07 Dan McKnight, self

16:58:32 Sen. Theresa Manzella

16:58:54 Darin Gaub, self

16:59:37 Sen. Theresa Manzella

17:02:11 Major General J.Peter Horonek

17:03:37 Vice Chair Denise Hayman

17:04:24 Sundi West, DMA

17:06:01 Vice Chair Denise Hayman

17:06:44 Beverly Schneider, Montana National Guard

17:07:16 Vice Chair Denise Hayman

17:07:42 Mike Talia, American Legion

17:10:18 Vice Chair Wendy McKamey

17:11:37 Major General J.Peter Horonek

17:12:35 Chair Mike Cuffe
17:15:38 Major General J.Peter Horonek

Closing Statement:

17:16:37 Sen. John Fuller (R), SD 8, closed the hearing on SB 560.

HEARING ON HB 724 - Generally revise public notice requirements

Opening Statement:

17:18:09 Rep. Brad Barker (R), HD 58, opened the hearing on HB 724, Generally revise public notice requirements.

Proponent Testimony:

17:23:39 Don Harris, Director, Department of Administration (DOA)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

17:21:32 Chair Mike Cuffe
17:21:49 Rep. Brad Barker-R
17:22:33 Chair Mike Cuffe
17:24:51 Sen. Theresa Manzella
17:25:47 Rep. Brad Barker-R
17:26:05 Sen. Janet Ellis
17:27:20 Don Harris, Director, DOA
17:28:21 Vice Chair Wendy McKamey
17:28:40 Rep. Brad Barker-R

Closing Statement:

17:29:08 Rep. Brad Barker (R), HD 58, closed the hearing on HB 724.

HEARING ON SB 562 - Constitutional amendment regarding term limits for other public officials/judges

Opening Statement:

17:31:21 Sen. Chris Friedel (R), SD 26, opened the hearing on SB 562, Constitutional amendment regarding term limits for other public officials/judges.

Proponent Testimony:

17:33:49 Elena Gagliano, self

Opponent Testimony:

17:37:25 Greg Chilcott, County of Ravalli

17:39:44 Thomas Jodoin, Montana League of Cities and Towns (MTLCT)

17:40:34 Steve Fagenstron, Montana Magistrates Association (MMA)

17:42:38 Emily Dean, Director of Advocacy, Montana School's Association

17:44:19 Dan Ellison, Jefferson County

17:46:07 Jessie Connolly, Montana Magistrates Association (MMA)

17:48:13 Bruce Spencer, Montana Judges Association, State Bar of Montana

17:50:27 George Real Bird III, Big Horn County

17:52:08 Jessie Luther, Montana Association of Clerks of District Court (MAC)

17:53:09 Angie Paulsen, Broadwater County

17:54:25 Deborah Hanson, self

17:56:15 Regina Plettenberg, Montana Association of Clerks and Recorders (MACR)

17:57:24 Kris Glenn, self

Informational Witness Testimony:

None

Questions from Committee:

17:59:59 Vice Chair Wendy McKamey

18:00:13 Sen. Chris Friedel-R

18:00:41 Vice Chair Wendy McKamey

Closing Statement:

18:00:48 Sen. Chris Friedel (R), SD 26, closed the hearing on SB 562.

18:03:37 **Recessed**

18:21:49 **Reconvened**

HEARING ON SB 542 - Constitutional amendment to limit property values and property taxes

Opening Statement:

18:22:05 Sen. Brad Molnar (R), SD 28, opened the hearing on SB 542, Constitutional amendment to limit property values and property taxes.

Discussion:

[EXHIBIT\(230331STSa9\)](#)

Proponent Testimony:

18:30:34 Bob Davis, self

18:34:30 Charlene Davis, self

18:37:57 Matthew Monforton, self

Opponent Testimony:

18:40:23 Bob Story, Montana TaxPayers Association (MonTax)

[EXHIBIT\(230331STSa10\)](#)

18:42:45 Sam Sill, Montana Association of Realtors (MAR)

18:44:53 Brian Thompson, Montana Chamber of Commerce (CoC) Montana's Contractors Association (MCA)

18:46:35 Erik Burke, Montana Federation of Public Employees (MFPE)

18:47:55 Rachel Cone, Montana Farm Bureau Federation (MFBF)
18:48:57 Thomas Jodoin, Montana League of Cities and Towns (MTLCT)
18:50:25 Emily Dean, Coalition of Advocates for Montana's Public Schools

Informational Witness Testimony:

18:51:22 Dylan Cole, Department of Revenue (DOR)
18:51:40 Kory Hofland, Department of Revenue (DOR)
18:51:59 Bryce Kaatz, Department of Revenue (DOR)

Questions from Committee:

None

Closing Statement:

18:52:23 Sen. Brad Molnar (R), SD 28, closed the hearing on SB 542.

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

Opening Statement:

18:57:59 Sen. Greg Hertz (R), SD 6, opened the hearing on SB 565, Generally revise primary election and nomination laws.

Proponent Testimony:

None

Opponent Testimony:

19:03:59 Robyn Morrison, League of Women Voters (LWV)
19:06:03 Sid Daoud, self

Informational Witness Testimony:

None

Questions from Committee:

19:09:05 Sen. Janet Ellis
19:09:38 Sen. Greg Hertz-R
19:09:57 Sen. Mike Fox

19:10:23 Sen. Greg Hertz-R
19:10:41 Sen. Mike Fox
19:10:50 Sen. Greg Hertz-R
19:11:01 Chair Mike Cuffe
19:11:05 Sen. Greg Hertz-R

Closing Statement:

19:11:40 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:

19:12:32 Sen. Greg Hertz (R), SD 6, opened the hearing on SB 566, Require top two primary for U.S. Senate races.

Discussion:

[EXHIBIT\(230331STSa11\)](#)

Proponent Testimony:

19:24:18 Danielle Tribble, Executive Director, Montana Republican Party
19:25:54 Stephany Cote, Montana Department of Justice (DOJ)
19:26:25 Angie Paulson, self
19:28:14 Tiffany Floden, self

Opponent Testimony:

19:29:08 Melanie Sako, self
19:31:19 Tom Stockton, self
19:33:14 Darren Gaub, Montanans for Limited Government
19:34:44 Shani Henry, self
19:35:42 Becky Stockton, self
19:36:25 Karen Wickersham, self

19:38:20 Linda Schmitt, self
19:41:17 Melissa Smith, self
19:42:30 Mary Dunphy, self
19:44:50 Sid Daoud, Montana Libertarian Party
19:47:21 Pam Walzer, self

Informational Witness Testimony:

19:50:35 Dana Corson, Director of Elections, Secretary of State Office
19:51:00 Regina Plettenberg, Montana Association of Clerk and Recorders (MACR)

Questions from Committee:

19:51:32 Sen. Theresa Manzella
19:52:18 Executive Director, Montana Republican Party

Closing Statement:

19:52:58 Sen. Greg Hertz (R), SD 6, closed the hearing on SB 566.

EXECUTIVE ACTION ON SB 560 - Establish the Defend the Montana Guard Act

20:11:07 **Motion:** Vice Chair Wendy McKamey moved that **SB 560 DO PASS.**
20:11:49 **Vote:** Motion failed 7 - 3 by roll call vote with Sen. Bartel, Sen. Manzella, Sen. Noland, voting yes.
Sen. Noland, By Proxy
20:12:25 **Motion:** Vice Chair Wendy McKamey moved that **SB 560 TO TABLE.**
20:11:49 **Vote:** Motion carried 7 - 3 by voice vote with Sen. Bartel, Sen. Manzella, Sen. Noland, voting no.
Sen. Noland, By Proxy

EXECUTIVE ACTION ON HB 724 - Generally revise public notice requirements

20:13:18 **Motion:** Vice Chair Wendy McKamey moved that **HB 724 BE CONCURRED IN.**

Discussion:

20:13:26 Sen. Theresa Manzella
20:14:05 Chair Mike Cuffe

- 20:14:15 Vice Chair Wendy McKamey
- 20:14:49 **Vote:** Motion failed 8 - 2 by roll call vote with Sen. Fitzpatrick, Sen. McKamey, voting yes.
- 20:17:24 **Motion:** Vice Chair Wendy McKamey moved that **HB 724 TO TABLE.**
- 20:17:49 **Vote:** Motion carried unanimously by voice vote.
- 20:13:33 Sen. Fitzpatrick has arrived

EXECUTIVE ACTION ON SB 562 - Constitutional amendment regarding term limits for other public officials/judges

- 20:19:08 **Motion:** Vice Chair Wendy McKamey moved that **SB 562 DO PASS.**
- 20:19:49 **Vote:** Motion failed 9 - 1 by voice vote with Sen. Fitzpatrick, voting yes.
- 20:20:19 **Motion:** Vice Chair Wendy McKamey moved that **SB 562 TO TABLE.**
- 20:20:49 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 542 - Constitutional amendment to limit property values and property taxes

- 20:20:42 **Motion:** Vice Chair Wendy McKamey moved that **SB 542 DO PASS.**
- Discussion:**
- 20:20:53 Sen. Theresa Manzella
- 20:21:34 Vice Chair Wendy McKamey
- 20:21:49 **Vote:** Motion failed unanimously by roll call vote.
- 20:22:48 **Motion:** Vice Chair Wendy McKamey moved that **SB 542 TO TABLE.**
- 20:22:49 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 565 - Generally revise primary election and nomination laws

- 20:23:35 **Motion:** Vice Chair Wendy McKamey moved that **SB 565 DO PASS.**
- 20:23:49 **Vote:** Motion carried 7 - 3 by roll call vote with Sen. Ellis, Sen. Fox, Sen. Hayman, voting no.

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

- 20:24:47 **Motion:** Vice Chair Wendy McKamey moved that **SB 566 DO PASS.**

Discussion:

20:25:50 Chair Mike Cuffe

20:25:49 **Vote:** Motion failed 7 - 3 by roll call vote with Sen. Cuffe, Sen. Fitzpatrick, Sen. McKamey, voting yes.

20:26:16 **Motion:** Chair Mike Cuffe moved that **SB 566 TO TABLE.**

20:26:49 **Vote:** Motion carried 8 - 2 by voice vote with Sen. Cuffe, Sen. McKamey, voting no.

ADJOURNMENT

Adjournment: 20:30:05

Lorna Mason, Secretary

Additional Documents: [EXHIBIT\(230331STSaad\)](#)