



State Administration and Veterans' Affairs Interim Committee
64th Montana Legislature

SENATE MEMBERS

DEE BROWN--Chair
DOUG KARY
CLIFF LARSEN
JONATHAN WINDY BOY

HOUSE MEMBERS

BRYCE BENNETT--Vice Chair
FORREST MANDEVILLE
WENDY MCKAMEY
KATHY SWANSON

COMMITTEE STAFF

SHERI SCURR, Lead Staff
K. VIRGINIA ALDRICH, Staff Attorney
KATYA GROVER, Secretary

MINUTES LOG

August 23, 2016
Room 137, Capitol Building
Helena, Montana

Please note: This document is a Minutes Log and provides a notation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video record of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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COMMITTEE MEMBERS PRESENT

SEN. DEE BROWN, Chair
REP. BRYCE BENNETT, Vice Chair
SEN. DOUG KARY
SEN. CLIFF LARSEN
REP. FORREST MANDEVILLE
REP. WENDY MCKAMEY
REP. KATHY SWANSON

COMMITTEE MEMBERS EXCUSED

SEN. JONATHAN WINDY BOY

STAFF PRESENT

SHERI SCURR, Lead Staff
K. VIRGINIA ALDRICH, Staff Attorney
KATYA GROVER, Secretary

VISITORS' LIST (Attachment 1)

AGENDA (Attachment 2)

COMMITTEE ACTIONS

The committee:

- Approved as a committee bill LC 30, as amended, to generally revise election laws.
- Approved as a committee bill preliminary bill draft LC fire to revise funding requirements for fire relief association disability and pension funds.
- Authorized for drafting all five of the bill proposals by request of the Public Employees' Retirement Board.
- Authorized for drafting all three of the bill proposals by request of the Teachers' Retirement Board.
- Authorized for drafting all eight of the bill proposals by request of the Secretary of State.
- Authorized for drafting all five of the bill proposals by request of the Commissioner of Political Practices.
- Authorized for drafting all three of the bill proposals by request of the Department of Administration.
- Requested the drafting of a committee bill (to be further considered at the Nov. 17 meeting) for a statewide suicide prevention campaign that would include veterans, but would outreach to all ages and demographics.
- Requested the drafting of a committee bill (to be further considered at the Nov. 17 meeting) for a state grant program to local suicide prevention programs for veterans.
- Requested the drafting of a committee bill (to be further considered at the Nov. 17 meeting) to require that primary care practitioners receive suicide prevention training.

CALL TO ORDER AND ROLL CALL

- 00:00:08 Sen. Brown called the meeting to order at 8:33 a.m. The committee secretary called roll. **(Attachment 3)**
- 00:01:15 Sen. Brown went over agenda for this meeting.

VETERANS - SUICIDE PREVENTION

Report on Joining Community Forces (JCF) Service Provider Symposium

- 00:01:50 Ms. Scurr provided a report about the symposium she attended on August 12, 2016, where one of the key topics was veterans' suicide prevention and intervention. **(Exhibit 1)**

Committee Questions and Discussion

- 00:07:25 Sen. Brown asked Ms. Scurr whether representatives from Montana VA were present at the Military Resource Fair & Veteran Stand-Down.
- 00:08:22 Steve Garrison, Co-Chair, Lewis & Clark County JCF, said that Montana VA was a participant in the stand-down.
- 00:09:21 Brandy Keely, Co-Chair, Lewis & Clark County JCF, spoke about the level of participation by the state VA: Montana VA was imperative in orchestrating the symposium and the stand-down.
- 00:10:15 Sen. Brown commented on the significance of events like this one and emphasized importance of participating in them.
- 00:11:47 Sen. Larsen asked Ms. Scurr whether all the sponsors of this event were Helena-based or from across the state.
- 00:12:18 Ms. Keely addressed Sen. Larsen's question.
- 00:12:38 Sen. Brown asked Ms. Keely whether this event can be replicated in other areas of the state.
- 00:13:52 Sen. Larsen said that this symposium could be a pilot program and other similar events could be organized across the state.
- 00:15:07 Sen. Brown agreed with Sen. Larsen and noted that this committee could work on making similar events happen across Montana.

Suicide Review Team Report and Recommendations - Sheri Scurr for Karl Rosston, Suicide Prevention Coordinator, DPHHS

- 00:15:30 In her report, Ms. Scurr went over the content of documents entitled "Montana Board of Veterans Affairs: Biennial Report - July 1, 2016" **(Exhibit 2)** and "Montana: 2016 Suicide Mortality Review Team Report" **(Exhibit 3)** by DPHHS.

Committee Questions and Discussion

- 00:31:09 Sen. Brown commented on the Montana Suicide Mortality Review Team Report.
- 00:33:28 Sen. Larsen referred to the section of the report entitled "Top 6 Recommendations for 2017 State Legislative Action from the Montana Suicide Mortality Review Team" and asked whether programs mentioned in those recommendations were new services.
- 00:34:22 Sen. Brown asked whether anybody from the audience took part in putting the report (Exhibit 3) together.
- 00:34:55 Juliana Hallows, Suicide Prevention Program, VA, elaborated on two reports and addressed Sen. Larsen's question.
- 00:35:46 Matt Kuntz, Executive Director, NAMI Montana, also addressed Sen. Larsen's questions.
- 00:37:23 Sen. Brown noted that what has been presented is current information that is very important, especially for the Legislative Session.
- 00:37:53 Rep. Bennett asked Ms. Hallows about mentoring training for primary care providers in Montana.
- 00:39:52 Sen. Brown informed the committee that the bill that was mentioned was HB 568 (to provide for suicide prevention training for primary care providers) by Rep. Ed Lieser, HD 5, and that the bill died on the House on the 2nd reading during the 2015 Legislative Session.
- 00:40:33 Ms. Hallows added by saying that the VA is already on board with providing training to primary care providers regarding suicide screening and prevention.
- 00:41:09 Sen. Brown asked Ms. Scurr whether the fees from military licence plates that many veterans have on their vehicles go into the depleted uranium fund.
- 00:42:24 Sen. Brown talked about promoting the veteran licence plates.

Joining Community Forces - Tool Kit

Brandy Keely, Lewis & Clark County JCF Co-Chair
Ryan Luchau, VA Community Employment Coordinator/JCF

- 00:43:08 Ms. Keely (**Exhibit 4**)
00:46:32 Mr. Luchau

Committee Questions

- 00:52:41 Sen. Brown elaborated on the idea of the mini-summits and specifically in Indian country. Sen. Brown asked to define the acronym SWOTC and asked about the assessment that Mr. Luchau talked about.

00:53:46 Sen. Brown asked Mr. Luchau to provide his contact information.

Suicide Prevention in Indian Country

Mary Lynne Billy-Old Coyote, Indian Affairs Officer, DPHHS
Jason Smith, State Indian Affairs Coordinator
Ann Denny, Director, Rocky Boy Veteran Center
Chauncey Parker, American Legion Post 67 Commander, Board President, Rocky Boy Veterans Center

00:54:25 Sen. Brown introduced the panel discussion.

00:56:09 Ms. Billy-Old Coyote talked about Office of American Indian Health (OAIH) and its focus areas. **(Exhibit 5) (Exhibit 6)**

Committee Questions of Ms. Billy-Old Coyote

01:06:39 Sen. Brown asked whether Ms. Billy-Old Coyote has seen the report that Sen. Brown mentioned before and whether Ms. Billy-Old Coyote is going to use it in her work.

01:07:15 Rep. McKamey said that there is a large Native American population in Cascade County including in Great Falls and encouraged Ms. Billy-Old Coyote to meet with the county officials.

01:08:55 Sen. Larsen asked Ms. Billy-Old Coyote to address the point regarding large numbers of Native Americans living off reservations with respect to her plan.

01:10:14 Sen. Larsen asked Ms. Billy-Old Coyote to comment on relationship between her work and formal Native Centers on campuses of Montana State University and University of Montana.

01:11:12 Mr. Smith talked about objectives of his office. Mr. Smith also addressed the point raised by Sen. Larsen that not all Native Americans live in the reservation areas.

01:20:32 Sen. Brown emphasized two points discussed by Mr. Smith: the White Buffalo being the great equalizer and relationship building.

01:21:12 Ms. Denny talked about the Rocky Boy Veteran Center and its objectives.

01:21:57 Mr. Parker introduced himself.

Committee Questions

01:22:53 Rep. Mandeville asked Ms. Billy-Old Coyote for the year when the study was done indicating that Native Americans on average live 20 years less than non-Native Americans.

01:23:39 Rep. Mandeville asked Mr. Smith how the office he represents was created.

- 01:24:16 Rep. McKamey asked Mr. Smith to clarify the term "non-beneficiary".
- 01:25:02 Rep. Bennett asked Mr. Smith what adding an additional Native American Suicide Prevention Coordinator would accomplish.
- 01:26:38 Sen. Brown concluded discussion on suicide prevention efforts in Indian country.

Overview and Status of Network of Care Website as It Relates to Veteran Suicide Prevention, Including for Tribal Members - Carrie Lutkehus, Community Resources Manager, DPHHS

- 01:26:53 In her presentation, Ms. Lutkehus used the following website:
<http://montana.networkofcare.org/mh/>

Committee Questions of Ms. Lutkehus

- 01:34:02 Sen. Brown asked about the source of money for maintaining the website.
- 01:35:24 Sen. Brown asked whether the information from the network of care website can be transferred to the website hosted by the Montana VA.
- 01:36:48 Rep. Mandeville asked how often the website is utilized with respect to updating one's information.
- 01:37:28 Rep. McKamey asked about duplicated information on the network of care website and the VA website.
- 01:38:31 Sen. Brown asked whether it would be the same if there was a link on the website hosted by DPHHS that would go to website hosted by the VA.

Congressional Delegation Efforts and GAO Report - Veterans Crisis Line: Additional Testing, Monitoring, and Information Needed to Ensure Better Quality Service. GAO-16-373, May 26

Gilda Clancy, Veteran Affairs Liaison for U.S. Sen. Daines
Bruce Knutson, Veteran Affairs Liaison for U.S. Sen. Tester
Zack Gambill, Veteran Affairs Director for Congressman Zinke

- 01:39:56 Ms. Scurr brought to the committee's attention the document entitled "Veterans Crisis Line: Additional Testing, Monitoring, and Information Needed to Ensure Better Quality Service" by the United States Government Accountability Office. **(Exhibit 7)**
- 01:40:45 Ms. Clancy **(Exhibit 8)**
- 01:44:47 Mr. Knutson
- 01:50:20 Mr. Gambill **(Exhibit 9)**

Committee Questions and Discussion

- 01:52:09 Sen. Brown emphasized that this is a non-partisan issue. Sen. Brown noted that the more that can be done at the federal level to get money to local entities, the better. Sen. Brown also said that Montana doesn't need a federal program,

instead, Montana needs a grant program.

01:53:30 Sen. Larsen said that in the last two decades, the reliance on the military draft shifted to reliance on National Guard and Reserves and asked the panelists whether they see any changes in programming in the last 20 years.

01:55:57 Sen. Brown said that the people who will notice the signs of suicide in veterans are the ones who love them and that's why the education in local communities is critical.

Montana National Guard Suicide Prevention Program

Maj. Gen. Matthew Quinn, Adjutant General

Brigadier Gen. Jeffrey Ireland, Director of Joint Staff, Montana National Guard

01:56:43 Maj. Gen. Quinn

01:58:25 Brigadier Gen. Ireland (**Exhibit 10**)

Committee Discussion

Committee members and Brigadier Gen. Ireland discussed the Suicide Prevention and Awareness Program: it's content and changes from other suicide prevention programs that existed in the National Guard.

02:09:33 Sen. Brown

02:10:53 Brigadier Gen. Ireland

02:11:42 Sen. Brown

02:12:22 Brigadier Gen. Ireland

02:12:46 Sen. Brown

02:13:15 Brigadier Gen. Ireland

02:13:58 Sen. Brown

02:14:23 Sen. Larsen

02:15:22 Brigadier Gen. Ireland

02:16:04 Sen. Larsen

02:17:04 Brigadier Gen. Ireland

02:18:21 Sen. Larsen

02:18:50 Brigadier Gen. Ireland

02:18:53 Sen. Larsen

02:19:23 Sen. Brown

02:20:00 Brigadier Gen. Ireland

02:20:38 Sen. Brown

02:21:34 Sen. Kary

02:22:08 Brigadier Gen. Ireland

02:23:13 Rep. McKamey

02:24:31 Brigadier Gen. Ireland

02:24:54 Sen. Brown concluded the discussion.

Panel: How State Legislative Activities/Actions Would Help to Address Montana's High Veteran Suicide Rate and to Reach Native American Veterans in Tribal Areas?

Ann Denny, Director, Rocky Boy Veterans Center

Chauncey Parker, American Legion Post 67 Commander, Board President, Rocky Boy

Veterans Center
Juliana Hallows, Suicide Prevention Program, VA
Ed Lesofski, Executive Director, Rural Institute Veterans Education and Research
Brandy Keely, Lewis & Clark County JCF Co-Chair
Carrie Lutkehus, Community Resources Manager, DPHHS
Mary Lynne Billy-Old Coyote, DPHHS
Brigadier Gen. Jeffrey Ireland, Director of Joint Staff, Montana National Guard

- 02:24:56 Sen. Brown introduced the panel presentation.
02:27:03 Ms. Denny
02:27:50 Mr. Parker
02:30:02 Ms. Denny
- 02:32:40 Sen. Brown asked Ms. Denny about stand-downs on the reservation.
- 02:34:18 Sen. Brown commented on what Ms. Denny and Mr. Parker have said and noted that this committee has the ability to help.
- 02:34:50 Rep. Bennett asked panelists to tell the committee what the legislature can do to support their work.

Panel Presentation

Panelists shared with the committee members their ideas of what the legislature could do to help them with in their efforts to serve the community.

- 02:35:29 Ms. Hallows

Committee Questions

- 02:38:40 Rep. Bennett asked Ms. Hallows about the current barriers to tele-psychiatry in Montana.
- 02:40:28 Mr. Lesofski (**Exhibit 11**)

Committee Questions

- 02:46:10 Rep. Mandeville asked Mr. Lesofski about the status of Initiative 179.
- 02:46:52 Ms. Keely
02:48:59 Ms. Lutkehus
02:50:52 Ms. Billy-Old Coyote

Committee Questions

- 02:56:11 Sen. Brown asked Ms. Billy-Old Coyote to confirm that on the federal level, if some grants were given out to be used on the local level, it would be considerably better than a specified funneling of money that might go any place.
- 02:56:59 Rep. McKamey asked Billy-Old Coyote about emergency medical services.
- 02:58:45 Brigadier Gen. Ireland

03:01:41 Ms. Hallows further elaborated on what Brigadier Gen. Ireland discussed. Ms. Hallows noted that Colorado did a state campaign for suicide reduction and the access to mental health care to that population was increased by 30%.

03:02:22 Sen. Brown concluded the panel presentation and discussion.

Public Comment on Veterans Issues

03:03:45 John Degenhardt, Specialist, Montana National Guard, said that two of his combat friends from his unit committed suicide this year. Mr. Degenhardt said that there are problems that he and his peers see with the military leadership. Specifically, Mr. Degenhardt spoke about a situation when the supervisors would not accept evaluations written by the junior enlisted personnel because the supervisors did not like the content as it rated them negatively. Mr. Degenhardt also talked about the low trust level that the junior enlisted have for their supervisors with respect to coming forward and admitting that they are having a crisis and that they need help.

03:06:30 Sen. Brown thanked Mr. Degenhardt and said that the issue of privacy in the situations like Mr. Degenhardt described has to be fully addressed.

03:07:37 Rep. Bennett asked one of the leaders who were present in the room to address what Mr. Degenhardt has said.

03:08:18 Maj. Gen. Qiunn addressed Mr. Degenhardt's comments.

03:10:29 Sen. Brown asked Maj. Gen. Qiunn whether the Officer Candidate School training includes suicide prevention training and whether HIPAA laws have been discussed at all.

03:11:36 Rep. Bennett asked Maj. Gen. Qiunn whether the junior enlisted take part when programs are being built.

03:12:13 Sen. Brown asked Maj. Gen. Qiunn to provide a memo to Ms. Scurr.

03:12:30 Steve Garrison, Army Veteran, JCF Coach, made a proposal where a concept of a sponsor, similar to sponsors in organizations like Alcoholics Anonymous, would play a central part with respect to looking for a solution for suicide prevention. Mr. Garrison emphasized the importance of volunteers in this process.

03:16:18 Sen. Brown noted that she is not sure whether such programs can come from top down but that this was a very good suggestion.

03:16:40 Matt Kuntz, Executive Director, NAMI Montana thanked the legislature for setting up community crisis services, which are designed in such a way that local communities decide on the content and makeup of the services. Mr. Kuntz expressed his hope that the VA will be able to learn how to use those community resources - community crisis centers. Mr. Kuntz said the part of the Suicide Mortality Review Team Report that talks about how many people had signed up

for public health services and subsequently had actually completed suicides is of vital importance. Mr. Kuntz also said that his organization is working on making online cognitive behavioral therapy available in Montana. Mr. Kuntz provided other suggestions to the committee regarding veteran suicide prevention efforts.

- 03:24:13 Chauncey Parker, Board President, Rocky Boy Veterans Center, talked about veteran centers and asked for the state's financial support so that centers like his can provide necessary support to veterans.
- 03:25:42 Ryan Wood, Montana National Guard, expressed his agreement with what Mr. Degenhardt said in his testimony and elaborated further on the issue of systemic leadership failure to take responsibility and accountability for servicemembers under them.
- 03:32:27 Sen. Brown spoke about the importance of bringing up and discussing these issues.
- 03:33:18 Ed Lesofski, Executive Director, Rural Institute Veterans Education and Research (RIVER), talked about 6 Montana National Guard members who have come forward but were afraid to go to the mental health services through the Guard because of the actions within the Guard. Mr. Lesofski said that it's going to take partnership where the Guard would work with organizations like his and other organizations that are willing to keep the information that they would receive from the Guard member anonymous. Mr. Lesofski also talked about challenges Mr. Degenhardt had to deal with when RIVER was working to help him with the crisis he was experiencing.

LUNCH (reconvened at 1:02 p.m.)

- 04:29:09 Sen. Brown noted that the committee skipped the work session and asked Ms. Scurr whether anything has to be done at this point regarding the committee's veterans' suicide prevention work.
- 04:29:30 Ms. Scurr
- 04:30:17 Rep. Bennett
- 04:30:34 Sen. Brown

ELECTION LAW CLEANUP - COMMITTEE BILL - LC0030
Review of LC0030 - Sheri Scurr, Legislative Research Analyst
04:30:49 Ms. Scurr ([Exhibit 12](#))

Committee Questions of Ms. Scurr

- 04:34:50 Sen. Brown asked about the resort tax election notification.
- 04:36:03 Sen. Brown asked about absentee ballots.
- 04:37:52 Rep. Bennett talked about newspaper notifications and different notification

methods, including online notifications.

- 04:38:19 Sen. Brown addressed the point made by Rep. Bennett.
- 04:38:53 Ms. Scurr said that the notification language was in Title 7 with regard to the notice of the election and that she will try to find if there is more generic language that the text of the bill could reference about newspaper notifications.
- 04:39:17 Rep. Mandeville noted that there is a typographical error on page 4 of Exhibit 12.
- 04:39:44 Ms. Scurr continued her discussion.

Public Comment on LC0030

- 04:51:53 Mona Jamison, Attorney and Lobbyist, Big Sky Resort Area District, talked about the language on page 4 of Exhibit 12. Ms. Jamison also addressed the absentee ballot issue and spoke in support of clarifying that the maximum timeframe is four years and six months. Ms. Jamison expressed her support of the cleanup bill.
- 04:57:00 Linda Stoll, Montana Association of Clerks and Recorders, expressed her general support of the cleanup bill but noted that there are two issues with it. The first issue was brought up during the April meeting regarding canceling municipal elections when there are not enough candidates. The second issue was that the deadline for registering as a write-in candidate got changed in HB 84.
- 05:07:47 Ms. Scurr addressed the last point that Ms. Stoll made and asked her whether she had a specific amendment that she could offer.

Committee Questions

- 05:09:42 Sen. Brown asked how many election administrators were having this problem regarding write-in deadlines across the state.
- 05:10:29 Madalyn Quinlan, Chief of Staff, Office of Public Instruction, said the OPI has asked that section 12 of the bill be amended to delete the sentence "a copy of the notice must be provided to the Superintendent of the Office of Public Instruction within 3 days after the cancellation", also to delete all of section 13 in the bill draft.
- 05:13:28 Sen. Brown reminded the committee members about the latest legislative audit on OPI and thanked the OPI staff for eliminating some of the reporting requirements.
- 05:14:07 Bob Vogel, Montana School Boards Association, thanked OPI for working with the Association on reconsidering the language in the bill draft as it would have been a burden on school districts.

Committee Questions

- 05:14:31 Rep. Bennett asked Ms. Scurr about the the language in the bill that had been

stricken on page 16 of the bill draft (Exhibit 12).

- 05:15:27 Rep. Bennett asked to confirm that the purpose of striking the language on page 16 was to strike the proposed amendment.
- 05:15:40 Denise Williams, Association of School Business Officials, spoke in support of OPI's request.
- 05:16:04 Laurie Zeller, Conservation Districts Bureau Chief, DNRC, requested changes to LC0030 proposed by the DNRC to simplify conservation districts law.
(Exhibit 13)

Committee Questions of Ms. Scurr

- 05:17:43 Sen. Brown asked whether it would be possible to fold these DNRC changes into the unofficial bill draft.
- 05:17:56 Sen. Brown asked whether incorporating changes proposed by the DNRC will result in changes of the deadlines elsewhere.
- 05:20:19 Sen. Brown reiterated Ms. Scurr's answer and asked Ms. Scurr to confirm whether her understanding is correct.
- 05:21:13 Ms. Zeller continued her discussion of the bill proposal.
- 05:21:53 Ms. Aldrich addressed questions raised by Ms. Zeller's presentation.
- 05:22:56 Jodi Rogers, Finance Officer, City of Choteau, expressed her support of the point made by the Montana Association of Clerks and Recorders regarding canceling municipal elections when there are not enough candidates.
- 05:23:23 Agnes Fowler, Finance Officer, City of Conrad, also expressed her support of the Montana Association of Clerks and Recorders and their ability to cancel municipal elections.

Work Session and Action on LC0030

- 05:24:27 Sen. Brown opened the committee's work session on LC0030.
- 05:24:42 Rep. Bennett gave his feedback and recommendations about LC0030.

Motion

- 05:26:25 Rep. Bennett moved to change the notification language on page 5 of the bill draft (see Exhibit 12) to language similar to what was used in HB 84 (2015) and moved to change the notice deadline language on page 4. (Note: the motion was subsequently clarified to be to change the language on page 4 from "no more than 30 days prior to the election" to be 45 days and the language "no less than 3 days prior" to 30 days prior.)

Discussion on the Motion

05:26:51 Ms. Scurr
05:27:41 Rep. Bennett
05:28:01 Ms. Scurr
05:29:12 Sen. Brown

Vote

05:29:34 The motion passed unanimously on a voice vote. Sen. Windy Boy was excused.

05:29:45 Rep. Bennett said that the only other point that needs to be taken care of regarding LC0030 is the request brought by Ms. Zeller on behalf of DNRC conservation districts.

05:30:27 Sen. Brown agreed with Rep. Bennett in that the special purpose districts might all be in favor of this; however, they are not here to speak. Sen. Brown noted that when this bill is brought forward during the 2017 Legislative Session, it might not need to be a separate bill, but simply an amendment that can be moved as needed.

05:31:11 Rep. Mandeville referred to New Section 6 on page 9 of Exhibit 12 about definitions and asked Ms. Scurr for clarification about the first two lines that read "unless the context clearly requires otherwise".

05:32:06 Ms. Jamison also addressed Rep. Mandeville's question.

05:34:19 Sen. Brown elaborated further.

05:34:42 Ms. Jamison also provided further feedback on Rep. Mandeville's question.

05:35:42 Sen. Brown asked Rep. Mandeville to make a motion.

Motion

05:35:52 Rep. Mandeville moved to have more clear language in the introductory clause of Section 6 of LC0030 that currently reads "Unless the context clearly requires otherwise".

Vote

05:36:00 The motion passed unanimously on a voice vote. Sen. Windy Boy was excused.

05:36:11 Sen. Kary asked whether LC0030 can be amended as requested by DNRC in Exhibit 13 without the committee's approval before the Legislative Session or whether it has to be amended after it has been presented to the first committee.

05:37:11 Sen. Kary asked to confirm whether the amendment will be incorporated into LC0030 as is.

05:37:40 Ms. Scurr said that not unless the committee votes to approve this amendment.

05:37:42 Ms. Scurr confirmed with the committee members that she understood correctly that Ms. Stoll wanted to talk to the Secretary of State regarding the ability to cancel municipal elections and then Ms. Stoll would be bringing this amendment later during the Legislative Session but not before. Ms. Scurr also asked for the committee to clarify what their intention would be regarding Ms. Stoll's request for the write-in deadline for the special purpose district elections to be changed to the 85th day, so that the language in this section would be the same as in subsection 1 on page 7 of LC0030 (Exhibit 12).

Committee Discussion

05:39:11 Rep. Bennett
05:39:37 Rep. Mandeville
05:39:59 Rep. Bennett
05:40:39 Ms. Stoll
05:41:20 Rep. Bennett
05:42:04 Sen. Brown
05:42:41 Rep. Bennett

Motion

05:43:33 Sen. Brown moved to allow 65 days for the write-in candidates to be filed.

Vote

05:43:40 The motion passed on a voice vote, 4-3, with Sen. Larsen, Rep. Bennett, Rep. McKamey, and Rep. Swanson voting 'yes' and Sen. Brown, Sen. Kary, and Rep. Mandeville voting 'no'. Sen. Windy Boy was excused.

05:44:12 Rep. Mandeville asked whether the change is being made to both sections: section 3, subsection 2, on page 6 and section 5, subsection 3, on page 8.

05:44:49 Ms. Scurr said that if the committee wants to have consistency, then the committee members should make a new motion.

Motion

05:45:10 Rep. Bennett moved to apply the same changes in section 3, subsection 2 and section 5, subsection 3 regarding filing for the deadline for the write-in candidates.

Vote

05:45:13 The motion passed on a voice vote, 5-2, with Sen. Larsen, Sen. Brown, Rep. Bennett, Rep. McKamey, and Rep. Swanson voting 'yes' and Sen. Kary and Rep. Mandeville voting 'no'. Sen. Windy Boy was excused.

05:45:27 Sen. Larsen reiterated the motion.

Committee Questions

05:45:53 Rep. McKamey asked whether the committee needs to address Ms. Stoll's point about defining the term "local" with respect to local government elections.

05:46:29 Ms. Scurr provided the definition from the current MCA and elaborated on the

term.

Motion

05:47:39 Rep. Bennett moved to approve as a committee bill LC0030, as amended, to generally revise election laws.

Vote

05:47:59 The motion passed on a voice vote, 6-1, with Sen. Larsen, Sen. Brown, Rep. Bennett, Rep. McKamey, Rep. Mandeville, and Rep. Swanson voting 'yes' and Sen. Kary voting 'no'. Sen. Windy Boy was excused.

LOCAL FIRE RELIEF ASSOCIATION FUNDING

Review of Local Firefighter Retirement Funding Based on "Assessed Value of Taxable Property" - Issue Referred by Revenue and Transportation Interim Committee - Sheri Scurr, Legislative Research Analyst

05:48:34 Sen. Brown introduced discussion of the Local Fire Relief Association funding.

05:48:57 Ms. Scurr ([Exhibit 14](#))

Mike Kadas, Director, Department of Revenue

05:53:46 Director Kadas

Local Perspective

Agnes Fowler, Board Member, Montana League of Cities and Towns and Conrad Finance Officer
Jodi Rogers, Finance Officer, City of Choteau

05:55:25 Ms. Fowler

06:00:29 Ms. Rogers ([Exhibit 15](#))

Public Comment - none

Committee Questions

06:01:58 Sen. Brown asked to confirm that there will be a new bill introduced in the 2017 Legislative Session and that Rep. Cook and Rep. Jones are in support of this bill and will be carrying it.

06:02:33 Ms. Scurr addressed Sen. Brown's question.

Motion

06:03:10 Sen. Larsen moved to approve as a committee bill preliminary bill draft LCfire to revise funding requirements for fire relief association disability and pension funds.

Vote

06:03:30 The motion passed unanimously on a voice vote. Sen. Windy Boy was excused.

BREAK (reconvened at 2:47 p.m.)

PUBLIC EMPLOYEE RETIREMENT PLANS - CASH FLOW AND BENEFITS VS. CONTRIBUTION

David Ewer, Executive Director, Board of Investments

06:14:22 Sen. Brown introduced this agenda item.

06:14:51 Mr. Ewer ([Exhibit 16](#))

Committee Questions

06:24:56 Sen. Brown referred to page 1 of Exhibit 16 and asked about the reasons as to why investments were sold.

06:25:31 Sen. Brown asked whether the Montana's Public Employees' Retirement system is spending more than bringing in. Sen. Brown also asked how Montana compares to other states.

06:28:55 Sen. Brown expressed her concern and asked whether the Public Employees' Retirement Board has been selling more assets in order to pay the benefits.

06:31:21 Sen. Brown commented on the dollar numbers reflected on page 1 of Exhibit 16.

06:31:47 Rep. Mandeville asked about administrative fees.

06:35:32 Rep. Mandeville reiterated his original question and asked whether the Public Employees' Retirement system is fairly aggressively invested.

06:37:17 Sen. Brown concluded discussion on the Public Employee Retirement Plans.

AGENCY BILL DRAFT REQUESTS

Dore Schwinden, Executive Director, Public Employees' Retirement Board

06:38:03 Director Schwinden introduced bill drafts for the committee's approval to be presented during the 2017 Legislative Session by request of the Public Employees' Retirement Board. ([Exhibit 17](#))

Committee Questions of Director Schwinden

06:40:25 Sen. Brown asked whether the bill proposal entitled "Federal Qualifications Bill" is carried every Session.

06:41:39 Sen. Brown asked why the bill proposal regarding the Volunteer Firefighter Compensation Act is marked as "anticipated to be controversial legislation".

Motion

06:42:13 Rep. Bennett moved that SAVA authorize for drafting all five of the bill proposals by request of the Public Employee's Retirement Board.

Vote

06:42:28 The motion passed unanimously on a voice vote. Sen. Windy Boy was excused.

Shawn Graham, Executive Director, Teachers' Retirement Board

06:42:50 Director Graham introduced bill drafts proposals for the committee's approval to be presented during the 2017 Legislative Session by request of the Teachers' Retirement Board. **(Exhibit 18)**

Committee Questions of Director Graham

06:48:13 Sen. Brown asked how service credit for coaching and extra curricular stipends are calculated and whether they are different according to small and large schools.

06:49:42 Sen. Brown said that she thought that section 19-24-403, MCA, was cleaned up a couple of Sessions ago. Sen. Brown asked Director Graham to comment.

Motion

06:50:53 Rep. Bennett moved that SAVA authorize for drafting all three of the bill proposals by request of the Teachers' Retirement Board.

Vote

06:51:03 The motion passed unanimously on a voice vote. Sen. Windy Boy was excused.

Jorge Quintana, Legal Counsel, Secretary of State's Office

06:51:21 Mr. Quintana introduced bill drafts for the committee's approval to be presented during the 2017 Legislative Session by request of the Secretary of State's Office. **(Exhibit 19)**

Commission Questions of Mr. Quintana

06:59:03 Sen. Brown asked about the source of money prior to what the Office is asking for the 2017 Session regarding the cost of producing the hard copies of the Montana Administrative Register and Administrative Rules of Montana.

Motion

07:00:19 Rep. Bennett moved that SAVA authorize for drafting all eight of the bill proposals by request of the Secretary of State's Office.

Vote

07:00:30 The motion passed unanimously on a voice vote. Sen. Windy Boy was excused.

Jonathan Motl, Commissioner of Political Practices

07:00:45 Commissioner Motl introduced bill drafts for the committee's approval to be presented during the 2017 Legislative Session by request of the Commissioner of Political Practices. **(Exhibit 20)**

Committee Questions of Commissioner Motl

07:03:43 Rep. Mandeville said that he was surprised not to see the following point on the list: in light of the recent Supreme Court decision out of Arizona, *Reed v. Town of Gilbert*, whether or not Montana's reporting requirements on political signage are

compatible with that decision.

07:05:58 Rep. Mandeville commented further on the regulation of signage based on content.

07:06:36 Commissioner Motl commented on the case.

07:07:09 Sen. Brown asked Commissioner Motl to comment on Mary Baker, Program Director, leaving the Commissioner of Political Practices office.

Motion

07:08:19 Rep. Bennett moved that the committee authorize for drafting all five of the bill proposals by request of the Commissioner of Political Practices.

Vote

07:08:30 The motion passed unanimously on a voice vote. Sen. Windy Boy was excused.

07:08:40 Commissioner Motl went over a document entitled "Commissioner of Political Practices Docket Updates" that was prepared per the committee's request. [\(Exhibit 21\)](#)

Sheila Hogan, Department of Administration

07:09:02 Director Hogan introduced bill drafts for the committee's approval to be presented during the 2017 Legislative Session by request of the Department of Administration. [\(Exhibit 22\)](#)

Committee Questions

07:11:26 Sen. Brown referred to the bill request entitled "forest reserve money and other federal funds" and asked about the interest discussed in the summary part of the bill proposal. This question was re-referred to Mark Bruno, Financial Manager, Department of Administration.

07:11:53 Mr. Bruno addressed Sen. Brown's question.

07:12:51 Sen. Brown asked about a five-day turnover period.

Motion

07:13:33 Rep. Bennett moved that the committee authorize for drafting all three of the bill proposals by request of the Department of Administration.

Vote

07:13:44 The motion passed unanimously on a voice vote. Sen. Windy Boy was excused.

HB 142 (2011) REVIEW OF STATUTORY ADVISORY COUNCILS AND REPORTS

07:14:04 Sen. Brown opened report on HB 142.

07:14:44 Ms. Scurr provided background information on HB 142.

- 07:15:13 Angie Gifford, Capitol Complex Advisory Council staff, provided a review of the composition and functions of the Capitol Complex Advisory Council and noted that the Department of Administration recommends the continued existence of the CCAC with no changes to the governing statutes. **(Exhibit 23)**
- 07:18:03 Sen. Brown thanked the Council for their work.
- 07:20:20 Sheila Hogan, director of the Department of Administration, spoke on behalf of Marilyn Bartlett, State Employee Group Benefits Advisory Council, and provided a review of the composition and functions of the State Employee Group Benefits Advisory Council. Director Hogan noted that the Department of Administration recommends the continued existence of the SEGBAC with no changes to the governing statutes.
(Exhibit 24)

Committee Questions

- 07:21:30 Sen. Brown asked Director Hogan about the process of how legislators become SEGBAC members.

RULE REVIEW ACTIVITY

- 07:22:11 Ginger Aldrich, Staff Attorney **(Exhibit 25)**

FINAL REPORT - COMMITTEE RECOMMENDATIONS (not including pensions) & WORK SESSION

- 07:23:27 Sen. Brown introduced discussion of the Final Report and work session.
- 07:23:48 Ms. Scurr provided background information about the purpose of final reports and their content. Ms. Scurr went over the structure and general content of the committee's Final Report. **(Exhibit 26)**

Committee Discussion of Chapter 2 of the Final Report: Veteran Suicide Prevention

Committee members discussed the following topics with respect to the veteran suicide prevention efforts: giving the authority to local communities with respect to providing suicide prevention efforts; finding out more about use of license plates as one of the means in those efforts; proposing a bill draft to promote awareness about mental health and normalizing it, as well as utilizing legislation passed during the 2015 Legislative Session; funding a marketing campaign using up-to-date technology; and teaming up with the Children, Families, Health and Human Services Interim Committee (CFHHS).

- 07:30:52 Sen. Brown
07:33:35 Rep. McKamey
07:35:19 Sen. Brown
07:36:45 Sen. Kary
07:37:17 Sen. Brown
07:37:51 Rep. McKamey
07:38:34 Sen. Larsen
07:42:13 Sen. Brown

07:42:49 Rep. McKamey
07:44:20 Sen. Brown

07:45:23 Sen. Brown asked Ms. Scurr what the committee's actions should be if the committee members wish to authorize a bill draft reflecting the discussion that they are having.

07:45:38 Ms. Scurr advised the committee members that today the committee could take action on authorizing the bill drafting, but during the November 17, 2016, meeting have public comment on bill drafts and then take final action on those bills.

07:46:48 Sen. Brown verified with the committee members that there were no objections to authorizing bill drafting at this meeting with further consideration at the Nov. 17 meeting.

Motion

07:47:10 Rep. Bennett moved to authorize committee staff to draft a committee bill to provide funding for a statewide suicide prevention campaign that would include veterans but would outreach to all ages and demographics.

Discussion on the Motion

07:47:29 Rep. Mandeville
07:47:45 Sen. Larsen
07:48:00 Sen. Brown
07:48:20 Rep. McKamey
07:48:51 Sen. Brown
07:49:07 Sen. Larsen
07:50:04 Sen. Brown
07:50:23 Sen. Kary
07:50:56 Sen. Brown

Vote

07:52:05 The motion passed unanimously on a voice vote. Sen. Windy Boy was excused. During the executive action, Sen. Brown expressed her encouragement for the CFHHS Interim Committee to join forces and participate in this campaign.

Further Discussion on Bill Drafting

Committee members discussed the following topics proposed by Rep. Bennett for possible committee bill requests: community involvement in suicide prevention efforts, Native American suicide coordinator, depression screening at Montana schools, mandatory training for primary care practitioners regarding suicide prevention, considering a study resolution regarding community veteran EMT program that Mr. Lesofski talked about during his testimony.

07:52:33 Rep. Bennett
07:55:01 Sen. Brown
07:55:55 Rep. Bennett
07:56:28 Rep. Mandeville
07:57:57 Rep. McKamey

07:58:55 Sen. Brown
07:59:18 Rep. Bennett
07:59:41 Sen. Brown

Motion

08:00:17 Rep. Bennett moved that the committee draft a bill to create a position a Native American suicide prevention coordinator.

Discussion on the Motion

08:00:42 Sen. Kary
08:00:59 Rep. Bennett
08:01:30 Rep. McKamey
08:01:53 Sen. Brown
08:03:11 Sen. Kary
08:03:51 Sen. Brown
08:04:27 Rep. Bennett
08:05:43 Sen. Brown

Vote

08:06:06 The motion failed on a voice vote, 3-4, with Rep. Bennett, Sen. Larsen, and Rep. Swanson voting 'yes' and with Sen. Brown, Sen. Kary, Rep. McKamey, and Rep. Mandeville voting 'no'. Sen. Windy Boy was excused.

Motion

08:06:50 Rep. Bennett moved to draft a committee bill providing funding to local suicide prevention programs for Native Americans.

Discussion on the Motion

08:07:21 Sen. Brown
08:07:13 Rep. Bennett
08:07:29 Sen. Brown

Motion to Amend

08:07:36 Rep. Bennett moved to amend his original motion to limit the funding to veterans. The new motion would read: to draft a committee bill providing funding to local suicide prevention programs for veterans.

Discussion on the Motion to Amend

08:07:49 Sen. Larsen

Vote

08:07:57 The motion passed unanimously on a voice vote. Sen. Windy Boy was excused.

08:08:06 Ms. Scurr asked for clarification on whether this bill would be requesting appropriation, or a grant, to local groups.

08:08:39 Sen. Brown said that this is how she understood it.

08:08:44 Sen. Kary asked who would dole out the grant.

08:08:52 Ms. Scurr said that she assumed that it would be under the Suicide Prevention Coordinator Karl Rosston. He would find people on the reservations who could do suicide prevention programs and work with them and pay them the money.

Motion

08:09:29 Rep. Bennett moved to draft a committee bill to provide for mandatory training for primary care practitioners in suicide prevention and risk assessment.

Discussion on the Motion

08:09:40 Sen. Brown
08:09:47 Rep. Bennett
08:09:52 Sen. Brown
08:09:57 Rep. Bennett
08:10:03 Sen. Larsen

Vote

08:10:21 The motion passed unanimously on a voice vote. Sen. Windy Boy was excused.

Motion

08:10:39 Rep. Bennett moved to draft a committee bill for depression screening in Montana schools.

Discussion on the Motion

08:11:17 Sen. Kary
08:11:36 Sen. Brown
08:12:14 Rep. McKamey
08:13:49 Sen. Brown

Vote

08:14:20 The motion failed on a voice vote, 3-4, with Rep. Bennett, Sen. Larsen, and Rep. Swanson voting 'yes' and with Sen. Brown, Sen. Kary, Rep. McKamey, and Rep. Mandeville voting 'no'. Sen. Windy Boy was excused.

08:15:00 Sen. Brown noted that the motion failed, but it doesn't mean that it's a bad idea or that we shouldn't promote it in Montana schools.

Committee Discussion of Chapter 1 of the Final Report: HJR 21 - Study of Personal Information Ownership

The committee members instructed Ms. Scurr to have a paragraph that indicates that the committee recognizes and appreciates the fact that Montanans' personal information and ownership are important but that there is also a multitude of rules governing the protection of personal information in place in various industries. It was decided that the committee members would submit their ideas as to what exactly should be included in that section of Chapter 1 to Ms. Scurr via email for her consideration in compiling the Final Report.

08:15:47 Sen. Brown
08:17:18 Rep. Bennett

08:17:54 Sen. Brown

Other Items in Work Session

08:18:55 Rep. Bennett suggested that the committee should propose a bill that would require interim committee's review statutory advisory councils and reports every other interim as opposed to every single interim.

08:20:25 Sen. Brown said that this committee will not sponsor more bills and that Rep. Bennett could be a sponsor of this bill during the Legislative Session.

GENERAL PUBLIC COMMENT ON ANY MATTER UNDER THE COMMITTEE'S JURISDICTION - none

Next Meeting

08:21:22 Ms. Scurr talked about the Nov. 17, 2016, meeting content.

08:23:03 Sen. Brown made closing comments.

ADJOURNMENT

08:23:38 With no further business before the committee, Sen. Brown adjourned the meeting at 4:57 p.m.

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