



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

June 8, 2016
Room 102, 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
SEN. JONATHAN WINDY BOY
REP. FORREST MANDEVILLE
REP. WENDY MCKAMEY
REP. KATHY SWANSON

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 final committee bill LC0086 to eliminate a statutory requirement for the committee to receive a report on state information technology activities. The bill does not eliminate the report or other requirements for the report to be made to the legislature and the Legislative Finance Committee. Sen. Kary will carry the bill on the committee's behalf.
- Voted to not move forward with the committee's preliminary bill draft, LC0074, that would have required commercial websites that collect personal information on Montana residents to post privacy policies explaining what information is collected and how it will be used.

CALL TO ORDER AND ROLL CALL

00:00:00 Sen. Brown called the meeting to order at 9:00 a.m. The committee secretary called roll. ([Attachment 3](#))

VETERANS - SUICIDE PREVENTION

VA Suicide Prevention Program - Juliana Hallows, NCC, LPMHC, Suicide Prevention Coordinator, VA

00:01:41 Ms. Hallows ([Exhibit 1](#))

00:17:25 Mike Garcia, Public Affairs Officer, VA, provided additional information about slide entitled "Montana Footprint" of Exhibit 1.

00:18:25 Ms. Hallows continued her presentation.

Committee Questions of Ms. Hallows

00:32:02 Rep. McKamey asked Ms. Hallows about the makeup of the Cascade County suicide prevention committee.

00:34:31 Sen. Larsen asked Ms. Hallows to elaborate on the numbers from the slide entitled "Montana Veterans-FY2017" of Exhibit 1 in general and about the 37,000 veterans and whether these veterans show any signs indicating suicide inclinations specifically.

00:38:22 Sen. Larsen asked Ms. Hallows to confirm that her agency works closely with the state VA and service officers of other military organizations.

00:39:32 Sen. Larsen commented that there was no diagnosis of PTSD when he left military service in 1974 and now the country recognizes that 20% to 25% of all

veterans have issues associated with PTSD. Sen. Larsen noted that landmark advancements have been made to identify these issues.

- 00:40:19 Sen. Brown agreed with Sen. Larsen's remarks and expressed her frustration that there are not enough professionals who can serve veterans in Montana.
- 00:40:43 Rep. McKamey asked whether the VA medical clinics are established according to population.
- 00:41:02 Mr. Garcia addressed Rep. McKamey's question.
- 00:43:15 Rep. McKamey asked Mr. Garcia whether there are special provisions for the tribal areas in the state.
- 00:44:55 Sen. Brown also addressed Rep. McKamey's question saying that in the last interim, this committee did a study which indicated that the tribal areas needed a veteran service office and, as a result, more money was appropriated for this purpose.
- 00:45:32 Sen. Brown asked Ms. Hallows about outreach: what the VA does as far as dissemination of information when a service member comes back from a war zone.
- 00:46:26 Mr. Garcia addressed Sen. Brown's question.
- 00:47:35 Sen. Brown asked Ms. Hallows about outreach efforts with Montana job services with respect to veterans.
- 00:49:28 Sen. Brown said that the 800-phone number provided in this presentation as the suicide prevention hotline, as reflected on slide 3 of Exhibit 1, is not the same phone number she was given earlier and which she called during the April 19, 2016, committee meeting. Sen. Brown said that she will spread this new number in her community.
- 00:50:55 Sen. Brown asked Ms. Hallows to elaborate on what she would say to those Montana veterans who want to talk to somebody in Montana instead of New York.
- 00:53:20 Mr. Garcia corrected his previous statement and said that the Vet Centers do have a much broader scope and more flexibility to see any combat veteran regardless of the military status and have them talk to a counselor at the center. Mr. Garcia said that the Vet Centers fill gaps in regards to eligibility.
- 00:54:48 In adding to Mr. Garcia's remark, Ms. Hallows said that she is excited that a new Veteran Center is going to open in Helena.
- 00:55:18 Sen. Windy Boy noted that suicide prevention is on the agenda of the State Tribal Relations Interim Committee of which he is a member and asked Ms.

Hallows whether she assists Indian veterans that come from Fort Harrison.

00:56:21 Sen. Windy Boy asked Mr. Hallows for clarification on which Indian alliance she referred to.

00:57:04 Sen. Brown asked Sen. Windy Boy whether the State Tribal Relations Interim Committee would like to communicate with Ms. Hallows.

Overview of Joining Community Forces (JCF) Coalition and Veterans - Brandy Keely, Co-Chair, Lewis and Clark County JCF Coalition

00:58:12 Ms. Keely ([Exhibit 2](#))

Committee Questions of Ms. Keely

01:05:29 Sen. Brown asked about events that the JCF Coalition organizes how they differ from each other and where they are located.

01:07:37 Sen. Brown asked about the retention rate of veterans at Carroll College.

01:09:00 Sen. Brown asked about the retention rate of veterans at other colleges.

01:09:49 Sen. Brown provided closing remarks on this agenda item.

01:10:18 Ms. Keely said that the JCF Coalition has a listserv to which committee members can subscribe.

01:10:37 Sen. Brown asked that all the committee members be signed up on the JCF listserve.

Roundtable: Discussion with Stakeholders on a Montana Veteran Suicide Prevention Hotline

Meghan Gallagher, Director, Behavioral Health Unit, St. Peter's Hospital
Jackie Fitzgerald, Executive Director, Voices of Hope
Karl Rosston, Suicide Prevention Coordinator, Montana DPHHS
Ed Lesofski, Executive Director, Rural Institute Veterans Education and Research
Mike Garcia, Public Affairs Officer, VA
Juliana Hallows, Suicide Prevention Coordinator, VA
Brandy Keely, Co-Chair, Lewis and Clark County JCF Coalition

01:10:50 Sen. Brown introduced this agenda item.

01:12:43 Ms. Gallagher ([Exhibit 3](#))

01:15:08 Ms. Fitzgerald

01:15:56 Mr. Rosston

01:16:38 Mr. Lesofski ([Exhibit 4](#)) ([Exhibit 5](#))

01:18:44 Sen. Brown said that the book Mr. Lesofski mentioned is hotlinked to the committee's website; it is entitled "Cognitive Behavioral Therapy for Combat-Related PTSD: a Manual for Service Members."

01:22:37 Sen. Brown reiterated that there should be just one veteran suicide prevention hotline phone number instead of multiple phone numbers that can be distributed

among people.
01:23:00 Mr. Lesofski continued his report.
01:24:21 Mr. Garcia
01:25:15 Ms. Hallows
01:25:32 Ms. Keely

Committee Questions

01:26:17 Sen. Windy Boy asked Mr. Lesofski to summarize his part of the report again.

01:32:13 Sen. Brown recommended that the panelists compile a list showing organizations and areas in Montana that those organizations are reaching regarding veteran suicide prevention efforts.

01:32:47 Sen. Windy Boy said that the state is missing on reaching out to the Native American veterans in the tribes.

01:34:10 Sen. Brown addressed Sen. Windy Boy's concern.

01:34:39 Sen. Windy Boy reiterated that services are not being provided to the native veterans and their needs have been unmet for a long time. Sen. Windy Boy also noted that the roundtable on veteran suicide prevention does not include a Native American.

01:35:40 Sen. Brown addressed Sen. Windy Boy's points.

01:36:23 Sen. Larsen asked panelists to elaborate on the following point: how to find a common point of entrance for the veterans for all benefits without having to go through multiple agencies.

01:38:09 Ms. Hallows addressed Sen. Windy Boy's comment and Sen. Larsen's question.

01:41:21 Ms. Keely also addressed Sen. Windy Boy's concern.

01:43:24 Sen. Brown expressed her agreement with Ms. Keely and asked Mr. Rosston about the Network of Care within DPHHS.

01:43:38 Mr. Rosston addressed Sen. Brown's question and reiterated that there is an infrastructure in place with respect to veteran suicide prevention efforts.

01:46:09 Rep. Bennett talked about working on a solution that this committee can help with. Rep. Bennett asked the panelist to provide their input in this regard.

Input from Panel Members

Panelists provided their input with respect to what SAVA committee can help with regarding veteran suicide prevention.

01:47:18 Ms. Gallagher
01:49:48 Ms. Fitzgerald
01:51:15 Mr. Rosston

01:56:11 Mr. Lesofski
01:59:25 Mr. Garcia
02:03:51 Ms. Hallows
02:08:09 Ms. Keely

Commission Discussion on the Input from the Panelists and Committee Questions

02:09:36 Rep. Bennett asked Ms. Scurr to send to committee members the report from the suicide review team.

02:10:02 Sen. Brown said that the committee will allot a time during the August meeting to talk about veteran suicide prevention. Sen. Brown also asked Mr. Rosston to join the August meeting.

02:11:18 Sen. Kary elaborated further on Sen. Larsen's suggestion to have a simple document that would help veterans navigate through all available agencies to find the right one.

02:13:33 Sen. Brown agreed with Sen. Kary and added that it would be good to also include regional information to ensure quick access, as well as include contact information for tribes so that the callers would not have to necessarily go through Helena.

02:13:55 Rep. McKamey asked Ms. Hallows to elaborate on programs like *Operation Save and Assist*.

02:18:11 Rep. McKamey complimented the JCF Coalition and asked Ms. Keely to talk more about it.

02:20:18 Mr. Garcia elaborated further about what Ms. Keely said regarding the JCF Coalition.

02:22:17 Sen. Larsen commented on the challenges of qualifying people to receive treatment and asked who is paying for veterans' benefits and how they can get qualified quick enough so that they can be provided with emergency intervention in time. Sen. Larsen also asked about what cultural changes are needed with respect to mental health and suicide.

02:25:24 Sen. Brown noted that the committee will continue this conversation during the August meeting.

02:26:00 Sen. Brown referred to a newspaper article entitled "First Lesson for Suicide Prevention: Ignore the Math" and asked panelists whether they agree with the six factors that are called "primary evidence-based factors that drive suicide" in this article. **(Exhibit 6)** Sen. Brown encouraged the panelists to help SAVA come up with legislation to advance the veteran suicide prevention efforts.

02:28:06 Sen. Windy Boy said that Missoula has more access to care than the rest of Montana and that there is only one psychiatrist in the north-central Montana.

Sen. Windy Boy said that Sate-Tribal Relations Committee is also working on suicide prevention in tribal areas.

02:32:44 Sen. Brown addressed Sen. Windy Boy's points and asked the panelists to elaborate during the next SAVA meeting on how Montana's Native American population can be served better.

Public Comment on Veterans Issues

02:33:49 Gilda Clancy, veterans liaison for U. S. Sen. Steve Daines, offered herself as an informational resource. [\(Exhibit 7\)](#)

CAMPAIGN FINANCE - RECENT COURT DECISIONS ABOUT MONTANA CONTRIBUTION LIMITS

Overview of Legal Issues and Court Decisions - Ginger Aldrich, Legislative Attorney

02:38:35 Ms. Aldrich

Committee Questions

02:46:41 Sen. Brown asked for clarification on contribution limits for a person running for House vs. for Senate.

02:47:43 Ms. Aldrich addressed Sen. Brown's question and brought attention of the committee members to two documents from their meeting folders, one reflecting policies and procedures reinstating the pre-*Lair v. COPP* campaign contribution limits adopted by the Commissioner of Political Practices, and the accompanying letter by the Commissioner. [\(Exhibit 8\)](#) [\(Exhibit 9\)](#)

Update From the Office of Commissioner of Political Practices - Jonathan Motl, Commissioner of Political Practices

02:48:01 Commissioner Motl

Committee Questions of Mr. Motl

02:51:37 Sen. Brown asked about electioneering by an individual.

02:52:55 Sen. Brown asked whether all political committees are listed on the website.

02:53:40 Rep. Mandeville asked whether a candidate like himself, who is not in a primary election, could wait to reimburse campaign contributions until the final decision is made regarding the contribution limit or whether such a candidate could be potentially complained against for something that is legal now but that may become illegal in the future.

02:56:53 Sen. Brown asked whether she, being a senator, could go back to her constituents and ask for additional contributions to make up the difference between the lower limit and the current limit.

02:58:08 Rep. Mandeville asked whether it would be possible to break down the court costs on the *Lair v. COPP* case that the state had to pay.

02:59:50 Rep. Mandeville asked whether the cost to the state was already being paid as salaries.

03:00:57 Commissioner Motl provided the names of the staff who assisted him in communicating with political candidates.

HB 142 (2011) DUTIES - REVIEW OF STATUTORY ADVISORY COUNCILS AND REPORTS
Review of Preliminary Bill Draft, LC0086, to Eliminate Requirement for IT Report to SAVA
- Sheri Scurr, Legislative Research Analyst

03:02:32 Ms. Scurr ([Exhibit 10](#)) ([Exhibit 11](#))

Motion

03:04:35 Rep. Bennett moved that SAVA approve LC0086 as a final committee bill to eliminate a statutory requirement for the committee to receive a report on state information technology activities.

Public Comment - none

Vote

03:05:16 The motion passed unanimously on a voice vote.

03:06:10 Sen. Kary said that he will carry this bill.

LUNCH (reconvened at 1:00 p.m.)

HJR 21 - STUDY OF PERSONAL INFORMATION OWNERSHIP
Update from SITSD on State Agency Website Privacy Policies

03:59:05 Sen. Brown opened this agenda item. Sen. Brown also announced that Rep. Bennett would preside over this part of the agenda.

03:59:42 Lynne Pizzini, Deputy CIO, Security Officer, State Information Technology Services Division, Department of Administration, spoke on behalf of Ron Baldwin, CIO, who could not attend the meeting.

Review of Preliminary Bill Draft, LC0074, to Require That Commercial Websites
Collecting Information from Montana Consumers Post Privacy Policies - Sheri Scurr,
Legislative Research Analyst

04:03:03 Ms. Scurr ([Exhibit 12](#)) ([Exhibit 13](#))

Committee Questions of Ms. Scurr

04:33:40 Sen. Brown asked about the cost of enforcement if this bill were to pass.

Motion

04:34:30 Sen. Brown moved to use the word "owner" instead of the word "operator" in the bill draft.

Discussion on the Motion

04:35:05 Rep. McKamey

Withdrawal of the Motion

04:35:33 With no objections from the committee, Sen. Brown withdrew her motion.

Roundtable: Responses to Bill Draft, Questions and Discussion with Committee

Steve Turkiewicz, Montana Bankers' Association

Brad Griffin, Montana Retailers Association

Carl Szabo, Policy Council, NetCoice.org

Matt Dale, Office of Consumer Protection, Montana Department of Justice

Shelby DeMars, Internet Coalition

04:35:53 Rep. Bennett introduced the panel.

04:36:49 Mr. Turkiewicz ([Exhibit 14](#))

Mr. Turkiewicz provided staff with a copy of Title 12 - Electronic Code of Federal Regulations - Banks and Banking (33 pages) and a copy of the Federal Bureau of Consumer Financial Protection's 94 pages of supplemental information about a proposed rule change concerning the annual privacy notice requirement.

04:43:50 Mr. Griffin ([Exhibit 15](#)) ([Exhibit 16](#)) ([Exhibit 17](#))

04:46:46 Mr. Szabo

04:54:48 Mr. Dale

04:56:10 Ms. DeMars

Committee Questions

04:59:00 Rep. McKamey asked Mr. Szabo if the committee's bill sounds like a solution looking for a problem.

05:00:48 Rep. McKamey asked Mr. Szabo to elaborate on the Just In Time privacy policy.

05:02:25 Rep. Mandeville asked Mr. Szabo to elaborate on the Utah law that he referred to in his report, how that law is used and whether it has been challenged.

05:04:22 Rep. McKamey asked Mr. Szabo whether the Just In Time notification is required or is self-enforced and self-regulated.

05:06:26 Sen. Brown asked Mr. Szabo to provide the committee with the information about the time and location of the Federal Trade Commission workshop that will take place some time this fall.

05:07:02 Sen. Larsen asked Mr. Dale whether the lack of website privacy policies has been a problem to a point that DOJ had to investigate complaints.

Public Comment on LC0074

05:08:28 Kelly O'Sullivan, Legal Counsel, Montana Division for Banking and Financial Institutions

Committee Work Session on LC0074

Committee members discussed merits and concerns with respect to LC0074.

05:09:16 Rep. Bennett
05:09:33 Sen. Brown
05:10:56 Rep. McKamey
05:12:23 Rep. Bennett
05:16:19 Rep. McKamey
05:18:49 Rep. Mandeville
05:20:46 Sen. Larsen
05:21:53 Ms. Scurr
05:23:26 Sen. Larsen
05:23:42 Sen. Brown
05:25:19 Sen. Windy Boy

Motion

05:26:38 Sen. Brown said that the idea about a privacy policy is a sound idea but it would be too restrictive for small businesses in Montana. She moved to not move forward with the committee's preliminary bill draft, LC0074, that would require commercial websites that collect personal information on Montana residents to post privacy policies explaining what information is collected and how it will be used.

Discussion on the Motion

05:27:36 Sen. Windy Boy
05:28:37 Sen. Kary
05:29:15 Rep. Mandeville
05:29:45 Ms. Scurr
05:30:45 Rep. Mandeville
05:31:17 Sen. Brown
05:31:44 Rep. Bennett
05:32:22 Ms. Scurr
05:33:35 Sen. Brown

Vote

05:34:15 The motion passed on a voice vote, 6-2, with Sen. Brown, Sen. Kary, Sen. Larsen, Rep. Mandeville, Rep. McKamey, and Rep. Swanson voting 'yes' and Rep. Bennett and Sen. Windy Boy voting 'no'.

BREAK (reconvened at 2:45 p.m.)

PUBLIC EMPLOYEE RETIREMENT SYSTEMS INFORMATIONAL BRIEFINGS

Overview of Information Request from James DeHaven, TRS Legal Research on Similar Public Information Requests, and TRS Board Actions to Date - Denise Pizzini, Legal Counsel, TRS

05:45:11 Sen. Brown resumed presiding officer duties. Sen. Brown introduced this agenda item and brought the committee's attention to the document that Ms. Pizzini will be using in her report. **(Exhibit 18)**
05:46:26 Ms. Pizzini

Committee Questions of Ms. Pizzini

- 05:56:12 Sen. Brown asked about the number of the retirees at issue.
- 05:56:32 Sen. Brown asked about the costs associated with completing this information request.
- 05:56:47 Sen. Brown asked in how many states public retiree information is a settled court decision and not simply an opinion.

MPERA and PERS Board Actions to Date Related to the DeHaven Request - Melanie

Symons, Legal Counsel, MPERA

05:58:00 Ms. Symons

Committee Questions of Ms. Symons

06:00:02 Sen. Brown asked for information about how many retirees would be involved in the information request.

Public Comment - none

Committee Discussion on the November Meeting Date Change

Committee members and staff discussed the date for the November SAVA meeting.

- 06:00:51 Rep. Bennett assumed presiding officer duties.
- 06:00:55 Ms. Scurr
- 06:01:55 Rep. Bennett
- 06:02:00 Ms. Scurr
- 06:03:00 Rep. Bennet announced November 17, 2016, as the date for the committee's last meeting.

RULE REVIEW ACTIVITY

Overview

06:03:12 Ms. Aldrich

GENERAL PUBLIC COMMENT ON ANY MATTER UNDER THE COMMITTEE'S JURISDICTION

- 06:04:28 Jessie Luther, Montana Sheriffs and Peace Officers Association, spoke about funding for the Sheriff's and Peace Officers' Retirement System being of priority during the Legislative Session.
- 06:05:57 Ms. Scurr referred committee's attention to written public comment from James Wangerin, who expressed his concern over the Department of Revenue's rule regarding the tax treatment that the military personnel receive on their pay.
(Exhibit 19)

ADJOURNMENT

06:07:09 With no further business before the committee, Rep. Bennett adjourned the meeting at 3:08 p.m.

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