

Commissioner of Political Practices

Agency Overview - Highlights

August 2015

For the State Administration and Veterans' Affairs Interim Committee

Commissioner of Political Practices: Jonathan Motl, appointed by Governor Bullock, confirmed by Senate to finish a 6-year vacated term that ends January 1, 2017.
Phone: 444-4622 E-mail: JMotl@mt.gov

Website: <http://politicalpractices.mt.gov/default.mcp>

Agency Responsibilities:

The Office of the Commissioner of Political Practices (COPP) is attached to the Secretary of State's Office for administrative purposes only. Thus, it acts as a stand alone agency, manages its own budget, staff, and work processes. The COPP's areas of responsibility are listed below.

Campaign Practices

- Candidates and Political Committees
 - Receives statements of candidacy or organization and business interest disclosure
 - Posts statements for public viewing
 - Certifies to election administrators whether a candidate has complied with all requirements so name may appear on the ballot
- Campaign Finance Reports
 - Receives campaign finance reports.
 - Posts campaign finance reports for public viewing
 - Inspects campaign finance reports for facial compliance with law
- Handles Complaints
 - Accepts, files and posts complaints alleging violations
 - Issues sufficiency (or non-sufficiency) decisions on each complaint
 - Files a sufficiency decision with county attorney
 - May reach settlement or file action in state district court
- Advisory Opinions
 - Issues advisory opinions to clarify law and how it is applied

Lobbying

- Lobbyists and Principals
 - Accepts registration of and fees for lobbyists and principals. Issues licenses.
- Lobbying Reports
 - Accepts lobbying reports
 - Posts lobbying reports for viewing by public
- Handles Complaints
 - Accepts, files and posts complaints
 - Issues sufficiency (or non-sufficiency) decision on each complaint
 - May settle or file action in state district court
- Advisory Opinions
 - Issues advisory opinions to clarify law and how it is applied

Ethics

- Accepts ethics complaints concerning actions of state employees and public officials. Complaints are held in confidence and not posted for public viewing.
- Decides ethics complaints through contested case hearings.

Commissioner of Political Practices Agency Overview - Highlights

August 2015

For the State Administration and Veterans' Affairs Interim Committee

Ethics continued ...

- Imposes administrative penalties for ethics violation as provided by law.
- May file court action to seek enforcement
- Issues advisory opinions

Adopts Rules

- Updates and amends agency rules to meet requirements of new or amended laws or new judicial interpretations of law.

Programs, FTE, and Budgeted Funding - 2017 Biennium:

Source: Legislative Fiscal Division

Programs	FTE	General Fund	State Special	Federal Revenue	Proprietary	Other	Total Funding	% from General Fund
Administration	7	\$1,301,874	\$0	\$0	\$0	\$0	\$1,301,874	100.00%

Budget Summary:

Appropriations to the COPP for the 2017 biennium were 9.3% greater than the 2015 biennium appropriations. The legislature provided general fund increases including:

- \$85,000 each year for contract legal services from the Department of Justice
- \$24,000 for increased building rent
- \$53,260 to support online systems and database maintenance
- \$12,816 for secretarial performance adjustments and temporary services during peak workload periods

In addition, the governor's budget office used discretionary funds to fully fund a legal counsel position (1 FTE).

Statutory Advisory Councils:

- None.

Administratively Attached Agencies:

- None.

Most Recent Legislative Audits:

- [Financial compliance audit for biennium ending June 30, 2014.](#)

One recommendation: The office should strengthen internal controls over recording financial transactions in accordance with state law and accounting policy. Agency concurred and complied.

*Commissioner of Political Practices
Agency Overview - Highlights*

August 2015

For the State Administration and Veterans' Affairs Interim Committee

Agency Bills Passed During 2015 Session:

- See attachment on all 2015 Campaign Practices Bills

Agency Bills that Failed During 2015 Session:

- See attachment on all 2015 Campaign Practices Bills

SAVA Areas of Interest 2013-2014 Interim:

- Conducted HJR 1 study of the selection of the commissioner and the structure and duties of the office. The study resulted in a SAVA committee bill, which was passed and approved:
[SB 16](#) - Requires the governor to appoint the commissioner from the list of nominees

Hot Topics of 2015 Session:

- [SB 289](#) - Sponsored by Sen. Duane Ankney. Revised campaign finance laws concerning disclosure of contributions and expenditures. PASSED AND APPROVED
- Contribution limit changes: various bills were proposed and debated, but none passed. See attachment on all 2015 Campaign Practices Bills.

Statutorily Required Reports to the Committee:

- None.

ATTACHMENT

COPP Organizational Chart
2015 Campaign Practices Bills

CI0170 5224shfa.