

COMMISSIONER OF
POLITICAL PRACTICES

EXHIBIT 2
DATE 3/13/15
SB 283



STATE OF MONTANA

JONATHAN R. MOTL
COMMISSIONER
TELEPHONE (406) 444-2942
FAX (406) 444-1643

1205 EIGHTH AVENUE
PO BOX 202401
HELENA, MONTANA 59620-2401
www.politicalpractices.mt.gov

March 13, 2015

Honorable Jeff Essmann
Chairperson
House State Administration Committee
Bill Harris – Vice Chair
Casey Schreiner – Vice Chair

Members

Bryce Bennett
Bob Brown
Moffie Funk
Frank Garner
Edward Greef
Denise Hayman
Jessica Karjala
Austin Knudsen
Debra Lamm
Forrest Mandeville
Wendy McKamey
Dale Mortensen
Jean Price
Ray Shaw
Kathy Swanson
Susan Webber
Art Wittich

Re: Senate Bill 283
Hearing Date: Friday, March
13, 2014 at 8:00 AM
Sponsor: Senator Brenden

Dear Chairperson Essmann and members of the Committee:

The Office of the Commissioner of Political Practices respectfully opposes SB 283 as written.

Senator Brenden believes that contributions should be allowed in amounts up to \$500 but he determined this amount based solely on his personal experiences and thoughts. In contrast, Montana voters collectively set the §13-37-216 contribution limits of \$170 to a legislative candidate. This

.....
.....
.....
.....

contribution limit approach was confirmed in 2012 when Montana voters passed Initiative 166 stating that the election related policy of the State of Montana was, when constitutionally permissible to do so, to promote "...a level playing field in campaign spending..." §13-35-503(2)(e) MCA. Influence is influence, whether before or after an election, and Montana voters have determined that \$170 is the amount of monetary influence that does not trigger concerns of corruption. If passed at all, the post-election contributions allowed by SB 283 should be reduced to match the limitations set by §13-37-216. Those limits are \$170 for individuals and political committees.

The COPP understands that Montana legislators sacrifice much to serve the people of Montana. Allowing modest post-election funding for a constituency services account may make service easier for some legislators. But that funding should best come from the general fund as then it would not come at the price of loss of public confidence stemming from the appearance of undue influence. We have not yet passed through the debris trail left by WTP/ATP's corruption of some of Montana's 2008, 2010 and 2012 legislative elections. This addition of post-election fundraising by a sitting public official, if it is allowed, should have the protections listed above.

Thank you for your consideration of the COPP's comments on SB 283.

Sincerely,

A handwritten signature in black ink, appearing to be "Jonathan R. Motl", written over a large, loopy scribble that also overlaps the word "Sincerely,".

Jonathan R. Motl
Commissioner of Political Practices