

Department of Justice

Agency Overview

June 2011

For the Law and Justice Interim Committee

Agency Head: Attorney General Steve Bullock (statewide elected official)

Description and Responsibilities:

- State's lead law enforcement agency
- Prosecution & defense of state interests
- Assistance for county attorneys
- Criminal investigation
- Forensic services, state crime lab
- Motor vehicle regulation & enforcement
- Law enforcement officer training
- Gambling control
- Fire safety program
- Consumer protection office
- Victim assistance office
- Restorative justice office
- Natural resource damage office
- Criminal justice information management, including sexual and violent offender registry

Programs, FTE, and Funding for FY 2012 - FY 2013:

Division	FY 2013 FTE	General Fund	State Other	Proprietary	Federal	Total ALL	Percent of total DOJ Funds
Highway Patrol	297.75	\$ 3,737,866	\$ 63,610,194	\$ -	\$ -	\$ 67,348,060	38.5%
Motor Vehicle	151.85	\$ 15,091,504	\$ 21,443,304	\$ 1,579,886	\$ -	\$ 38,114,694	21.8%
Criminal Investigation	102.75	\$ 11,777,668	\$ 7,349,589	\$ -	\$ 1,734,195	\$ 20,861,452	11.9%
Legal Services	46.00	\$ 9,172,710	\$ 819,440	\$ -	\$ 515,098	\$ 10,507,248	6.0%
Gambling Control	50.50	\$ -	\$ 9,798,091	\$ 2,465,991	\$ -	\$ 12,264,082	7.0%
Info Technology Services	39.50	\$ 6,981,586	\$ 267,350	\$ 29,635	\$ 5,007	\$ 7,283,578	4.2%
Forensic Science	32.80	\$ 7,175,315	\$ 653,755	\$ -	\$ -	\$ 7,829,070	4.5%
Central Services	18.70	\$ 1,043,909	\$ 1,848,199	\$ 158,776	\$ 250,000	\$ 3,300,884	1.9%
Agency Legal Svcs	17.00	\$ -		\$ 3,129,516	\$ -	\$ 3,129,516	1.8%
Consumer Protection	9.00	\$ -	\$ 1,721,035	\$ -	\$ -	\$ 1,721,035	1.0%
Victim Services & Restorative Justice Office	6.00	\$ 1,963,951	\$ -	\$ -	\$ 731,263	\$ 2,695,214	0.0%
County Attorney Payroll	0.00	\$ 5,744,213	\$ -	\$ -	\$ -	\$ 5,744,213	3.3%
	771.85	\$ 56,944,509	\$ 107,510,957	\$ 7,363,804	\$ 3,235,563	\$ 175,054,833	100.0%
Agency's GF as a percentage of state's total GF budget	1.5%						

Source: Legislative Fiscal Division

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Administratively Attached Entities:

- Board of Crime Control (section 2-15-2006, MCA)
- Public Safety Officer Standards and Training (P.O.S.T.) Council (section 2-15-2029, MCA)
- Gambling Advisory Council (section 2-15-2021, MCA)
- County motor vehicle computer committee (section 61-3-346, MCA)

Legislative Audits:

- Financial Compliance, 2010
- Montana Professional Tow Truck Act, 2010
- Mandatory Motor Vehicle Liability Insurance Law, 2006

Agency Bills that Passed During 2011 Session:

- 24/7 Sobriety Program for DUI offenders - HB 106 (Lavin)
- Prescription Drug Registry - HB 83 (Berry)
- Amend crime victims compensation - HB114 (O'Hara)
- Collection of DNA from offenders under interstate compact - HB 117 (Hunter)
- Amend youth court act to clarify sentencing authority - HB 126 (Hansen)
- Generally revise gambling laws - HB 127 (Noonan)
- Amend security freeze law to protect certain persons - SB 60 (Gillan)
- Clarify duty of driver in accident to remain at scene - SB 68 (Jent)
- Revise commercial drivers license provisions - SB 81 (Wanzenried)

Agency Bills that Failed During 2011 Session:

- Clarify penalty for speed zone violations - HB 55 (Hollenbaugh)
- Revise sex offender accountability act - HB 109 (MacDonald)
- Enhance penalty for consumer protection violations - SB 57 (Vuckovich)
- Allow admission of prior crimes in sex offense crimes against children - SB 61 (Moss)
- Primary seat belt law - SB 82 (Hamlett)

Non-Agency Bills Passed During 2011 Session:

- Authorize search warrants to obtain blood or breath test in DUI cases - SB 42 (Shockley - LJIC)
- Create misdemeanor crime of aggravated DUI - SB 15 (Jent - LJIC)
- Prohibit local initiative from establishing state law enforcement priority - HB 391 (Berry)
- Amend security credit freeze to protect certain persons - SB 60 (Gillan)
- Ban synthetic marijuana - HB 185 (Berry)
- Provide for crime of predatory loitering for previously convicted sex offender - SB 149 (Essmann)
- Provide penalties for certain communications for dangerous drug prescriptions - SB 210 (Tutvedt)

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- Allow legislative security with permit to carry weapon into Capitol - SB 279 (Jackson)
- Generally revise relating to use of medical marijuana - SB 423 (Essmann)
- Generally revise gambling laws - SB 361 (Ripley)
- Verify lawful presence in US before issuing driver's license or ID card - HB 178 (Howard)
- Allow operation of electric vehicles by persons with disabilities - HB 213 (Harris)
- Require DOJ to adopt rules for hardship licenses for certain permit holders - HB 216 (Miller)
- Revise laws relating to commercial vehicles - HB 229 (McNutt)
- Revise commercial driver's license provisions - SB 81 (Wanzenried)
- Allow standard license plates for motorcycle and smaller trailers - HB 171 (Ingraham)
- Allow transfer of salvage title work without notary signature - HB 399 (Arntzen)
- Revise salvage title laws - SB 211 (Hutton)
- Allow use of older license plates on motor vehicles - HB 584 (Melhoff)
- Revise motor vehicle laws regarding intersections - HB 259 (Loney)
- Delay motor vehicle insurance verification system implementation - HB 367 (MacLaren)

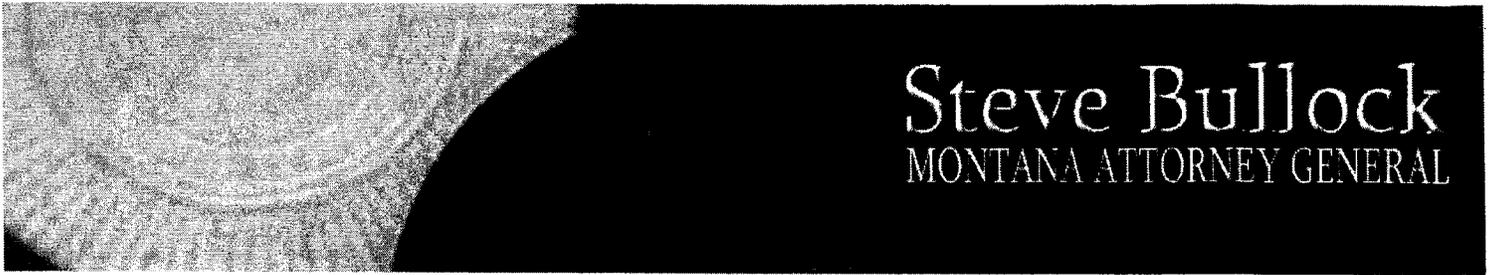
Law and Justice Interim Committee Areas of Interest:

- DUI Laws
- MERLIN (Montana Enhanced Registration and Licensing Information Network)
- Staffing of the Motor Vehicle Division

Hot Topics of 2011 Session:

- Concealed weapon permits
- Death penalty
- Nullification of federal law
- Immigration
- Sex offender registration
- Medical marijuana

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Steve Bullock
MONTANA ATTORNEY GENERAL

MONTANA DEPARTMENT OF JUSTICE · GAMBLING REGULATION

Gaming Advisory Council

The Gaming Advisory Council, created in 1989, advises the Department of Justice and other state agencies on public policy matters related to gaming, including:

- amendments to the gambling statutes
- additional or modified departmental rules
- clarification of existing rules
- operation of the Gambling Control Division

The Gaming Advisory Council submits a report to the Department of Justice that is included as part of the Gambling Control Division Biennial Report prepared for the legislature.

Gambling Regulation
Council Members
Meetings

Next GAC Meeting

Date:

Location:

Council Members

Under state law, the council is made up of nine members. Legislative leaders select the legislative members while the attorney general appoints the remaining members.

Name	Representing	City
Tim Carson	Gaming Industry	Billings
Mark Kennedy	Public at Large	Billings
John Engen	Local Government	Missoula
Bob McAnnally	Native Americans	Poplar
Steve Morris	Gaming Industry	Helena
Jed Fitch	Local Government	Missoula
Max Yates	House of Representatives	Butte
John Tooke	Gaming Industry	Miles City
Jon Sonju	Senate	Kalispell

Meetings

The Council meets approximately four times a year; the meeting time and place are announced prior to each meeting.

Minutes

- [May 19, 2011](#)
- [September 24, 2010](#)
- [May 18, 2010 \(PDF\)](#)



MONTANA DEPARTMENT OF JUSTICE • LAW ENFORCEMENT

Public Safety Officer Standards and Training (POST) Council

The Montana Public Safety Officer Standards and Training (POST) Council is a quasi-judicial board authorized by [Section 2-15-2029](#) of the Montana Code Annotated.

The Council is responsible for establishing basic and advanced qualification and training standards for employment of Montana's public safety officers, as defined in MCA [44-4-401](#). In addition, the Council:

- conducts and approves training
- provides for the certification and recertification of public safety officers
- is responsible for the suspension or revocation of certification of public safety officers

Law Enforcement

POST

Training & Certification
Transcripts

Council Members

Monthly Meetings & Calls

Minutes

Council Members

The Council is to be made up of 13 members appointed by the Governor in accordance with MCA [44-4-402](#). A list of specific [committee assignments \(PDF\)](#) is also available.

Name	Representing	City
Winnie Ore, Chairperson	Public Member	Helena
Mike Anderson	Montana Board of Crime Control	Havre
Steve Barry	Department of Corrections	Helena
John Schaffer	Local Law Enforcement	Great Falls
Harold Hanser	Montana Board of Crime Control	Helena
Tony Harbaugh	Sheriffs	Miles City
Georgette Hogan-Boggio	County Attorney	Hardin
James Smith	Chief of Police	Libby
Robert McCarthy	Public Representative	Butte
Dennis McCave	Detention Centers	Billings
Raymond Murray	Public Member	Missoula
Lewis Matthews	Tribal law Enforcement	Wolf Point
Greg Watson	State Government Law Enforcement	Helena

2011 Meetings & Conference Calls

- June 20 - conference call from 10 a.m. - Noon
- August 11 - face-to-face in Helena (MLEA)
- October 17 - face-to-face in Butte
- December 7-8 - face-to-face in Helena (MLEA)

The POST Council will make reasonable accommodations for people with disabilities who wish to participate in these meetings. If you require an accommodation, please [contact POST](#) several days prior to the meeting to let us know the nature of the accommodation you need.

Anyone wishing to participate in the POST Council's monthly conference call can come to the POST office in the Maple Building of the MLEA campus at 2260 Sierra Road East, Helena, MT. Guests may also be able to participate by phone by contacting the office and asking to be included.

For more information, please contact Tana Meuer at 444-9975 or tmeuer@mt.gov.

Minutes

- [February 14, 2011](#)
- [December 15, 2010](#)
- [October 18, 2010](#)
- [August 19, 2010](#)
- [June 28, 2010](#)
- [April 15, 2010](#)
- [February 16, 2010](#)