STATE OF MONTANA
JOB DESCRIPTION

Montana state government is an equal opportunity employer. The State shall, upon request, provide reasonable accommodations to otherwise qualified individuals with disabilities.

Job Title: Commissioner of Political Practices **Position Number: 32200001**
Location: Helena, Montana

Department: Commissioner of Political Practices **Division and Bureau:** **Section and Unit:**

Prior Job Descriptions: This is the first job description for this position. There is a prior draft position description [authored by Commissioner Unsworth]. This job description should be viewed as advisory because the Legislature and Governor have final authority in determining the person who holds this position. In particular, the Montana legislature interviews, screens and recommends candidates to the Governor who then appoints the Commissioner, subject to confirmation by the Montana senate.

Job Overview: This position is that of the executive officer in charge of the Office of the Commissioner of Political Practices of the State of Montana, including some direct work responsibility.

Essential Functions (Major Duties or Responsibilities):

The major duties of this job are as follows:

1. 20%. Overall responsibility for all activities of the Commissioner's office (Office), including supervision of those program, budget and office responsibilities carried out by the program supervisor.
2. 20%. Direct responsibility for the policy, legislative, administrative, legal and adjudicative activities performed by the Office, including supervision of the investigator, program supervisor and attorney.
3. 20%. Direct responsibility for accepting and handling Complaints and interpretive requests filed with the Office and then preparing, issuing and explaining to the public any Decisions, dismissals or interpretations stemming from Complaints or requests filed with the Office.

4. 10%. Overall responsibility, working with the Office's legal counsel, for enforcement of Complaint decisions by settlement or by adjudication in the Courts.
5. 10%. Direct responsibility for the legal, administrative, legislative, and public forum positions and actions of the Office.
6. 10%. Overall responsibility, working with the Office's attorney, for updating and maintaining the regulations and policies of the Office.
7. 10%. Direct responsibility for public announcements, positions and explanations of the actions and activities of the Office.

Supervision

The number of employees supervised is: three. The position number for each supervised employee is: 320002, 320009, 3200010

Physical and Environmental Demands: The job is a skilled labor job performed primarily at a desk and has no unusual physical or environmental demands.

Knowledge, Skills and Abilities: The job requires a thorough understanding of Montana's intricate campaign finance laws as well as a practical understanding of the relationship between Montana's election administrators, candidates and the Commissioner's office. The job requires adjudicative, legal analysis, legal and administrative ability as well as experience in budget and personnel management. The job requires the ability to appear in a courtroom, legislative hearing and a press conference. The job required that the Commissioner perform direct work rather than just supervise others who work.

Minimum Qualifications (Education and Experience): The minimum qualifications are a juris doctor or comparable degree from an accredited institution of legal education, a license as a Montana attorney and at least 3 years of experience in litigation or complex administrative adjudication. A dedicated and demonstrated period of experience in dealing with Montana's campaign practice laws may be substituted for the experience. Past management experience is desireable but not a requirement.

Special Requirements:

List any other special required information for this position

☐ Fingerprint check

☐ Background check

Safety Information

☐ Valid driver's license

☐ Other; Describe

The specific statements shown in each section of this description are not intended to be all inclusive. They represent typical elements and criteria considered necessary to perform the job successfully.

Signatures

My signature below indicates the statements in the job description are accurate and complete.

	Commissioner	9-17-2013
Immediate Supervisor	**Title**	**Date**
Administrative Review	**Title**	**Date**

My signature below indicates that I have read this job description.

	Commissioner	9-17-2013
Employee	**Title**	**Date**

Human Resources Review

Job Code Title: **Job Code Number:** **Pay Band:**

My signature below indicates that Human Resources has reviewed this job description for completeness and has made the following determinations:

☐ FLSA Exempt ☐ FLSA Non-Exempt

☐ Telework Available ☐ Telework Not Available

☐ Classification Complete ☐ Organizational Chart attached

Union Code

Human Resources:

Signature **Title** **Date**

STATE OF MONTANA
JOB DESCRIPTION

Montana state government is an equal opportunity employer. The State shall, upon request, provide reasonable accommodations to otherwise qualified individuals with disabilities.

Job Title: Legal Counsel to the Office of the Commissioner of Political Practices
Position Number: 32200010 Location: Helena, Montana

Department: Commissioner of Political Practices Division and Bureau: Section and Unit:

Prior Job Descriptions: This is the first job description for this position. The Commissioner's office has not been staffed by an attorney since the mid 1980s.

Job Overview: This position is that of legal counsel to the Office of the Commissioner of Political Practices of the State of Montana (Office).

Essential Functions (Major Duties or Responsibilities):

The major duties of this job are as follows:

1. **45%.** Direct general counsel responsibility, under the supervision of the Commissioner, for development, implementation and representation (including at the Legislature) of the legal policy positions taken by the Office, including those positions stated through administrative regulations, Decisions or interpretative opinions. The general counsel will review and comment on all decisions or interpretations issued by the Commissioner if the Commissioner is an attorney. If the Commissioner is not an attorney then general counsel will draft the legal analysis portion of Decisions or interpretations.
2. **40%.** Direct litigation responsibility, under supervision of the Commissioner, for enforcement of Decisions. Enforcement can be by settlement (payment of fine) or by adjudication in the Courts. Direct responsibility, under supervision of the Commissioner, to represent the Office in all legal matters, including ethics hearings, not handled by the Attorney General.
3. **10%.** Draft, circulate, conduct hearings and publish, all in conformance with MAPA requirements, administrative regulations as needed by Office.
4. **5%.** Special tasks as assigned by the Commissioner.

Supervision

The number of employees supervised is zero.

Physical and Environmental Demands: The job is a skilled labor job performed primarily at a desk and has no unusual physical or environmental demands.

Knowledge, Skills and Abilities: The job requires a thorough understanding of Montana's intricate campaign finance laws as well as a practical understanding of the relationship between Montana's election administrators, candidates and the Commissioner's office. The job requires the ability to appear in a courtroom, legislative hearing and a press conference.

Minimum Qualifications (Education and Experience): The person in this position must be a licensed Montana attorney. The minimum qualifications are a juris doctor or comparable degree from an accredited institution of legal education and a license as a Montana attorney. Experience in litigation is desireable.

Special Requirements:

List any other special required information for this position

- ☐ Fingerprint check
- ☐ Background check
- Safety Information
- ☐ Valid driver's license
- ☐ Other; Describe

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Signatures

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	Commissioner	9-17-2013
Immediate Supervisor	**Title**	**Date**
Administrative Review	**Title**	**Date**

My signature below indicates that I have read this job description.

	Legal Counsel	9/17/13
Employee	**Title**	**Date**

Human Resources Review

Job Code Title: **Job Code Number:** **Pay Band:**

My signature below indicates that Human Resources has reviewed this job description for completeness and has made the following determinations:

☐ FLSA Exempt ☐ FLSA Non-Exempt

☐ Telework Available ☐ Telework Not Available

☐ Classification Complete ☐ Organizational Chart attached

Union Code

Human Resources:

Signature **Title** **Date**

STATE OF MONTANA
JOB DESCRIPTION

Montana state government is an equal opportunity employer. The State shall, upon request, provide reasonable accommodations to otherwise qualified individuals with disabilities.

Job Title: Investigator to the Office of the Commissioner of Political Practices Position: Commissioner of Political Practices Division and Bureau: Section and Unit:

Job Overview: This position is that of investigator to the Office of the Commissioner of Political

Practices of the State of Montana (Office).

Essential Number: 3220009 Location: Helena, Montana

Department Functions (Major Duties or Responsibilities):

The major duties of this job are as follows:

1. **40%.** Direct responsibility, under supervision of the Commissioner, for investigation of the facts relative to the issues raised by Complaints (campaign practices or lobbying) filed with the Office.
2. **30%.** Team responsibility, working with Attorney and/or Commissioner, for regular oral and written reports of results of investigation with adjustments for additional information required to refine the objectives and goals of the investigation to serve the on-going needs of the projects.
3. **10%.** Prepare reports on special issues or projects as assigned by Office.
4. **10%.** Review and comment on Decisions issued by the Commissioner with emphasis on checking the facts of investigation cited in the Decision.
5. **10%.** Perform tasks, under the direction of Attorney or Commissioner, relative to preparation of cases for trial or hearing.

Supervision

The number of employees supervised is zero.

Physical and Environmental Demands: The job is a skilled labor job performed primarily at a desk and has no unusual physical or environmental demands.

Knowledge, Skills and Abilities: The job requires: a thorough understanding of Montana's intricate campaign finance laws, as well as a practical understanding of the relationship between Montana's election administrators, candidates and the Commissioner's office; an understanding of the sources of information related to tracing the actions of people and entities; an understanding of computer programs that assist investigation; the ability to conduct in person interviews; the ability to conduct internet based investigative research; the ability to work as part of a team of lawyers and other professionals; and, the ability to assemble facts into a useable format.

Minimum Qualifications (Education and Experience):

The education required is demonstrated applied knowledge of the the regulatory relationship between government and private entities equivalent to that gained through a liberal arts college degree, along with at least 3 years of hands-on regulation related investigative work with a government agency or private entity. A combination of technical degrees, specific class training and experience can be substituted for the college degree requirement.

Special Requirements:

List any other special required information for this position

- ☐ Fingerprint check
- ☐ Background check
- Safety Information
- ☐ Valid driver's license
- ☐ Other; Describe

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Signatures

My signature below indicates the statements in the job description are accurate and complete.

	Commissioner	9-17-2013
Immediate Supervisor	**Title**	**Date**
Administrative Review	**Title**	**Date**

My signature below indicates that I have read this job description.

J Stiab	Investigator	9-17-13
Employee	**Title**	**Date**

Human Resources Review

Job Code Title: **Job Code Number:** **Pay Band:**

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☐ FLSA Exempt ☐ FLSA Non-Exempt

☐ Telework Available ☐ Telework Not Available

☐ Classification Complete ☐ Organizational Chart attached

Union Code

Human Resources:

Signature **Title** **Date**

STATE OF MONTANA
JOB DESCRIPTION

Montana state government is an equal opportunity employer. The State shall, upon request, provide reasonable accommodations to otherwise qualified individuals with disabilities.

Job Title: Program Supervisor Position Number: 32200002 Location: Helena, Montana

Department: Commissioner of Political Practices Division and Bureau: Section and Unit:

Prior Job Descriptions: This position operated under two prior job descriptions : 2002 to January of 2013; and, January of 2013 to this date. This job description replaces the January of 2013 job description.

Job Overview: This position is that of lead program person for the Commissioner's Office. This position is directly responsible for the Office's proper acceptance, certification, public records access and audit functions in regard to candidate, lobbyist and elected official forms, including staff hiring and firing. This position is also responsible, through the Commissioner, for the information system and budgetary functions of the Office.

Essential Functions (Major Duties or Responsibilities):

The major duties of this job are as follows:

1. **30%.** Accept, certify, audit, and post for public access all campaign, lobbying, and personal financial forms filed by all candidates for public office in the State of Montana as well as by political committees, lobbyists, principals or elected officials. Provide research, knowledge of past precedent, and interpretations of administrative rules and laws to subordinate staff. This task shall include responding to questions from candidates and the public concerning the requirements and timing of report filing. In addition, in coordination with the Commissioner, facilitate meetings and provide training about political practices, procedures, and electronic reporting services including educational materials such as manuals, brochures and training videos.
2. **20%.** Directly supervise, including hiring and firing authority, the staff (including two full time and temporary as needed) necessary to perform task No. 1 and implement, review and develop, as need be, the forms and policies

necessary to perform task No. 1, including adapting those forms and policies to changed requirements of election law.

3. **20%.** Implement and maintain, under the supervision of the Commissioner, the overall function of the physical office facility, the overall function of information storage (hard copy and electronic), the public information staffing of the Office and the budget of the Office.
4. **10%.** Perform, as appropriate, direct human resources functions or facilitate, as appropriate, the human resource functions performed by the Commissioner.
5. **10%.** Maintain familiarity with all activities of the Commissioner's office, including those policy, legal, legislative and adjudicative activities performed by the Commissioner, investigator and attorney, in order to facililate continuity of actions of the Office when staffing changes occur, including any change in Commissioner. As part of this task this position will review all complaint Decisions prior to issuance by the Commissioner with the charge of examining the decisions for consistency with prior Decisions.
6. **10%.** Upon request of the Commissioner represent the Office's budget or other issues to the legislature and perform special function designations for the office including Safety Manager, ITMC representative, Security Officer, Telephone Coordinator as well as work on special projects assigned by Commissioner.

Supervision

The number of employees supervised is: two full time and temporary as needed. The position number for each supervised full time employee is: 320007 (program and data manager) and 320008 (program assistant).

Physical and Environmental Demands: The job is a skilled labor job performed primarily at a desk and has no unusual physical or environmental demands. The job requires longer than normal days (leading to comp time) during the peak periods of report filing by candidates and commitees. The job may require work at all hours related to legislative or administrative hearings.

Knowledge, Skills and Abilities: The job requires a thorough understanding of Montana's intricate campaign finance laws as well as a practical understanding of the relationship between Montana's election administrators, candidates and the Commissioner's office. The job requires administrative ability in budget and personnel management.

Minimum Qualifications (Education and Experience): The minimum qualifications are a bachelor's degree from an accredited institution of higher education (preferred) as well as 3 years of experience in work comparable to that performed at the Commissioner's office. An associate's degree with a showing of specific educational achievement (on

the job training), along with demonstrated proficiency in the areas of work can be substituted for the requirement of a four year college degree.

Special Requirements:

List any other special required information for this position

- ☐ Fingerprint check
- ☐ Background check
- Safety Information
- ☐ Valid driver's license
- ☐ Other; Describe

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Signatures

My signature below indicates the statements in the job description are accurate and complete.

John Mott Commissioner 9-17-2013

Immediate Supervisor **Title** **Date**

Administrative Review **Title** **Date**

My signature below indicates that I have read this job description.

Mary Baker Program Supervisor 9/17/13

Employee **Title** **Date**

Human Resources Review

Job Code Title: **Job Code Number:** **Pay Band:**

My signature below indicates that Human Resources has reviewed this job description for completeness and has made the following determinations:

☐ FLSA Exempt ☐ FLSA Non-Exempt

☐ Telework Available ☐ Telework Not Available

☐ Classification Complete ☐ Organizational Chart attached

Union Code

Human Resources:

Signature **Title** **Date**

STATE OF MONTANA
JOB DESCRIPTION

Montana state government is an equal opportunity employer. The State shall, upon request, provide reasonable accommodations to otherwise qualified individuals with disabilities.

Working Title: Data Manager

Position Number: 00005

Department: Commissioner of Political Practices

Location: Helena

Job Overview:

The data manager is responsible for maintaining, supporting, and enhancing databases for compliance monitoring and reporting functions. The data manager provides technical support to agency staff, coordinates the development and implementation of office procedures and forms, and reviews, enters, and reconciles reports received from candidates, principals, and lobbyists to enforce registration and reporting requirements.

Essential Functions (Major Duties or Responsibilities):

- **Data Management (40%)** - Support compliance monitoring and reporting functions of the Office of the Commissioner of Political Practices. Manage data and maintain database systems, maintain and/or modify existing information within agency systems, translate data for import and export, develop specialized queries and reports. Maintain user security, virus protection, and data backup systems. Train staff on various database operations. Coordinate with ITSD to meet the technology needs of the agency.

- **Information Systems Support (25%)** - Provide technical support to agency staff. Troubleshoot and resolve routine operational problems and coordinate with ITSD to solve technical problems. Develop and maintain spreadsheets, macros and other automated formats to provide data. Provide technical training to agency staff. Define data requirements for agency systems, including appropriate formulas and formats for reports. Run, test, and revise reports and requirements. Maintain IT user manuals and documentation. Manage the agency's website. Make recommendations regarding future IT needs of the agency.

- **Procedures and Forms (15%)** - Coordinate the development and implementation of office procedures and electronic forms to facilitate the monitoring and enforcement of campaign

practices, campaign finance disclosure, lobbying disclosure, business interest disclosure, and ethical standards of conduct.

- **Candidate/Principal/Lobbyist Reporting (15%)** - Review, enter, and reconcile required reports received from candidates, principals, and lobbyists to enforce registration and reporting requirements. Review reports to ensure accuracy and completeness, research databases and print files to ensure reported information reconciles with other office data. Correspond with candidates, principals, and lobbyists to resolve issues of noncompliance.

Physical and Environmental Demands:

Data managers normally work in well-lighted, comfortable offices. Injuries in this occupation are uncommon, but like other workers who type on a keyboard for long periods, data mangers are susceptible to eyestrain, back discomfort, and hand and wrist problems such as carpal tunnel syndrome. Data managers are required to occasionally lift, move, and connect computer equipment, which requires the ability to lift up to 25 pounds and be able to bend to access computer connections. The data manager works a 40-hour workweek. Overtime and weekend work is occasionally required, especially during an election.

Knowledge, Skills and Abilities:

The data manager must have knowledge of the principles and practices of computer science, basic database management, computer operating systems, and database software such as Oracle. This work requires knowledge of computer equipment and installed software. The incumbent must have good technical writing and documentation skills. This position requires knowledge of the policies and procedures governing the Commissioner of Political Practices, administrative rule procedures, and statutory reporting requirements.

Minimum Qualifications (Education and Experience):

The above knowledge, skills, and abilities are typically acquired through a computer-related associate's degree, plus two years of job-related work experience. Alternative combinations of education and experience may be considered.

Special Requirements:

List any other special required information for this position

☐	Fingerprint check		Union Code
☐	Background check	☐	Other; Describe
☐	Valid driver's license		Safety Responsibilities

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Signatures

My signature below indicates the statements in the job description are accurate and complete.

Mary Baker Prog Sup. 1/8/13

Immediate Supervisor **Title** **Date**

Administrative Review **Title** **Date**

My signature below indicates that I have read this job description.

Kymberly Knight Data Manager 1-4-13

Employee **Title** **Date**

Human Resources Review

Job Code Title: **Job Code Number:** **Pay Band:**

My signature below indicates that Human Resources has reviewed this job description for completeness and has made the following determinations:

☐ FLSA Exempt ☐ FLSA Non-Exempt

☐ Telework Available ☐ Telework Not Available

☐ Classification Complete ☐ Organizational Chart attached

Union Code

Human Resources:

Signature **Title** **Date**

STATE OF MONTANA
JOB DESCRIPTION

Montana state government is an equal opportunity employer. The State shall, upon request, provide reasonable accommodations to otherwise qualified individuals with disabilities.

Working Title: Program Assistant

Position Number: 00008 **Location: Helena**

Department: Commissioner of Political Practices

Job Overview:

The program assistant applies campaign finance and practices laws, administrative rules, and office policies and procedures to audit campaign finance reports submitted by candidates, treasurers and political committees to verify compliance, identify discrepancies or non-compliance, and to develop reports summarizing financial campaign activity. This position communicates with the public, candidates, treasurers and others regarding lobbying, campaign finance, and practice laws and rules. The incumbent assists with lobbyist registration and performs general office duties as required by the supervisor (Program Specialist) and the Commissioner of Political Practices.

Essential Functions (Major Duties or Responsibilities):

- **Campaign Finance (30%)** - Audit campaign finance reports, such as reports from school elections, political action committees, and political parties. Identify discrepancies or non-compliance reports. Collect and organize information for candidate and committee files. Develop and maintain an accurate summary sheet, recording required information and summarizing financial activity of campaign. Enter data provided on candidate reports into computer database. Maintain information included in campaign reports in accordance with applicable state and federal statutes. Communicate with candidates and committees as necessary when review or audit of campaign finance reports reveals non-compliance with statutes or other problems that require further information.

- **Communication & Administrative Support (45%)** - Communicate with candidates, committees, treasurers, and the general public in writing, by telephone, and in person. Apply lobbying and campaign finance laws and administrative rules to answer or refer questions about subjects such as campaign finance reports, campaign practices, or general questions about filing procedures for ethics complaints. Accept written and telephone requests to provide manuals, forms, and published or photocopied information. Organize

and maintain candidate filing system. Assist in maintenance of agency website. Perform general office duties, such as taking and routing phone calls, greeting visitors, receiving and sending mail, maintaining supplies, filing, scanning and photocopying. Create and edit documents, forms, and spreadsheets.

- **Lobbying Registration (20%)** - Assist with lobbyist registration. Update lobbying docket by recording information required by statute. Answer questions about lobbyist registration requirements and statutes.

Physical and Environmental Demands:

A program assistant's work involves sitting for long periods. This position spends a lot of time keyboarding at a computer monitor. The incumbent may encounter problems of eyestrain, stress, and repetitive motion ailments such as carpal tunnel syndrome. This program assistant works a standard 40-hour workweek, from 8 a.m. – 5 p.m.

Knowledge, Skills and Abilities:

Program assistants should be proficient in oral and written communication. This position requires good customer service and interpersonal skills. Program assistants must exhibit an ability to remain professional when dealing with hostile customers. They should demonstrate good judgment in determining when to refer questions to more senior level staff. The work requires the ability to understand and apply a body of laws and rules using knowledge, interpretation, and application of campaign finance laws, administrative rules, office policies, and other procedures. Requires the ability to comprehend and analyze narrative and numerical data for compliance within applicable laws. This position requires computer word-processing and data-entry skills, with emphasis on accuracy and ability to evaluate a computer database, and knowledge of general office and administrative duties.

Minimum Qualifications (Education and Experience):

The above knowledge, skills, and abilities are typically acquired through a high school diploma or equivalent, plus one year of job-related work experience. Basic computer skills, including familiarity with word processing software and experience working in an office environment preferred. Alternative combinations of education and experience may be considered.

Special Requirements:

List any other special required information for this position

☐ Fingerprint check

☐ Background check

☐ Valid driver's license

Union Code

☐ Other; Describe Safety Responsibilities

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Signatures

My signature below indicates the statements in the job description are accurate and complete.

Mary Baker Prog sup. 1/8/13

Immediate Supervisor **Title** **Date**

Administrative Review **Title** **Date**

My signature below indicates that I have read this job description.

Karen Musgrave Prog. Asst 1-4-13

Employee **Title** **Date**

Human Resources Review

Job Code Title: **Job Code Number:** **Pay Band:**

My signature below indicates that Human Resources has reviewed this job description for completeness and has made the following determinations:

☐ FLSA Exempt ☐ FLSA Non-Exempt

☐ Telework Available ☐ Telework Not Available

☐ Classification Complete ☐ Organizational Chart attached

Union Code

Human Resources:

Signature **Title** **Date**