

COMMISSIONER OF  
POLITICAL PRACTICES



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](http://www.politicalpractices.mt.gov)

July 11, 2013

Members

State Administration and Veterans' Affairs Interim Committee  
63<sup>rd</sup> Montana Legislature

Subject: July 11, 2013 Agency Review

Dear Members:

As you know, I am the 11<sup>th</sup> Commissioner of Political Practices for the State of Montana, having started work on June 10, 2013. As this is the initial agency review I provide the following summary of recent activity of the Commissioner's office.

First, we have identified and rented the additional office space we need to accommodate the attorney position added by the 2013 legislature. That space is the small house at 1219 8<sup>th</sup> Avenue, two houses to the east (same side of street) as our current office location at 1205 8<sup>th</sup> Avenue. In early August the Commissioner, the new attorney and the investigator will move to the 1219 8<sup>th</sup> Street location while Mary Baker will remain at the 1205 8<sup>th</sup> Av. location with Karen and Kim. We did look at additional locations but renting 1219 8<sup>th</sup> Av. was the best option, even though it splits the Office staff, because the house is owned by the State, already wired for the State's computer system and the costs are within budget.

Second, we advertised the attorney position and have 25 applicants. We will interview and hire an attorney by early August of 2013.

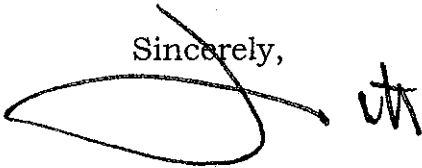
Third, we engaged a consultant, Larry Nagy of Axiom IT Solutions, to help us prepare a statement of work to upgrade this Office's information system into a searchable and interactive reporting system and data base. We expect that a CEP will be issued and a contract awarded by early August, with work to begin in September.

Fourth, we are actively working to resolve the backlog of complaints filed with the Commissioner. I am primarily working on writing Decisions and I expect to get writing assistance from the new attorney once he or she is hired. As most of you know I am also a licensed Montana attorney with general experience in litigation (I am one of about 50 elected attorney members to Montana's American Board of Trial Advocates or ABOTA) and specific experience on campaign practices issues.

I have written and issued 6 Decisions since becoming Commissioner. I am including a copy of the recent decision of *MacLaren v Montana Conservative Coalition* COPP-2012-CFP-27. The *MacLaren* Decision begins the analysis our Office will make in response to the several (about a dozen) complaints concerning the actions of entities claiming to be independent committees making independent expenditures in candidate campaigns during the 2010 and 2012 election cycles. In writing these Decisions I am paying close attention to administrative and legal precedent. I am greatly assisted in that regard by our Office investigator, Julie Steab, and by Mary Baker, Office administrator. In particular, the assistant attorney general, Jim Scheier, assigned to our office by Agency Legal Services provides invaluable comment and advice as to precedent.

I intend this information as introductory. I expect there will be questions requiring additional information as the agency review progresses.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Motl', is written over the word 'Sincerely,'.

Jonathan R. Motl  
Commissioner of Political Practices