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As of: June 5, 2012 (2:20pm)

LCsa02

**** Joint Resolution No. ****

Introduced By *****

By Request of the State Administration and Veterans' Affairs

Interim Committee

A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting an interim legislative study regarding the Office of Commissioner of Political Practices; specifying objectives of the study; and requesting that findings and recommendations be presented to the next legislature.

WHEREAS, the mission of the Office of Commissioner of Political Practices is to monitor and enforce, in a fair and impartial manner, campaign practices and campaign finance disclosure, lobbying disclosure, business interest disclosure of statewide and state district candidates, elected state officials, and state department directors, ethical standards of conduct for legislators, public officers, and state employees, and to investigate legitimate complaints that arise concerning any of the foregoing; and

WHEREAS, recent controversies concerning a previous Commissioner of Political Practices led the State Administration and Veterans' Affairs Interim Committee to review the history of the Office of Commissioner of Political Practices and ethics offices in other states; and

WHEREAS, the committee learned that there are a range of options that could be considered for revising the selection and

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duties of the Commissioner and for changing the structure and operations of the office in Montana, including options for ensuring more immediate consequences for violating campaign laws; and

WHEREAS, a thorough interim study is needed to provide for further thoughtful, systematic, and bi-partisan, consideration of potential changes to the Office of Commissioner of Political Practices.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to examine:

(1) the process for selecting a Commissioner of Political Practices;

(2) the structure, composition, and duties of the Office of Commissioner of Political Practices; and

(3) the enforcement authority of the Office of Commissioner of Political Practices, including options for ensuring more immediate consequences for violating campaign laws.

BE IT FURTHER RESOLVED, that the examination include a review of practices in other states, analysis of options, consideration of stakeholder concerns, and the development of recommendations to improve confidence in the integrity, objectivity, and capabilities of the Office of Commissioner of Political Practices.

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BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2014.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 64th Legislature.

- END -

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