

OFFICE OF THE GOVERNOR
STATE OF MONTANA

STEVE BULLOCK
GOVERNOR



MIKE COONEY
LT. GOVERNOR

May 10, 2019

The Honorable Corey Stapleton
Secretary of State
State Capitol
Helena, MT 59601

Dear Secretary Stapleton:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 262 (HB 262), "AN ACT REVISING LAWS FOR DISPOSITION OF FUNDS FROM LAWSUITS BROUGHT REGARDING UNFAIR TRADE PRACTICES AND CONSUMER PROTECTION; REQUIRING CERTAIN TRANSFERS TO THE GENERAL FUND; SETTING A DATE FOR TRANSFERS; AND AMENDING SECTIONS 30-14-143 AND 30-14-226, MCA."

House Bill 262 restates a requirement that is already in the law: that the Department of Justice (Department) transfer excess monies from its consumer protection activities to the general fund. House Bill 262 was heavily amended throughout the legislative process, and it is now unclear what HB 262 will accomplish that current law does not.

Under current law, Montana's consumer protection activities pay for themselves. The Department is required to use money that it recovers from bad actors to finance further consumer protection. After the Department has paid for its efforts, "[a]ny excess civil fines, costs, or fees must be transferred to the general fund." Sections 30-14-143(1)(a); -226, MCA.

House Bill 262 does the same thing. It is redundant with the current mandate to transfer excess funds that are not allocated for specific purposes in a consumer protection settlement. The legislature is not hesitant to enforce this mandate. Just today, I approved House Bill 684, which transfers over \$4.3 million from the account at issue to the general fund.

As a former Attorney General, I am hesitant to tinker or experiment with Montana's consumer protection laws. House Bill 262 simply repeats a requirement that is already in current law and already working.

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For these reasons, I veto HB 262.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Bullock", with a long horizontal flourish extending to the right.

STEVE BULLOCK
Governor

cc: Legislative Services Division
Greg Hertz, Speaker of the House
Scott Sales, President of the Senate