

Commissioner of Political Practices 1209 Eighth Avenue Post Office Box 202401 Helena, MT 59620-2401 Phone: 406-444-2942 Fax : 406-444-1643 www.politicalpractices.mt.gov

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POSTMARKED HAND DELIVERED RECEIVED 2024 MAR 21 11:25 AM 2024 Commissioner of Political Practices SIGNED/NOTARIZED

Campaign Finance and Practices

Complaint Form (08/17)

Type or print in ink all information on this form except for verification signature

Person bringing complaint (Complainant): Complete Name Jeni Dodd Complete Mailing Address PO Box 6373 Great Falls, MT 59406 Phone Numbers: Work please email instead Home jeni@jenidodd.com

Person or organization against whom complaint is brought (Respondent): Complete Name Jane Weber Complete Mailing Address PO Box 818 Great Falls, MT 59403 Phone Numbers: Work Home (406) 781-0741

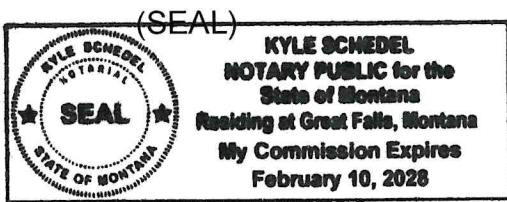
Please complete the second page of this form and describe in detail the facts of the alledged violation.

Verification by oath or affirmation

State of Montana, County of Cascade I, Kyle Schedel Jeni Dodd, being duly sworn, state that the information in this Complaint is complete, true, and correct, to the best of my knowledge and belief.

Signature of Complainant

Subscribed and sworn to before me this 19th day of March, 2024.



Notary Public

My Commission Expires:

Statement of facts:

Describe in detail the alleged violation(s) and cite the statute or statutes you believe have been violated. Please attach copies of documentary evidence to support the facts alleged in your statement.

If the space provided below is insufficient, you may attach additional pages as necessary.

Violation: Failure to include proper attribution on election communications.

MCA § 13-35-225(2) states:

"Communications in a partisan election financed by a candidate, a political committee organized on the candidate's behalf, or a joint fundraising committee with a participant who is a candidate or a political committee organized on the candidate's behalf must state the candidate's party affiliation or include the party symbol." (see attached, MCA Title 13 reference).

The Administrative Rules of Montana (ARM) 44.11.601 (4) state:

"In partisan candidate elections, election communications and electioneering communications financed by a candidate or a political committee organized on the candidate's behalf must state either the candidate's party affiliation or include the candidate's party symbol.

(a) To meet the party affiliation disclosure requirement, election materials should state the name or a reasonable and comprehensible abbreviation of the name of one of the qualified political parties in Montana: "Democrat," "Libertarian," or "Republican."

(b) To meet the party symbol disclosure requirement, election materials should include either the symbol for one of the qualified political parties in Montana or the capitalized first letter of one of the parties. Acceptable symbol designations are:

- (i) Democrat: the donkey symbol or "D";
- (ii) Libertarian: the Statue of Liberty symbol or "L"; or
- (iii) Republican: the elephant symbol or "R."

Additionally, ARM 44.11.601 (2), state:

"All attributions must include the words "paid for by" followed by the appropriate identifying information." (see attached, ARM 44.11.601).

On Weber's election campaign website: <https://weberforhd19.com>, the only thing that appears to simulate an attribution appears at the bottom of the home page, but it contains NO PARTY AFFILIATION AND FAILS TO INCLUDE THE WORDS "PAID FOR BY" (see attached, Weber website 1 & Weber website 2). Additionally, I didn't find party affiliation or "paid for by" information elsewhere on Weber's campaign website.

Therefore, I assert that Weber's election campaign communications (website) lacks both the party affiliation disclosure and the "paid for by" language required by law.

Complaints must be:

- signed
- notarized
- delivered in person or by mail.

MCA Contents / TITLE 13 / CHAPTER 35 / Part 2 / 13-35-225 Election mat...

Montana Code Annotated 2023

TITLE 13. ELECTIONS

CHAPTER 35. ELECTION AND CAMPAIGN PRACTICES AND CRIMINAL PROVISIONS

Part 2. Specific Provisions

Election Materials Not To Be Anonymous -- Notice -- Penalty

13-35-225. Election materials not to be anonymous -- notice -- penalty. (1) All election communications, electioneering communications, and independent expenditures must clearly and conspicuously include the attribution "paid for by" followed by the name and address of the person who made or financed the expenditure for the communication. The attribution must contain:

(a) for election communications or electioneering communications financed by a candidate or a candidate's campaign finances, the name and the address of the candidate or the candidate's campaign;

(b) for election communications, electioneering communications, or independent expenditures financed by a political committee or a joint fundraising committee, the name of the committee, the name of the committee treasurer, deputy treasurer, secretary, vice chairperson, or chairperson, as designated pursuant to **13-37-201(2)(b)**, and the address of the committee or the named committee officer; and

(c) for election communications, electioneering communications, or independent expenditures financed by a political committee that is a corporation or a union, the name of the corporation or union, its chief executive officer or equivalent, and the address of the principal place of business.

(2) Communications in a partisan election financed by a candidate, a political committee organized on the candidate's behalf, or a joint fundraising committee with a participant who is a candidate or a political committee organized on the candidate's behalf must state the candidate's party affiliation or include the party symbol.

(3) If a document or other article of advertising is too small for the requirements of subsections (1) and (2) to be conveniently included, the candidate responsible for the material or the person financing the communication shall file a copy of the article with the commissioner of political practices, together with the required information or statement, at the time of its public distribution.

(4) If information required in subsections (1) and (2) is omitted or not printed or if the information required by subsection (3) is not filed with the commissioner, upon discovery of or notification about the omission, the candidate responsible for the material or the person financing the communication shall:

(a) file notification of the omission with the commissioner of political practices within 2 business days of the discovery or notification;

(b) bring the material into compliance with subsections (1) and (2) or file the information required by subsection (3) with the commissioner; and

(c) withdraw any noncompliant communication from circulation as soon as reasonably possible.

(5) Whenever the commissioner receives a complaint alleging any violation of subsections (1) and (2), the commissioner shall as soon as practicable assess the merits of the complaint.

(6) (a) If the commissioner determines that the complaint has merit, the commissioner shall notify the complainant and the candidate or political committee of the commissioner's determination. The notice must state that the candidate or political committee shall bring the material into compliance as required under this section:

(i) within 2 business days after receiving the notification if the notification occurs more than 7 days prior to an election; or

(ii) within 24 hours after receiving the notification if the notification occurs 7 days or less prior to an election.

(b) When notifying the candidate or campaign committee under subsection (6)(a), the commissioner shall include a statement that if the candidate, political committee, or joint fundraising committee fails to bring the material into compliance as required under this section, the candidate, political committee, or joint fundraising committee is subject to a civil penalty pursuant to **13-37-128**.

History: En. 23-47-133 by Sec. 33, Ch. 334, L. 1977; R.C.M. 1947, 23-47-133; amd. Sec. 221, Ch. 571, L. 1979; amd. Sec. 1, Ch. 368, L. 1987; amd. Sec. 1, Ch. 23, L. 1991; amd. Sec. 1, Ch. 482, L. 1991; amd. Sec. 1, Ch. 415, L. 2003; amd. Sec. 1, Ch. 419, L. 2003; amd. Sec. 1, Ch. 367, L. 2013; amd. Sec. 1, Ch. 423, L. 2013; amd. Sec. 3, Ch. 259, L. 2015; amd. Sec. 1, Ch. 212, L. 2019; amd. Sec. 1, Ch. 319, L. 2019; amd. Sec. 4, Ch. 494, L. 2021.

Rule: 44.11.601

Rule Title: **ATTRIBUTION ON ELECTION MATERIAL**

Department: **SECRETARY OF STATE**

Chapter: **COMMISSIONER OF POLITICAL PRACTICES**

Subchapter: **Campaign Practices**



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Latest version of the adopted rule presented in Administrative Rules of Montana (ARM):

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44.11.601 ATTRIBUTION ON ELECTION MATERIAL

(1) Pursuant to 13-35-225, MCA, election communications, electioneering communications, and independent expenditures (referred to collectively herein as "election materials") must disclose the person who paid for the election materials, by including the appropriate attribution language set out in (2).

(2) All attributions must include the words "paid for by" followed by the appropriate identifying information. For election materials financed by:

- (a) a candidate or a candidate's campaign, the attribution must include either:
 - (i) the name and address of the candidate; or
 - (ii) the name and address of the candidate's campaign.
- (A) An attribution using the name of the candidate's campaign must include the first and last name of the candidate if the name of the campaign does not include at least the candidate's last name.

(B) Additional information, such as the name of the campaign treasurer, may be included within the attribution language, but it is not required.

- (iii) Examples of appropriate attribution for a candidate are:

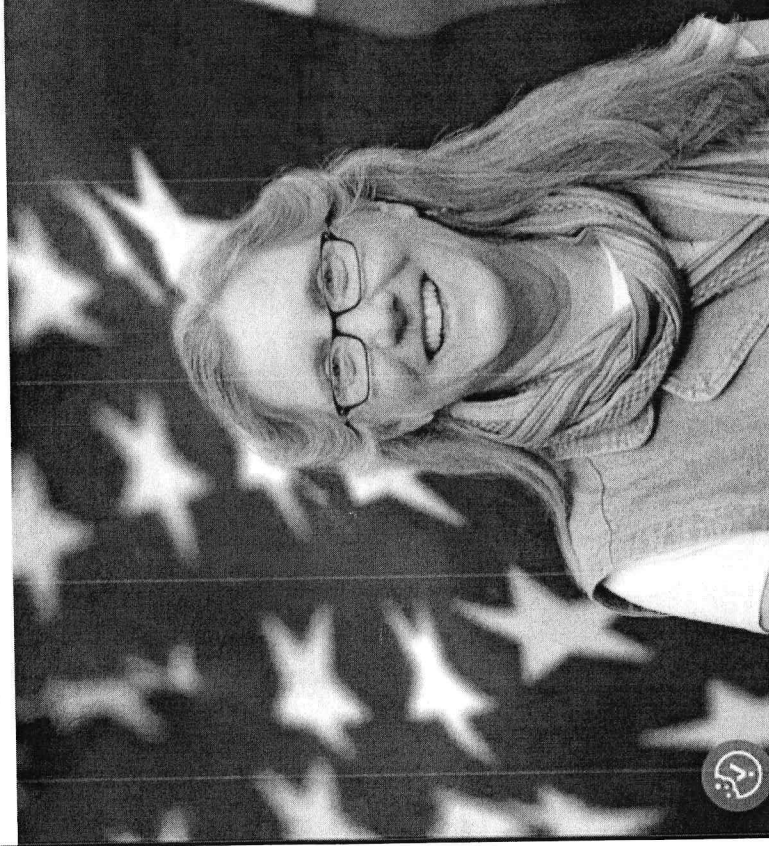
[Screenshot](#)

Weber website 1

March 19, 2024 406-781-0741



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Weber website 2



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**JANE
Weber**
for Montana House District 19
Pam Guschausky, Treasurer

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