BEFORE THE COMMISSIONER OF POLITICAL PRACTICES OF THE STATE OF MONTANA

Jeffrey A. Mangan, Commissioner of Political Practices

To John Hollowell

No. NC-19-001

WHEREAS, the above-named individual, John Hollowell, was a candidate for Mayor of Miles City, Montana in 2015 and 2019 as evidenced by an examination of his Statements of Candidate filed with the Commissioner of Political Practices;

WHEREAS, Tanniel Kuchynka, is listed as the duly appointed Treasurer for both his 2015 and 2019 campaigns as evidenced by an examination of the Statement of Candidate filed with the Commissioner of Political Practices;

WHEREAS, a General Election was held on November 5, 2019; and WHEREAS, Raelee Hollowell contacted the COPP via email on November 7, 2019, two days after the General Election, regarding reporting election expenses; and

WHEREAS, the candidate failed to properly report campaign activity by:

As last reported on January 14, 2016, Mr. Hollowell's 2015
 campaign had a remaining positive balance of \$253.82, the COPP

- did not receive his 2015 closing campaign finance report, nor were the biannual reports filed as required by Mont. Code Ann. §§ 13-37-226(2)(d) and 13-37-228;
- Failing to properly dispose of excess 2015 campaign funds in an amount no less than \$253.82 as required per Montana law by donating funds to a charity or returning the funds to contributors,
 Mont. Code Ann. § 13-37-240;
- Failing to timely report and disclose 2019 campaign contributions and expenditures, including at least one (1) expenditure of \$559.18 on yard signs on October 9, 2019, and an initial contribution received from the 2015 campaign in the amount of \$573.40;
- Using those carryover 2015 campaign funds to pay for 2019 campaign activities, Mont. Code Ann. §13-37-128.

In order to come into compliance, Mr. Hollowell or his treasurer shall;

- Properly account for the 2015 campaign's financial contribution of \$573.40 to the 2019 campaign, an amount \$319.58 greater than what Mr. Hollowell's final 2015 campaign finance report disclosed as having cash in bank;
- File a 2015 a campaign finance report closing his 2015 campaign,
 properly reporting any additional contributions received by the
 2015 campaign that would bring the cash in bank total from the
 previously disclosed \$253.82 to the actual amount of \$573.40, as

well as the disbursement of all surplus campaign funds according to Mont. Code Ann. § 13-37-240 and Mont. Admin. R. 44.11.701;

 File the required Campaign Finance (C5) reports for the 2019 campaign.

A copy of the June 24, 2019 Statement of Candidate is attached, as is the revised Statement of Candidate filed on November 7, 2019; the November 7, 2019 email; and a copy of the final campaign finance reports filed by Mr. Hollowell in 2015. Also attached is the 2019 campaign finance report filed on November 14, 2019, as well as the complete 2019 City Candidate Reporting Calendar.

IT IS FURTHER ORDERED, pursuant to 13-37-121, MCA, that John Hollowell is and is declared to be in NONCOMPLIANCE with the provisions of sections Mont. Code Ann. §§ 13-37-225, 226, 229 and 13-37-240, and Mont. Admin. R. 44.11.302 and 44.11.702; and

IT IS FURTHER ORDERED, that a County Attorney or the Commissioner may, on failure by John Hollowell to submit appropriate campaign finance report/s accounting for the unreported activity within 5 days after receiving this Order of Noncompliance, including the proper disposal of a minimum of \$253.82 to charity or 2015 donors, may initiate a civil action pursuant to sections 13-37-124 and 13-37-128, MCA; and

FURTHER, if John Hollowell is aggrieved by the issuance of this Order of Noncompliance, it may seek judicial review in District Court pursuant to section 13-37-122, MCA.

DATED this day of December 2019.

Jeffrey A Mangan

Commissioner of Political Practices

Of the State of Montana

P. O. Box 202401

1209 8th Avenue

Helena, MT 59620

Phone: (406)-444-3919

CridCo_Water **24**/2019 16:53 406 232 2151 ME STATE OF MONTANA FOR OFFICE USE ONLY Date Received and Postmark Date OMMISSIONER OF POLITICAL PRACTICES ¶209 Eighth Avenue Post Office Box 202401 Helena, MT 59620-2401 TELEPHONE: 406-444-2942 FAX NUMBER: 406-444-1643 WEBSITE: www.politicalpractices.mt.gov Form C-1-A (Revised 01/18) Statement of Candidate TO BE FILED by CANDIDATE for COUNTY, MUNICIPAL or SCHOOL OFFICE AMENDED FILING ORIGINAL FILING | TYPE OR PRINT IN INK ALL INFORMATION WITH EXCEPTION OF SIGNATURE

FULL NAME OF CANDIDATE JOHN L HOLLOWELL III
COMPLETE DESCRIPTION OF OFFICE SOUGHT Mayor of MilesCity
PARTY AFFILIATION, if any COUNTY OF RESIDENCE
COMPLETE MAILING ADDRESS TOSS, Staw Ave, Miles City, MT 5930) (Including City, State, Zip Obde)
COMPLETE STREET ADDRESS (Including City, State, Zip Code)
E-Mail Address (Please Print) Home Telephone Number Work Telephone Number Facsimile Number
Tamail Kumunda
COMPLETE MAILING ADDRESS 504 STATE OF THE ST
(Including City, State, Zip Code)
tanneilkurnunka Quanni, com (400)852-0940
E-Mail Address (Please Frint) Home Telephone Number Work Telephone Number Facsimile Number
FULL NAME OF DEPUTY TREASURER, if any (Must be registered to vote in Montana)
COMPLETE MAILING ADDRESS (Including City, State, Zip Code)
E-Mail Address (Please Print) Home Telephone Number Work Telephone Number Facsimile Number
CAMPAIGN ACCOUNT INFORMATION
FULL NAME OF BANK FIRST INTERSTATE Bank (John Hollowell For Mayor: Acct)
COMPLETE ADDRESS PO BOX 1237, MIPS (ity, MT 6930)
AFFIDAVIT OF REPORTING STATUS (Check one) a treasurer and bank must be designated.
I certify that I expect the total amount of contributions or expenditures will not exceed \$500 (including personal funds); however, if more than \$500 is received and/or expended, within 5 days of reaching this threshold I will file an initial financial report (form C-5) and I will file additional financial reports according to schedule.
I expect to receive contributions and/or make expenditures exceeding \$500 (including personal funds). I will file an initial financial report (form C-5) according to schedule.
CERTIFICATION: I declare under penalty of perjury and under the laws of the state of Montana that the foregoing is true, complete and correct.
Candidate's Signature Date Date
Candidate's Signature

Statement of Candidate (C1 or C1-A)

Candidate Information

Candidate Full Name: Hollowell, John L

Mailing Address: 708 S Stacy Ave Miles City, MT 59301 Physical Address: 708 S Stacy Ave Miles City, MT 59301

Home Phone: (406) 234-9326

Alternate Phone:

Campaign Email Address: johnhollowell.mayor@yahoo.com

Election Year: 2019
Candidate Type: City
Office Sought: Mayor
Resident County: Custer
Political Party: Unknown
Current Status: In Process
Date Filed: 11/07/2019

Amended Date:
D1 Received Date:
C118 Received Date:

Reporting Status: Will spend more than \$500

Bank Full Name: First Interstate Bank

Bank Address: PO Box 1237 Miles City, MT 59301

Campaign Treasurer Information

Treasurer Full Name: Kuchynka, Tanniel M

Mailing Address: 504 S Lake Miles City, MT 59301 Physical Address: 504 S Lake Miles City, MT 59301

Home Phone: (406) 852-0940

Alternate Phone:

Home or Personal Email Address: tanneilkuchynka@yahoo.com

Deputy Treasurer Information

Cook, Scott

From:

CPP Help

Sent:

Thursday, November 07, 2019 4:44 PM

To:

Cook, Scott

Subject:

FW: [EXTERNAL] Questions

Follow Up Flag:

Follow up

Flag Status:

Flagged

From: John Hollowell < johnhollowell.mayor@yahoo.com>

Sent: Thursday, November 7, 2019 3:47 PM

To: CPP Help <cpphelp@mt.gov> **Subject:** [EXTERNAL] Questions

Hello there! I am trying to clean up the account for John Hollowell. So John ran for mayor of Miles City in 2015. We have individual donations given during this election which I believe was filed. There was an amount left over as he went into office for his 4 year term. When we began the campaign for 2019 I know there was 573.40 available in the account. When I ordered signs we did not have a debit card to order yard signs so I used our own debit card to pay for the yard signs (559.18) and that money in the account was used to pay our account back (559.18). I reported this transaction on the C-5 for September 27th through October 15th schedule (hopefully I did this correctly). John did receive a donation in the amount of 100.00 which I recorded in the current C-5 report. Now there is currently 14.22 in excess in the account that is not accounted for in the electronic reports. I am not sure what to do with that. Sorry for the mess, I am not privy to this stuff but I am learning...thanks to your office

Thank you for your guidance!

Raelee Hollowell

THE STATE OF MONTANA	· 	FOR OFFICE USE ONLY Date Received and Postmark Date
COMMISSIONER OF POLITICAL PRACTICES 1205 Eighth Avenue Post Office Box 202401 Helena, MT 59620-2401 TELEPHONE: 406-444-2942 FAX NUMBER: 406-444-1643 WEBSITE: www.politicalpractices.mt.gov		2016 JAN 14 A 10: 42
FORM C-5 (Revised 08/08) CANDIDATE CAMPAIGN FINANCE REPORT ORIGINAL FILING OR AMENDED FILING	NALREPO	POLITICAL PARCTICES
REPORTING PERIOD: From 10/28/15 To 10/26	5 11/17/15	
TYPE OR PRINT IN INK ALL INFORMATION ON THIS FORM EXCEPT CERTIFIC	ATION SIGNATURE	
FULL NAME OF CANDIDATE FULL NAME OF CANDIDATE (US SHOWLY AVE, MIRSCHY, MT 5930) COMPLETE MAILING ADDRESS (Include City, State, Zip Code)	COMPLETE DESCRIPTION OF OFFICE SOUGHT (Required)	Initial Report Periodic Report Closing Report No fransactions in period
CASH SUMMARY: MONEY RECEIVED AND SPENT CASH IN BANK – Balance from previous report	\$ PRIMARY \$ 100 \$ \$ U00 + \$	GENERAL \$
4. EXPENDITURES – Total paid out this period from Schedule B 5. CASH IN BANK – Ending balance this report	\$ 3500° \$ \$453°	\$
Tanneil Kurhynka CERTIFIC	/	going report of campaign finances with

all attachments is complete and correct to the best of my knowledge, in accordance with Montana Code Annotated Title 13, chapter 37.

NOTE: Report MUST BE SIGNED by the candidate or candidate's treasurer whose name is on the Statement of Candidate form on file in the office of the Candidate or candidate.

TYPE OR PRINT CLEARLY IN INK

C-5 (page 3)

SCHEDULE A. Receipts — This Reporting Period (continued) 9. Individual (bythibutors of 35or May		ln-K Description PRIMARY		Cash or Amo PRIMARY		Total t Ame PRIMARY	o Date ount GENERAL
5. Hollitical Action Committee Contributions Committee's fully estates frame and complete making address REQUIRED	Date Received <u>Required</u>						
Nancy Mitchell Registered Name Compust. Mittels City Mt 59301 City, State, Zip Code:	10/24 Retired				8 5000		\$5000
Jeff Williams TOTAL STU AVE TUTOS CHUMO SOBOL SCHWARTS WA GOOD	10/24 Physicia Holy Ros	n/Doctor any Heathea	Xe.		5 70 <u>00</u>		8170°°
Terri Schmidt Registered Paris 1348 Miles CHU MT 59301 City, State, Zip Code	10/24 Refired				410000		\$ [00 90
Becky Stanton Beginssed Amounted St Alter Scity UT 59301 City, State, Zip Codes	10123 Retired				\$17000		¢ 170 °°°
Ron Stanton Registered Marie Dunnad St Milita City MT 5930 City, State, Zip code	10123 Retired	·,			\$17000		\$17000
TOTAL RECEIPTS THIS	PAGE	·			*lold!		

TYPE OR PRINT CLEARLY IN INK

C-5 (page 6)

SCHEDULE B. Expenditures – This Reporting Period	Purpose	Date	PRIMARY	ount GENERAL
1. PETTY CASH Expenditures (TOTAL THIS PERIOD)				GLIVERAL
All Other Expenditures Full name and complete mailing address of each payee <u>REQUIRED</u>				
Miles City Stay Name Of Stay MT 5930 City, State, Zip Code	Newspaper Ads	10127		\$5066
City, State, Zip Cade	* The state of the			
Name Address City, State, Zip Code				
Name Address City, State, Zip Code				
Name Address City, Slate, Zip Code				
TOTAL EXPE	IDITURES THIS PAGEINCLUDING F	PETTY CASH		
TOTAL EXPENDITURES THIS REPORTING PERIO	D ALL of Schedule B (Sections 1 & 2) in	ı this total	1664	3501040

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THE STATE OF MONTANA	Γ	EOD DESICE LISE ONLY
COMMISSIONER OF POLITICAL PRACTICES 1205 Eighth Avenue Post Office Box 202401 Helens, MT 59620-2401 TELEPHONE: 406-444-2942 FAX NUMBER: 406-444-1643 WEBSITE: www.politicalpractices.mt.gov		FOR OFFICE USE ONLY Date Received and Postmark Date
FORM C-5 (Revised 08/08) CANDIDATE CAMPAIGN FINANCE REPORT ORIGINAL FILING X OR AMENDED FILING		
REPORTING PERIOD: From To		
TYPE OR PRINT IN INK ALL INFORMATION ON THIS FORM EXCEPT CERTIFICA	ATION SIGNATURE	
John Hollowell FULL NAME OF CANDIDATE 708 S. Stack Alve, Miles City, MT, 59301 COMPLETE MAILING ADDRESS (Include City, State, Zip Code)	COMPLETE DESCRIPTION OF OFFICE SOUGHT (Required)	initial Report Periodic Report Closing Report No transactions in period
CASH SUMMARY: MONEY RECEIVED AND SPENT	PRIMARY	GENERAL
CASH IN BANK - Balance from previous report	\$	\$
2. RECEIPTS - Total received and deposited this period from Schedule A	\$ \$ 31000	\$ \$ \$ 000 1
3. CORRECTIONS - Addition or subtraction from Schedule D (Circle: + or -)	- \$	- \$
Subtotal 4. EXPENDITURES – Total paid out this period from Schedule 8 5. CASH IN BANK – Ending balance this report	\$\$ \$\$(0095 \$\$	\$ 00958 111 \$ 000 42 TI
I, Tannel Kuchunka , Treasurer Title all attachments is complete and correct to the best of my knowledge, in according to the best of my knowledge.	certify the foreg	poing report of campaign finances with notated Title 13, chapter 37.
NOTE: Report MUST BE SIGNED by the candidate or candidate's treasurer whose name is on the	Timplure	Activity source

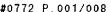
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 Individual Contributors of \$35 or N <u>REQUIRED</u>: ONE NAME ONLY FOR EACH Full name, complete mailing address, oo 	I CONTRIBUTION	In-Kind Description & Value PRIMARY GENERAL	Cash or Check Amount PRIMARY GENERAL	Total to Date Amount PRIMARY GENERAL
Susan M Stanton Name Armashead Dr. AMURS City, MT 59301 City, State, Zip Code	Retived Occupation		(98)3A50°C	\$2500
Ricky-Tanneil Kuchynka NSB4 3 Lake ACHTIES City, MT 89301 City, Stale, Zip Gode	Tencher Occupation des factor CUS Description Employer	\$	(ala)a 10000	\$ 100 ₩
Iris F. Spence. Name 3 Amounted Dr. Address City Mt 59301 City, State, Zip Code	Rehrld Occupation Employer		(1019) s 1000	3 10º
Barb Cale. Name 15 S. Custer tale. Add Miles Chy. Ut 59301 City, State, Zip Code	Refived Occupation Employer		(10/14) \$ 56°C	\$ 50
Travis Silver Name of Box 313 Additises City MT 59301 City, State, Zip Codel	U.S.Coast Guov Occupation U.S.Coast Guo Employer	1.	(19/16) \$100 <u>0</u>	₹ <i>[20</i> 0
TOTAL RECE	PTS THIS PAGE		*51000	
TOTAL RECEIPTS THIS REPO			\$810°°	

 Individual Contributors of \$35 or M <u>REQUIRED</u>: ONE NAME ONLY FOR EACH Full name, complete mailing address, occurred. 	CONTRIBUTION		Cind on & Value GENERAL	Cash or Amou PRIMARY		Total to Amo PRIMARY	
Tanis Foldert Name of the State of the Company of	Rad Tech Occupation Holy Rosany Employer Hearthware	,		(81/01)	8 [00cc		\$ 0000
Dan Hollowell Name 1008 Pondensa Admiss Phyl MT 50301 City, State, Zip Code	Self Employed Self Employer			(10120)	81000		2 1000°
Polly Peterson 45 Green Acres Dr Miles City MT 5930 1 City, State, Zip Code	Tencher Occupation MSU-Bozemov Employer	1		(16/29)	\$ 10000		€ 100°°
Name Address City, State, Zip Code	Occupation	·					
Name Address City, State, Zip Code	Occupation Employer		ALI INCANA DE LA PARTE DE LA P	Hermanial Hamilton (1990-1994)			
TOTAL RECEI	PTS THIS PAGE		-		4300co		
TOTAL RECEIPTS THIS REPO					48 10°		

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SCHEDULE B. Expenditures – This Reporting Period	Purpose	Date	Ame PRIMARY	C-5 (page 6 Dunt GENERAL
1. PETTY CASH Expenditures (TOTAL THIS PERIOD)				- In the state of
All Other Expenditures Full name and complete malling address of each payee <u>REQUIRED</u>				
Supercheap Signs. Com 1900 Waterford Centre Blud. / Suite 100 Anison TX 78758 City. State. Zip Code	Campaign Yard Signs	10/14/16		348950
SUE Stainton No. 17 Amounted Dr. Addition City, State, Zip Code SUE Stainton No. 18 Sta	max donation reford (580 webpage domain (3120)	P) 10/20/15		\$ 92 m
First Interstate Bank "Harland Clarke Cherk Order) Address City, MT 69301 City, Slate, Zip Code."	check order for account	10/7/15		ª 38∞
Name Address City, State, Zip Code			Addition to the state of the st	
Name Address City, State, Zlp Code				
TOTAL EXPEN	IDITURES THIS PAGEINCLUDING F	PETTY CASH		313138
OTAL EXPENDITURES THIS REPORTING PERIO	D ALL of Schedule B (Sections 4.8.2)	a thin tatal		



Faxed 12/1/15 Hardeopy Mailed Foxed 1/14/14 Hardcopy Mailed

John Hollowell for Mayor

c/o Tanneil Kuchynka, Treasurer 504 S Lake, Miles Clty, MT 59301

Phone: 406-232-1492

E-mail:

tanneilkuchynka@yahoo.com

facsimile transmittal

To: Elyssa Spaeth
Front Tanneil Kuchynka
Re: John Hollowell C-5
cc: Finance Report

Date: 12/9/15 Refoxed 1/14/16
Pages: 71 011

Pages: 7 to tollow

☐ Urgent

For review

Please comment

☐ Please reply

Please recycle

Final Report 10/18-11/18

(No new activity)

Eysa,

Corrections have been made.

Thank you,

Tanneil

(ram sending a hard copy by mail.)

confidential

Candidate Campaign Finance Report (C-5)

Candidate Information

Date Filed: 11/07/2019

D1 Received Date:

C118 Received Date:

Original Filing for: 10/16/2019 - 11/15/2019

Report Type: Initial

Receive and File Date: 11/14/2019

Report Status: Filed

Hollowell, John L

708 S Stacy Ave, Miles City, MT 59301

Election Year: 2019

Resident County: Custer

(406) 234-9326

johnhollowell.mayor@yahoo.com

Office Sought: Mayor Political Party: Unknown

Candidate Type: City

Candidate Status: In Process

Treasurer:

Kuchynka, Tanniel M

504 S Lake Miles City, MT 59301

Bank Information: First Interstate Bank

PO Box 1237 Miles City, MT 59301

Summary Report

Cash Summary: Money Received and Spent		Primary	General
1. Cash in Bank - Balance from previous report		\$0.00	\$0.00
2. Receipts - Total Received and deposited this period	+	<u>\$0.00</u>	<u>\$673.40</u>
	Subtotal	\$0.00	\$673.40
3. Expenditures - Total paid out this period	-	<u>\$0.00</u>	<u>\$559.18</u>
4. Cash in Bank - Ending Balance this report		\$0.00	\$114.22

Candidate Contributions

	In-Kind		Cash/Check	
Election	Description	Value	Amount	Total to Date
General	Carry over of previous campaign balance	\$0.00	\$573.40	\$0.00(P) \$1,132.58(G)
General	Yard signs (100)	\$559.18	\$0.00	\$0.00(P) \$1,132.58(G)

Loans

Occupati	on/			In-Ki	nd	Cash/Chec k	
Employe	r	Election	Date	Descripti on	Value	Amount	Total to Date
				In-Ki	nd	Cash/Chec	
Election	Purpose		Date	Descripti on	Value	Amount	Total to Date
	Employe	Occupation/ Employer Election Purpose	Employer Election	Employer Election Date	Employer Election Date Description In-Kit	Employer Election Date Descripti value In-Kind Election Purpose Date Descripti Value	Employer Election Date Descripti on Value Amount In-Kind k Descripti on Value Amount In-Kind Cash/Chec k Election Purpose Date Descripti Value Amount

In-Kind

Descripti Value Amount Total to Date Entity Committee Type Election Date

Individual Contributors (Total Contributions < \$35: \$0.00) (Primary Contributions < \$35: \$0.00) (General Contributions < \$35: \$0.00)

	Occupation/			In-Kind		Cash/Check	
Entity	Employer	E	lection	Descriptio n	Value	Amount	Total to Date
Eckart, Tanis R 609 N. Center, Miles City, MT 59301	Radiology Technician Holy Rosary	G	eneral		\$0.00	\$100.00	\$0.00(P) \$100.00(G)
Expenditures: Petty Cash	Healthcare	······································					
Expenditures: Fetty Cash							
Election	Purpose		Date				Amount
Expenditures: Other							
Entity	Election		Purpose			Date	Amount
Hollowell, John L 708 S Stacy Ave, Miles City, 59301	MT General		Reimburse	ment for yard sig	n	10/15/2019	\$559.18
Debts							
Entity	Election	Туре	Purp	ose	Date	De Amou	ebt Balance int Due
	Election	Туре	Purp	ose	Date		

Debt Amount

Date

Paid Amount

Balance Due

Type

Entity

2019 City Candidates

Candidate Finance Report Calendar Primary and General Elections

Report form C-5 must be filed for each reporting period to disclose all transactions, if any that occurred during the specific reporting period.

Filing Deadline	Reporting Period
August 6, 2019	C-5: Pre-Primary/Date of first contribution through August 1st
August 24 th -September 10 th (C-7 primary election reporting period)	Primary candidates must file a C-7 (within 48 hours) any time a contribution of \$100 or more is received between between August 24 th and September 10 th
August 29, 2019	C-5: August 2 nd through August 24 th
August 31 st -September 10 th	Clean Campaign Period (for primary)
September 10: Primary Election—	
September 30, 2019	C-5: Post Primary/August 25 th through September 25 th If not nominated in Primary
October 1, 2019	C-5: Pre-General/August 25 th through September 26 th If going through to General
October 16 th -November 5 th (C-7 and C-7E general election reporting period)	Candidates must file a C-7 (within 48 hours) any time a contribution of \$100 or more is received between October 16 and November 5th Candidates must file a C-7E (within 48 hours) any time an expenditure or debt of \$100 or more is made between October 16 and November 5th
October 20, 2019	C-5: September 27 th through October 15 th
October 26 th -November 5 th	Clean Campaign Period (for general)
November 5: General Election— Starting November 2019, all candidates—regardless of candidate type (e.g. statewide, district, city, etc.) will follow the exact same C-5 reporting calendars. All candidate campaign finance reports will be due on the same dates.	
November 20, 2019	C-5: Post General/October 16 th through November 15 th (May also be the closing report if all debts are paid and no more campaign activity is anticipated; otherwise a closing report must be filed later.)
March 10, 2020	C-5: Required only if 2019 campaign account still open, covers November 16 through March 5, 2020.
September 10, 2020	C-5: Required only if 2019 campaign account still open, covers March 6 through September 6 th