



COMMISSIONER OF
POLITICAL PRACTICES

STATE OF MONTANA

JEFF MANGAN
COMMISSIONER
TELEPHONE (406) 444-2942
FAX (406) 444-1643
www.politicalpractices.mt.gov

1209 EIGHTH AVENUE
P.O. BOX 202401
HELENA, MT 59620-2401

June 4, 2021

Darryl Rutherford
3420 Byron Rd.
Helena, MT 59602

Subject: Complaint received June 3, 2021; *Rutherford v. Beaver*, COPP-2021-CFP-015

Darryl,

Your complaint alleging violation of Montana laws governing the reporting of certain campaign finance and practices information related to Montana elections appears to conform to the requirements of 44.11.106 ARM. A copy of the complaint will be sent to the respondent listed above.

If upon further examination a complaint is dismissed based on one or more of the deficiencies described in that rule, you will be notified, and the basis for the dismissal will be explained. If an investigation is conducted, a summary of facts and statement of findings will be prepared and a copy will be sent to you.

Please note that the COPP will only be considering the allegation that candidate Beaver failed to timely file his candidate registration with the COPP for election year 2021. All other allegations presented in your complaint will be dismissed by the COPP for the reasons outline below:

- Alleged violations that occurred in election years 2003, 2006, 2012, and 2015 exceed the time period school election candidates are required to preserve campaign records under Mont. Code Ann. §13-37-208(3), and therefore exceed the relevant statute of limitations.
- Candidate Beaver filed a hard copy (paper) C-1A Statement of Candidate as a candidate for election in a school election with the COPP in election year 2018. Candidates for election to a school position were not required to electronically file their Statement of Candidate in election year 2018. As a convenience, I have attached a copy of that 2018 Statement of Candidate as received by the COPP with this letter.

- The allegation that candidate Beaver has not disclosed “ANY financial dealings for running since 2003” is so expansive as to be frivolous. Candidate Beaver filed as a B box candidate in both election years 2018 and 2021, certifying that his combined contributions received and expenditures made would not exceed \$500.00. Your complaint does not provide any evidence or point to any specific campaign activity disputing the appropriateness of candidate Beaver’s filing as a B box candidate. B box candidates are not required to file finance reports with the COPP under 44.11.304, Administrative Rules of Montana.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Mangan', with a stylized flourish at the end.

Jeffrey A. Mangan
Commissioner of Political Practices

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

RECEIVED

2021 JUN -3 P 12:15

HAND DELIVERED [X] POLI... PICES

SIGNED/NOTARIZED [X]

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: Daryl Rutherford
Complete Mailing Address: 3420 Byron Rd. Helena MT 59602.
Phone Numbers: Work Home 406-437-3905

Person or organization against whom complaint is brought (Respondent):

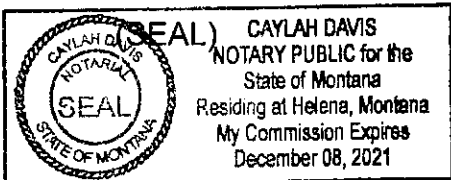
Complete Name: Terry L. Beaver.
Complete Mailing Address: 1023 Highland Helena MT 59601
Phone Numbers: Work Home 406-442-6435

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

Verification by oath or affirmation

State of Montana, County of Lewis + Clark

I, Daryl Rutherford, being duly sworn, state that the information in this Complaint is complete, true, and correct, to the best of my knowledge and belief.



[Signature]
Signature of Complainant

Subscribed and sworn to before me this 3 day of June, 2021.

[Signature]
Notary Public

My Commission Expires Dec 8 2021

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.

Complaints must be:

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

I would like to file a complaint against Terry Beaver, who was a candidate for the Helena School District 1 Board of Trustees election for 2021. Mr. Beaver has apparently not complied with Montana State laws and reporting practices. The following is a list of errors found.

1. Mr. Beaver filed his paperwork with the Lewis and Clark County Elections Office on March 11, 2021, however he did not file with the Commissioner of Political Practices until April 1, 2021. According to the Commissioner of Political Practices information, a candidate is required to file a C-1A, Statement of Candidacy Form, for School Trustee Candidates, within 5 days of filing with the County Elections Office. It appears that Mr. Beaver filed the C-1A Form with the Commissioner of Political Practices 14 business days after filing with the Lewis and Clark County Elections Office.

2. Mr. Beaver has 5 open Campaign Reports that should be closed. These include the years 2003, 2006, 2012, 2015, and 2021. There are no expenses, debts, expenditures, or any other financial obligations to conclude, according to the open reports. According to MCA 13-37-228 (3), the candidate shall file a closing report.

3. According to the CERS Website, Mr. Beaver did not file with COPP while running for the 2018 Helena School District 1 Board of Trustees Election.

Mr. Beaver does not disclose ANY financial dealings for running since 2003. Apparently he hasn't spent a single dime, received a donation, or accepted any "in kind" donations such as photography, while running for a public office. I find it unbelievable that a person that has run at least 6 campaigns that are listed, and 1 that isn't, has not reported any type of financial actions since 2003.

DECLARATION OF INTENT AND OATH OF CANDIDACY
FOR ELEMENTARY/HIGH SCHOOL DISTRICT #1 TRUSTEE

To the School District Clerk of School District No. 1, Lewis and Clark County, State of Montana:

Filing for the office of Helena Elementary/High School District #1 Trustee: For a 3-year term at the Annual Regular School District Election to be held on the 4th day of May, 2021.

Candidate Name (Print, as it should appear on the ballot):

Terry L. Beaver

Mailing address: 1023 Highland

City and State: Helena, Montana Zip Code: 59601

Residence address: 1023 Highland

City and State: Helena, Montana Zip Code: 59601

Contact Phone: (406) 442-6435 Email Address: beaverpt@bresnan.net

I hereby affirm that I possess, or will possess, within the constitutional and statutory deadlines, the qualifications prescribed by the Constitution and law of the United States and the State of Montana.

DATED this 11 day of March, 2021

Terry L. Beaver

(Signature of Candidate)

Candidate must sign and acknowledge this Declaration of Intent before a Notary Public, if mailed, or before the Election Administrator or Deputy, if delivered in person.

State of Montana, County of Lewis and Clark

Signed and sworn to before me this 11 day of March, 2021, by Terry L. Beaver
Printed Name of Candidate

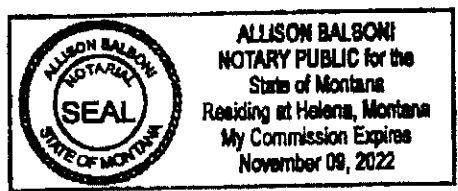
[Signature]
Signature of Notary or Public Official

Allison Balboni
Printed name of Notary or Public Official

Notary Public for the State of Montana (include stamp/seal)

Residing at: Helena Montana

My Commission Expires: Nov. 9, 2022



**DECLARATION OF INTENT AND OATH OF CANDIDACY
FOR ELEMENTARY/HIGH SCHOOL DISTRICT #1 TRUSTEE**

Candidate Name (Print): Terry L. Beaver

This Declaration of Intent for a trustee position must be submitted to the school district clerk no later than 40 days before the election. 20-3-305, MCA

Pursuant to 13-37-206, MCA, all candidates for trustee positions in first-class districts located in counties with populations of 15,000 or more OR in county high school districts having student enrollments of 2,000 or more must report their campaign finance activities to the Montana Commissioner of Political Practices. Current forms are available at: [Link to the MT Political Practices webpage](#)

Please return this form to:

Lewis and Clark County Elections Office
316 N Park Ave, Rm 168
Helena, MT 59623
406-447-8339
elections@lccountymt.gov

or

T. Janelle Mickelson
Business Manager, Helena School District #1
55 S. Rodney
Helena, MT 59601
406-324-2045
jmickelson@helenaschools.org

Welcome

Dashboard

Candidates

Committee

State of Montana

Campaign Registration View

Statement of Candidate (CI or CIL)

Candidate Information

Candidate Full Name: Beaver, Terry
 Mailing Address: 1023 Highland Helers, MT 59601
 Physical Address:
 Home Phone: (406) 442-6435
 Alternate Phone:
 Campaign Email Address: beaverp@beaver.net
 Election Year: 2021
 Candidate Type: School
 Office Sought: School Trustee
 Resident County: Lewis & Clark
 Political Party: Non-Partisan
 Current Status: Active
 Date Filed: 04/01/2021
 Amended Date:
 D1 Received Date:
 C118 Received Date:
 Reporting Status: Will spend less than \$500
 Bank Full Name: US Bank
 Bank Address: Helena Helena, MT 59601

Campaign Treasurer Information

Reporting Status: Will spend less than \$500
Bank Full Name: US Bank
Bank Address: Helena Helena, MT 59601

Campaign Treasurer Information

Treasurer Full Name: Beaver, Terry
Mailing Address: 1025 Highland Helena, MT 59601
Physical Address:
Home Phone:
Alternate Phone:
Home or Personal Email Address: beaverf@beaver.net

Deputy Treasurer Information

Print

Public Access Search Results Search results for candidates and committees.

- [Candidates](#)
- [Committees](#)

Candidate List

Display records

Search:

	Candidate Name	Year	Status	C-3	Address	Campaign	Office	County
<input type="checkbox"/>	Beaver, Terry	2021	Active	No	1023 Highland , Helena, MT 59601	School	School Trustee	Lewis & Clark
<input type="checkbox"/>	Beaver, Terry L.	2015	Active	No	1023 Highland, Helena, MT 59601	School	School Trustee	Lewis & Clark
<input type="checkbox"/>	Beaver, Terry L.	2012	Active	No	1023 Highland, Helena, MT 59601	School	School Trustee	Lewis & Clark
<input type="checkbox"/>	Beaver, Terry L.	2009	Closed	No	1023 Highland, Helena, MT 59601	School	School Trustee	Lewis & Clark
<input type="checkbox"/>	Beaver, Terry L.	2006	Active	Yes	1023 Highland, Helena, MT 59601	School	School Trustee	Lewis & Clark
<input type="checkbox"/>	Beaver, Terry L.	2003	Active	Yes	1023 Highland, Helena, MT 59601	School	School Trustee	Lewis & Clark

Showing 1 to 6 of 6 entries

-
-
- 1
-
-

[View Registration](#) [View Finance Reports](#) [New Search](#)

Committee List

Display records

Search:

Committee Name	Year	Status	Address	Committee Type
----------------	------	--------	---------	----------------

No data available in table

Showing 0 to 0 of 0 entries

-
-
-
-

[View Registration](#) [View Finance Reports](#) [New Search](#)

Campaign Report List Finance Reports for candidate.

Candidate Information

Candidate Full Name: Beaver, Terry L.

Election Year: 2003

Mailing Address: 1023 Highland Helena, MT 59601

Office Sought: School Trustee

Campaign Report List

Display records

Search:

From	To	Report Title	Type	Status
No data available in table				

Showing 0 to 0 of 0 entries

-
-
-
-

Campaign Report List Finance Reports for candidate.

Candidate Information

Candidate Full Name: Beaver, Terry L.

Election Year: 2006

Mailing Address: 1023 Highland Helena, MT 59601

Office Sought: School Trustee

Campaign Report List

Display records

Search:

<u>From</u>	<u>To</u>	<u>Report Title</u>	<u>Type</u>	<u>Status</u>
No data available in table				

Showing 0 to 0 of 0 entries

-
-
-
-

Candidate Campaign Finance Report (C-5)

Candidate Information

Date Filed: 03/26/2009
D1 Received Date:
C118 Received Date:

Original Filing for: 03/26/2012 - 05/11/2012
Report Type: Closing
Receive and File Date: 05/11/2012
Report Status: Filed

Beaver, Terry L.
1023 Highland, Helena, MT 59601

Election Year: 2009

Resident County: Lewis & Clark
(406) 442-6435

Office Sought: School Trustee
Political Party: Unknown

Candidate Type: School
Candidate Status: Closed

Treasurer:

Bank Information:

Summary Report

Cash Summary: Money Received and Spent

1. Cash in Bank - Balance from previous report
2. Receipts - Total Received and deposited this period
3. Expenditures - Total paid out this period
4. Cash in Bank - Ending Balance this report

	Primary	General
	\$0.00	\$0.00
	\$0.00	\$0.00
Subtotal	\$0.00	\$0.00
	\$0.00	\$0.00
	\$0.00	\$0.00

Candidate Contributions

No entries found.

Loans

No entries found.

Fundraisers

No entries found.

Refunds, Etc ...

No entries found.

Committee Contributions

No entries found.

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

No entries found.

Expenditures

No entries found.

Debts

No entries found.

Payments Only

No entries found.

Attachments

No entries found.

Campaign Report List Finance Reports for candidate.

Candidate Information

Candidate Full Name: Beaver, Terry L.

Election Year: 2012

Mailing Address: 1023 Highland Helena, MT 59601

Office Sought: School Trustee

Campaign Report List

Display records

Search:

From	To	Report Title	Type	Status
------	----	--------------	------	--------

No data available in table

Showing 0 to 0 of 0 entries

-
-
-
-

Campaign Report List Finance Reports for candidate.

Candidate Information

Candidate Full Name: Beaver, Terry L.

Election Year: 2015

Mailing Address: 1023 Highland Helena, MT 59601

Office Sought: School Trustee

Campaign Report List

Display records

Search:

From	To	Report Title	Type	Status
No data available in table				
Showing 0 to 0 of 0 entries				

-
-
-
-