

BEFORE THE COMMISSIONER OF
POLITICAL PRACTICES OF THE STATE OF MONTANA

Steen v. Lore No. COPP 2021-CFP-023	DECLARATION OF MERIT OF COMPLAINT MEMORIALIZATION OF NOTIFICATION OF MERIT TO CANDIDATE RESOLUTION OF COMPLAINT BY PROMPT REMEDIAL ACTION BY CANDIDATE DISMISSAL OF COMPLAINT
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On October 29, 2021 Julie L.W. Steen of Billings, Montana filed a campaign practices complaint against Juliane Lore of Laurel. The complaint alleged that candidate Lore failed to include the “Paid for by” attribution message on campaign materials as required.

FINDING OF FACTS

The facts necessary for a determination in this matter are as follows:

Finding of Fact No. 1: Julian Lore filed a C-1A Statement of Candidate as a candidate for election to the office of City Judge in the City of Laurel with the COPP on June 2, 2021. (Commissioner’s Records).

Finding of Fact No. 2: On October 29, 2021, COPP sent email notice to

candidate Lore notifying her this Complaint had been received. This notice informed candidate Lore that the attribution complaint was merited, as the material mentioned by the Complaint did not appear to contain the full 'paid for by' attribution message as required and provided candidate Lore twenty-four (24) hours to bring the material into compliance (as provided under §13-35-225(6)(a)(ii), Mont. Code Ann.). Notice of attribution deficiency was also provided to candidate Lore via telephone that same day. (Commissioner's Records).

Finding of Fact No. 3: Candidate Lore emailed COPP notice that all non-attributed material had been brought into compliance within 24 hours. The email messages from candidate Lore included photographs showing an attribution message of "Paid for by Juliane Lore, 709 Roundhouse Drive, LAUREL, MONTANA 59044" had been added to the materials specifically mentioned in this complaint. (Commissioner's Records).

DISCUSSION

Under Montana law "all election communications...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." §13-35-225(1) MCA. The complaint attached a photo of a candidate Lore campaign sign. The election communication failed to include an attribution (Paid for by).

Montana law requires an accelerated review ("as soon as practicable") of a campaign practice complaint alleging an attribution violation. Accordingly, Candidate Lore was immediately contacted by the Commissioner's office. Candidate Lore responded saying that the omission of an attribution was an oversight. Candidate Lore followed up the conversation with the COPP with an email taking responsibility for the oversight and corrective measures taken (FOF No. 3).

The law governing complaints of failure to properly attribute political communications provides precise directions to the Commissioner:

1. The Commissioner is to immediately assess the merits of the attribution Complaint. §13-35-225(5), MCA. The Commissioner found merit to the attribution Complaint and hereby memorializes that finding (FOF No. 2).
2. The Commissioner shall notify the candidate of the merit finding, requiring the Candidate to bring the material into compliance. §13-35-225(6)(a), MCA. The COPP, by both telephoning the Lore campaign and providing Notice of Non-compliant Election Communication, did this and hereby memorializes the Notice (FOF No. 2).
3. The Candidate is provided 24 hours to bring the material into attribution compliance §13-35-225(6)(a)(ii), MCA. (FOF No. 2).

Under Montana law the Candidate with the attribution deficiency is relieved of a campaign practice violation, provided he/she promptly carries out the attribution correction. Candidate Lore has met these duties (FOF No. 3) and is therefore relieved of a campaign practice violation under §13-35-225(6), MCA. The Complaint is dismissed.

Normally the Commissioner first provides Decisions to the parties and public on the following day. The Legislature, however, has set very tight timelines on this sort of attribution Complaint. Accordingly, the Commissioner provides this Decision to the parties and public on the day it is made.

DATED this 1st day of November, 2021.



Jeffrey A. Mangan
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