

Cook, Scott

From: David Arends <arendsmeister@gmail.com>
Sent: Tuesday, November 28, 2023 10:47 AM
To: Cook, Scott
Subject: Re: [EXTERNAL] one more question
Attachments: image_67513601.JPG; image_67202305.JPG

Thanks for your quick response, Scott. I have attached a photo of the front and back of the business card. The attribution information should be "Paid for by the Campaign of David Arends for MT HD 18 Representative, PO Box 1006, Conrad, MT - Democratic Party"

Dates of distribution:

8/21/23 campaign kickoff party - approximately 30 cards distributed.
9/10/23 house party, Conrad - approximately 6 cards distributed
9/12/23 PCDC meeting - approximately 4 cards distributed.
9/17/23 Tricounty Dems meeting in Craig - approximately 10 cards distributed.
9/18/23 Campaign meeting at folklore coffee - approximately 5 cards distributed.
11/15/23 House party, Shelby - Approximately 3 cards distributed.
11/21/23 House Party, Horizon Lodge, Conrad - approximately 5 cards distributed.

On Tue, Nov 28, 2023 at 10:19 AM Cook, Scott <SCook3@mt.gov> wrote:

David,

Thanks for reaching out with your attribution question. You are correct- Montana law does provide that materials that are "too small" to reasonably include full attribution messaging may physically omit it, per [13-35-225\(3\)](#), MCA. However, in these circumstances "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*" (emphasis added). In practice, the Commissioner would request COPP be provided with a copy of the material before distribution, so we can make a determination as to whether 13-35-225(3) appropriately applies, or if the material is large enough to require direct inclusion of full attribution messaging.

In your circumstance, the material you have described does appear to be too small to reasonably include full attribution messaging. Pursuant to 13-35-225(3), we would require you provide a copy of the material (a picture of the material meets this requirement) and the relevant attribution message via email, which we can post on our website, [here](#). We would also request you provide information about the quantity of materials distributed and the date or dates they were distributed as part of this message as well.

Scott Cook

Compliance Specialist 3/Public Records Officer

Office of the Commissioner of Political Practices

(406) 444-4627

SCook3@mt.gov

From: David Arends <arendsmeister@gmail.com>

Sent: Tuesday, November 28, 2023 10:03 AM

To: Cook, Scott <SCook3@mt.gov>

Subject: [EXTERNAL] one more question

Dear Scott, I had one more question that I forgot to ask this morning. I have printed campaign business cards (2"x3.5"). These do not contain any attribution, not even the party affiliation. I read that for smaller items like this, it may be possible to forgo the printed attribution if it is declared through your office. How can I do this? If this is not possible, what should I do since there are many in circulation already? Thanks for your help with all of this! David

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David Arends

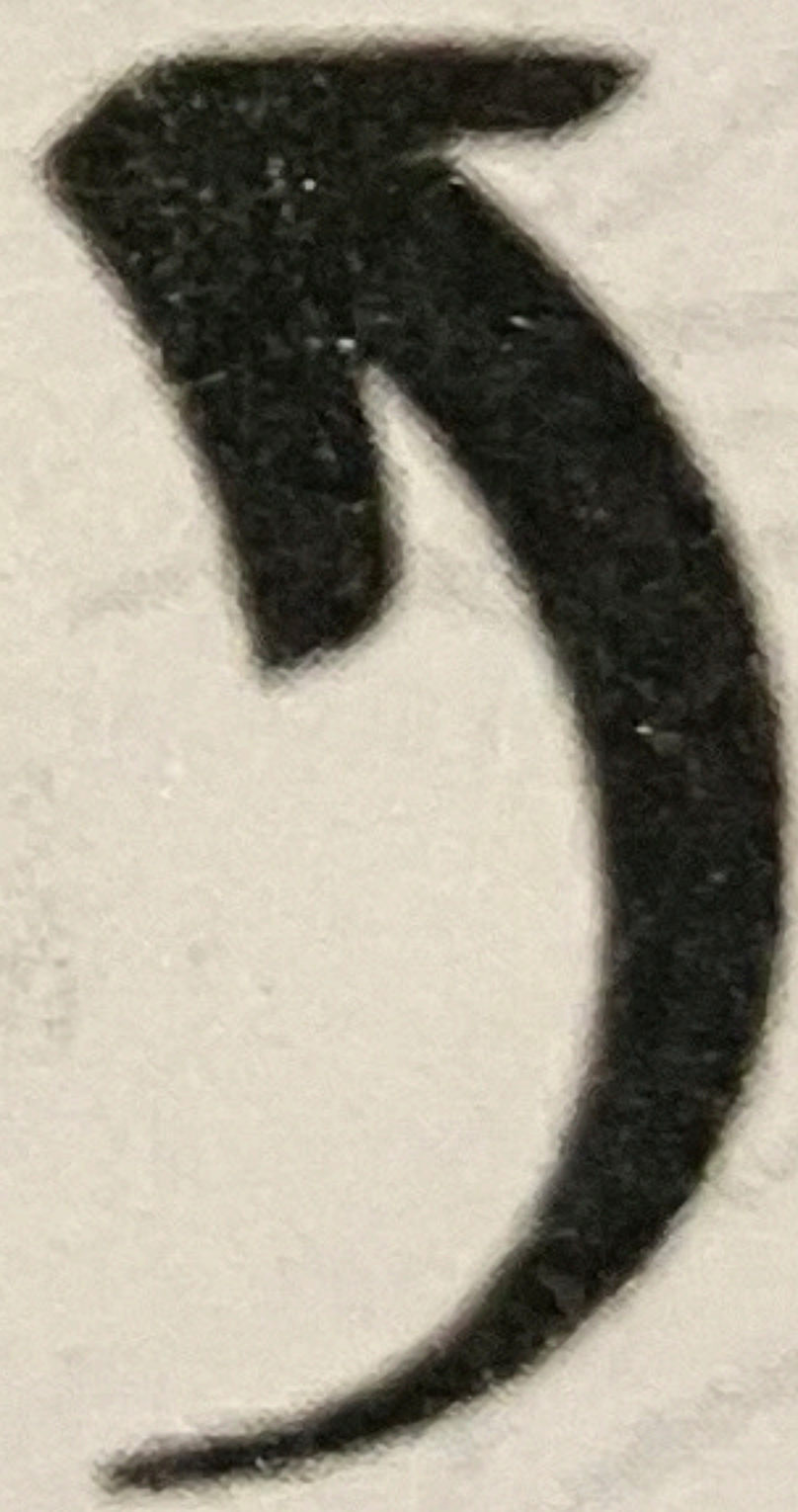
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David Arends

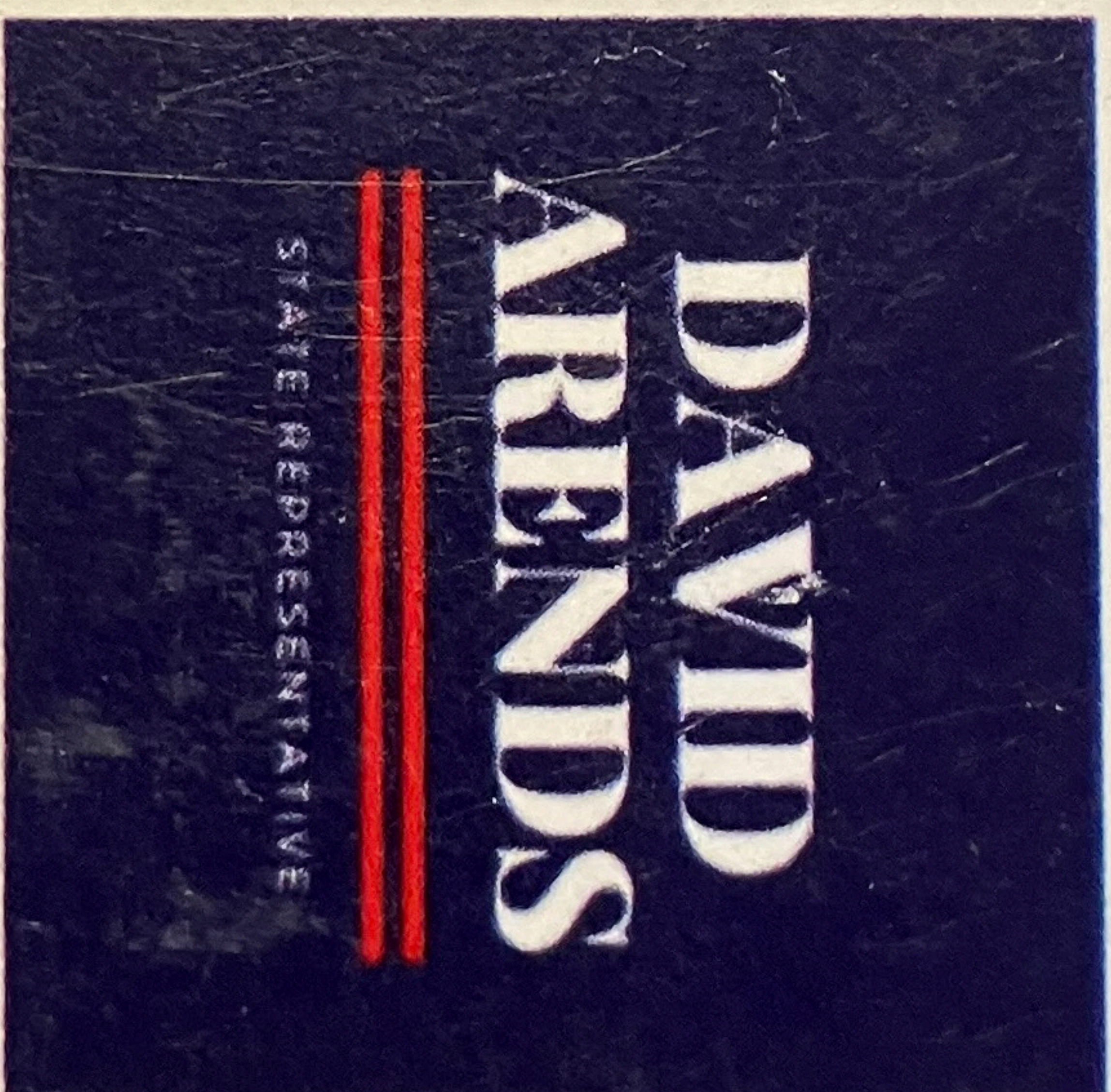
davidarends.org



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