

## Cook, Scott

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**From:** Roxie Dinstel <rrdinstel@alaska.edu>  
**Sent:** Monday, April 29, 2024 2:49 PM  
**To:** CPP Help  
**Subject:** Re: [EXTERNAL] campaign ads  
**Attachments:** ad.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

We ran two newspaper ads in the Ekalaka Eagle on April 5 and 19th that did not have the party affiliation. This is the corrected ad that ran April 26.

Let me know if you need additional information.

Thanks,

Roxie Dinstel

On Fri, Apr 26, 2024 at 10:53 AM CPP Help <[cpphelp@mt.gov](mailto:cpphelp@mt.gov)> wrote:

Roxie,

Thanks for reaching out to COPP. In this case, we would require additional information about the original campaign ad, including the medium/method of distribution and the date/quantity of ads distributed without partisan affiliation. Any noncompliant version of the ad does need to be removed from circulation as soon as reasonably possible, MCA 13-35-225(4)(b). We would also request you provide us with a copy of the ad (a photograph sent via email message works fine) after the partisan affiliation had been added, as outlined under MCA 13-35-225(4)(a). If, after reviewing the material, the Commissioner determines that all relevant attribution information, including partisan affiliation, is included on the material, COPP can publicly post that on our website, as a self-reported attribution notification.

I hope this helps! Please feel free to contact me with any questions you may have about Montana's attribution requirements, including both the "Paid for by" statement and the requirement to state partisan affiliation on material. I am available via telephone at (406) 444-4627 or email at [scook3@mt.gov](mailto:scook3@mt.gov).

Scott Cook

Compliance Specialist 3/Public Records Officer

Office of the Commissioner of Political Practices

(406) 444-4627

**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**.

[https://leg.mt.gov/bills/mca/title\\_0130/chapter\\_0350/part\\_0020/section\\_0250/0130-0350-0020-0250.html](https://leg.mt.gov/bills/mca/title_0130/chapter_0350/part_0020/section_0250/0130-0350-0020-0250.html)

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**From:** Roxie Dinstel <[rrdinstel@alaska.edu](mailto:rrdinstel@alaska.edu)>

**Sent:** Friday, April 26, 2024 9:53 AM

**To:** CPP Help <[cpphelp@mt.gov](mailto:cpphelp@mt.gov)>

**Subject:** [EXTERNAL] campaign ads

We were alerted to the fact that we needed to include something that had the party affiliation in campaign ads for Dan Dinstel's County Commissioner Campaign in Carter County. This error has been corrected.

Roxie Dinstel

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Roxie Rodgers Dinstel

Associate Director (Retired)

School of Natural Resources and Extension

University of Alaska Fairbanks

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