

## Cook, Scott

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**From:** Kenda Madany <kendamadany@gmail.com>  
**Sent:** Wednesday, September 6, 2023 12:20 PM  
**To:** CPP Compliance  
**Subject:** Re: [EXTERNAL] Questions about candidate ads

Scott,

The two pictured campaign buttons are  
"Paid for by Maness for House District 70  
PO Box 701, Dillon, MT 59725"

Thanks,  
Kenda Madany  
Campaign Treasurer  
Maness for House District 70  
PO Box 701  
Dillon, MT 59725

On Wed, Sep 6, 2023 at 13:14 Kenda Madany <[kendamadany@gmail.com](mailto:kendamadany@gmail.com)> wrote:

Hi Scott,

Are you the one to whom I send the full attribution for the campaign buttons? Or is there someone else there that receives this info?

I thought that was what I was doing last evening when I forwarded the two photos. I typed the full attribution below the two photos, but I cannot see it now when I look at my email from last night.

They have not been "publicly distributed" yet, but soon may be. I have entered the cost for these on our C5 Finance Report already.

Thanks!

Kenda Madany

On Wed, Sep 6, 2023 at 10:00 CPP Compliance <[CPPCompliance@mt.gov](mailto:CPPCompliance@mt.gov)> wrote:

Kenda,

Thanks again for reaching out. As previously stated, the campaign would need to send full attribution messaging to COPP for these campaign buttons no later than the time of their public distribution, 13-35-225(3), MCA. In other words, while the buttons are themselves considered too small to physically include the 'paid for by' attribution messaging, the campaign is still required to provide that information to COPP. As a reminder, the attribution message must include the phrase 'paid for by' followed by the candidate/campaign's name, and the candidate/campaign's address.

I hope this helps! Please feel free to contact COPP with any questions regarding Montana's 'paid for by' attribution requirements. We are available via email at [cpphelp@mt.gov](mailto:cpphelp@mt.gov) or [cppcompliance@mt.gov](mailto:cppcompliance@mt.gov), or via telephone at (406) 444-2942.

Scott Cook

Compliance Specialist

(406) 444-2942

(406) 444-1643 (fax)

[CPPCompliance@mt.gov](mailto:CPPCompliance@mt.gov)

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**From:** Kenda Madany <[kendamadany@gmail.com](mailto:kendamadany@gmail.com)>  
**Sent:** Tuesday, September 5, 2023 7:15 PM  
**To:** CPP Compliance <[CPPCompliance@mt.gov](mailto:CPPCompliance@mt.gov)>  
**Subject:** Re: [EXTERNAL] Questions about candidate ads





**MANESS (R)**

**FOR**

**MONTANA**

**HOUSE**



**MANESS**  
FOR  
**MONTANA**  
**HOUSE**





On Tue, Sep 5, 2023 at 16:50 CPP Compliance <[CPPCompliance@mt.gov](mailto:CPPCompliance@mt.gov)> wrote:

Good afternoon Kenda,

Thanks for reaching out with your questions pertaining to Montana's 'paid for by' attribution requirements on campaign material. Commissioner Gallus has reviewed the campaign buttons as pictured and described in your original message and determined that they do in fact appear to be too small to reasonably include full 'paid for by' attribution messaging. Pursuant to [13-35-225\(3\)](#), MCA (that statute is included in full, below), please provide COPP with the full 'paid for by' attribution message that would apply to these buttons no later than the time of public distribution. As a material financed and distributed by a candidate/candidate's campaign, the attribution message needs to include the statement 'paid for by' followed by the name of the candidate/campaign and the candidate/campaign address. While communications in a partisan race do need to state the candidate's partisan affiliation, this material would meet that requirement by including the party symbol, 13-35-225(2) and [44.11.601\(4\)\(b\)\(iii\)](#), ARM. Once COPP has received the full attribution message that would apply to the buttons, we will post that information on our website.

As a reminder, please note that the cost of the button is reportable and will need to be included on the relevant C-5 finance report. This is an attribution exclusion, not a reporting one. As always, please reach out to COPP with any questions about filing a C-5 finance report- we're happy to answer questions and provide assistance as you work through that process. I hope this helps!

Scott Cook

Compliance Specialist

(406) 444-2942

(406) 444-1643 (fax)

[CPPCompliance@mt.gov](mailto:CPPCompliance@mt.gov)

## Election Materials Not To Be Anonymous -- Notice -- Penalty

**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**.



**MANESS**  
FOR  
**MONTANA**  
**HOUSE**





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**From:** Kenda Madany <[kendamadany@gmail.com](mailto:kendamadany@gmail.com)>  
**Sent:** Tuesday, September 5, 2023 2:04 PM  
**To:** CPP Help <[cpphelp@mt.gov](mailto:cpphelp@mt.gov)>  
**Subject:** [EXTERNAL] Questions about candidate ads



I am the treasurer for Shannon Maness and we had a couple of questions.

He had a few buttons made (as seen above) and wondered if these are satisfactory without the "attribution/paid for" words. Am I supposed to send one to you as is?

Also, I seem to recall reading on the website somewhere that an ad is required to contain under which party the candidate is running or at least an obvious symbol of that party. But now I cannot seem to locate that info. Is that true?

Thanks for your assistance!

Kenda Madany