Rob Tracy PO Box 694 Bigfork, MT 59911

March 23, 2024

Chris Gallus Montana Commissioner of Political Practices 1209 8<sup>th</sup> Avenue PO Box 202401

Dear Commissioner Gallus:

I am writing in response to the complaint filed by Edward Byrne. The complaint is frivolous and meritless and I would ask you to dismiss it.

# 1. I am a resident of Flathead County.

First, I live in Flathead County and my residence is located in Flathead County. Under Montana law, a residence is the place where a person remains when not called elsewhere for labor or other special or temporary purpose and to which the person returns in seasons of repose. Section 1-1-215, MCA.

I live at 189 McCaffrey Lake Lane, Bigfork, Montana and it is my intent to reside in Flathead County. I am registered to vote in Flathead County, my driver's license lists my home address as being in Flathead County, I receive my mail in Flathead County, and I recreate in Flathead County. I also work in Flathead County. I am the former Transportation Director for Bigfork School District No. 38. I currently work as a bus driver for Bigfork School District No. 38. See D-1 Form.

On my C-1 form, I listed my physical address as P.O. Box 694 because the P.O. Box links directly to my residence at 189 McCaffrey Lake Lane.

The apartment that I rent at 189 McCaffrey Lake Lane is a two-family walkout. I reside in the lower-level apartment. James and Marissa Meyer live on the upper level. They are both employed with Bigfork School District #38 as teachers. The two properties on this private road are not seasonal, but year-round residences. Contrary to what Mr. Byrne alleged in his complaint, there is daily traffic on the road.

The reason why neither the Meyer family nor I have a mailbox is because it has been knocked down by the Flathead County Road department when it plowed the road on a couple occasions. In addition, mail has been stolen from it. The Myer family and I agreed it was not in our best interests for security reasons to reinstall a mailbox. Both parties have P.O. Boxes which link to the residence located at 189 McCaffrey Lake Lane. In addition, UPS and Fed Ex asked us to stop receiving physical delivery at the residence because McCafferty Lake Lane is difficult to

maneuver during the winter months. If packages are deemed larger than what the Post Office allows, we have packages delivered to the school at 600 Commerce Street, Bigfork, MT 59911.

The vehicle I drive is not a dark blue, but a black Dodge pickup truck. It is one of two vehicles I own. My primary vehicle for day-to-day use is a 2022 Toyota Venza. Incidentally, the 1998 Dodge pickup is 100% restored. I drive it in the winter if the roads are clear and in the summer to pull my trailer. When not in use, I leave the vehicle at 33125 Lake Shore Drive, Bigfork, MT 59911.

Attached are the following documents which I believe are relevant for showing my residence location:

- a. Montana Driver's license
- b. Temporary vehicle registration
- c. Motor vehicle registration
- d. Motor vehicle title
- e. Progressive auto insurance identification cards
- f. Alaska Air Lines credit card statement
- g. Bigfork School District checks
- h. Parkside Credit Union loan application
- i. License plate parcel envelope from Flathead County Motor Vehicles
- j. Receipts for rent
- k. James Meyer verifying letter of residency at 189 McCaffrey Lake Lane
- 1. Registered voter notice from Flathead County

Please let me know if you have any other information or any other documentation.

# 2. The time for establishing residency is six months from the general election.

Second, even if I didn't live in Flathead County, I still have time to establish residency in Flathead County. Under the terms of the Montana Constitution, a candidate for the Legislature is only required to be a resident of the county for the six months preceding the general election. Article V, Section 4 of the Montana Constitution provides as follows:

A candidate for the legislature shall be a resident of the state for at least one year next preceding the general election. For six months next preceding the general election, he shall be a resident of the county if it contains one or more districts or of the district if it contains all or parts of more than one county.

According to the Montana Secretary of State, May 5, 2024 is the date by which a legislative candidate must live in the appropriate county, if it contains one or more districts, or legislative district, if it contains all or parts of more than one county. See 2024 Montana Secretary of State Primary and General Election Candidate Calendar. Since this date has not passed, I am not in violation of any law even if I did not reside in Flathead County. As such, this complaint is baseless and meritless.

# 3. Montana ethics laws do not apply to candidates for elected office.

Third, Mr. Byrne has alleged that I have violated ethics laws. However, a basic review of Montana's ethics laws shows they do not apply to candidates for elected office. The ethics laws found in Title 2, Chapter 2 only apply to public officers, public employees, judicial officers, and legislators. At this point, I am only a candidate for elected office. I do not hold any of these positions; thus, the ethics laws found in Title 2, Chapter 2 do not apply.

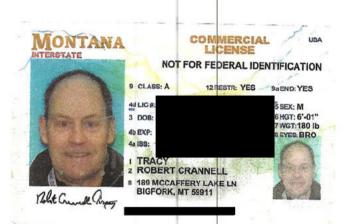
# 4. My C-1 complies with Montana law.

Fourth, Mr. Byrne places great emphasis on the fact I did not include my Flathead County resident address on C-1 form. However, the law does not require I list a resident address. Section 13-37-201 states I must appoint one campaign treasurer and certify the full name and complete address of the campaign treasurer. I have done that. I have provided a mailing address and information regarding the name of my treasurer. Thus, I am in compliance with Section 13-37-201, MCA.

# Conclusion

For the reasons set forth in this letter, I would ask you to dismiss this claim. Although it is not within your jurisdiction, I find it very disturbing Mr. Byrne seems to have spent so much time on this matter. It looks like he has traveled to my house in Bigfork, spent time driving by the location where my truck is parked multiple times, has investigated personal matters such as my golf membership, and spent time looking at a personal Facebook page even though we are not friends. It feels wrong that Mr. Byrne seems so focused on my personal life and it makes me feel very uneasy. Please dismiss this matter as soon as possible.

Rob Tracy





# TEMPORARY VEHICLE REGISTRATION

| Make<br>TOY<br>= BILL<br>ber | 111 | IS II LLC | INGS II LLC  VEN UT  INGS II LLC  VEHICLE SALE | City State Zip State Zip State Sign State State Sign St | Street Address City State Zip State Zip State Zip State Zip State Zip | ROBERT CRANNELL TRACY  Owner #2 Name  Selling Dealer LITHIA OF BILLINGS II LLC Dealer Number | 11-26-2022 01-05-2023 Vin Vehicle Year Make 2022 TOYT |
|------------------------------|-----|-----------|--|--|---|--|---|
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Original

# **Motor Vehicle Division** 290 A North Main St Kalispell, MT 599015435

# Financial Statement:

# **Customer Information**

Name:

Tracy, Robert Crannell

Address:

Tracy, Robert Crannell

PO Box 694

Bigfork MT 599110694

# Statement Information

Date:

1/18/2023 2:18:16 PM

Location: Flathead County

Created By:

PJA176

Customer #:

Comment:

# **Additional Customers**

Name:

Park Side FCU

# **Transaction Information**

| Description   |            | Amount   |
|---|------------|----------|
| Rugged Terrain 2022 Toyota Venza, Title And Registration) |            | \$304.37 |
| Product   | Quantity   | Amount   |
| Light Vehicle Registration Fee                            | 1          | \$217.00 |
| Light Vehicle Title Fee                                   | 1          | \$12.00  |
| MHP Salary and Retention Fee                              | 1          | \$10.00  |
| MVD Admin Fee   | 1          | \$8.87   |
| RET County Option Tax                                     | 1          | \$0.00   |
| Security Interest Recording Fee                           | 1          | \$8.00   |
| State Parks   | 1          | \$9.00   |
| Std County Lg Initial Non Personalized Plate 2010         | 1          | \$10.00  |
| Title Late Filing Fee                                     | 1          | \$10.00  |
| TRP Montana Resident                                      | 1          | \$19.50  |
| Description   |            | Amount   |
| - Tracy, Robert Crannell (Plate Order)                    |            | \$36.05  |
| Product   | Quantity   | Amount   |
| MVD Admin Fee   | 1          | \$1.05   |
| PE Application Initial Fee                                | 1          | \$25.00  |
| Std County Lg Initial Personalized Plate 2010             | 1          | \$10.00  |
| Description   |            | Amount   |
| Cash Drawer Additional Charge                             |            | \$5.55   |
| Product   | Quantity   | Amount   |
| MVD Admin Fee   | 1          | \$0.00   |
| RET County Local Convenience Fee                          | 1          | \$0.45   |
| RET Plate Local Postage                                   | 1          | \$5.10   |
|   |            |          |
|   | Total Due: | \$345.97 |

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VEHICLE SERVICES BUREAU PO. BOX 201431 HELENA MT 59620-1431

(This is not a title number)



VERIFY PRESENCE OF WATERWARK - HOLD TO LIGHT TO VIEW

# Your ID Cards

Keep these cards handy--in your glove compartment or wallet. And contact us anytime you have a question or need to report a claim.

If you have a daim, we'll get you back on the road as soon as possible. And while you'll always have a choice where to repair your vehicle, when you use a shop in our preapproved network, we'll guarantee your repair for as long as you own or lease your vehicle.

Thank you for choosing Progressive.

# Robert C Tracy Kathryn Berg

Diamond Level Valued Customer Since 2017

Form A023 (10/20)

# IF YOU'RE IN AN ACCIDENT

- 1. Remain at the scene. Don't admit fault.
- 2. Find a safe location, call the police, and exchange driver information.
- 3. Call Progressive right away.

# TO REPORT A CLAIM

Call 1-800-274-4499 or go to claims.progressive.com.

**PROGRESSIVE** 

KEEP THIS CARD IN YOUR VEHICLE WHILE IN OPERATION.

## **INSURANCE IDENTIFICATION CARD - Montana**

Policy Number:
Effective Date: 11/16/2023
Insurer: Progressive Direct Insurance Co 1-800-776-4737
PO Box 31260 Tampa, FL 33631

PO Box 31260 Named Insured(s): Robert C Tracy Kathryn Berg 189 Mccaffery Lake Ln Bigfork, MT 59911

Year Make 1998 Dodge Model Ram 2500 2022 Toyota

Venza

The ID card must be carried in the vehicle at all times.



**Alaska**. Mileage Plan

P.O. BOX 15284 WILMINGTON, DE 19850

Statement Enclosed

# <u>միհնիկիկիկիկին գունիկիկիկիիի իրկիկիկիկիկի</u>

ROBERT C TRACY PO BOX 694 BIGFORK MT 59911-0694 Customer Service Information:

www.bankofamerica.com 1.800.552.7302

Mail billing inquiries to:

Bank of America P.O. Box 672050 Dallas TX 75267-2050

Mail payment to:

Bank of America P.O. Box 660710 Dallas TX 75266-0710

Visa Signature®

Account# 4

November 26 - December 25, 2023

# Account Summary/Payment Information

| \$ |
|----|
| \$ |
|    |
|    |
| :  |
| 12 |
|    |
|    |

New Balance Total Current Payment Due

Total Minimum Payment Due Payment Due Date

Late Payment Warning: If we do not receive your Total Minimum
Payment by the date listed above, you may have to pay a late fee of up to
\$39.00 and your APRs may be increased up to the Penalty APR of 29.99%.
Total Minimum Payment Warning: If you make only the Total Minimum
Payment each period, you will pay more in interest and it will take you
longer to pay off your balance. For example:

| If you make no additional<br>charges using this card<br>and each month you pay | You will payoff the balance shown on this statement in about | And you will end up<br>paying an estimated<br>total of |
|--|--|--|
| Only the Total<br>Minimum Payment  | 17 months  |  |

If you would like information about credit counseling services, call 866.300.5238.

# 10/31/2023 - \$66.17:

| BIGFORK SCHOOL DISTRICT NO. 38 | FOR PAID FOR WANT OF F                      |              | 64514          |
|--------------------------------|---|--------------|----------------|
| BIGFORK, MONTANA 59911         | THEASURER  BY OEPUTY  \$ INT:               | 10/26723     | CHECK NO.      |
|                                |   | C            | LAIMS WARRANT  |
| PAY ROB TRACY                  | even Cents                                  |              | 337.07         |
| PAY BIGFORK MT 59911           | 2==>  | O) De Grande | YOF THE BOARD  |
| THIS DOCUMENT CONTAINS HEAT ST | ENSITIVE INK. TO ICH OR PRESS HERE - RED IM | GLERI        | K OF THE BOARD |

# 03/12/2024 - \$65.15:

The check was for \$65.00 – have notified accounting, you may see correction on your account for the \$0.15

| TREASURER OF FLATHEAD COUNTY                              | FOR         | REACTIVE PAPER WITH MICROPRINTED BO | GLACIER BANK | 65058        |
|---|-------------|-------------------------------------|--------------|--------------|
| CLAIMS CLEARING FUND #6540 BIGFORK SCHOOL DISTRICT NO. 38 | PRESENTED : |                                     |              |              |
| FLATHEAD AND LAKE COUNTIES BIGFORK, MONTANA 59911         | TREASURER   | (NOT PAID FOR WANT OF FUNDS)        | 93-7082/2929 | 1*           |
| SIGION, MONTH SET   | BY DEPUTY   |                                     | 03/01/24     | CHECK NO.    |
|   | \$          | т:                                  |              |              |
|   | * *         |                                     | CLA          | MS WARRANT   |
| PAY Sixty-Five Dollars and Zero Ce                        | ents        |                                     |              | THIS AMOUNT  |
| DOD TDAGY   |             |                                     | _            | \$65.00      |
| PAY PO BOX 694  |             | 7                                   | 7/           | .5%          |
| TO BIGFORK MT 59911                                       |             | 710                                 | CHAIRMAN OF  | THE BOARD    |
|   | 25          |                                     | got orivece  | O'MERGED 'S  |
|   |             |                                     | CLERK OF     | THE BOARD TO |



1300 Baker Ave. Whitefish, MT 59937

(406) 862-2652 FAX (406) 862-4891

|  |                       |                        | ACCOUNT NUMBER |
|--|-----------------------|------------------------|----------------|
| BORROWER'S NAME AND ADDRESS ROBERT C TRACY | 189 MCCAFFERY LAKE LN | BIGFORK, MT 59911-6388 | DATE OF BIRTH  |
| CO-BORROWER'S NAME AND ADDRESS             |                       |                        | DATE OF BIRTH  |

"You", "Your" and "Borrower", means any person who executes the Plan by signing the Consumer Lending Plan, or any person who endorses a proceeds check or otherwise accepts, accesses, or uses Plan funds. "We", "us", "our" or "Credit Union" means the Credit Union named above.

How the Plan Works. This Consumer Lending Plan has a variety of subaccounts under which you may take various types of loans (called "advances"). The subaccounts are single-advance subaccounts such as New Auto. These subaccounts will not replenish and will have a set term.

Binding Contract. This Consumer Lending Plan, which includes the Credit Agreement, Security Agreement, Truth-in-Lending Statement, and all Advance Receipts ("Plan"), becomes a binding legal contract with regard to each advance as soon as you take an advance, and will govern the terms of all loans that you obtain under the Plan. You only sign once to open the Plan; thereafter, you may request additional advances without signing any paperwork unless requested by us. You become obligated on a particular advance when you receive the advance proceeds or the benefits thereof.

By signing below, you are:

- 1. Agreeing to repay all loans you take. All loans you take under the Plan must be paid back, even if you don't sign any paperwork at the time of the loan.
- 2. Pledging your shares and deposits in the Credit Union. If you default, we may apply the shares and deposits in your accounts to the amount you owe us. We may also prevent you from withdrawing shares or deposits if you are in default, or, in the case of a share-secured or deposit-secured loan, if such withdrawal would cause your balance to fall below what you owe. Your pledge and our lien rights do not include any IRA, Keogh or other account which would lose special tax treatment if pledged. Please see the Security Agreement for complete details.
- 3. Granting a security interest in all property you purchase or otherwise pledge. If you default on any subaccount under the Plan, we may seize and sell any property you have purchased or pledged under that subaccount or any other subaccount. Cross-Collateralization: All other collateral you have pledged for any other loan with us (except your home and household goods) will also secure this Plan. Release of Lien: We will not release a lien on any of the collateral you have pledged if you are delinquent or in default on any of your subaccounts. For example: if you are in default of your line of credit subaccount, we will not release our lien on your vehicle loan, even if the vehicle loan is paid in full. Please see the Security Agreement for complete details.

Interest Rates and Fees. The rates and fees that apply to your subaccounts are disclosed on the separate Truth-in-Lending Statement and/or Advance Receipt.

# **BORROWER'S ACKNOWLEDGEMENT & SIGNATURES**

By signing below, you understand and agree as follows:

Acknowledgement: You acknowledge that you have read, understand and accept the terms and conditions of the Consumer Lending Plan, Credit Agreement and Security Agreement, and have received copies of these documents. You also understand that you will receive a Truth-in-Lending Statement at the time of the advance. You agree to be bound by all Advance Receipts or similar documents and the Truth-in-Lending Statements, and understand that by endorsing any advance proceeds check, or by otherwise accepting, using or accessing your advance proceeds, you are bound to the aforementioned documents.

SECURITY INTEREST: You understand and agree that, in exchange for all loans you may receive under this Plan, that you grant a security interest in any and all property that you purchase or otherwise pledge for those loans. This means we will have a lien on that property and may seize and sell the property if you are in default on any loan under this Plan. You understand and agree that the property will be described on the Advance Receipt that you receive at the time of the advance, and that this collateral description is incorporated as a valid part of granting this security interest. You understand and agree to the security interest even though the property will be described at a later date and even though you do not sign the Advance Receipt.

NOTICE TO CONSUMER: THIS IS A CONSUMER CREDIT TRANSACTION. (A) DO NOT SIGN ANYTHING BEFORE YOU READ IT OR IF IT CONTAINS ANY BLANK SPACES. (B) YOU ARE ENTITLED TO AN EXACT COPY OF ANY AGREEMENT YOU SIGN. (C) YOU HAVE THE RIGHT AT ANY TIME TO PAYIN ADVANCE THE UNPAID BALANCE DUE UNDER THIS AGREEMENT.

CAUTION- IT IS IMPORTANT THAT YOU THOROUGHLY READ THE CONTRACT BEFORE YOU SIGN IT.

| BORROWER'S SIGNATURE | DATE /   | CO-BORROWER'S SIGNATURE | DATE |
|----------------------|----------|-------------------------|------|
| x/byt Ch             | 10/11/22 | x                       |      |
|                      |          |                         |      |

Flathead County Trea 290 & North Ma



PAID IM From 59901 0 lbs 4 ozs 05/25/2023



NO SURCHARGE Pitney Bowes
CommPrice

**USPS FIRST-CLASS PKG** 

028W0002310235

2000237526

0006

Flathead County Treasurer 290 N Main St, Ste A Kallspell MT 59901-4183

B006

TRACY R PO BOX 694 BIGFORK MT 59911-0694

USPS TRACKING #



Order ID: 587737

Order Date: 04/21/2023

Deliver to:

Tracy, Robert Crannell
PO Box 694 Bigfork, MT 599110694

Std County Perm ND10 Lg 1 -- -CWAVE2 Package 1 of 1 Plate Sets: 1

Package ID: 312282



|   | RECEIPT DATE 12 / 1/2022 No. 979854     |
|---|---|
| - | RECEIVED FROM VOLO TVACU \$500.00       |
|   | OFOR RENT AL ACO MA O. C. I DOLLARS     |
|   | ACCOUNT 500 60 COASH Lake Lane Big fork |
|   | PAYMENT OCHECK FROM 12 1 23 TO 11 23    |
|   | BAL. DUE ORDER CREDIT BY Marer A-2701   |
|   | T-46800                                 |

| REC          | HIP    | T DATE  | 1/202     | 3No.      | 97985     |
|--------------|--------|---------|-----------|-----------|-----------|
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| ACCOUNT C    | 20     | CASH    | 11000     | With Wake | Big tak   |
| PAYMENT      |        | CHECK   | M alil    | 2.3       | 2/20/00   |
|              | 1      | ORDER . | 1         | TO_       | N NO N3   |

| RECEI          | PT DATE 16 1 202     | 3 No. 979865  |
|----------------|----------------------|---------------|
| RECEIVED FROM  | Cob Tracus           | \$ 500 00     |
| Five hund      | lycal and            | 00            |
| FOR RENT AT 1  | 89 Mc Coffrey La     | telane Bostat |
| ACCOUNT 500 OC | CASH Y               |               |
| PAYMENT        | CHECK FROM 1011      | 3 TO 10131/23 |
| BAL. DUE       | ORDER CREDIT CARD BY | Charle A-2701 |
|                |                      | T-46800       |

# James Meyer 189 McCaffrey Lake Lane Bigfork, Montana 59911

March 19, 2024

To Whom it May Concern?

Rob Tracy resides in the lower level of the house I live in at 189 McCaffrey Lake Lane in the County of Flathead in Bigfork Montana. He pays rent religiously on the 1<sup>st</sup> day of every month.

We reside at this address all year round.
I you have any further comments or questions, I can be reached at (406) 253-3301.

Sincerely,

James Meyer

# **CERTIFICATE OF REGISTRATION**

**FLATHEAD County Montana** 

**Election Administration** 

290 B NORTH MAIN ST KALISPELL, MT 59901

State of Montana

**FLATHEAD County, Montana** 

The undersigned election administrator in and for the county and state aforesaid, does hereby certify that:

ROBERT TRACY

Residence Address
189 MCCAFFERY LAKE LN
BIGFORK, MT 59911

Mailing Address
PO BOX 694
BIGFORK, MT 59911

Is a duly qualified elector of this county, Registration Number 100153809:

County Registration Date: 11/04/2022

State Registration Date: 08/21/2009

Date of Birth:

In witness hereof, I have here unto set my hand and affixed my official seal on 03/21/2024.

DEBBIE PIERSON Election Administrator

blic Freson

Ву

Deputy

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