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Commissioner of
Political Practices
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Montana Commissioner of Political Practices
1209 8th Ave
PO Box 202401
Helena, MT 59620-2401

Re: Complaint received April 22, 2026; Early v. Big Sky Fiscal Guardians, Treasure State Stewards, and Montana Business Advocates for Sensible Elections, COPP-2026-CFP-004

May 14, 2026

Commissioner Gallus,

Big Sky Fiscal Guardians, Treasure State Stewards, and Montana Business Advocates for Sensible Elections are properly classified as incidental committees for the purpose of reporting to the office of the Montana Commissioner of Political Practices. The argument for reclassification provided by the complainant is based on evidence that is often factually inaccurate and largely erroneous to the determination of proper committee classification. The remainder of the complaint relies on crude innuendo to paint a colorful narrative more suitable for a press release than an official filing.

MCA 13-1-101(29)(a) defines an “incidental committee” as “a political committee that is not specifically organized or operating for the primary purpose of supporting or opposing candidates or ballot issues but may incidentally become a political committee by receiving a contribution or an expenditure.” Further, the statute provides that “the primary purpose is determined by the commissioner by rule and includes criteria such as the allocation of budget, staff, or members’ activity or the statement of purpose or goal of the person or individuals that form the committee.”

Independent and incidental committees may each make expenditures during Montana’s electioneering window with the key difference between the two classifications being whether or not these expenditures are the primary purpose of the committee. Big Sky Fiscal Guardians, Treasure State Stewards, and Montana Business Advocates for Sensible Elections were each established for the primary purpose of educating the public on the issues that the committee’s individually determine to be important to Montanans. Successful pursuit of this mission requires that expenditures be made throughout the calendar year.

Montana Business Advocates for Sensible Elections was established in 2012. Big Sky Fiscal Guardians and Treasure State Stewards were established late in 2025. In accordance with their stated purposes the committees make expenditures for items such as research, planning, and educational media. These expenditures occur throughout the calendar year and only trigger campaign finance reporting requirements when they occur in Montana’s electioneering window.

The complainant’s argument for reclassification of these committees from incidental to independent is principally informed by the fact that the only expenditures made available to the public are those that occur in the electioneering window. This is a mistake as the abbreviated reporting window does not represent the entirety of a committee’s expenditures. The only evidentiary value of the filed reports is as proof that the respective committees are in compliance with Montana campaign finance reporting requirements.

Based only on campaign finance reports filed with the Commissioner’s office, a similar complaint could be registered against Americans for Prosperity-Montana. AFP-Montana is currently classified as an incidental committee and its reports only contain expenditures made directly for candidates – canvassing, door hangers, mailers, and digital. To a motivated observer it would appear that AFP-Montana’s only purpose is to make election related expenditures for the candidates they have endorsed. Applying the complainant’s argument to AFP-Montana’s financial reports would support their reclassification from an incidental committee to an independent committee. Further, the very nature of the endorsement process is rife with the opportunity for coordination as any serious endorsement protocol must, by its very nature, include communication between the candidate and the committee. Big Sky Fiscal Guardians, Treasure State Stewards, and Montana Business Advocates for Sensible

Elections have not and will not endorse candidates as this activity is not central to their respective educational missions.

The complaint contains three sections that frame the complainant's argument for reclassification. It is necessary to address these claims as they are either inaccurate and/or irrelevant to any determination of committee classification.

Committees and Shared Infrastructure:

The complainant (pg. 3) provides a table illustrating that all three committees share the same treasurer, deputy treasurer, and banking institution. This table is errant in its assignation of Ross Fitzgerald as the Treasurer for each of the three entities. This is not the case and, in fact, Mr. Fitzgerald is not the treasurer of any of these entities. A search of the COPP database reveals that Bruce Tutvedt is the Treasurer of Big Sky Fiscal Guardians, Vondene Kopetski is the Treasurer of Treasure State Stewards, and that Montana Business Advocates for Sensible Elections does not have a Treasurer on file with the COPP. Montana Business Advocates for Sensible Elections does, however, have a list of officers filed with the Montana Secretary of State. This listing provides a President, a Vice President, a Secretary, and an Other Officer. The C2 registration with the COPP will be amended to provide a Treasurer. Roger Hagan, as the Deputy Treasurer for each entity, serves as the bookkeeper and compliance specialist. The entities share the same banking institution purely as a bookkeeping and reporting convenience for Mr. Hagan. It should be noted that it is not a requirement for committees to have different infrastructure and banking institutions. Likewise, separate committees can share the same purpose.

The complainant then provides an entire paragraph detailing a conspiratorial link between the committees in question and Montanans for Election Reform Action Fund. Montanans for Election Reform Action Fund was a 501(c)(4) that was voluntarily dissolved on May 19, 2025. This organization has never been associated with Big Sky Fiscal Guardians, Treasure State Stewards, or Montana Business Advocates for Sensible Elections and its inclusion in this complaint can only be regarded as specious.

Fund Flow and Expenditure Analysis:

This portion of the complaint makes much ado about nothing. Negative balances in a campaign finance report for an incidental committee are an artifact of the campaign finance reporting requirements. For reference, a quick review of AFP-Montana's reports indicate that they had a negative balance of \$224,891.71 on February 25, 2026 and a negative balance of \$422,226.23 on March 25, 2025. Further, their reports do not contain any expenditures that were not directly attributable to a campaign for their endorsed candidates.

Pass-Through Donor Shielding Scheme:

The complaint returns to the same lazy argument that a negative balance somehow supports the reclassification of a committee from incidental to independent. Again, a negative balance for an incidental committee is routine and simply an artifact of campaign finance reporting requirements.

Relief:

The complainant makes expansive requests for relief that reach far beyond the request for reclassification. The proper response to the individual requests is as follows:

- 1) Request to reclassify Big Sky Fiscal Guardians – the complainant has offered no evidence that this is necessary. Further, the argument presented is inaccurate in its depiction of committee officers and relies on the claim that a negative balance is indicative of wrongdoing.

- 2) Request to reclassify Treasure State Stewards – the complainant has offered no evidence that this is necessary. Further, the argument presented is inaccurate in its depiction of committee officers and relies on the claim that a negative balance is indicative of wrongdoing.
- 3) Request to reclassify Montana Business Advocates for Sensible Elections – the complainant has offered no evidence that this is necessary. Further, the argument presented is inaccurate in its depiction of committee officers and relies on the claim that a negative balance is indicative of wrongdoing. The incomplete C2 report will be addressed.
- 4) The complainant has not provided a scintilla of real evidence to support reclassification of the committees. Therefore, there is no valid reason to investigate the funding patterns for any of the named entities. Again, the argument provided relies on an inaccurate depiction of the committee officers and the claim that a negative balance is indicative of wrongdoing.
- 5) Conservatives4MT is a political action committee properly registered with the COPP as an independent committee. It complies with all campaign finance reporting requirements relevant to its independent classification. The screenshot provided by the complainant as evidence of an attempt to reclassify is likely an artifact in the CERs database. Conservatives4MT has not requested and it will not request to be reclassified as an incidental committee.
- 6) The request to deny further expenditures by any of these organizations is a transparent attempt to chill lawful speech and it should be denied.
- 7) Amended reports are not necessary as the committees have lawfully complied with the reporting requirements for committees classified as incidental.
- 8) Further enforcement action is not necessary as the committees have lawfully complied with the reporting requirements for committees classified as incidental.

Conclusion:

The argument provided in the complaint has been shown to be fundamentally flawed and it does not raise any substantive issue that would support reclassification of the listed committees. Those portions of the complaint that are not factually in error simply confirm that the committees are filing the required campaign finance reports. Absent reclassification, the committee reports are proper and there is no need to take the extraordinary step of interrupting committee spending. Montana Business Advocates for Sensible Elections will amend its C2 to reflect a Treasurer. And finally, Conservatives4MT is not seeking and it will not seek reclassification from an independent committee to an incidental committee. This complaint is meritless and should be dismissed.



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