

THE STATE OF MONTANA

Commissioner of Political Practices
1205 Eighth Avenue
Post Office Box 202401
Helena, MT 59620-2401
Phone: 406-444-2942
Fax : 406-444-1643
www.politicalpractices.mt.gov

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POLITICAL PRACTICES

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Campaign Finance and Practices

Complaint Form (10/09)

Type or print in ink all information on this form except for verification signature

Person bringing complaint (Complainant):

Complete Name Senator Brad Hamlett
Complete Mailing Address PO Box 49
Cascade, MT 59421
Phone Numbers: Work 406-799-5885(cell) Home 406-264-5885

Person or organization against whom complaint is brought (Respondent):

Complete Name Wendy McKamey
Complete Mailing Address PO Box 333
Ulm, MT 59485
Phone Numbers: Work _____ Home 406-868-5006

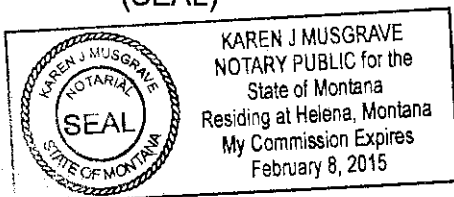
Please complete the second page of this form and describe in detail the facts of the alleged violation.

Verification by oath or affirmation

State of Montana, County of Fergus & Clark

I, Bradley Hamlett, being duly sworn, state that the information in this Complaint is complete, true, and correct, to the best of my knowledge and belief.

(SEAL)



Bradley Hamlett
Signature of Complainant

Subscribed and sworn to before me this 28 day of January, 2013.

Karen J Musgrave
Notary Public

My Commission Expires:

The attached flyers are missing the proper attribution; specifically the treasurer's name is missing.

In addition, the photograph in the attached flyer is identical to the one that the Montana Growth Network used for their ads.

See attached alleged statutes

Montana Code Annotated 2011

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13-35-225. Election materials not to be anonymous -- statement of accuracy. (1) All communications advocating the success or defeat of a candidate, political party, or ballot issue through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, poster, handbill, bumper sticker, internet website, or other form of general political advertising 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. When a candidate or a candidate's campaign finances the expenditure, the attribution must be the name and the address of the candidate or the candidate's campaign. In the case of a political committee, the attribution must be the name of the committee, the name of the committee treasurer, and the address of the committee or the committee treasurer.

(2) Communications in a partisan election financed by 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) (a) Printed election material described in subsection (1) that includes information about another candidate's voting record must include:

(i) a reference to the particular vote or votes upon which the information is based;

(ii) a disclosure of contrasting votes known to have been made by the candidate on the same issue if closely related in time; and

(iii) a statement, signed as provided in subsection (3)(b), that to the best of the signer's knowledge, the statements made about the other candidate's voting record are accurate and true.

(b) The statement required under subsection (3)(a) must be signed:

(i) by the candidate if the election material was prepared for the candidate or the candidate's political committee and includes information about another candidate's voting record; or

(ii) by the person financing the communication or the person's legal agent if the election material was not prepared for a candidate or a candidate's political committee.

(4) If a document or other article of advertising is too small for the requirements of subsections (1) through (3) 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.

(5) If information required in subsections (1) through (3) is omitted or not printed, 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 5 days of the discovery or notification;

(b) bring the material into compliance with subsections (1) through (3); and

(c) withdraw any noncompliant communication from circulation as soon as reasonably possible.

History: En. 23-47-133 by Sec. 33, Ch. 334, L. 1977; R.C.M. 1947, 23-47-133; amd. Sec. 221, Ch. 571, L. 1979; amd. Sec. 1, Ch. 368, L. 1987; amd. Sec. 1, Ch. 23, L. 1991; amd. Sec. 1, Ch. 482, L. 1991; amd. Sec. 1, Ch. 415, L. 2003; amd. Sec. 1, Ch. 419, L. 2003.

Provided by Montana Legislative Services

ADMINISTRATIVE RULES OF MONTANA

Rules 44.10.312 through 44.10.320 reserved

44.10.321 CONTRIBUTION-DEFINITION (1) For the purposes of Title 13, chapters 35 and 37, MCA, and these rules, the term "contribution" as defined in 13-1-101, MCA, includes, but is not limited to:

(a) Each contribution as listed in 13-37-229, MCA;
(b) The purchase of tickets or admissions to, or advertisements in journals or programs for testimonial or fund raising events, including, but not limited to dinners, luncheons, cocktail parties, and rallies held to support or oppose a candidate, issue, or political committee;

(c) A candidate's own money used on behalf of his or her candidacy, except as provided in 13-1-101(6)(b)(iv) and (10)(b)(ii), MCA; and

(d) An in-kind contribution, as defined in (2) of this rule.

(2) The term "in-kind contribution" means the furnishing of services, property, or rights without charge or at a charge which is less than fair market value to a candidate or political committee for the purpose of supporting or opposing any candidate, ballot issue or political committee, except as provided in 13-1-101 (6)(a)(iii) and (6)(b)(i), MCA.

(a) An "in-kind contribution", includes, but is not limited to:

(i) Forgiveness of any loan to or debt of a candidate or political committee;

(ii) Payment of a loan or other debt by a third person;

(iii) An expenditure made at the behest of a candidate or political committee as specified in ARM 44.10.517;

(iv) A "coordinated expenditure" as defined in ARM 44.10.323(4); and

(v) The cost of distributing, republishing or reproducing campaign material (print or broadcast) produced or prepared by a candidate or political committee unless the distribution, republication or reproduction costs are a communication by a membership organization or corporation under 13-1-101(6)(b)(iii) or (10)(b)(iv), MCA.

(3) The fact that the public office being sought by the individual is not known by the contributor or has not yet been determined by the potential candidate at the time that the contribution is made or the fact that a candidate and/or issue being supported or opposed by a political committee is not known by the contributor or has not yet been determined by a political committee at the time that the contribution is made has no effect on the determination or reporting of that contribution. (History: Sec. 13-37-114 MCA; IMP, Sec. 13-1-101(3) MCA; NEW, Eff. 1/1/76; AMD, Eff. 5/7/76; AMD, 1979 MAR p. 652, Eff. 7/1/79; AMD, 1999 MAR p. 2287, Eff. 10/8/99; AMD, 2001 MAR p. 2049, Eff. 10/12/01.)

Rule 44.10.322 reserved

44.10.323 EXPENDITURE-DEFINITION (1) For the purposes of Title 13, chapters 35 and 37, MCA, and these rules, the term "expenditure" as defined in 13-1-101, MCA, includes, but is not limited to:

(a) Each expenditure as listed in 13-37-230, MCA;

ADMINISTRATIVE RULES OF MONTANA

(b) Expenses incurred by a candidate or political committee with respect to polls, surveys, and the solicitation of funds;

(c) Expenses incurred in support of or opposition to the drafting, printing, distribution and collection of signatures for any petition for nomination or a statewide ballot issue;

(d) A candidate's own expense, except as provided in 13-1-101(6)(b)(iv) and (10)(b)(ii), MCA;

(e) Payment of interest on a loan or other credit received;

(f) An in-kind expenditure, as defined in (2) of this rule.

(2) The term "in-kind expenditure" means the furnishing of services, property, or rights without charge or at a charge which is less than fair market value to a person, candidate, or political committee for the purpose of supporting or opposing any person, candidate, ballot issue or political committee, except as provided in 13-1-101(6)(a)(iii) and (6)(b)(i), MCA.

(a) An "in-kind" expenditure" includes, but is not limited to, the forgiveness of any loan or debt owed to a candidate or political committee.

(3) "Independent expenditure" means an expenditure for communications expressly advocating the success or defeat of a candidate or ballot issue which is not made with the cooperation or prior consent of or in consultation with, or at the request or suggestion of, a candidate or political committee or an agent of a candidate or political committee. An independent expenditure shall be reported as provided in ARM 44.10.531.

(4) "Coordinated expenditure" means an expenditure made in cooperation with, consultation with, at the request or suggestion of, or the prior consent of a candidate or political committee or an agent of a candidate or political committee. A coordinated expenditure shall be reported as an in-kind contribution as provided in ARM 44.10.511 and 44.10.513. (History: Sec. 13-37-114 MCA; IMP, Sec. 13-1-101(7) MCA; NEW, Eff. 1/1/76; AMD, Eff. 5/7/76; AMD, 1977 MAR p. 1240, Eff. 12/25/77; AMD, 1979 MAR p. 652, Eff. 7/1/79; AMD, 1986 MAR p. 128, Eff. 1/31/86; AMD, 1999 MAR p. 2287, Eff. 10/8/99.)

Rule 44.10.324 reserved

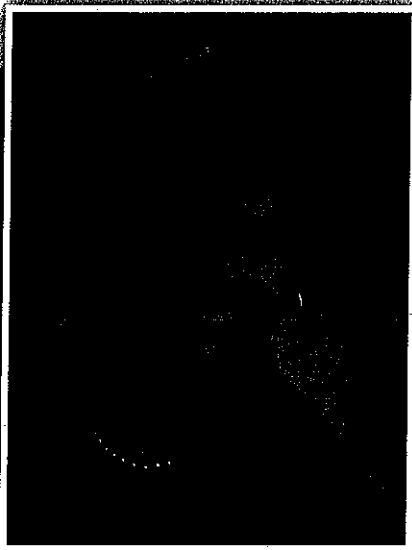
44.10.325 POLITICAL COMMITTEE - DEFINITION (1) "Political committee" is defined in 13-1-101(18), MCA.

(2) A candidate and his or her campaign treasurer do not constitute a political committee. The campaign treasurer, while performing the statutory duties of a campaign treasurer, is the agent of the candidate.

(3) If a political committee has subdivisions within the state, such as county committees, which have authority to receive contributions and make expenditures independent of the parent political committee, each subdivision is considered a separate political committee for purposes of Title 13, chapters 35 and 37, MCA, and these rules. (History: Sec. 13-37-114 MCA; IMP, Sec. 13-1-101(12) MCA; NEW, Eff. 1/1/76; AMD, Eff. 5/7/76; AMD, 1977 MAR p. 1240, Eff. 12/25/77; AMD, 1979 MAR p. 652, Eff. 7/1/79; AMD, 2001 MAR p. 2049, Eff. 10/12/01.)

Fortunately, you can help energize our state by adding your voice to the **MONTANA GROWTH AGENDA**

- ✓ Reduce regulations to encourage more energy development
- ✓ Ensure our tax and regulatory structure encourages for job creation
- ✓ Open more state lands to development, creating jobs and revenue for our local schools



The Growth Agenda is supported by local leaders like Wendy McKamey who know the energy issues facing our area.

Learn more about the Montana Growth Agenda at www.montanagrowthnetwork.org and sign our petition to create jobs by reducing regulations and opening public land to public use.

1(http://www.sourcewatch.org/index.php?title=Montana_and_coal#Cancelled.2C_abandoned.2C_or_on_hold) (http://www.projectnoproject.com/wp-content/uploads/2011/03/PNP_EconomicStudy.pdf) 2. (http://www.projectnoproject.com/wp-content/uploads/2011/03/PNP_EconomicStudy.pdf)



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I Proudly Support

- Free Enterprise and Job Creation Unhindered by Excessive Regulation
- Innovative, Cost-Effective Public Education with Local School Control
- Intelligent Development of Montana's Abundant Energy Resources
- Simplified Tax Code with Lower Taxes Across the Board
- Affordable Healthcare Driven by Free Markets and Competition

Let's Start Working Together!



Paid for by McKamey for Senate • PO Box 333 • Uln, MT 59485

**4 decades of Montana Ranching • Community Leader • Montana Values
High Plains Financial Board Member • Education Advocate**

✓ **Montana Families** - For over four decades Wendy has ranched in the southern part of Cascade County near Great Falls with her husband Les McKamey. Wendy and Les have been proud to raise their 7 children, Monika, Michael, Mark, Matthew, Mitchell, Marshall and Merrill, rooted in the Montana Values we all cherish. Wendy is a graduate of BYU and Leadership Great Falls, an active member in her church, a mentor to local kids in 4-H, Boy Scouts, FFA and as a substitute teacher whenever there is a need. Wendy will fight against President Obama's agenda of high taxes and over regulation which harms the everyday lives of Montana families as they buy gas and go to the grocery store.

✓ **Montana Jobs** - Unlike Washington D.C. bureaucrats, Wendy understands that no one knows what is best for every day folks in Montana better than Montanans themselves. Wendy will fight each day to ensure that small business, not government remains the jobs engine of Montana.

Vote for Wendy McKamey on November 6th • Vote Tuesday, November 6th Or Return your Absentee Ballot

**"Montana Jobs,
Montana Families"**

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