

BEFORE THE COMMISSIONER OF  
POLITICAL PRACTICES OF THE STATE OF MONTANA

Meddock v. Fitzpatrick  No. COPP 2016-CFP-007	DISMISSAL OF COMPLAINT  NOTICE OF ACTIONS REQUIRED TO PREVENT A FUTURE COMPLAINT

On April 7, 2016, Darlene Meddock, a resident of Great Falls, Montana, filed a complaint against Steve Fitzpatrick, a resident of Great Falls, Montana and a 2016 candidate for the Montana legislature from Senate District 10. Ms. Meddock alleges that Candidate Fitzpatrick’s campaign has erected yard signs without proper attribution.

Under Montana law “all election communications...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.” §13-35-225(1) MCA. Ms. Meddock’s complaint attached

photos of three Fitzpatrick campaign signs on which an attribution is not visible in the photo.

Montana law requires an accelerated review (“as soon as practicable”) of a campaign practice complaint alleging an attribution violation. Accordingly, Candidate Fitzpatrick was immediately contacted. Candidate Fitzpatrick responded that the signs in question were all handmade (by the Candidate himself) and that he personally wrote on each sign the following attribution: “Paid for by Fitzpatrick for SD 10, PO Box 7192, Great Falls, MT 59406.”<sup>1</sup> Candidate Fitzpatrick provided a photo showing just that attribution handwritten on the lower left hand portion of one of his handmade campaign signs. Candidate Fitzpatrick states that he has placed less than 20 of said signs.

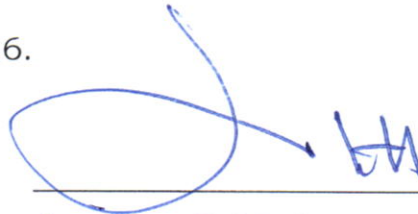
The law governing attribution takes a common sense approach, including a requirement of Notice. §13-35-225(7) MCA. Given Candidate Fitzpatrick’s response the Meddock complaint is dismissed. But, given the hand-made nature of the signs (including the possibility that someone removed the disclosure), Candidate Fitzpatrick is directed, by Tuesday, April 12, 2016, to personally inspect each campaign sign and conspicuously write or rewrite his campaign disclosure in indelible ink or paint on the sign. This directive is consistent with statute. *Id.* Ms. Meddock is, of course, free to inspect the signs and file a new complaint if she believes Candidate Fitzpatrick has failed to comply with this Notice.

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<sup>1</sup> This attribution language meets the requirements of §13-35-225(1)(a)MCA.

The complaint further alleges a violation based on where (easements, right of ways) the campaign signs were placed. The Commissioner has no jurisdiction over placement of signs and therefore this issue may not be considered.

DATED this 8<sup>th</sup> day of April, 2016.



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Jonathan R. Motl  
Commissioner of Political Practices  
Of the State of Montana  
P. O. Box 202401  
1205 8<sup>th</sup> Avenue  
Helena, MT 59620