

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

Campaign Finance and Practices

Complaint Form (10/09)

FOR OFFICE USE ONLY	
HAND DELIVERED	<input checked="" type="checkbox"/>
CERTIFIED MAIL	<input type="checkbox"/>
SIGNED/NOTARIZED	<input checked="" type="checkbox"/>

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

Person bringing complaint (Complainant):

Complete Name Bernard J. Harrington

Complete Mailing Address 4033 Palisades Park Dr
Billings, MT 59106

Phone Numbers: Work (406) 653-9144 Home (406) 456-6556

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

Complete Name AARP Montana

Complete Mailing Address 30 W 14th Street, Suite 301
Helena, MT 59601

Phone Numbers: Work (406) 457-4701 Home (406) 459-4858

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 Lewis & Clark County

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

(SEAL)

Bernard J. Harrington
Signature of Complainant

Subscribed and sworn to before me this 27th day of May, 2010.

Moussa Longene
Notary Public

My Commission Expires:

Attachment to Complaint against AARP Montana.

AARP Montana is in violation of Mont. Code Ann. § 13-37-225 for failing to include the required “paid for by” disclaimer on its internet publications regarding its involvement in the I-164 400% Interest is Too High Campaign. See the attached printouts of AARP Montana’s webpages containing election material absent the statutorily required disclosure. Please also note the first attachment is dated March 18, 2010, and the second attachment is dated May 5, 2010. Each day that these election materials have been available on the internet advocating support of the ballot issue constitutes a separate violation of Montana’s Elections and Campaign Practices chapter. AARP Montana may claim that its coverage constitutes an exception to the statutory definition of “contribution”; however, that claim is misplaced because the bona fide news story exception to the definition of “contribution” requires that the story be “distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication of general circulation.” Mont. Code Ann. § 13-1-101(7)(b)(ii). Certainly, this website is not a newspaper, magazine or periodical of general circulation, and these materials are clearly advocating passage of I-164.

As evidenced by press coverage and the length of time that the proponents have been publicly promoting this ballot issue, complainant is under the belief and therefore alleges that if investigation of AARP Montana took place, one would find unreported resources have been utilized in support of the ballot issue. The dates on the attached webpage printouts show that AARP Montana is also in violation of Mont. Code Ann. §§ 13-37-229; 13-37-230 and ARM 44.10.411, which require reporting of all contributions to a ballot issue and all expenditures made on behalf of a ballot issue. The amounts reported by AARP Montana on its C-4 Incidental Committee Finance Reports filed to date do not match the contributions reported by the 400% Interest is Too High – Cap the Rate ballot committee. Also, in-kind expenditures must be reported on the day that the expenditure is made, and the filed C-4 reports do not comply with this timing requirement. ARM 44.10.323. See generally In the Matter of the Complaint Against the Montana Chamber of Commerce Regarding Its Activities In Opposition to I-121 And I-125, decided June 2000, regarding failure to timely report in-kind contributions and expenditures.

AARP Montana filed its C-2 Statement of Organization on April 29, 2010. C-2’s are required by Mont. Code Ann. § 13-37-201 to be filed within 5 days of making “an expenditure or authoriz[ing] another person to make an expenditure on its behalf, whichever occurs first.” The date on the website acknowledging support of the ballot issue dates as far back as March 18, 2010. It is quite possible and highly likely that AARP Montana incurred expenses in support of the ballot issue prior to March 18, 2010. This failure to timely file the C-2 is a violation of Montana’s campaign finance laws.

By engaging in political activity, complainant believes that AARP Montana may be acting outside the course and scope of nonprofit organizations as allowed under the IRS rules and guidelines regarding political activities of nonprofit organizations.



Attorney General Steve Bullock to Be Featured Speaker at Consumer Protection Forum



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On AARP.org's state pages, RSS sends just-released, state-specific news stories to your preferred location for up-to-the minute coverage. It's free. Try it out and see what you think!

Attorney General Steve Bullock to Be Featured Speaker at Consumer Protection Forum

By: State: Montana | Source: [AARP.org](#)

Event Hosted by AARP and the Yellowstone Council on Aging to Explore Issues of Concern to Older Montanans

Montana Attorney General Steve Bullock will be the featured speaker at a forum hosted by AARP Montana and the Yellowstone Council on Aging in Billings on February 22 at 3 pm. The one-hour presentation is free and open to the public. Bullock will focus on topics of concern to older Montanans including consumer protection and prescription drug issues. The forum will be open for questions from the audience.

“As Montana’s Attorney General, I have heard countless stories of financial abuse against older Montanans, ranging from identity theft to scams involving home medical equipment,” said Bullock. “Fast talking telemarketers, phony charities and fly-by-night home repair contractors all prey on the trust-worthiness that makes many older citizens a target for unscrupulous criminals.”

“Many folks are unaware of the threat posed by identify theft or the current schemes and scams,” said Bob Bartholomew, AARP Montana State Director. “This presentation by Attorney General Bullock is an excellent opportunity for people to learn more about the potential threats out there and to have their questions answered by the state’s top law enforcer. I encourage everyone that is interested in this topic to attend.”

“While the Attorney General’s office prosecutes many individuals and companies that commit such crimes, we will never completely eradicate these predators,” Bullock stated. “Education and awareness are key, which is why I am pleased to present this forum focusing on protecting older Montanans from common scams and schemes aimed directly at them.”

Details:

Who: Montana Attorney General Steve Bullock

What: Forum to Explore Issues of Concern to Older Montanans

When: February 22, 2010, 3-4pm

Where: Yellowstone Council on Aging

1505 Avenue D (one block behind West Park Plaza on Grand Ave) Billings, MT 406-259-9666

No RSVP is necessary, refreshments will be served. Parking is available to the side and in back of the building and on-street. The Yellowstone Council on Aging is accessible by MET Route 3D-15th Street West. The bus may be boarded at either the downtown transfer center or the Stewart Park transfer Center.





AARP MONTANA



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Event Calendar

- [POLSON: Fraud Forum at the Governors Conference on Aging](#)
5/10/2010
- [LEWISTOWN: Fraud Forum at the Governors Conference on Aging](#)
5/11/2010
- [MILES CITY: Fraud Forum at the Governors Conference on Aging](#)
5/12/2010
- [GLENDIVE: 'How to Smell a Rat' Consumer Protection Tour](#)
5/24/2010
- [EKALAKA: 'How to Smell a Rat' Consumer Protection Tour](#)
5/25/2010

AARP State Office

[All Events »](#)

AARP Montana State Office
30 West 14th Street
Suite 301
Helena, MT 59601
Phone: 1-866-295-7278 (toll-free)
Fax: 1-406-441-2230

mtaarp@aarp.org

9am - 5pm Monday - Friday

[Local Map](#)



AARP is calling on its members to Create the Good in their neighborhoods. [Get involved.](#)

Live and Learn



[NRTA's publication for AARP's educator community: Learning is a creative lifestyle to be shared across generations.](#)

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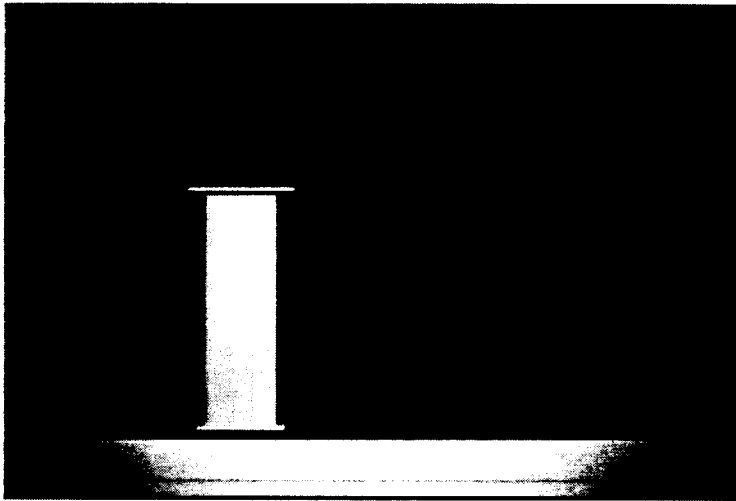
On AARP.org's state pages, RSS sends just-released, state-specific news stories to your preferred location for up-to-the minute coverage. It's free. Try it out and see what you think!

LATEST MONTANA JOURNAL NEWS

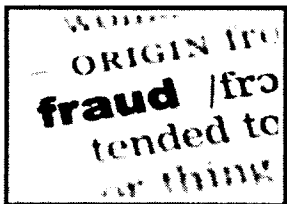
- [AARP National Spelling Bee: Mental Fitness Challenge for MT](#)
- [AARP Commends Senate for Voting to Close Medicare Doughnut Hole](#)
- [AARP Applauds Senate for Moving Health Care Reform Forward](#)
- [AARP Disappointed By Senate Vote Against Lower Rx Drug Prices](#)
- [Survey: AARP Members Back Critical Provisions of Health Reform](#)

[More »](#)

[Members Discuss New Health Care Law with Senator Baucus](#)

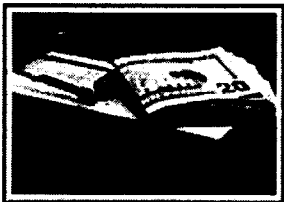


Question of how new health care law benefits Montanans examined during statewide tele-town hall meeting.



AARP and Governor's Conference on Aging Team Up To Fight Fraud and Abuse

AARP and host of experts conduct forum on spotting scams, avoiding fraud. Polson, Lewistown and Miles City will host two-day events.



Monica J. Lindeen to Headline Free Consumer Fraud Presentations

"How to Smell a Rat" tour explores consumer protection issues; teaches people how to spot the telltale signs of fraud.



Initiative Proposed to Cap Interest Rates on Payday and Title Loans

AARP Montana is teaming up with a coalition of organizations called '400% Interest is Too High – Cap the Rate' to launch an initiative to limit the interest rate on payday loans to an APR of 36 percent.



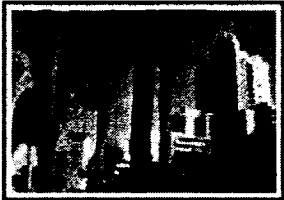
Sign up for the AARP National Spelling Bee

Find rules and regulations as well as helpful resources online for the June 19 event in Cheyenne, WY.



Nominate Someone Today for the Andrus Award

Each year, AARP honors the legacy of Dr. Andrus with the AARP State Andrus Award for Community Service, our most prestigious and visible volunteer award. Help honor those who are sharing their experience, talent and skills to enrich the lives of their community members.



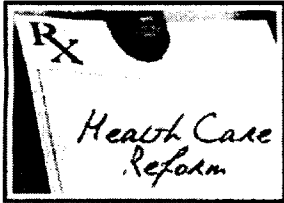
Orlando@50+... It's Life in 3D

Join AARP in Orlando for Discoveries, Delights and great Decisions. Orlando@50+ will run Sept. 30 – Oct. 2 and will feature concerts, exhibits, sessions, celebrities and 25,000 attendees. Registration is only \$25 for AARP members.



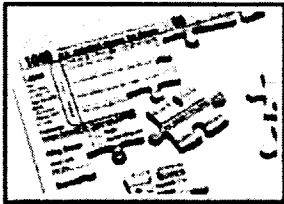
AARP Montana commends Senator Baucus for his commitment to fully close the infamous doughnut hole

Studies show more than 70 Percent of Montanans on Medicare could face costly gap in prescription drug coverage.



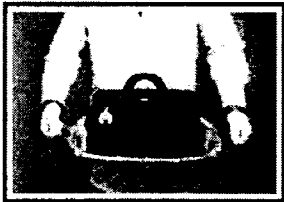
AARP Montana Sponsors Community Forum to Explore Next Steps and Key Considerations for States in the Wake of Health Reform

National Health Management Expert was Featured Speaker; Issues, Challenges and Historic Opportunities Discussed



Simple Tax Fix has Significant Impact for Low-income Montanans

AARP Tax Aide volunteers help fix flawed tax law. This is the first full tax season that Montanans are able to take advantage of a new law designed to make filing more efficient.



House Calls Make a Comeback in Montana

Health corps of retired doctors provides affordable in-home health visits.



It's Official—AARP Driver Safety Course Qualifies for Auto Insurance Discount

Both four-hour course and online course now qualify for discount on auto insurance.



Rewarding Volunteer Opportunities Await Montanans

AARP and the state's Area Agencies on Aging are recruiting volunteers to help people in need.



AARP Montana Appoints New State President

Helena resident Joy Bruck tapped to lead AARP Montana Executive Council.

Worried You Might Lose Your Job And/Or Your Health Care?

Considering going back to work because you've lost so much of your retirement income? At risk of losing your home? In this time of economic crisis, the AARP Foundation wants to help you find real relief.

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Initiative Proposed to Cap Interest Rates on Payday and Title Loans

By: State: Montana | Source: [AARP.org](#)

Together with a coalition of consumer groups, AARP Montana launched an initiative to limit the amount of annual interest on payday and title loans. At a kick-off event to announce the initiative, Bob Bartholomew, state director of AARP Montana, said many elderly and poor Montanans are struggling to make ends meet, especially during the recession.

"Payday lenders have taken advantage of their struggle, providing high-interest loans that are repaid out of the worker's next paycheck or the retiree's next Social Security check," Bartholomew said. "Reasonable short-term loans can be helpful for a worker trying to deal with an emergency, but these payday loans, charging more than 400 percent interest, frequently become a debt trap in which the borrower sinks deeper in debt."

The proposed initiative seeks to address a problem area of consumer financing that has been the subject of several attempts at the Montana Legislature that have failed. The groups joining in the campaign are calling

their effort, “400% Interest is Too High; Cap the Rate.” The coalition represents a wide cross section of Montanans including seniors, women, religious groups, economic development organizations and unions.

“In this economy, anyone could need an emergency loan,” said Rebecca Mastee with Montana Catholic Conference. “Montana families struggling to make ends meet should not be charged over 400% interest. This is why the Montana Catholic Conference supports this initiative to cap the rate at 36%.”

Payday loans and car title loans have been under increasing scrutiny around the country and have been a concern for Montana groups for many years. These groups say these types of loans create a debt trap and cause an unsuspecting borrower to pay \$800 for a short term loan of \$300 with most of the profits going to firms owned by out-of-state companies.

“Over 70% of these predatory lenders are owned by out of state firms, said Tom Jacobson with Rural Dynamics. “In 2008, they made over \$40 million in loans and collected over \$9 million in interest and fees, draining millions of dollars from Montana’s local economy.”

According to 2008 filings with the Montana Department of Administration Division of Banking, 82 of the 116 payday loan establishments are owned by out of state firms. These national chains collected over \$7 million of the over \$9 million in interest and fees collected statewide in 2008.

“Predatory lenders were targeting military families, and the Department of Defense found that this was harming the combat readiness of our armed forces,” said Sheila Rice with NeighborWorks. “So, our military families are now protected by a cap that limits the interest rate to 36%. We believe that all Montana families deserve the same protection.”

To qualify the measure for the November 2010 ballot, backers need to obtain more than 24,000 signatures of registered Montana voters by June 18.

“When folks are out and about this spring and they see an opportunity to sign the petition, I would encourage them to so do,” said Bartholomew. “If enough people sign the petition, it will be on the ballot in November and then Montanans can decide whether 400 percent interest is too high and if it should be capped at 36 percent.”

400% Interest is Too High – Cap the Rate is supported by:

- AARP Montana
- Center for Responsible Lending
- homeWORD
- Montana Catholic Council
- Montana Community Foundation
- Montana Women Vote
- NeighborWorks Montana
- Rural Dynamics
- SEIU Healthcare 775 NW

- Women's Foundation of Montana

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