

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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HAND DELIVERED	<input checked="" type="checkbox"/>
CERTIFIED MAIL	<input type="checkbox"/>
SIGNED/NOTARIZED	<input checked="" type="checkbox"/>

### 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 Mike Miller

Complete Mailing Address 20906 Hwy 141  
Helmville MT 59843

Phone Numbers: Work \_\_\_\_\_ Home (406) 793-5860

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

Complete Name Main Street Advocacy Fund

Complete Mailing Address PO Box 1630 Helena MT 59624 OR PO Box 4096  
Washington DC 20004-2403

Phone Numbers: Work (703) 477-4961 Home \_\_\_\_\_

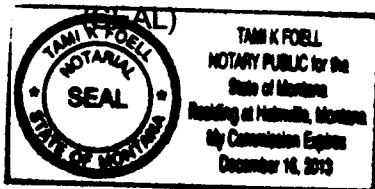
**Please complete the second page of this form and describe in detail the facts of the alleged violation.**

#### Verification by oath or affirmation

State of Montana, County of Powell

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

Mike Miller  
Signature of Complainant



Subscribed and sworn to before me this 31<sup>st</sup> day of

May, 2010  
Tami K. Foell  
Notary Public

My Commission Expires: Dec. 16, 2013

**Statement of facts:**

Describe in detail the alleged violation(s) and cite the statute or statutes you believe have been violated. Please attach copies of documentary evidence to support the facts alleged in your statement.

If the space provided below is insufficient, you may attach additional pages as necessary.

See Attached.

**Complaints must be:**

- signed
- notarized
- delivered in person or by certified mail.

The Main Street Advocacy Fund (MSAF) sent out mailers in May 2010 containing express advocacy for candidates in the Republican Primary to be held on June 8, 2010. These flyers contained a partial disclaimer of "Notice to Voters. This advertisement is not paid for or authorized by any candidate. It is paid for by Main Street Advocacy Fund, PO Box 1630 Helena MT 59624". See attached fliers. This disclaimer did not say "Notice to the Public", nor "Notice to Citizens," it said "Notice to Voters." It is clearly trying to influence an election. At the time these fliers were mailed, MSAF had not registered with the Commissioner of Political Practices and failed to do so within 5 days of making any expenditure (13-37-201 - see below). The disclaimer did not include the name of the Treasurer. (13-35-225):

*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.***

*13-37-201. Campaign treasurer. Except as provided in 13-37-206, each candidate and each political committee shall appoint one campaign treasurer and certify the full name and complete address of the campaign treasurer pursuant to this section. A candidate shall file the certification within 5 days after becoming a candidate. A political committee shall file the certification, which must include an organizational statement and the name and address of all officers, if any, within 5 days after it makes an expenditure or authorizes another person to make an expenditure on its behalf, whichever occurs first. The certification of a candidate or political committee must be filed with the commissioner and the appropriate election administrator as specified for the filing of reports in 13-37-225.*

Main Street Advocacy Fund did not file a C-2 Statement of Organization until 5/25, 20 days after an expenditure was made according to its own C-4 form on 5/5. It is obvious, from the purpose stated on its C-4 that the organization is not an Incidental Committee as it purports, but rather a Political Action Committee with entirely different reporting responsibilities. There is also some question if corporate funds were used to make the expenditure on 5/5.

13-37-128 states the penalties involved.

**13-37-128. Cause of action created.** (1) A person who intentionally or negligently violates any of the reporting provisions of this chapter, a provision of 13-35-225, or a provision of Title 13, chapter 35, part 4, is liable in a civil action brought by the

commissioner or a county attorney pursuant to the provisions outlined in 13-37-124 and 13-37-125 for an amount up to \$500 or three times the amount of the unlawful contributions or expenditures, whichever is greater.

(2) A person who makes or receives a contribution or expenditure in violation of 13-35-227, 13-35-228, or this chapter or who violates 13-35-226 is liable in a civil action brought by the commissioner or a county attorney pursuant to the provisions outlined in 13-37-124 and 13-37-125 for an amount up to \$500 or three times the amount of the unlawful contribution or expenditure, whichever is greater.

MSAF has certainly violated the provisions of 13-35-225 and 13-37-201 and has failed to report the source of the funds used to print and mail election materials and the expenditures made for same.

PO BOX 1630  
Helena, MT 59624



# Who understands the need for government accountability and lower taxes?



# Montanans need people that will fight for government accountability, lower taxes, and common sense solutions that keep spending under control.

## Accountability

We need a state government that is more efficient, effective, and accountable to the people it serves. Leaders need to stand up to the special interests who want preferential treatment at the expense of taxpayers. They also need to be a watchdog for state agencies and our schools to ensure that our dollars are being spent wisely.

## Taxes

In these tough economic times, the last thing we need is higher taxes. Our families and businesses are already struggling to make ends meet. We need leaders who recognize that more taxes mean more economic hardship for Montanans.



## Common Sense

Perhaps most importantly, we need people that can bring common sense and practical solutions to our problems. The last thing we need is bickering and political fights. We need leaders who can roll up their sleeves and work together to solve problems.

## Joe Dooling

Joe Dooling is a small businessman and active member of our community. He believes there's more to be done to improve our business climate and create jobs. Joe supports a more efficient government, less taxes, and common sense land use. He's also a valuable source of information on government accountability.

**Call Joe Dooling at (406) 431-3510 for more information on how to make government more accountable.**

PO BOX  
Helena, MT



008\*002\*\*\*\*\*ECRLOT0170A\*\*H073  
THE MILLER FAMILY  
20906 MT HIGHWAY 141  
HELMVILLE MT 59843-9025

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PAID  
TEKS Services



**Who understands  
the need to  
protect our  
seniors?**

**Our seniors have worked hard to make this country what it is today.  
Now, we need people that will work just as hard for them.**

### **Taxes**

The last thing people on a fixed income need is higher taxes. When taxes go up, it hits our seniors the hardest. What we need are people who recognize that we can't solve our budget problems by simply raising taxes. Government should be more efficient, effective, smaller, and smarter.

### **Fraud and Abuse**

As the population of Montana grows older, crimes against our senior citizens are also on the rise. Punishment for crimes such as fraud and abuse against our seniors needs to be swift and harsh. We need tough new laws that provide law enforcement and prosecutors with the tools they need to reverse this disturbing trend.

### **Joe Dooling**

Joe Dooling is a small businessman and active member of our community. He believes there's more to be done to improve our business climate and create jobs. Joe supports a more efficient government, less taxes, and common sense land use. He's also a valuable source of information on issues important to seniors.

**Call Joe Dooling at (406) 431-3510 for more information on how we can support our senior citizens.**

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