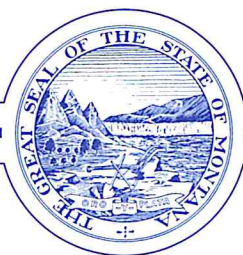


COMMISSIONER OF
POLITICAL PRACTICES



STATE OF MONTANA

JONATHAN R. MOTL
COMMISSIONER
TELEPHONE (406) 444-2942
FAX (406) 444-1643

1205 EIGHTH AVENUE
PO BOX 202401
HELENA, MONTANA 59620-2401
www.politicalpractices.mt.gov

February 8, 2017

Mr. Dennis Gordon
2113 36th Street
Missoula, MT 59801

Re: *Gordon v. von Lossberg*, COPP-2017-LOB-REJ-001
Gordon v. Oransky, COPP-2017-LOB-REJ-002

Dear Mr. Gordon:

We acknowledge receipt of the above two complaints. I write now to inform you that the same are rejected as falling outside of the jurisdiction of this Office. I am returning the original complaints to you with this letter. We will keep a copy of the complaints in this Office and identify the complaints as shown above.

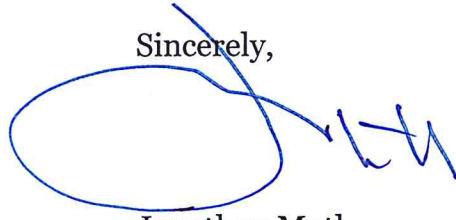
In way of explanation, the practice of lobbying reviewed by this Office is "[t]he practice of promoting or opposing the introduction or enactment of legislation before the legislature or legislators...and the practice of promoting or opposing official action of any public official or the legislature" Mont. Code Ann. § 5-7-102(11)(a) and (b). In turn, legislator is defined as "an individual holding public office as a representative or senator in the Montana legislature." Mont. Code Ann. § 5-7-102(10). A public official is defined as "an elected state official or appointed state official acting in an official capacity for state government or a legislator." Mont Code Ann. § 5-7-102(16)(a). With these definitions in mind, the lobbying reporting and disclosure laws enforced by this Office apply only to individuals lobbying Montana State Representatives or Senators, Mont. Code Ann. § 5-7-305(2)¹.

¹ Former Commissioner Vaughney adopted an administrative regulation stating that reporting and disclosure regulations "only would be applied to legislative lobbying promoting or opposing the introduction or enactment of legislation before the legislature or legislators", Mont. Admin. R. 44.12.101A(1).

Your complaints, of course, allege violation of the Montana's lobbying reporting and disclosure laws in a local government matter. Specifically, the Complaints center on actions of Mr. Jonas Oransky in responding to a request for information from Missoula City Council member, Bryan von Lossberg. As explained above, this exchange at a local government level is an activity that is outside of the jurisdiction of lobbying laws administered by this Office.

Please feel free to contact this Office should you have further questions or concerns on this issue.

Sincerely,



Jonathan Motl
Commissioner of Political Practices

Dennis Gordon
2113 36th St.
Missoula, Montana 59801
406-549-6280
February 1, 2017
oddpilot@aol.com

Commissioner of Political Practices
P.O. Box 202401
Helena, Montana 59620-2401

Dear Sir:

Yesterday, January 31, 2017, I sent you a certified letter containing a lobbying complaint against Mr. Bryan Von Lossberg. I am withdrawing my complaint against Mr. Von Lossberg.

Enclosed, is my Lobbying Complaint against Mr. Jonas Oransky, New York based Policy Attorney for Everytown for Gun Safety, with accompanying pertinent information..

Thank you for your assistance.

Sincerely,



Dennis Gordon

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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SIGNED/NOTARIZED

Lobbying

Complaint Form (10/09)

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

Person bringing complaint (Complainant):

Complete Name Dennis GORDON
Complete Mailing Address 2113 36th St.
MISSOULA, MT 59801
Phone Numbers: Work 406-549-6280 Home 406-549-6280

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

Complete Name JONAS ORANSKY
Complete Mailing Address 71 SPEIR DR
SOUTH ORANGE, NJ 07079-1053
Phone Numbers: ^{CELL} Work 203-247-5702 Home 973-762-9152

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 MISSOULA

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

Dennis Gordon
Signature of Complainant



Subscribed and sworn to before me this 1 day of Feb, 2017.

[Signature]
Notary Public

My Commission Expires:

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.

I am filing a complaint against Mr. Jonase Oransky, a New York based policy attorney for Everytown For Gun Safety. Oransky assisted Missoula City Councilman Bryan Von Fossberg to redraft the Missoula City Background Check Ordinance. Oransky is a paid lobbyist who was not registered as such in Montana at the time he was being paid to influence a public official, i.e. Missoula City Councilman Von Fossberg. According to Montana Code Annotated, anyone who is paid to influence any public official must register as a lobbyist in Montana. This is found in Chapter 7: Lobbying, 5-7-301 which prohibits such a practice "without license and registration." Please see the enclosed copy of an email from Oransky to Von Fossberg in which he clearly gives Von Fossberg legal advice with ~~with~~ Oransky's contact information listed at the bottom of the page.

Dennis Jordan
February 1, 2017

Complaint must be:

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

Susan Firth

From: Jonas Oransky <joransky@everytown.org>
Sent: Thursday, September 10, 2015 8:30 PM
To: Bryan von Lossberg
Cc: Nancy de Pastino; Heidi Kendall; Pedro Morillas
Subject: Re: MCA question

Of course. Let us know how we can help with any of the policy details.

On Thu, Sep 10, 2015 at 10:23 PM, Bryan von Lossberg <BvonLossberg@ci.missoula.mt.us> wrote:
Thank you, Jonas, for the quick response. Much appreciated. I'd like to follow up a bit more with you on some of this, but that's not anything that needs to hold up the referral to committee.

Nancy and Heidi: I will get the referral in tomorrow but will hold off on attaching the new draft until Monday evening. That'll give me a little more time to submit the new draft to Jim and touch base with others (Marilyn, Emily etc.)

Thanks,
Bryan

Bryan von Lossberg
Alderman, Missoula City Council - Ward I
522 Howell St
Missoula, MT 59802
[\(406\) 285-1857](tel:4062851857)

On Sep 10, 2015, at 4:00 PM, Jonas Oransky <joransky@everytown.org> wrote:

Thanks, Bryan. These are good and thoughtful edits from Jim. See my comments below and revised text (both a clean and a tracked-changes version) attached. Please feel free to forward to Jim and anyone else who might need to see this.

We are well aware of the 45-8-351 provision, and believe that Missoula is empowered to legislate in this fashion; we are also aware that the ordinance could lead to litigation (as many gun violence prevention laws do), and believe that Missoula would prevail.

Best,
Jonas

JONAS ORANSKY | COUNSEL
CELL [203.247.5702](tel:203.247.5702) | JORANSKY@EVERYTOWN.ORG

EVERYTOWN FOR GUN SAFETY
EVERYTOWN.ORG | @EVERYTOWN

