

THE STATE OF MONTANA

Commissioner of Political Practices 1209 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 (08/17)

FOR OFFICE USE ONLY RECEIVED 2020 FEB 19 P 3 39 COMMISSIONER OF POLITICAL PRACTICES SIGNED/NOTARIZED

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

Person bringing complaint (Complainant): Complete Name Don Kaltschmidt -- chairman, Mt. Republican Party Complete Mailing Address 1300 Aspen St b, Helena, MT 59601 Phone Numbers: Work 442-4469 Home

Person or organization against whom complaint is brought (Respondent): Complete Name tom woods / tom woods for psc Complete Mailing Address 1447 Cherry Drive Bozeman, MT 59715 Phone Numbers: Work 406) 850-4461 Home

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

Verification by oath or affirmation

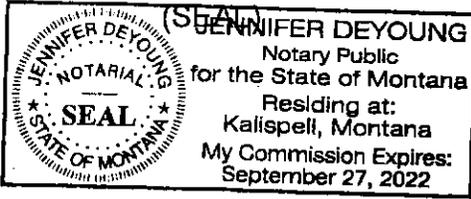
State of Montana, County of Flathead

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

Signature of Complainant

Subscribed and sworn to before me this 11 day of February, 2020.

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.

Complaints must be:

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

CAMPAIGN FINANCE COMPLAINT

This Complaint is filed by Don Kaltschmidt, Chairman of the Montana State Republican Party, by and behalf of the membership of the Party.

This Complaint is filed against Tom Woods, candidate for Montana PSC, Seat #3, and the Tom Woods for PSC campaign committee. The Address of both appears to be 1447 Cherry Drive, Bozeman, Montana, 59715.

PSC Candidate and/or the Tom Woods for PSC political campaign committee have clearly violated various provisions of Montana's campaign practices laws, namely Montana's campaign disclosure laws. To wit: Woods and/or his political campaign have a campaign webpage that is available for public viewing. However, the webpage does not have the required disclosures for either (1) Woods' political party affiliation or (2) the proper attribution for who or which entity paid for the campaign webpage. Also, Woods and/or his campaign have posted publicly a facebook page. The facebook page also does not contain the legally required attributions. See, MCA Sections 13-35-225, MCA.

Foundational Facts:

1. Tom Woods of Bozeman filed with the COPP a statement of candidate to run for Public Service Commission District No. 3 in the 2020 election. See, Exh. 1.
2. The election for the public service commission is a partisan election.
3. Woods or the Woods campaign for PSC has created a public facebook page entitled 'Tom Woods for Public Service Commission'. See, Exh. 2.
4. Woods or the Woods campaign for PSC has also created a public campaign page with the web address of: <https://www.tomwoodsforpsc.com/>. See Exh. 3.
5. Nowhere on the Woods/Woods for PSC webpage is Tom Woods political affiliation identified.
6. Nowhere on the Woods/Woods for PSC webpage is there a proper attribution statement, i.e. a proper 'Paid for by' statement/attribution.
7. Similarly, nowhere on the Woods/Woods for PSC facebook landing page is Tom Woods political affiliation identified.
8. Nowhere on the Woods/Woods for PSC webpage is there a proper attribution statement, i.e. a proper 'Paid for by' statement attribution.

VIOLATIONS:

- a. As expressly set forth in Montana law and in the COPP accounting and reporting manual for candidates and campaign treasurers, relevant pages attached as Exh. 4, all campaign materials, including websites and facebook pages, must include a 'Paid for by . . .' attribution statement (i.e. the disclaimer). See, Page 33.
- b. All election materials are required by 13-35-225, MCA, to clearly and conspicuously include the appropriate attribution language.
- c. As noted above, neither the Tom Woods campaign facebook page nor the Tom Wood campaign website contain the legally required disclosure language. This constitutes two separate violations of Montana's campaign finance disclosure laws by Woods and/or the Woods PSC Campaign.
- d. In addition, nowhere on the Woods campaign facebook page or on the Woods campaign website is the Woods' party affiliation identified.
- e. As clearly stated in the COPP accounting and reporting manual for candidates and campaign treasurers, in partisan elections, such as the PSC election, election communications just state either the candidate's party affiliation or include the candidate's party symbol. See, Exh. 4, Pages 34-35.
- f. Woods' failure to identify his party affiliation on both his campaign facebook page and his campaign webpage constitute two additional violations of Montana's campaign disclosure laws.

As succinctly stated on the COPP webpage, Montana's campaign finance laws protect the public's right to know who is paying to finance elections. Every Montanan must be able to look at any paid political communication and be able to know who financed the material.

As a candidate, Tom Woods is and was required to disclose his party affiliation and who paid for his online pages in order to ensure full campaign transparency. Tom Woods has clearly and purposefully gone out of his way to ensure that Montana citizens are deprived of critical information as to who is funding Woods' on-line campaign webpages, thereby (1) depriving Montana voters of information related to transparent reporting of money in Montana elections and (2) depriving Montana voters the accountability they are owed from elected officials, such as Tom Wood, who participate in Montana's democratic process.

Tom Woods has been a Montana state legislator for multiple legislative sessions. Woods has been a candidate for public office multiple times. Woods has also been a vocal champion of full disclosure of campaign spending and reporting during his time in the legislature. Yet, despite Woods claims that he is for full campaign reporting and disclosure, Woods himself has failed to meet even the most basic of Montana's campaign disclosure requirements during his run for a

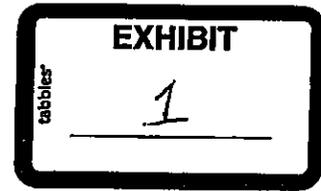
seat on the Montana Public Service Commission. Woods do as I say, not as I do, attitude about campaign finance disclosure and compliance is revealing.

As such, the concept of excusable neglect cannot be used by Woods or the COPP to absolve Woods' and/or the Woods' PSC Campaign committee for the multiple violations of Montana law set forth above. If anything, the fact that Woods has extensive experience in the area of campaign finance law in Montana necessitates that he be held to a higher standard and sanctioned accordingly.

RELIEF REQUESTED:

- That Woods/the Woods for PSC Committee be determined to have violated Montana's campaign finance laws in that their online campaign pages, namely Facebook and the campaign website, fail to include the campaign disclosure disclaimers required by Montana law.
- That the Woods/the Woods for PSC Committee be determined to have violated Montana's campaign finance laws in that their online campaign pages, namely facebook and the campaign website, fail to include any identification of Woods' party affiliation
- These campaign disclosure violations have been continual and ongoing for at least 6 months as the proper legal disclosures have been omitted since the creation of the pages.
- That Woods be immediately directed to take down both his facebook page and his campaign website and be prohibited from posting the pages publicly until such time as the proper disclaimers are posted.
- That a civil penalty be assessed against Woods/the Woods Campaign.
- That Woods' campaign finance and disclosure violations be referred to the Lewis and Clark County Attorney's Office for possible civil/criminal prosecution.
- That Woods be prohibited from appearing on the 2020 primary ballot unless and until Woods complies with Montana's campaign finance disclosure laws.

Statement of Candidate (C1 or C1-A)



Candidate Information

Candidate Full Name: Woods, Thomas D
Mailing Address: 1447 Cherry Drive Bozeman, MT 59715
Physical Address: 1447 Cherry Drive Bozeman, MT 59715
Home Phone: (406) 850-4461
Alternate Phone:
Campaign Email Address: tomwoods4mt@gmail.com
Election Year: 2020
Candidate Type: State District
Office Sought: Public Service Commission District No. 03
Resident County: Gallatin
Political Party: Democrat
Current Status: Active
Date Filed:
Amended Date:
D1 Received Date:
C118 Received Date:
Reporting Status:
Bank Full Name: First Interstate Bank
Bank Address: 202 West Main Bozeman, MT 59715

Campaign Treasurer Information

Treasurer Full Name: Woods, Tom
Mailing Address: 1447 Cherry Drive, Bozeman MT Bozeman, MT 59715
Physical Address: 1447 Cherry Drive, Bozeman MT Bozeman, MT 59715
Home Phone: (406) 850-4461
Alternate Phone:
Home or Personal Email Address: tomwoods4mt@gmail.com

Deputy Treasurer Information



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Tom Woods For Public Service Commission @Tom4MT

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526 people like this

619 people follow this

About

See all

(406) 850-4461

Send message

www.tomwoodsforpsc.com

Politician

Page transparency

See more

Facebook is showing information to help you better understand the purpose of a Page. See actions taken by the people who manage and post content.

Page created - 17 January 2012

Related Pages



Montana Senate Demo...

Dustin Stewart likes this Political organisation

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Ed Stafman for Montana

Political candidate

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TOM WOODS

For Public Service Commissioner

Chat



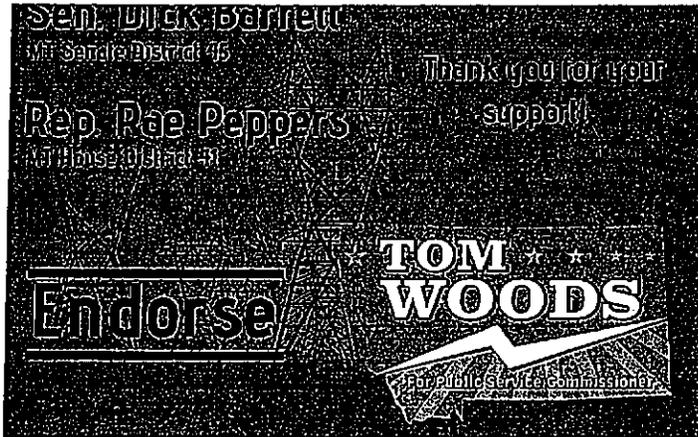
Tom Woods For Public Service Commission @Tom4MT

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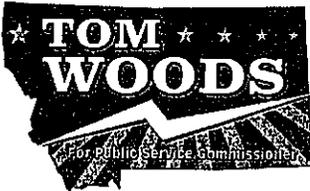


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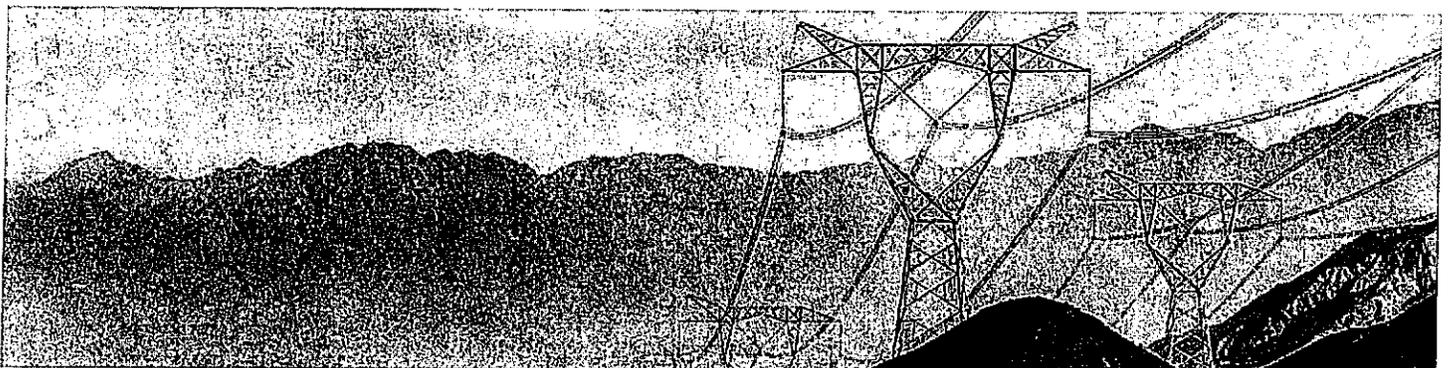
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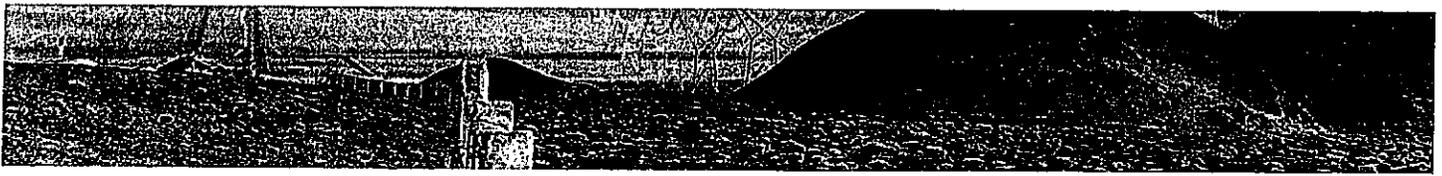


ABOUT TOM (/ABOUT-TOM)
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RESOURCES (/RESOURCES)
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HOME (/)

TOM WOODS FOR PUBLIC SERVICE COMMISSION





**HI, I'M TOM AND I'M
RUNNING TO BE YOUR
NEXT DISTRICT 3 PUBLIC
SERVICE COMMISSIONER.**

As a 4 term legislator, Tom Woods has been a fierce advocate for ratepayers. He has fought to expose the methods Northwestern Energy uses to make unfair profits. For a better energy future, we need him on the Public Service Commission.

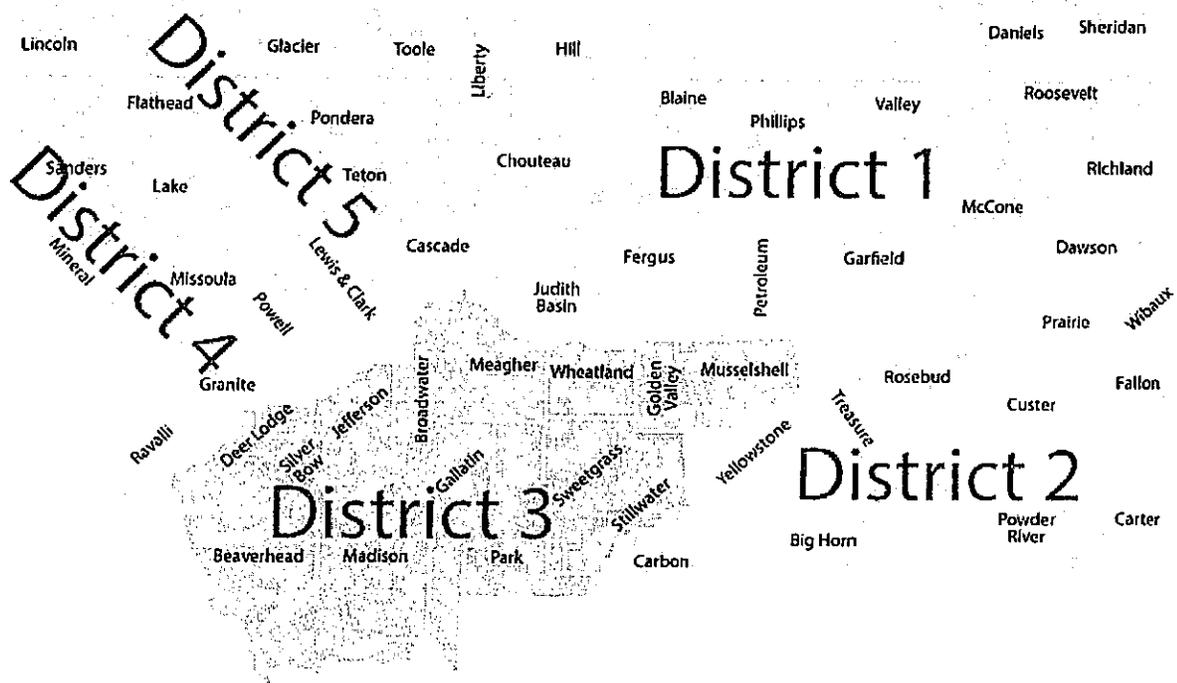


DONATE ([HTTPS://SECURE.ACTBLUE.COM/DONATE/TW4PSC](https://secure.actblue.com/donate/tw4psc))



We need to put the public back in the Public Service Commission.

— Tom Woods



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Tom Woods For PSC



What I'm About

ENDORSEMENTS

DONATE

Public Service
Commision



 [Campaign Facebook Page](#)

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Let's Chat!

Tom Woods
For PSC



HOME

ENDORSEMENTS

DONATE

Public Service
Commission

What I'm About

As a legislator, for 8 years I have fought to get fair utility rates for the people of Montana. Im ready to continue that work as your Public Service Commissioner.

What is the public service commission (PSC)?
Why should we elect Tom Woods to the PSC?

The public service commission regulates companies that are granted monopolies in the state of Montana. That means companies like northwestern energy, Telecommunications companies, And railroads. Unfortunately, the PSC has made some poor decisions in utility regulation, resulting in Montanans paying far too much for electricity and natural gas. Northwestern Energy has also been allowed to stifle energy production by small producers.

As a state legislator, Tom Woods worked hard to make the billing process more fair to consumers like us. During his four sessions in the House of Representatives he worked on both sides of the aisle, bringing 13 bills that sought to bring balance to a system that treats ratepayers unfairly. He went up against a powerful lobby because it was the right thing to do.

Rep. Woods has been a staunch and fierce advocate for those of us who pay utility bills. Let's elect him to the PSC, where we need him to work for us.

HOME

What I'm About

ENDORSEMENTS

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Let's Chat!

Tom Woods
For PSC

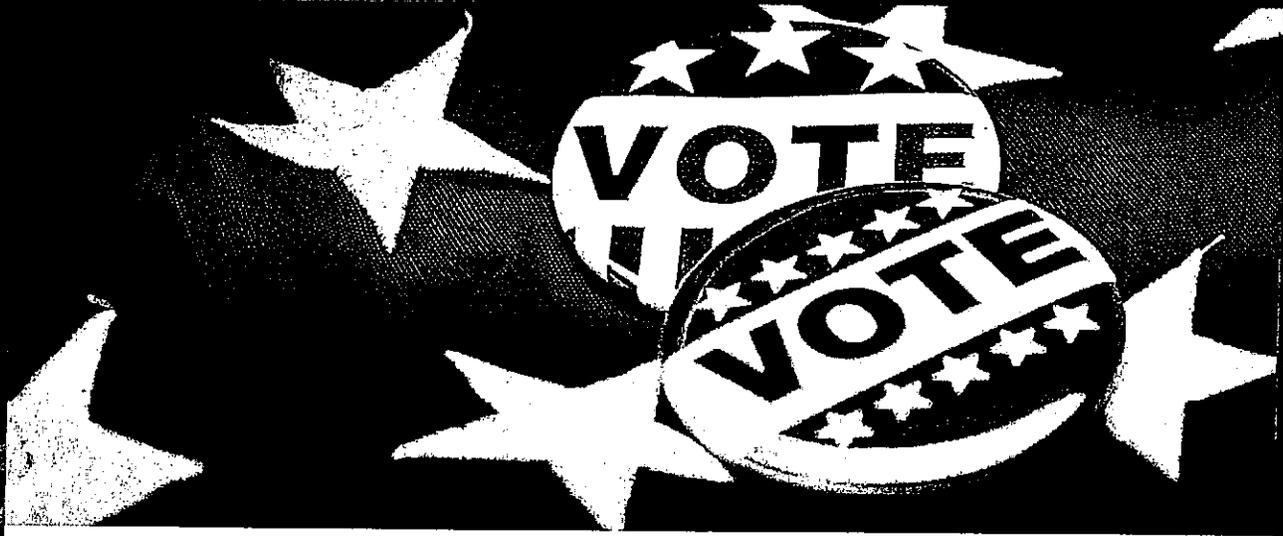


HOME

What I'm About



Public Service
Commision



ENDORSEMENTS

Caron Cooper

I spoke with Caron Cooper, who ran as an Independent for the PSC in 2016. She has endorsed me for PSC in 2020. I'm honored. Thank you, Caron!

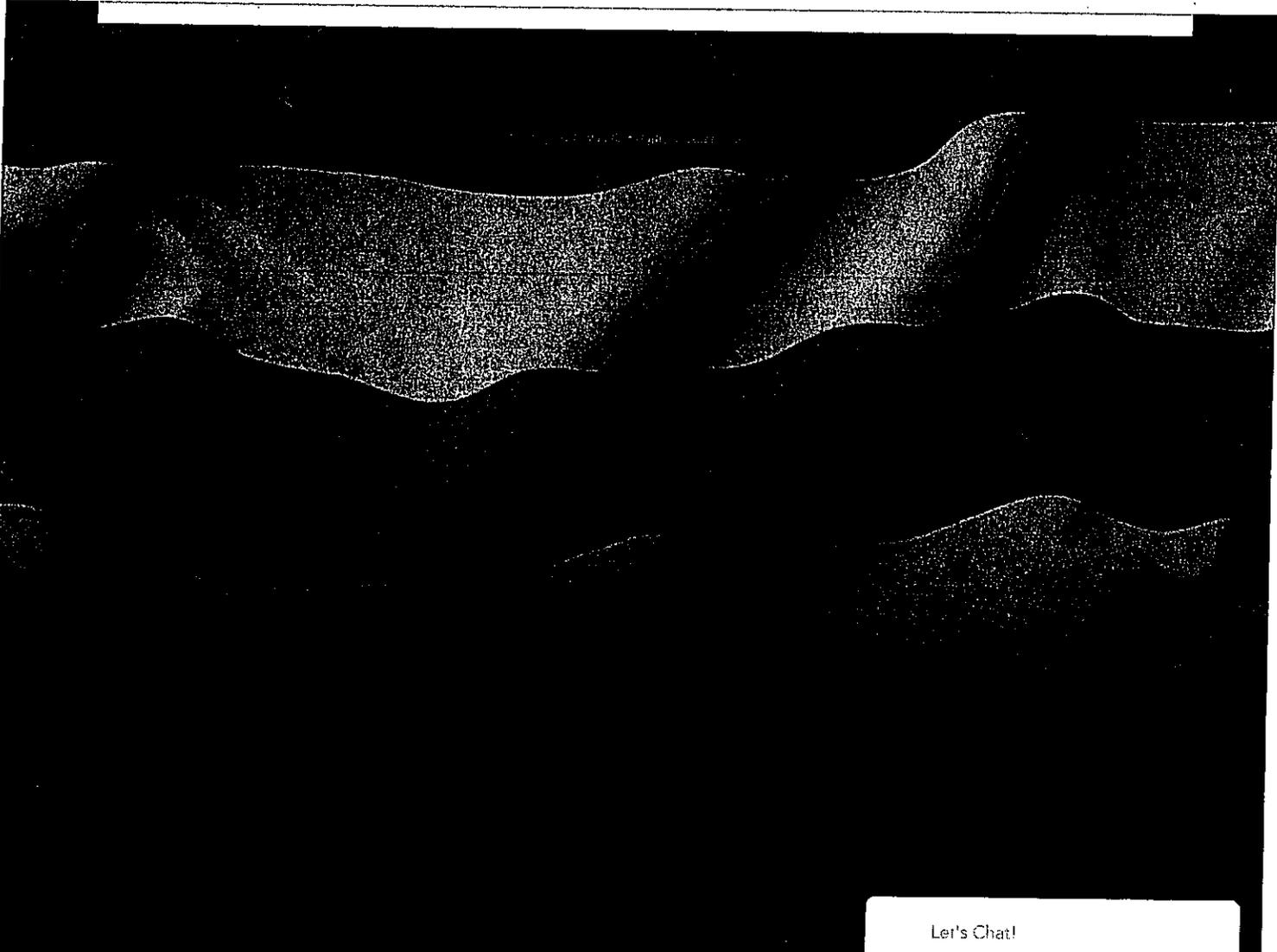
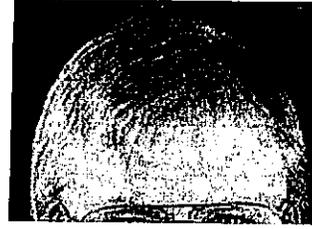


John Vincent

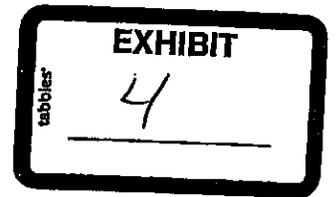
I am honored to have my first endorsement from John Vincent! He is a former legislator, Speaker of the House and PSC Commisioner.

Let's Chat!

Thank you for your service and your support,
John!



Let's Chat!



Accounting and Reporting Manual for Candidates and Treasurers



Commissioner of Political Practices

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Helena, MT 59620

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www.politicalpractices.mt.gov

Contact us via email: cpphelp@mt.gov or
cppcompliance@mt.gov

'Like' the Montana Commissioner of Political Practices Facebook page for updates and follow us on Twitter:

<https://www.facebook.com/MontanaCOPP>

Twitter: @MontanaCOPP

Part 3: Required Attribution, Disclaimers & Notices

Attribution

Campaign materials must include a “Paid for by...” attribution statement (sometimes called a “disclaimer.”) Communications that advocate the success or defeat of a candidate, political party or ballot issue are all covered by the requirement. Those communications include, but are not limited to, TV or radio, newspapers, billboards, direct mail (brochures, postcards), posters, bumper stickers, yard signs, and websites, 13-35-225(1), MCA and ARM 44.11.601(3), and provides additional guidance/requirements for how to appropriately attribute campaign materials:

All election materials are required by 13-35-225, MCA, to clearly and conspicuously include the appropriate attribution language. To ensure compliance with this statutory directive, the Commissioner established the following requirements and specifications:

1. (a) For election materials financed by a candidate or a candidate’s campaign, the attribution must include either:
 - The name and address of the candidate; or
 - The name and address of the candidate’s campaign.
- (b) An attribution using the name of the candidate’s campaign number include the first and last name of the candidate if the name of the campaign does not include at least the candidate’s last name.
- (c) Additional information, such as the name of the campaign treasurer, may be included within the attribution language, but it is not required.

Examples of an appropriate attribution for a candidate are:

Paid for by John Smith
P.O. Box 1000
Helena, MT, 59605

Or

Paid for by Smith for Senate
P.O. Box 20000
Helena, MT 59605

2. (a) For written election materials, including but not limited to those published, broadcast, or otherwise disseminated through print media or digital media, as defined in these rules:

- The reader or observer should have no difficulty locating and reading the attribution language;
- The attribution language should be of sufficient type size to be clearly readable by the recipient or reader of the communication;
- The language should be contained in a printed area or segment set apart from the other contents of the election materials;
- The language should be printed with a reasonable degree of color contrast between the background and the printed statement; and
- In the case of yard signs or other campaign signs, the attribution language should appear on the side of the sign that contains the campaign message.

(b) For broadcast election materials, including but not limited to those published, broadcast, or otherwise disseminated through broadcast media or digital media, as defined by these rules:

- The attribution language for broadcast election communications containing audio content shall be spoken in the communication;
- The attribution language for broadcast election materials containing visual content shall be displayed in the communication. The language may simultaneously be spoken, but it is not required.

(c) In partisan candidate elections, election communications and electioneering communications financed by a candidate or a political committee organized on the candidate's behalf must state either the candidate's party affiliation or include the candidate's party symbol.

- To meet the party affiliation disclosure requirement, election materials should state the name or a reasonable and comprehensible abbreviation of the name of one of the qualified political parties in Montana: "Democrat," "Libertarian," or "Republican."
- To meet the party symbol disclosure requirement, election materials should include either the symbol for one of the qualified political parties in Montana or the capitalized first letter of one of the parties. Acceptable symbol designations are:
 - Democrat: the donkey symbol or "D";
 - Libertarian: the Statue of Liberty symbol or "L"; or