

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

RECEIVED  
COMMISSIONER OF  
POLITICAL PRACTICES  
2010 JUN 01 11:01

HAND DELIVERED   
CERTIFIED MAIL   
SIGNED/NOTARIZED

**Ethics**

**Complaint Form (10/09)**

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

**Person bringing complaint (Complainant):**

Complete Name Debra M. Bonogofsky  
Complete Mailing Address 2009 Tired Man Road  
Billings, MT 59101  
Phone Numbers: Work 406-252-5151 Home 406-245-5022

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

Complete Name Assembly Action Fund  
Complete Mailing Address PO Box 3662  
Lewistown, MT 59457  
Phone Numbers: Work \_\_\_\_\_ Home \_\_\_\_\_

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

**Verification by oath or affirmation**

State of Montana, County of Yellowstone

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



Debra M. Bonogofsky  
Signature of Complainant

Subscribed and sworn to before me this 16th day of  
June, 2010.

K. R. Carranco  
Notary Public

My Commission Expires: Oct 16, 2012

**Statement of facts:**

Describe in detail the alleged violation(s), including pertinent dates, 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.

**STATEMENT OF FACTS:**

The attached flyer and the radio ad, by the Assembly Action Fund attacking Debra Bonogofsky, a candidate for HD57, violates Title 13, Chapters 35 and 37 of the Montana Code. The political committee making the mailing and the radio ad did not include the appropriate disclaimer.

According to 13-35-225(1), MCA, campaign material distributed by a political committee must "conspicuously include the attribution 'paid for by' followed by the name and address of the person who made or financed the expenditure, the name of the committee treasurer, and the address of the committee or the committee treasurer. This information is not included on the Assembly Action Fund mailing; there is no "paid by" attribution, and no name of the committee treasurer. In the radio ad there is no name or address of the committee treasurer.

In addition, the party responsible for the mailer and the radio ads has not filed the required committee finance reports. Assembly Action Fund is a 501(c)4 organization which has not filed as a political committee and has not filed a campaign report. Section 13-37-201, MCA states "A political committee shall file the certification, which shall include an organizational statement and set forth the name and address of all other 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 shall be filed with the commissioner and the appropriate election administrator as specified for the filing of reports in 13-37-225."

The mailing and the radio ad clearly attack Debra Bonogofsky, a candidate for the legislature and implicitly calls on people not to vote for Bonogofsky. Since Assembly Action Fund is apparently sponsoring this mailing, it has violated Montana law by not filing as a political committee and by not filing campaign finance reports as required by law.

**Complaint must be:**

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

**“Abortions should  
always be legal.”**

**- Debra Bonogofsky**

Assembly Action Fund  
PO Box 3662  
Lewistown, MT 59457

Daryl Rose  
8420 Black Marlin Dr  
Billings, MT 59106-4622

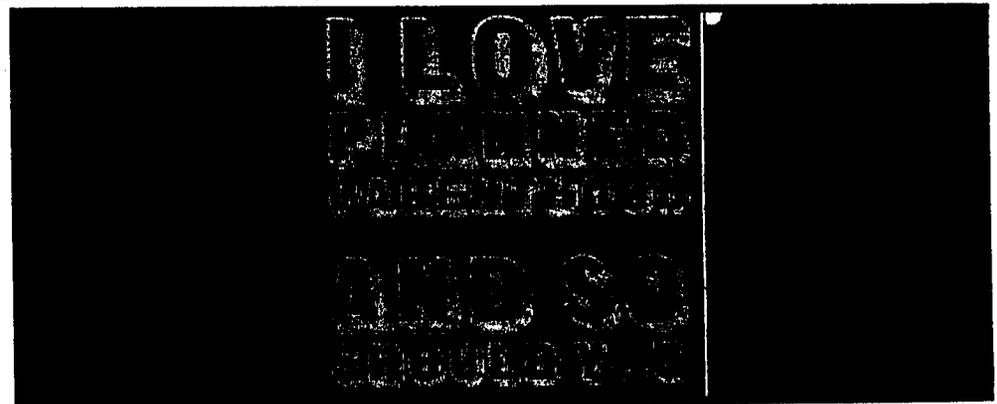


# Pro-abortion Debra Bonogofsky's written promise? Radicalize Montana's abortion laws.

In written statements and positions, radical pro-abortion candidate Debra Bonogofsky tells Project Vote Smart:

- X She believes that "Abortions should always be legal."
- X She does NOT support ANY restrictions or regulations on abortion.
- X She does NOT support waiting periods for abortion.
- X She does NOT support "requir(ing) clinics to give parental notification before performing abortions on minors."

Paid for by the Assembly Action Fund, a grassroots lobbying group organized under IRS 501(c)4. Not subject to political committee reporting requirements. Assembly Action Fund does not support or oppose candidates for public office.



Pro-abortion radical Debra Bonogofsky's written promise?  
Absolutely no regulations or restrictions on Montana Planned Parenthood.

**Call Debra Bonogofsky at 245-5022**  
**before the June 8 Republican primary.**  
Tell her to drop her 100% pro-abortion agenda  
and support the Right to Life.

REMEMBER THOSE ADS FROM THE LIBERAL WASHINGTON DC GROUP, "MAIN STREET ADVOCACY" PROMOTING STATE HOUSE CANDIDATE DEBRA BONOGOSKY? THE BILLINGS GAZETTE REPORTED MAY 27<sup>TH</sup> THE DC GROUP QUOTE "DECIDED TO HALT ITS AD CAMPAIGN" UNQUOTE AFTER QUESTIONS WERE RAISED ABOUT ITS FINANCIAL DISCLOSURE. AND WHERE DID MAIN STREET ADVOCACY GET ITS CASH TO PROMOTE DEBRA BONOGOSKY? ACCORDING TO STATE FILINGS IN HELENA, A TEN-THOUSAND DOLLAR CHECK FROM SEIU UNION BOSSES, THE DC-BASED SEIU UNION SPENT TWENTY-SEVEN MILLION TO ELECT OBAMA. THE MEMBERS WERE THE DRIVING FORCE BEHIND PASSING OBAMACARE, EVEN SAVAGELY BEATING A BLACK TEA PARTY ACTIVIST IN ST. LOUIS. THEY'RE SPENDING ANOTHER FORTY FOUR MILLION THIS YEAR TO ELECT PRO OBAMA LIBERALS. NOW THEY'RE IN MONTANA, TEAMING UP WITH DC MAIN STREET ADVOCACY TO PROMOTE DEBRA BONOGOSKY. CALL DEBRA BONOGOSKY AT 245-50-22 AND TELL HER TO DENOUNCE THE DC LIBERAL GROUPS THAT PROMOTED HER IN ADS THAT HAD TO BE PULLED FROM THE AIR. THIS MESSAGE NOT PAID FOR OR AUTHORIZED BY ANY CANDIDATE. PAID FOR BY ASSEMBLY ACTION FUND POST OFFICE BOX 3662 LEWISTOWN MONTANA 59457. ASSEMBLY ACTION FUND DOES NOT SUPPORT OR OPPOSE CANDIDATES FOR OFFICE. ASSEMBLY ACTION DOT COM.

# GAPWEST BROADCASTING

## Order Confirmation

Page 1 of 2  
Printed: 06/03/2010 10:05:30

Advertiser No: 2743                      Order No: 35534  
 Start Date: 06/04/2010                Co-op: No  
 End Date: 06/07/2010                 Package: No  
 Month Type: Calendar                 Agency Comm.: 0%  
 Revision #: 1  
 CPE: - - KBUL/Issue Campaign  
 AE: BLAIR DEAR  
 Entered: 06/03/2010 10:05 AM by bil1smu  
 Last Update: 06/03/2010 10:05 AM by bil1smu  
 Note: KBUL/Issue Campaign  
 Note 2:  
 Spl Req Inv:

ASSEMBLY ACTION FUND  
  
 Attn:  
 PO BOX 3662  
  
 LEWISTOWN, MT 59457

Market Station	Bind To	Start Date	End Date	No Of Weeks	Rate Rev. Type	Skip W. M T W T F S S	Spots/ W.	Spot Length	Ord Spots	Ord Cost
1 Billings KBUL-AM	06:00-19:00 Commercial	06/04/10	06/06/10	1	14.25 Loc Dir Pol	0 0 0 0 0 4 4 4	12	60	12	171.00
2 Billings KBUL-AM	06:00-19:00 Commercial	06/07/10	06/07/10	1	14.25 Loc Dir Pol	0 4 0 0 0 0 0 0	4	60	4	57.00

Ordered Spots:	16	Ordered Gross:	\$228.00
		Agency Commission:	\$0.00
		Ordered Net:	\$228.00
		Misc. Revenue Gross:	\$0.00
		Agency Commission:	\$0.00
		Misc. Revenue Net:	\$0.00
		<b>Total Net Due:</b>	<b>\$228.00</b>

	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
<b>Amt. Ord.:</b>	16	0	0	0	0	0	0	0	0	0	0	0	0
<b>Gross:</b>	228.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Net:</b>	228.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

When signed below, this is a contract for advertising on the radio stations named above, made with the owner of those stations, subject to those terms and conditions beginning on the last page of this Order Confirmation. Except when this contract is executed by advertiser itself, it is agreed that advertiser's agency makes this contract both for itself and advertiser.

Accepted for Company: \_\_\_\_\_

Accepted for Advertiser: \_\_\_\_\_

**Participating Customers**  
 ASSEMBLY ACTION FUND

100%

Bill IA

## AGREEMENT FORM FOR NON-CANDIDATE/ISSUE ADVERTISEMENTS

Station and Location: <i>WJLH / Billings, MT</i>	Date: <i>5/27/10</i>
---	-------------------------

I, *Jeremy Hofer*  
do hereby request station time concerning the following issue:

*Accuracy in advertising*

Broadcast Length	Time of Day, Rotation or Package	Days	Class	Times per Week	Number of Weeks
<i>:60</i>	<i>M-F 6a-7p</i>	<i>F-Sun</i>	<i>ROS</i>	<i>12</i>	<i>1</i>
<i>:60</i>	<i>M-F 6a-7p</i>	<i>M</i>	<i>ROS</i>	<i>4</i>	<i>1</i>

**Total Charges:** *\$228.00*

This broadcast time will be used by: *Assembly Action Fund*

**Does the programming (in whole or in part) communicate "a message relating to any political matter of national importance?"**

Yes
  No

NAB Form PB-16 Issues

For programming that "communicates a message relating to any political matter of national importance," list the name of the legally qualified candidate(s) the programming refers to, the office(s) being sought and the date(s) of the election(s) (if applicable):

[Empty box for candidate information]

For programming that "communicates a message relating to any political matter of national importance," attach Agreed Upon Schedule (Page 3)

I represent that the payment for the above described broadcast time has been furnished by:

Assembly Action Fund

and you are authorized to announce the time as paid for by such person or entity. The entity furnishing the payment, if other than an individual person, is:

501c4 Refunds a corporation;  a committee;  an association;  or other unincorporated group.

The names, offices, and addresses of the chief executive officers, directors, and/or authorized agents of the entity are named below (may be attached separately):

I agree to indemnify and hold harmless the station for any damages or liability, including reasonable attorney's fees, that may ensue from the broadcast of the above-requested advertisement(s). For the above-stated broadcast(s), I also agree to prepare a script, transcript, or tape, which will be delivered to the station at least before the time of the scheduled broadcasts.

TO BE SIGNED BY ISSUE ADVERTISER

6/11/10 Date

[Handwritten signature]

Signature

406-624-9227 Contact Phone Number

TO BE SIGNED BY STATION REPRESENTATIVE

Accepted  Accepted in Part  Rejected

Blair Dear Signature

Printed Name

DOS Title

## AGREED UPON SCHEDULE

**For All Issue Advertisements That Communicate a Message Relating to Any Political Matter of National Importance**

Broadcast Length	Time of Day, Rotation or Package	Days	Class	Times per Week	Number of Weeks
c	c	c	c	c	c

**Total Charges:** aa

### AFTER AIRING OF BROADCASTS:

Attach invoices or Schedule Run Summary to this Form showing:

- (1) actual air time and charges for each spot;
- (2) the date(s), exact time(s) and reason(s) for Make-Good(s), if any; and
- (3) the amount of rebates given (identify exact date, time, class of broadcast and dollar amount for each rebate), if any.

**Note:** Because the FCC requires that the political file contain the actual times the spots air, that information should be included in the file as soon as possible. If that information is only generated monthly, the file should include the name of a contact person who can provide the times that specific spots aired.

Assenle  
P.O. Box  
Clemson

096

93-527/929 457

6/11/0

Date

Pay to the  
Order of

Business Net \$98000

© 1993 B.A. BUSHONG



First State Bank, N.C.  
Member  
Federal Reserve System

[Redacted MICR line]

00096

# GAPWEST BROADCASTING

## Order Confirmation

Page 1 of 2  
Printed: 06/03/2010 10:05:30

Advertiser No: 2743      Order No: 35533  
 Start Date: 05/31/2010      Co-op: No  
 End Date: 06/07/2010      Package: No  
 Month Type: Calendar      Agency Comm.: 0%  
 Revision #: 1  
 CPE: - - KCTR/Issue Campaign  
 AE: BLAIR DEAR  
 Entered: 06/03/2010 10:04 AM by bil1smu  
 Last Update: 06/03/2010 10:04 AM by bil1smu  
 Note: KCTR/Issue Campaign  
 Note 2:  
 Spl Req Inv:

ASSEMBLY ACTION FUND

Attn:  
PO BOX 3662

LEWISTOWN, MT 59457

Market Station	Bind To	Start Date	End Date	No Of Weeks	Rate Rev. Type	Skip							Spots/ W.	Spot Length	Ord Spots	Ord Cost	
						W	M	T	W	T	F	S					S
1 Billings KCTR-FM	06:00-19:00 Commercial	05/31/10	06/06/10	1	47.00 Loc Dir Pol	0	0	0	0	0	4	4	4	12	60	12	564.00
2 Billings KCTR-FM	06:00-19:00 Commercial	06/07/10	06/07/10	1	47.00 Loc Dir Pol	0	4	0	0	0	0	0	0	4	60	4	188.00

Ordered Spots:	16	Ordered Gross:	\$752.00
		Agency Commission:	\$0.00
		Ordered Net:	\$752.00
		Misc. Revenue Gross:	\$0.00
		Agency Commission:	\$0.00
		Misc. Revenue Net:	\$0.00
		<b>Total Net Due:</b>	<b>\$752.00</b>

	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
<b>Amt. Ord.:</b>	0	16	0	0	0	0	0	0	0	0	0	0	0
<b>Gross:</b>	0.00	752.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Net:</b>	0.00	752.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

When signed below, this is a contract for advertising on the radio stations named above, made with the owner of those stations, subject to those terms and conditions beginning on the last page of this Order Confirmation. Except when this contract is executed by advertiser itself, it is agreed that advertiser's agency makes this contract both for itself and advertiser.

Accepted for Company: \_\_\_\_\_

Accepted for Advertiser: \_\_\_\_\_

**Participating Customers**

ASSEMBLY ACTION FUND      100%

G Bill

## AGREEMENT FORM FOR NON-CANDIDATE/ISSUE ADVERTISEMENTS

Station and Location: <u>TR 15 Days, MT</u>	Date: <u>5/27/10</u>
---	----------------------

I, Jeremy Hofer  
do hereby request station time concerning the following issue:

Accuracy in advertising.

Broadcast Length	Time of Day, Rotation or Package	Days	Class	Times per Week	Number of Weeks
:60	M-F 6a-7p	F-S	ROS	12	1
	M-F 6a-7p	M	ROS	4	1

**Total Charges:** \$752.00

This broadcast time will be used by: Assembly Action Fund

**Does the programming (in whole or in part) communicate "a message relating to any political matter of national importance?"**

Yes
  No

## AGREED UPON SCHEDULE

**For All Issue Advertisements That Communicate a Message Relating to Any Political Matter of National Importance**

Broadcast Length	Time of Day, Rotation or Package	Days	Class	Times per Week	Number of Weeks
c	c	c	c	c	c

**Total Charges:** 20

### AFTER AIRING OF BROADCASTS:

Attach invoices or Schedule Run Summary to this Form showing:

- (1) actual air time and charges for each spot;
- (2) the date(s), exact time(s) and reason(s) for Make-Good(s), if any; and
- (3) the amount of rebates given (identify exact date, time, class of broadcast and dollar amount for each rebate), if any.

**Note:** Because the FCC requires that the political file contain the actual times the spots air, that information should be included in the file as soon as possible. If that information is only generated monthly, the file should include the name of a contact person who can provide the times that specific spots aired.

Assenley  
PO Box  
Lewistown

096

6/11/0

93-527/929 457

Pay to the  
Order of

Bu...

\$ 98000

© 2004 BSA



First State Bank, N.A.  
Member  
FDIC

00096

NAB Form PB-16 Issues

For programming that "communicates a message relating to any political matter of national importance," list the name of the legally qualified candidate(s) the programming refers to, the office(s) being sought and the date(s) of the election(s) (if applicable):

[Empty box for candidate information]

For programming that "communicates a message relating to any political matter of national importance," attach Agreed Upon Schedule (Page 3)

I represent that the payment for the above described broadcast time has been furnished by:

Assembly Action Fund

and you are authorized to announce the time as paid for by such person or entity. The entity furnishing the payment, if other than an individual person, is:

solc4 Rendins a corporation;  a committee;  an association;  or other unincorporated group.

The names, offices, and addresses of the chief executive officers, directors, and/or authorized agents of the entity are named below (may be attached separately):

I agree to indemnify and hold harmless the station for any damages or liability, including reasonable attorney's fees, that may ensue from the broadcast of the above-requested advertisement(s). For the above-stated broadcast(s), I also agree to prepare a script, transcript, or tape, which will be delivered to the station at least before the time of the scheduled broadcasts.

TO BE SIGNED BY ISSUE ADVERTISER

6/11/10 Date

[Handwritten signature]

406-624-9227 Contact Phone Number

TO BE SIGNED BY STATION REPRESENTATIVE

Accepted  Accepted in Part  Rejected

Blair Dear Signature

Printed Name

DCS Title