

HAND DELIVERED

October 6, 2016

RECEIVED

2016 OCT -7 P 3:28

COMMISSIONER OF  
POLITICAL PRACTICES

Commissioner of Political Practices  
Commissioner Jonathan Motl  
1209 Eighth Ave.  
PO Box 202401  
Helena, MT 59620

RE: Complaint against Montana Citizens for I-182; Montana Cannabis Industry Association, Inc.; Greener Pastures Natural Medicine; and Lionheart Caregiving

Dear Commissioner Motl,

Safe Montana hereby submits this combined complaint against Montana Citizens for I-182 primary ballot committee; Montana Cannabis Industry Association, Inc. incidental committee ("MCIA"); Greener Pastures Natural Medicine; and Lionheart Caregiving whose contact information is:

Montana Citizens for I-182  
Jeff Krauss, Treasurer  
PO Box 1663  
Helena, MT 59624  
(406) 587-3284  
(406) 599-5836

Greener Pastures Natural Medicine  
*Treasurer Unknown*  
7580 Pioneer Way  
Bozeman, MT 59718  
(406) 599-0923

Montana Cannabis Industry Association  
James Haney, Treasurer  
PO Box 50074  
Billings, MT 59105  
(406) 670-0143

Lionheart Caregiving  
*Treasurer Unknown*  
1117 N. 7<sup>th</sup> Ave. # 1&2  
Bozeman, MT 59715  
(406) 586-2837  
[www.lionheartcaregiving.com](http://www.lionheartcaregiving.com)

This complaint is combined against the four entities named above since the violations against two of the entities lead to violations of the other two entities. The Commissioner should investigate the illegal advertising of each entity above and all members of the Montana Cannabis Industry/Information Association to ensure this pattern of unreported expenditures and contributions attempting to influence a Montana election is stopped immediately.

- I. **Illegal Advertisements and Election Communications from Greener Pastures Natural Medicine (hereinafter "Greener Pastures") and Lionheart Caregiving violate multiple Montana laws.**

Greener Pastures and Lionheart Caregiving have made expenditures in the form of election communications in support of I-182 and have failed to report anything to the Commissioner of Political Practices. These expenditures are in violation of multiple Montana laws as outlined below.

Both election communications appear in the Fall 2016 issue of Outside Bozeman magazine. The online version of the magazine is available here:

<http://html5.publicationprinters.com/desktop/stage/default.aspx?pubname=&edid=203db10b-c623-443e-a43d-e32d62bdcb71&pnum=1>.

Greener Pastures purchased a full page back cover ad (attached as Exhibit A) appearing on page 131 of the Fall 2016 edition for approximately \$2,950. Lionheart Caregiving purchased a full page ad (attached as Exhibit B) appearing on page 117 of the Fall 2016 edition for approximately \$2,175. Attachment C provides the advertising rates for Outside Bozeman magazine. It is unclear how many ads Greener Pastures and Lionheart Caregiving purchased in the magazine as there appear to be discounts for the more ads purchased over multiple issues. Each violation outlined below is a separate violation by each entity.

**A. The advertisements are prohibited by law and clearly violate Mont. Code Ann. § 50-46-341.**

Montana law strictly prohibits advertisements for marijuana or any marijuana related products. Mont. Code Ann. § 50-46-341 and *Montana Cannabis Industry Association v. State of Montana*, 2016 MT 44, ¶¶ 57–67 (upholding the constitutionality of Mont. Code Ann. § 50-46-341. The ads shown in Exhibit A and Exhibit B are in violation of this law as they are advertising marijuana.

**B. Mont. Code Ann. § 13-37-201 and Admin. R. Mont. 44.11.201 requiring filing of an incidental committee have been violated.**

Montana law requires a political committee to be filed by submitting its C-2 Statement of Organization to the Commissioner of Political Practices “within 5 days after it makes an expenditure or authorizes another person to make an expenditure on its behalf, whichever occurs first.” Mont. Code Ann. § 13-37-201(2)(b); Admin. R. Mont. 44.11.201.

Neither Greener Pastures nor Lionheart Caregiving have filed a C-2. The absolute latest that a C-2 should have been filed was in early August. The rate sheet clearly shows the Fall 2016 edition of Outside Bozeman magazine was published on September 6, 2016, space reservation and copy was due August 5, 2016, and the print ready advertisements were due to the magazine August 15, 2016. Exhibit C, p. 2. It is likely that in order to meet the advertising deadline both Greener Pastures and Lionheart Caregiving actually had entered into contracts or began production on their ads in late July.

**C. Failure to disclose these expenditures is a violation of Mont. Code Ann. § 13-37-225 and multiple other laws and rules.**

Montana law requires reports of contributions and expenditures. No reports have been filed by Greener Pastures or Lionheart Caregiving disclosing the expenditures on the election communications. Both entities should have filed at the very least a report on September 1 and a report on October 1, and likely a report on August 1.

Because no reports have been filed, the following laws and regulations have also been violated by Greener Pastures and Lionheart Caregiving: Mont. Code Ann. §§ 13-37-226 (time for filing reports), 13-37-228 (time periods covered by reports), 13-37-231 (reports to be certified as true, complete, and correct), 13-37-232 (disclosure requirements for incidental committees); Admin. R. Mont. 44.11.302

(filing of statements and reports), 44.11.502 (expenditure reporting), and 44.11.604 (election communication).

**D. Multiple reports are late in violation of Montana law.**

Reports to the Commissioner of Political Practices are required periodically by Mont. Code Ann. § 13-37-226 and Admin. R. Mont. 44.11.302. As stated above, no reports have been filed by Greener Pastures or Lionheart Caregiving. Based on the timing of the ads, reports that should have been filed August 1, September 1, and October 1 are all late.

**E. The ads do not contain the proper attribution in violation of Mont. Code Ann. § 13-35-225 and Admin. R. Mont. 44.11.601.**

Neither ad contains the proper attribution requirements and is another violation of the law by both Greener Pastures and Lionheart Caregivers. "Paid for by" is missing as well as identification of the treasurer. Both of these pieces of information are required by law.

**II. Montana Citizens for I-182 failed to report in kind contributions from Greener Pastures and Lionheart Caregivers in violation of law.**

Montana Citizens for I-182 failed to report in kind contributions for the election communications from Greener Pastures and Lionheart Caregivers in violation of Mont. Code Ann. § 13-37-229.

**III. Montana Cannabis Industry/Information Association failed to report in kind contributions from Greener Pastures and Lionheart Caregivers in violation of law.**

Montana Cannabis Industry/Information Association failed to report in kind contributions for the election communications from Greener Pastures and Lionheart Caregivers in violation of Mont. Code Ann. § 13-37-229 or Mont. Code Ann. § 13-37-232.

**IV. Montana Cannabis Industry/Information Association failed to report contributions received to its organization in response to the solicitation of Lionheart Caregivers in violation of law.**

The Lionheart Caregiver ad asks voters to "vote yes I-182", states that it is a "proud sponsor of M.T.C.I.A.", and asks readers to "donate at MTCIA.org". The Montana Cannabis Industry Association name and logo also appear in the ad. This is clearly a solicitation of funds to support MTCIA's efforts to have I-182 approved by electors.

It is likely that the Montana Cannabis Industry Association received contributions for its efforts from this solicitation, yet the August and September reports of the MCIA do not report any contributors. This is a clear violation of Mont. Code Ann. § 13-37-229 requiring primary ballot committees to report all contributions, as the MCIA should be reclassified as a primary ballot committee. It is also a clear violation of Mont. Code Ann. § 13-37-232 requiring reporting of contributions received pursuant to a solicitation for incidental committees. Either way it is interpreted, MCIA has again violated the law.

It is incumbent on the Commissioner to thoroughly investigate this pattern of cannabis-providing businesses purchasing election communications advocating for the passage of ballot issue I-182 and



FALL 2016

# Outside Bozeman

*Southwest Montana's Outdoor Journal*

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## TRADITIONS CHALLENGED

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**Access Issues**  
**HUNTING ETHICS**  
Trapping Restrictions

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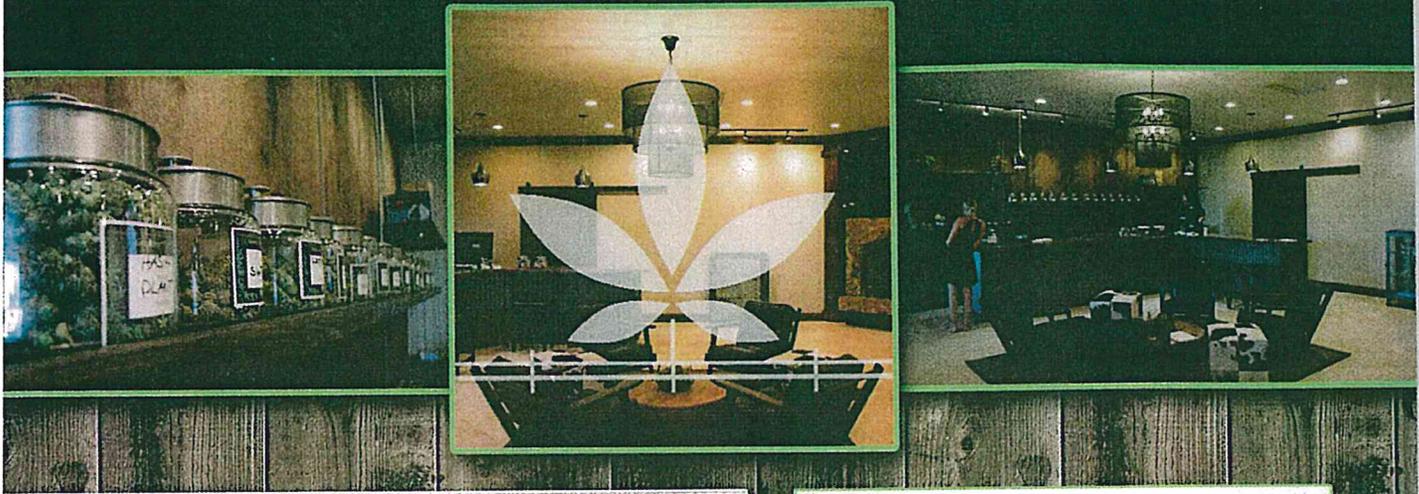


Fall Bikepacking | Grizzly Delisting | Ski-Season Prep | Paddleboard Cast & Blast

**Exhibit A-1**

# SECURE | SOPHISTICATED | SUPERIOR

At Greener Pastures, we strive to deliver an exceptional experience from the moment you walk in our safe and comfortable high-end dispensary.



We believe the education and purchase of medical marijuana doesn't need to include Bob Marley memorabilia and excessive pot leaf décor.

It should be focused on the patient and providing a secure location with knowledgeable staff to guide the purchase process.

We aim to eliminate the stigma around purchasing medical marijuana by offering Southwest Montana a comfortable clinic, educated and attentive staff, and the highest-grade strains available.

At Greener Pastures, we strive to deliver an exceptional experience from the moment you walk in our safe and comfortable high-end dispensary. Let our staff help you choose the most effective strain for what ails you.

Connect with us:    



Please vote **YES** on **I-182** to ensure safe Medical Marijuana access in Montana.



**New *BIG SKY* location opening soon!**

**Greener Pastures**  
Natural Medicine

Visit us online at [www.greenermontana.com](http://www.greenermontana.com)

(406)599-0923 | 7580 Pioneer Way Bozeman, MT 59718 | Hours M-F 9-6, Sat 10-4

Exhibit A-2

FALL 2016

# Outside Bozeman

*Southwest Montana's Outdoor Journal*

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## TRADITIONS CHALLENGED

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**Access Issues**  
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Fall Bikepacking | Grizzly Delisting | Ski-Season Prep | Paddleboard Cast & Blast

**Exhibit B-1**



LIONHEART  
CONTINUES  
TO HELP  
PROVIDE  
SAFE  
ACCESS!



### WHAT TO DO UNTIL I-182 PASSES IN NOVEMBER?

Lionheart will remain open under the new medical cannabis restrictions and continue to help patients find safe access. We will be open by appointment as a consulting and information resource for patients and providers. We can help patients find a provider or be their own provider. Vote yes on I-182 to help allow Lionheart to provide safe access to medical cannabis for more than 3 patients.

NOW SERVING THE COMMUNITIES OF  
MISSOULA | BOZEMAN | HELENA | BUTTE

CALL 406-586-BUDS (2837)

1117 N. 7TH AVE. IN BOZEMAN | OPEN M-F 10AM - 7PM, SAT 12-6PM, SUN 12-5PM

PROUD SPONSOR OF M.T.C.I.A.  
DONATE AT MTCIA.ORG



MTCIA  
Montana Cannabis Industry Association

WWW.LIONHEARTCAREGIVING.COM

Exhibit B-2

# Outside Bozeman Advertising Rates

Ad Size	Frequency / Multiple-Issue Contract Discounts				
	1x	2x	% disc.	4x	% disc.
Back Cover	\$2,950	\$2,550	14%	\$2,275	23%
Inside Cover, Page 3	\$2,675	\$2,325	13%	\$2,050	23%
Inside Back, Page 4	\$2,475	\$2,150	13%	\$1,900	23%
Full	\$2,175	\$1,900	13%	\$1,650	24%
2/3	\$1,825	\$1,575	14%	\$1,400	23%
1/2	\$1,525	\$1,350	11%	\$1,175	23%
1/3	\$1,175	\$1,025	13%	\$945	20%
1/4	\$975	\$870	11%	\$785	19%
1/6	\$675	\$600	11%	\$550	19%
1/9	\$350	\$315	10%	\$290	17%
1/12	\$350	\$315	10%	\$290	17%



- Competitive rates
- Three-month shelf life
- Larger ads receive larger contract discounts
- Four-issue insertions receive up to **23% off!**
- 5% discount for full up-front payment on multiple issue contracts

# Outside Bozeman Print Ad Specifications

12/7/2015

## 2016 AD DEADLINES

	SPRING 2016	SUMMER 2016	FALL 2016	WINTER 2016-17
SPACE RESERVATIONS / COPY DUE	2/12/16	5/6/16	8/5/16	11/4/16
PRINT-READY ADS DUE	2/22/16	5/16/16	8/15/16	11/14/16
PUBLICATION DATE	3/15/16	6/7/16	9/6/16	12/6/16

\*All dates are approximate; contact a salesperson for firm deadlines.

## MECHANICAL REQUIREMENTS

Print-ready ads: Submit print-ready ads whenever possible, making sure to flatten your artwork. This ensures we will not be missing fonts or images from your original design.

Copy: Magazine is created in InDesign CS6. Submit all logos, photos, and artwork in CMYK, 300 dpi, using the following versions and formats: JPG, PDF, TIFF. **DO NOT INCLUDE ANY CROPMARKS OR COLOR BARS WITH FINAL ARTWORK.**

Submitting: FTP information: [sftp.outsidebozeman.com](http://sftp.outsidebozeman.com), user: obads, password: outdoors, port: 8022 or e-mail TIFF, PDF or JPEG to [ads@outsidebozeman.com](mailto:ads@outsidebozeman.com) (RGB okay by e-mail) or bring a disk with all files/fonts to 313 West Mendenhall if applicable.

Note: A border may be added to your finished ad during layout (if it does not already include one) at the discretion of the Art Director.

## TERMS & CONDITIONS

**Payment:** 50% down payment due upon space reservation; balance due at printing. Late fees assessed as applicable. Cancellations or failure to produce copy/artwork by deadline are subject to a 50% cancellation fee. Make checks payable to **Outside Bozeman**.

**Design Fees:** We have in-house and freelance designers available to create your ad for a reduced rate; contact us for more information.

**Discounts:** Advertisers committing to multiple issues receive a special discount (see pricing sheet). Non-profits receive a 20% discount. There is also a 5% discount for full pre-payment.

**Restrictions:** Unless part of a special section, clip-out coupons are not allowed as part of any advertisement. No changes to ads may be made after final proof sign-off. Failure to make payment deadlines may result in a printing delay or in the omission of your ad.

406-582-8068 | [sales@outsidebozeman.com](mailto:sales@outsidebozeman.com)

## AD DIMENSIONS

Size	Width	Height
Full Page	7.375	9.875
Full Page - Full Bleed	8.875*	11.375*
2/3-Page Vertical	4.86	9.875
1/2-Page Vertical	3.6	9.875
1/2-Page Horizontal	7.375	4.854
1/3-Page Vertical	2.347	9.875
1/3-Page Horizontal	7.375	3.18
1/3-Page Square	4.86	4.854
1/4-Page	3.625	4.854
1/6-Page Vertical	2.347	4.854
1/6-Page Horizontal	4.86	2.34
1/9-Page	2.347	3.18
1/12-Page	2.347	2.34

\*Important: For full page, full bleed, keep all live matter (type, logos, web addresses, etc.) at least .5" in from Bleed edge, or 0.25" in from Trim Edge. Final trim size is approximately 8.375 x 10.875".

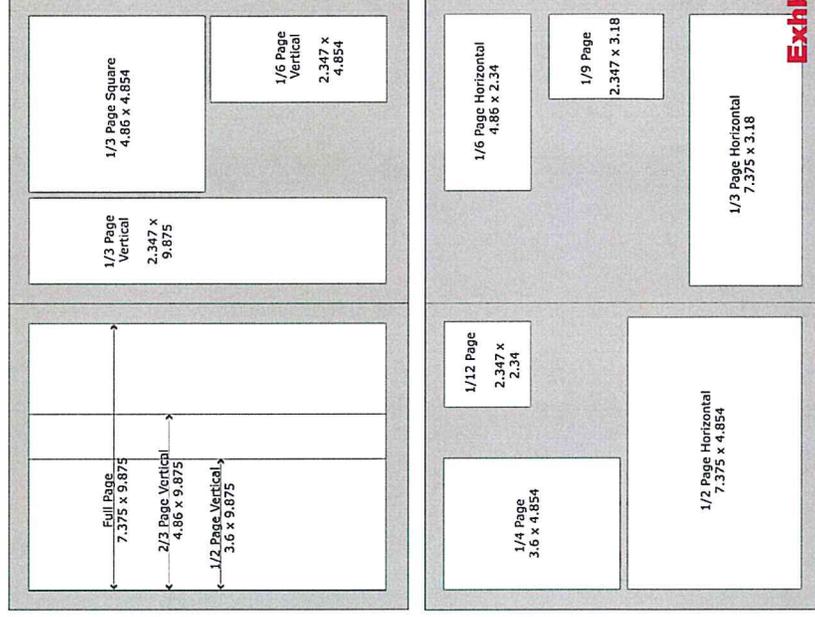


Exhibit C-2