

POSTMARKED

THE STATE OF MONTANA

AUG 13 2010

certified

FOR OFFICE USE ONLY

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

ORIGINAL

Campaign Finance and Practices

Complaint Form (10/09)

HAND DELIVERED

CERTIFIED MAIL

SIGNED/NOTARIZED

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

Person bringing complaint (Complainant):

Complete Name Ted Washburn
Complete Mailing Address 612 Candlelight Drive
Bozeman, MT 59718
Phone Numbers: Work (406)581-4898 Home (406)388-1901

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

Complete Name Ronald Murray
Complete Mailing Address 407 Moon Bean Lane
Belgrade, MT 59714
Phone Numbers: Work (406)388-4789 Home (406)388-4789

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 Gallatin

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

Ted WASHBURN
Signature of Complainant



Subscribed and sworn to before me this 12th day of August, 2010.

Jennifer J Balsley
Notary Public

My Commission Expires:

**Campaign Finance and Practices
Complaint Form**

Page 2

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 STATEMENT AND EXHIBIT 1 and EXHIBIT 2.

Complaints must be:

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

COMPLAINANT'S STATEMENT OF FACTS

COMPLAINANT: Ted Washburn
RESPONDENT: Ronald Murray

1. Ted Washburn and Ronald Murray, both Republicans, were opposing candidates for House District 69 (HD 69) in the June 2010 primary election. Ted Washburn is a State Representative for HD 69. Washburn defeated Murray.
2. Montana law required that candidates for the legislature file a post-primary election finance report by June 28, 2010. The reports are to be filed on form C-5 and are required to be filed with the office of the Commissioner of Political Practices (Commissioner) and the office of the county Clerk and Recorder.
3. Ronald Murray filed his post-primary election finance report on July 9, 2010 which was eleven days late and in violation of § 13-37-226 MCA.
4. In his C-5 report Ronald Murray listed a loan of \$1,575.96 from "Smart Simple Campaigns."
5. According to § 13-1-101(7)(a)(i) MCA a "Contribution" means "an advance, gift, loan, conveyance, deposit, payment or distribution of money or anything of value to influence an election. Therefore the loan from "Smart Simple Campaigns" to Ronald Murray is considered a contribution.
6. Pursuant to § 13-37-216(1)(a)(iii) the maximum allowed campaign contribution to a candidate for a house seat in the Montana Legislature is \$160. Therefore the contribution from Smart Simple Campaigns to Ronald Murray exceeds the contribution limit by \$1,415.96.
7. Pursuant to §13-35-227 MCA contributions from corporations are expressly prohibited. As shown on Exhibit 1, Smart Simple Campaigns is a limited liability company organized under Title 35 of the laws of the State of Montana. In the practical sense a limited liability company is synonymous with a corporation. Like a corporation, a limited liability company exists for the purpose of conducting business (§35-8-106 MCA). A limited liability company is an identifiable and discrete entity made up of one or more persons (§35-8-201 MCA). Therefore a Ronald Murray violated §13-35-227 by accepting the loan/contribution from Smart Simple Campaigns
8. According to § 13-37-217 MCA a candidate may not knowingly receive a contribution in another name other than the name of the person by whom the money was actually furnished. Ronald Murray's C-5 shows Smart Simple Campaigns as having an address of 2047 N. Last Chance Gulch #318, Helena, Montana 59601. The address of 2047 N. Last Chance Gulch #318 is nothing more than a commercial post office box location. As shown on Exhibit 1 Smart Simple Campaigns is actually a limited liability company with a principal address of 70 Orea Creek, Livingston, Montana 59047. According to §35-8-201 MCA, limited liability companies are made up of one or more persons. Ronald Murray failed to identify the "persons" who constitute Smart Simple Campaigns. The true nature of "Smart Simple Campaigns" and the identity of the persons associated with "Smart Simple Campaigns" are unknown. Therefore the contribution from Smart Simple Campaigns is an anonymous contribution and Ronald Murray's receipt of a contribution from it violates § 13-37-217 MCA.
9. According to § 13-35-225 MCA, election materials are not to be anonymous and must include identification of who paid for the election materials and must identify the candidates party affiliation. Exhibit 2 is a campaign mailing from Ronald Murray. This mailing contains neither identification of who paid for the mailing nor identification of party affiliation.



MONTANA SECRETARY OF STATE LINDA McCULLOCH
Business Entity Search
 ● Instructions ● Search Tips ● Feedback

▶ Data Current as of...

If you are ordering a Certificate of Fact or Certificate of Existence, please make sure the Foreign/Domestic Corporation or Limited Liability Company is in "Good Standing". Enter the name of the business, and check to see whether their annual report was filed in the current year.

We are not able to provide a Certificate of Fact or Certificate of Existence unless the current annual report is filed.

If you would like to purchase a Certificate of Existence for this business entity, select the button below. You will be assessed a \$5.00 fee for this service.

Get Certificate of Existence

If you would like to purchase information on the principals (i.e., officers, directors, members, managers, partners, etc) associated with this entity, select the button below. You will be assessed \$2.00 for each search you perform.

Get Principals

If you would like to purchase a Certificate of Fact for this business entity, select the button below. You will be assessed a \$15.00 fee for this service.

Get Certificate of Fact

Do another Search

Search

Name: SMART SIMPLE CAMPAIGNS, LLC
ID #: C204595
Type: LLC MANAGED BY MANAGERS
Jurisdiction State: MT
Status: ACTIVE
Status Reason: GOOD STANDING

Status Dates

Expiration Date:
Date of Organization: 05/12/2010
Last AR Filed:
Inactive Date:
Involuntary Intent:
Diss/Widthdr/Revoke:

Principal Office Address

Street: 70 OREA CREEK
City: LIVINGSTON
State: MT
Zip: 59047-0000

Additional Info

Term: PERP
Purpose Code: NONE STATED

Agent

Registered Agent: SARAH ANDERSON
Address 1: 70 OREA CREEK
City: LIVINGSTON
State: MT
Zip: 59047-0000

EXHIBIT 1

Ron Murray

May, 10th 2010

Dear Friend:

Did you know that after the recent 12% increase in the number of state employees, the Montana State Government is now the largest employer in the Big Sky State?

And did you know that our federal government ranks second?

Montana taxpayers already have to work from January 1 until April 5 just to pay for the cost of government.

How big are we going to let our government get?

My name is Ron Murray. I'm running as the conservative challenger in the June 8 Republican Primary for State House District 69, where you and I live.

I'm running because I'm concerned for my infant daughter's future, and I believe HD 69 deserves better, more conservative representation in our State Legislature.

But I also want to know what you think.

Won't you please take a moment and fill out the enclosed survey and let me know where you stand on the crucial issues facing Montanans?

You see, since I'm running to represent you, your opinion means a lot to me.

Of course, I think there's one thing all Montanans can agree on -- it's time for real change in Montana.

Our state government has, in many ways, gotten out of control -- often with the help of weak-kneed Republicans.

Just over the past five years, state spending has increased by over 45%.

Now our state government spends around \$4 BILLION per year.

And now, our government is projecting a budget deficit that will approach a half-a-billion dollars in just a few years -- even though we get nearly half our budget from the "feds".

And this is after the federal government stepped in with \$600 million in stimulus funds -- what I call "funny money".

What happens when that money is no longer available?

All in all, if budgetary projections are anywhere near correct, our State Legislature will soon find itself with two options.

Decrease spending by roughly 10% to balance the budget -- or stick you and me with a massive 10% tax hike!

And since we know that, once started, government programs virtually never end, if we don't have SERIOUS reform next session, we're going to be hit with tax hikes next year.

Unfortunately, my opponent in the June 8 GOP Primary has been part of the problem in Helena -- not part of the solution.

That's why I decided to run for the State House. And, if elected, you can count on me to:

*** Halt any and all spending increases. Good folks all across Montana are cutting their budgets to make ends meet. The state government should do the same;

*** Cut your taxes. I still think the money you earn should be yours, so I'll fight to ensure taxes are lowered across the board;

*** Fight for property rights, including the rights to access public lands and responsibly develop resources without radical environmentalists blocking progress;

*** Boost our economy. It's time we reduce unnecessary and intrusive regulation on small businesses and instead push pro-business policies like eliminating the job-killing Business Property Tax;

*** Fight and Nullify Unconstitutional laws. If elected I'll defend our trend-setting Firearms Freedom Act. **EXHIBIT 2**
(page 2 of 4)

and I'll co-sponsor a bill to block these intolerable Obamacare mandates and penalties;

*** Stand up for traditional Big Sky values. Our values -- like the Right to Life -- are under attack and I will stand up and defend them;

*** Improve educational excellence and fight for greater parental choice. It's time that we return control of our kids' education to local parents and teachers -- not special-interest bureaucrats in Helena.

If you agree, then won't you please take a moment and fill out the enclosed survey and rush it back to me immediately?

Now that you know where I stand on the issues, let me take a moment to introduce myself on a more personal level.

Born in Billings, I'm a proud lifelong Montanan.

As a child, my parents worked hard to instill in me the traditional western values that make Montana such a wonderful place to live and raise a family.

Values like hard work. Values like respect for others' self-determination and personal responsibility. And values like dedication and service to God, community and country.

It surprises me that even some Republicans call these values "extreme". These are the same values that most Montanans cherish and have held dear for generations.

And they're the exact same values that my wife Holly and I work hard to instill in our young daughter, Grace.

But I won't just be teaching my daughter these values. I'll also lead by example.

That's one of the reasons I'm active in the community.

Whether volunteering my time as a firefighter, working with the Child Advance Place Program or helping Big Brothers and Big Sisters, I've always made it a point to do what I can to serve those around me.

And if elected to be your next State Representative, you can be sure that I will stand up and take the lead against the tax-and-spenders in Helena.

First and foremost, I want to go to Helena to stand up for limited government, low taxes and traditional Big Sky values.

But the truth is, those who are dependent on the taxpayer-funded gravy train for their livelihoods are going to come after me with the "gloves off" this election.

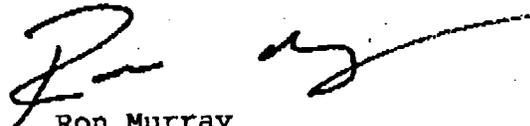
They want to make sure that I stay as far away from the State Capitol as possible. They're happy with our current State Representative and can't stand the idea of a true Pro-Constitution reformer winning the June 8 GOP Primary.

So if I'm going to take on the special-interest lobby, I can't do it without your help.

That's why I hope -- along with your completed survey -- you'll agree to make a generous contribution of \$320 (the max contribution per couple), \$160 (the max contribution per individual), \$100 or even \$50 to help me with my campaign.

Please stand with me against the tax-and-spenders, and don't forget to return the enclosed survey at once.

Sincerely,



Ron Murray
Republican Candidate
House District 69

P.S. We in House District 69 deserve more fiscally conservative representation, not a voice for the special-interest lobby in Helena. That's why our former Rep. Jack Wells -- a true conservative -- has endorsed me in this primary on June 8.

So won't you take a moment and fill out the enclosed survey so I can know your thoughts on the issues?

And if possible, please also include a generous gift of \$320 (the max per couple), \$160 (the max per individual), \$100 or even \$50 -- or whatever you can afford.

Ted Washburn
HD69
612 Candlelight Dr.
Bozeman, MT 59718

CERTIFIED MAIL™



7009 0820 0001 5172 6869



UNITED STATES POSTAGE
Eagle logo
PRINCE BROWN'S
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AUG 13 2010
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Commission of Botanical Practices

1205 Sighth Avenue

PO Box 202401

Helena, MT

59620-2401

**RETURN RECEIPT
REQUESTED**

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REQUESTED**