

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

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COMMISSIONER OF
POLITICAL PRACTICES

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Campaign Finance and Practices

Complaint Form (08/17)

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

Person bringing complaint (Complainant):

Complete Name Steve Zabawa
Complete Mailing Address P.O. Box 20515
Billings, MT 59104
Phone Numbers: Work _____ Home _____

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

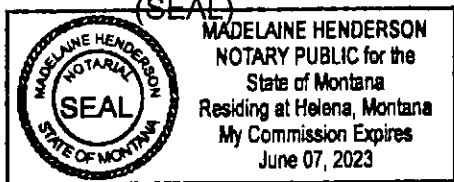
Complete Name North Fund
Complete Mailing Address 1101 Connecticut Ave NW; Suite 450
Washington DC, 20036
Phone Numbers: Work _____ Home _____

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 Lewis and Clark

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



[Signature]
Signature of Complainant

Subscribed and sworn to before me this 8th day of October, 2020.

[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.

Please see the attached letter.

Complaints must be:

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

Montana Commissioner of Political Practices
 Attn: Jeff Mangan, Commissioner
 1205 Eighth Avenue
 Helena, MT 59620

Commissioner Mangan:

New Approach Montana (“NAM”) is a ballot issue committee organized to support the passage of recreation marijuana ballot issues known as I-190 and CI-118.

North Fund (“NF”) filed a C-2 Statement of Organization with the Montana Commissioner of Political Practices (“COPP”) on 3/2/2020. NF registered as an “incidental committee” under Mont. Code Ann. § 13-1-101(23). NF has specifically stated it intends to support CI-118 and I-190.

Since registration, NF has filed 6 campaign finance reports with the Montana COPP. Those reports are condensed and presented in aggregate:

Event Date	Reported Expenditure	“New Approach Montana” Recipient ?	Reported Contribution
1/24/2020	\$20,000	Yes	
2/19/2020	\$62,000	Yes	
4/17/2020	\$15,000	Yes	
4/23/2020	\$300,000	Yes	
5/11/2020	\$160,000	Yes	
5/19/2020	\$160,000	Yes	
5/29/2020	\$125,000	Yes	
6/4/2020	\$100,000	Yes	
6/19/2020	\$300,000	Yes	
6/23/2020	\$7,095		
7/28/2020	\$175		
7/30/2020	\$85,000		
8/11/2020	\$1,400,000	Yes	
8/20/2020	\$200,000	Yes	
8/25/2020	\$12,000		
9/12/2020	\$500,000	Yes	
9/21/2020	\$15,000		
9/23/2020	\$78,250		
9/23/2020	\$12,000		
9/25/2020	\$1,258	Yes	

NF has reported transferring \$3,343,258 directly to NAM over a period of 9 months with 13 separate transactions. In addition, NF has spent \$209,520 to support CI-118 and I-190 over a period of 3 months with 7 separate transactions.

In the same reports, NF has disclosed exactly zero of its donors and has failed to report the source of the money that has already been expended.

Evidence shows North Fund is nothing more than a slush fund funneling millions of dollars into Montana and other states attempting to buy ballot issue elections. North Fund's blatant violations of Montana campaign finance law mean Montana voters have no idea what companies or individuals are trying to buy their votes.

New Approach Montana has knowingly accepted at least \$3,343,258 of North Fund's dark money showing New Approach Montana has no concern for Montana's campaign finance laws, no respect for Montana voters, and does not care if foreign nationals are attempting to manipulate Montana voters.

Under no circumstances can North Fund be considered an "incidental committee." An "incidental committee" is a committee that is not specifically organized or operating for the primary purpose of supporting or opposing candidates or ballot issues. Mont. Code Ann. § 13-1-101(23)(a).

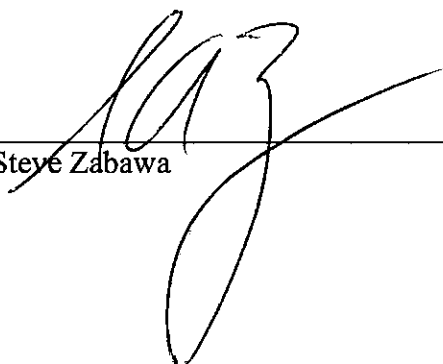
North Fund's activities in Montana and across the country demonstrate North Fund's primary purpose and sole reason for existence is to provide funding supporting or opposing ballot issues. Mont. Code Ann. § 13-1-101(23)(b) and Admin R. Mont. 44.11.203. North Fund has (1) engaged in 20 separate campaign expenditures in the state of Montana in 2020 alone and (2) engaged in funding several ballot campaigns across the country.

[Ex. 1 (news article describing North Fund political activity in Colorado; Ex. 2 (news article describing North Fund political activity in Missouri); Ex. 3 (Ohio Secretary of State campaign finance disclosure showing North Fund political activity); Ex. 4 (Colorado Secretary of State campaign finance disclosure showing North Fund political activity)]. [See also: North Fund's Montana COPP registration and reports].

The political committee classification type matters. The contribution reporting requirements for incidental committees differs from the contribution reporting requirements for all other political committees. Incidental committees are only required to disclose contribution and donor details for "contributions to the committee that are designated by the contributor for a specified candidate, ballot issue, or petition for nomination . . ." Mont. Code Ann. § 13-37-232(1). All other political committees are required to disclose contribution details for all contributions regardless of whether or not the contribution is intended for a specified candidate or ballot issue. Mont. Code Ann. § 13-37-229(1).

From North Fund's documented campaign finance activities in Montana and across the country, it is readily apparent North Fund's campaign finance activities are not incidental to its existence but are in fact central to its existence. North Fund cannot be allowed to masquerade as something it is not in order to hide the identities of individuals or companies that are trying to influence Montana elections. Montanans deserve better and Montanans deserve to know. As a political committee that is not an "incidental committee," North Fund must provide complete disclosure of all its donors.

North Fund should have reported all contributions for the applicable time periods and North Fund should have disclosed all of its donors. Since they have not, North Fund has violated the reporting requirements of Title 13, Chapter 37, and should be subject to a fine of up to three times the amount of their unlawful contributions or expenditures. In this case, and at this time, that amounts to more than \$10,000,000. North Fund has committed serious violations of Montana campaign finance law and must be held accountable. Mont. Code Ann. §§ 13-37-128 and 129.



Steve Zabawa

COMPLETE COLORADO **PAGE 2** ORIGINAL REPORTING & COMMENTARY

PAGE ONE LOCAL ▾ CORONAVIRUS ISSUES ▾ 






2020 ELECTION COLUMNISTS ▾ NATIONAL SEND TIPS

2020 ELECTION, FEATURED, ORIGINAL REPORT, PROPOSITION CC, SHERRIE PEIF

Out of state 'dark money' group funding Proposition 118 a familiar name, past beneficiaries include Gov. Polis, AG Weiser

September 29, 2020

By Sherrie Peif

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DENVER — The Washington D.C. based non-profit that spent nearly \$11 million on various progressive candidates and issue campaigns in the 2018 Colorado election, is back. This time, however, the Sixteen Thirty Fund is almost single-handedly funding Proposition 118 on the November ballot, also known as the Paid Family Medical Leave Act, which would grant up to 12 weeks — 16 weeks in some cases — of paid family medical leave.

The leave would be funded by an additional payroll tax split evenly between all employees and their employer. The premiums would begin on Jan. 1, 2023 and benefits would be available

beginning Jan. 1, 2024.

As of its most recent filing (Sept. 21) with the Secretary of State's Office, Colorado Families First, the issue committee supporting 118, reports just more than \$3.4 million in total contributions. Of that, more than \$2.8 million is from the Sixteen Thirty Fund.

What the Sixteen Thirty Fund is not paying for, other out-of-state progressive groups are. The North Fund — which has nearly no online footprint — Working Families Party, the Fairness Project, and the ACLU have all kicked in nearly another \$500,000, to account for nearly all the funds.

As a 501(c)(4), Sixteen Thirty is not required to disclose its donors because they are not tax-exempt and those supporting them are not allow tax deductions. Sixteen Thirty spent \$141 million nationally in 2018 on candidates and more than 100 other issues such as fighting the nomination of Supreme Court Justice Brett Kavanaugh and other Trump judicial nominees, as well as ballot measures raising the minimum wage and changing laws on voting and redistricting in numerous states.

In Colorado during the 2018 election, the group focused on redistricting changes to the state Constitution, wage increase propositions and payday loan regulations, among others. It also supported Democrat candidates running for state offices, including Gov. Jared Polis (\$900,000) and Attorney General Phil Weiser (\$600,000).

Both the North Fund and Sixteen Thirty also poured millions into Colorado in 2019 supporting the Proposition CC ballot measure, which would have permanently eliminated refunds of over-collected tax revenue under the Taxpayer's Bill of Rights (TABOR). Proposition CC was **soundly** defeated by Colorado voters.

A new law requires donor identification, regardless of whether it filters through a dark-money group, when supporting candidates but not issues. The spending then and now conflicts with one of the main platforms both Weiser and Secretary of State Jena Griswold ran their campaigns on.

Weiser has been one of the most vocal opponents of so-called 'dark money' groups.

“As a candidate, I will call on any group spending money on my behalf to disclose their donors, so Colorado voters know who is seeking to influence them,” **Weiser wrote in a blog** during

his campaign.

Weiser also **called out the Republican Attorneys General Association** for its spending in the 2018 election.

“I am proud to run a transparent and people-powered campaign,” he said at the time. “Together, we will overcome the corrosive influence of dark money that is eroding confidence in our elections, sowing distrust in our institutions, and undermining good governance.”

However, as **previously reported** by Complete Colorado, Weiser’s campaign benefited from \$600,000 in donations from Sixteen Thirty to Justice Colorado, which in turn spent \$2.347 million supporting Weiser and against his opponent, 18th Judicial District Attorney George Brauchler.

Complete Colorado never got a response from Weiser during his campaign and cannot find that he ever publicly called on either Justice Colorado or Sixteen Thirty to disclose the latter’s donors.

Secretary of State Jena Griswold **told the Colorado Sun in a 2019 report** that now “barriers are heightened as to money being directly spent on candidates,” Griswold said. The federal courts have said “the concern of corruption or the concern of quid pro quo is not there with ballot initiatives. I disagree.”

Complete Colorado also reached out to Griswold for this story, but had not heard back by press time.

Related Articles

Out of state “dark money” fueled Colorado’s 2018 election; AG Weiser among beneficiaries despite transparency pledge

Caldara: Campaign finance limits and Phil Weiser’s ‘dark money’ windfall

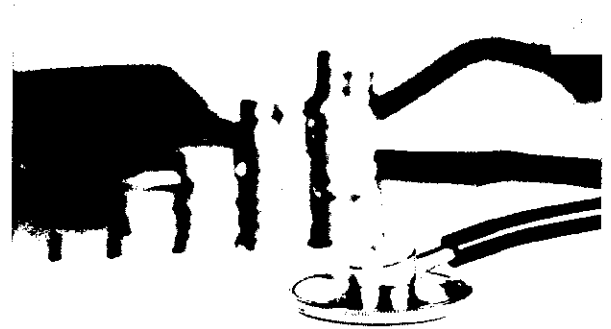
Tax rate reduction measure earns high-profile praise; Bill Owens, Hank Brown among Prop 116 endorsers

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GOVERNMENT & REGULATIONS

Dark money group makes big donation to Missouri Medicaid expansion campaign



What Florida would gain if it expanded Medicaid under the Affordable Care Act.

MEHMET CAY

Jul 14, 2020, 8:36am EDT

The committee campaigning to expand Medicaid in Missouri received a \$1.5 million donation from a dark money group.

Washington-based North Fund made the donation to the Missourians for Healthcare committee, *The Kansas City Star* reports. The North Fund is at least the third dark money group to make donations to the committee backing Amendment 2, which would expand Medicaid in the state to cover adults whose income is 133% of the federal poverty level or below.

Dark money groups are nonprofits that do not disclose the source of their funds.

Missourians for Healthcare reported the North Fund donation to the Missouri Ethics Commission on a Sunday report required within 48 hours when a campaign receives a donation of more than \$5,000. In addition to the \$1.5 million cash donation, North Fund made an \$88,000 in-kind donation.

Two other dark money funds, The Fairness Project and the Sixteen Thirty Fund, also have made donations to the Medicaid expansion campaign. In all, dark money accounts for a fourth of what the committee has raised, *The Star* reports.





CONTRIBUTION OF MORE THAN \$5,000.00 RECEIVED BY ANY COMMITTEE FROM ANY SINGLE DONOR - TO BE FILED WITHIN 48 HOURS OF RECEIVING THE CONTRIBUTION
MEC ID: C180918

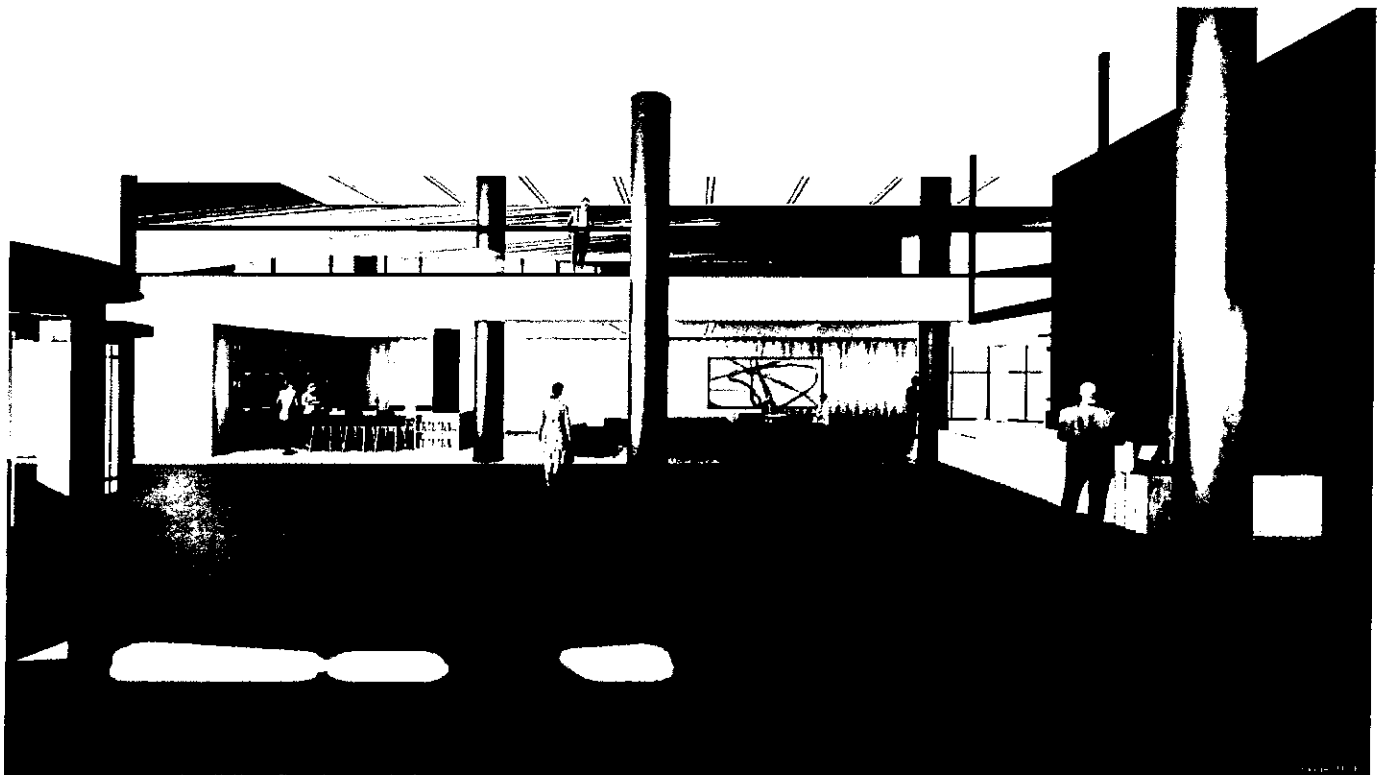
NAME OF COMMITTEE Missourians for Healthcare		DATE 7/12/2020
INSTRUCTIONS PURPOSE: The purpose of this form is to report within 48 hours the receipt of a single contribution of more than \$5,000.00 received from any single contributor. This information should also be included in the next full disclosure report filed by your committee. Required Pursuant To Section 130.044 RSMo.		
1. NAME, ADDRESS AND OCCUPATION (LIST CONTRIBUTOR'S FIRST)	2. DATE RECEIVED	3. AMOUNT RECEIVED ID # (if MONETARY OR IN-KIND)
NAME: Missouri Hospital Association ADDRESS: PO Box 60 CITY/STATE: Jefferson City, MO 65102 EMPLOYER: <input type="checkbox"/> COMMITTEE NAME: North Fund ADDRESS: 1101 Connecticut Ave NW Suite 450 CITY/STATE: Washington, DC 20036 EMPLOYER: <input type="checkbox"/> COMMITTEE	7/10/2020 7/10/2020	\$ 16,538.00 <input type="checkbox"/> MONETARY <input checked="" type="checkbox"/> IN-KIND \$ 88,000.00 <input type="checkbox"/> MONETARY <input checked="" type="checkbox"/> IN-KIND

This is a screenshot of a July 12 filing by Missourians for Healthcare reporting donations by North Fund.

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Somera Road will 'immediately' renovate Overland Park campus after acquisition from Lexington Realty



Ohio Secretary of State Campaign Finance Disclosure

Contribution Search Results

Contributor Name	Address	PAC #	Contribution Date	Amount	Event Date	Employee/ Occupation	Committee Name
NORTH FUND	1101 CONNECTICUT AVE. NW, SUITE 450 WASHINGTON DC 20036		03/09/2020	\$500,000.00			OHIOANS FOR RAISING THE WAGE
NORTH FUND	1101 CONNECTICUT AVE. NW, SUITE 450 WASHINGTON DC 20036		02/12/2020	\$1,500,000.00			OHIOANS FOR RAISING THE WAGE



Contributor	CityState	ContributorType	Amount	ContributionDate	ContributionType	RecipientName	RecipientID	InKind	Major
NORTH FUND	WASHINGTON, DC	Business	400000.0000	09/14/2020	Monetary (Itemized)	ABORTION ACCESS FOR ALL	20195037733	No	No
NORTH FUND	WASHINGTON, DC	Other	500000.0000	09/27/2019	Monetary (Itemized)	COLORADANS FOR PROSPERITY AKA YES ON PROP CC	20195036550	No	No
NORTH FUND	WASHINGTON, DC	Other	17000.0000	10/28/2019	Non-Monetary (Itemized)	COLORADANS FOR PROSPERITY AKA YES ON PROP CC	20195036550	Yes	Yes
NORTH FUND	WASHINGTON, DC	Business	400000.0000	09/04/2020	Monetary (Itemized)	COLORADO FAMILIES FIRST	20205037958	No	No
NORTH FUND	WASHINGTON, DC	Business	1700000.0000	09/17/2020	Monetary (Itemized)	COLORADO FAMILIES FIRST	20205037958	No	No

