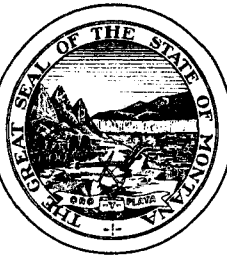


COMMISSIONER OF
POLITICAL PRACTICES



STATE OF MONTANA

DENNIS UNSWORTH
COMMISSIONER
TELEPHONE (406) 444-2942
FAX (406) 444-1643

1205 EIGHTH AVENUE
PO BOX 202401
HELENA, MONTANA 59620-2401
www.politicalpractices.mt.gov



COPY

June 25, 2007

Jim Farrell, Montana Democratic Party
PO Box 802
Helena MT 59624

Subject: Your revised complaint (June 7, 2007) against Steve Daines/GiveItBack.com

Jim, even with the additional information provided, this complaint remains too speculative and too indefinite to be valid under Montana's rules.

A complaint must allege that specific conduct (substantive factual allegations) described in the complaint violate a specific statute or rules. Administrative Rules of Montana 44.10.307(2). An investigation is not required if the complaint is indefinite. ARM 44.10.307(3)(a).

A handwritten signature in black ink, appearing to read "Dennis Unsworth".

Dennis Unsworth
Commissioner of Political Practices

Copy: Steve Daines/GiveItBack.com

COMMISSIONER OF POLITICAL PRACTICES
1205 Eighth Avenue
Post Office Box 202401
Helena, MT 59620-2401
TELEPHONE: 406-444-2942
FAX NUMBER: 406-444-1643

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COMMISSIONER OF
POLITICAL PRACTICES

2007 JUN -7 P 4: 23
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SIGNED/NOTARIZED

CAMPAIGN FINANCE AND PRACTICES

COMPLAINT FORM (07/01)

TYPE OR PRINT IN INK ALL INFORMATION ON THIS FORM EXCEPT FOR VERIFICATION SIGNATURE

PERSON BRINGING COMPLAINT (COMPLAINANT):

COMPLETE NAME JIM FARRELL, MONTANA DEMOCRATIC PARTY
COMPLETE MAILING ADDRESS P.O. BOX 802
HELENA, MT 59624
TELEPHONE NUMBERS: WORK 406.442.9520 HOME [REDACTED]

PERSON OR ORGANIZATION AGAINST WHOM COMPLAINT IS BROUGHT (RESPONDENT):

COMPLETE NAME STEVE DAINES, GIVEITBACK.COM
COMPLETE MAILING ADDRESS PO BOX 10250
BOZEMAN, MT 59719
TELEPHONE 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 + CLARKE

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

(SEAL)

Dennis L. Rhine
Notary Public for the State of MT
Residing at Helena, Montana
My Commission Expires March 8, 2009

[Signature]
Signature of Complainant

Subscribed and sworn to before me this 29th day of

JUNE, 2007
[Signature]
Notary Public

My Commission Expires:

[Signature] 6/7/07

**CAMPAIGN FINANCE AND PRACTICES
COMPLAINT FORM**

PAGE 2

STATEMENT OF FACTS:

I am filing a complaint against Steve Daines, the principal sponsor of *GiveItBack.com* [P.O. Box 10250 Bozeman, MT 59719, according to his website]. Mr. Daines appears to have violated both the campaign finance laws and possibly the lobbying laws and regulations of the State of Montana.

1. Steve Daines appears to be in violation of the general spirit and purpose of Montana's campaign laws which regulate candidates for statewide office.

According to news stories in authoritative media sources such as the *New York Times*, Steve Daines appears to be a Republican candidate for Governor of Montana:

"Going for Governor? Schweitzer is another story, however, Daines said. "I think Gov. Schweitzer will be vulnerable because Montanans view it's more about him than about serving Montanans," he told CQPolitics.com.

"While Daines said he had "no definitive plans on getting involved in the races in '08," he is the force behind the "Give it Back" campaign that called on the governor to turn half of a \$1 billion budget surplus over to Montanans in the form of refunds.

"It just seemed like the voice of our politicians was being heard loud and clear, but the voice of our average Montanans wasn't being heard," Daines said of the budget process." [New York Times, May 18, 2007]

As a possible candidate for Governor, Steve Daines has used *GiveItBack.com* illegally to campaign against Governor Brian Schweitzer with negative attack ads on television and radio, which were aired in Montana during the past 2 months. The ads may be viewed on Mr. Daines' website.

2. Steve Daines violated **13-37-229, MCA, 13-37-216, MCA, and 13-37-225, MCA**, which regulates disclosure of contributions received, limitations on contributions, and reporting of contributions and expenditures.

Mr. Daines also violated **ARM 44.10.321, Subsection (3)**. The fact that the public office being sought by the individual is not known by the contributor or has

not yet been determined by the potential candidate at the time that the contribution is made or the fact that a candidate and/or issue being supported or opposed by a political committee is not known by the contributor or has not yet been determined by a political committee at the time that the contribution is made has no effect on the determination or reporting of that contribution. (History: Sec. 13-37-114, MCA; IMP , Sec. 13-1-101(3), MCA; NEW , Eff. 1/1/76; AMD , Eff. 5/7/76; AMD , 1979 MAR p. 652, Eff. 7/1/79; AMD , 1999 MAR p. 2287, Eff. 10/8/99; AMD , 2001 MAR p. 2049, Eff. 10/12/01.)

If Mr. Daines is going to be a Republican candidate for Governor of Montana, he should speak openly and honestly about that fact, and not illegally conceal his donors. If the activities of *GiveItBack.com* were of an electoral nature or intent, Mr. Daines is required by law to disclose the sources of the money received by *GiveItBack.com* that were used to run television and radio attack ads against Brian Schweitzer, the Democratic candidate for Governor in 2008. Unlike Mr. Daines, candidate Gov. Brian Schweitzer discloses all sources of his campaign funds. Mr. Daines now appears to be hiding behind technicalities to keep the sources of *GiveItBack.com*'s contributions secret. Mr. Daines should file a campaign committee for Governor and comply with the campaign disclosure laws of

Montana, and also reveal who paid for *GiveItBack.com*'s attack ads against candidate Brian Schweitzer.

There are additional reasons to believe Steve Daines is acting as a Republican candidate for Governor. A prominent Republican activist, Mr. Daines in the 2006 election cycle donated \$2,000 to U.S. Sen. Conrad Burns' campaign, \$750 to U.S. Rep. Denny Rehberg's campaign and \$750 to the Republican National Committee. He also gave \$100 to Republican House Speaker Scott Sales' campaign and \$520 to other Gallatin County Republican legislative candidates.

3. Steve Daines and *GiveItBack.com* violated 5-7-102 (11) (a), MCA and 5-7-301, MCA, which regulates "Lobbying" and the reporting requirements of a "Lobbyist".

If Mr. Daines was lobbying on behalf of interested parties in Montana by having *GiveItBack.com* run television and radio ads advocating on uses of the State's fund balance, the lobbying laws of Montana require him to register as a lobbyist in the State of Montana, which he did not, and also to disclose the source of the funds used to pay for the lobbying ads, which he also did not.

4. There is an additional difficult question of whether Steve Daines violated Montana laws which regulate **coordination of campaign activities** between candidates for State office and separate and independent committees. Mr. Daines appears to be the *GiveItBack.com* committee alone, according to his website. But as a borderline or future candidate for office, Mr. Daines would have illegally coordinated campaign activities between himself as a candidate and himself as a non-candidate who is the *GiveItBack.com* committee when he ran the television and radio ads in question. If Mr. Daines later becomes a candidate for Governor in 2008, all of the current activities of *GiveItBack.com* will have been coordinated with candidate Steve Daines, with an eye to his future candidacy. These questions raise the real prospect that Steve Daines now is engaged in illegal and deceptive coordination regulated by State campaign laws.

Montana citizens demand that their candidates for public office are straightforward and honest about their candidacy. Steve Daines is not playing it straight with his use of *GiveItBack.com* to advance his ambitions for high office, and he appears to be violating important campaign laws of our State in doing so.

Jim Farrell
Executive Director
Montana Democratic Party
PO Box 802, Helena MT 59624

Signature  Date 6.7.07

RADIO SCRIPT of GiveItBack.com 2007

Man: Hi we're here to see the Governor.

Woman: Yes Sir. My, there are a lot of you.

Man: We're Montana's taxpayers. Need to talk to Governor Schweitzer about getting our money back.

Woman: Back?

Man: Yeah, he's overcharging us. Over a billion dollars! (Groan.)

Other man: MT taxpayers are still being over-changed more than one billion dollars that's a couple thousand dollars per taxpayer. But you probably won't get it back without asking. So tell gov. Schweitzer to give it back.

Woman: Sir the Governor plans to give some of THAT back.

Man: He does?

Woman: Sure, almost 10 cents on the dollar.

Man: Ooooh. Hey guys just like we though. The governor plans to keep most of our money. Aw wouldn't you know it.

Other Man: Helena will decide in then next ten days what it will do with your tax over-charge. If you want more of it back in your pocket, act right away., call your representatives in Helena right away. Go to giveitback.com to learn how to get your money back. Take action today.

Paid for by Give it Back.com



May 18, 2007

Montana GOP Still Searching for Candidates as Fighting Words Fly

By Marie Horrygan, CONGRESSIONAL QUARTERLY

It's not that Montana Republicans have lost their fight after recent setbacks at the polls, including Democrat Brian Schweitzer's win for governor in 2004 and Jon Tester's 2006 victory over Republican Sen. Conrad Burns. The state legislature's recently completed effort to fashion a hard-wrought budget compromise was marked by a profane and widely aired verbal attack on the governor by the Republican leader of the state House.

Nonetheless, for a conservative-leaning and usually Republican-voting state that in 2004 gave 59 percent of its votes to President Bush, Republicans appear to be struggling to find a viable candidate to challenge veteran Democratic Sen. Max Baucus.

In fact, Republican Michael Lange, then majority leader of the Montana House, was considered a top contender to challenge five-term Democratic Sen. Max Baucus — until he went off on Schweitzer in a tirade that quickly made its way onto the Internet.

The incident took place on April 25 about an hour after Lange met with Schweitzer to discuss the budget. "I'm pissed off at that S.O.B. on the second floor that thinks he is going to run this state like a dictator," he told his GOP colleagues in a room that also was occupied by reporters and a television camera.

"My message to the governor is stick it up your a--," he fumed.

Lange later apologized to the governor and to his colleagues, but the Republican caucus in Montana's House ousted Lange as majority leader Tuesday after the special session to complete the budget was adjourned.

Lange previously had gained consideration to take on Baucus because the Republicans' top potential recruit, four-term at-large Rep. Denny Rehberg, is said to be resisting GOP efforts to draft him into the race.

Rehberg ran a strong Senate race against Baucus in 1996, losing by just 5 percentage points, but would sacrifice the political security he has built up since in Montana's only House seat next year were he to stage a risky challenge to Baucus.

Though Montana's sizable Republican base makes it hard to describe Baucus as automatically safe, his seat does not appear a ripe target for Republicans looking for a pickup. Baucus became chairman of the prominent Senate Finance Committee in January in the newly Democratic-controlled 110th Congress.

His profile as a centrist Democrat, which has long given him cross-party appeal in Montana, was evident in his decision to prioritize renewal of presidential "fast-track" negotiating authority for trade agreements a top

priority for the Finance Committee.

This did not sit well with many Democratic and labor union activists who view free trade agreements with skepticism if not downright opposition. The progressive political action committee Working for Us ran radio ads on 13 radio stations in Montana deriding Baucus for his support of "fast-track" authority. When Baucus, by mid-April, reversed his opinion about proceeding on the issue, saying there was no immediate need to address it, Working for Us declared victory.

Nonetheless, Baucus currently appears to be in a comfortable position as he prepares for his re-election campaign. Though Montana Republican Committee Executive Director Chris Wilcox said the party has "a lot of optimism" regarding the Senate race, at least two other Republicans whose names have been floated as potential candidates told CQPolitics.com they are not interested.

One is technology billionaire and part-time Montana rancher Thomas Siebel, who has done extensive philanthropic work in the state. Siebel told CQPolitics.com he had heard the rumors, but that he was not looking at challenging Baucus.

Offering the same view was Steve Daines, a vice president with RightNow Technologies at the company's headquarters in Bozeman. Daines described Baucus as a friend and said the senator's long tenure together with his top spot on Finance would make it "very, very difficult" for a Republican to beat him in 2008.

• **Going for Governor?** Schweitzer is another story, however, Daines said. "I think Gov. Schweitzer will be vulnerable because Montanans view it's more about him than about serving Montanans," he told CQPolitics.com.

While Daines said he had "no definitive plans on getting involved in the races in '08," he is the force behind the "Give it Back" campaign that called on the governor to turn half of a \$1 billion budget surplus over to Montanans in the form of refunds.

"It just seemed like the voice of our politicians was being heard loud and clear, but the voice of our average Montanans wasn't being heard," Daines said of the budget process.

The current budget agreement, which includes a \$400-per-household rebate, would return about \$100 million from a \$1 billion surplus. That is not enough, Daines said, adding, "That's like [Bill Gates](http://BillGates.com) writing a \$100 check to a homeless shelter and feeling good about it."

Daines isn't the only Republican eyeing the governor's race. Former Montana Senate Majority Leader Bob Keenan also is said to be considering a run after a 2006 campaign in which he challenged incumbent senator Burns for the Republican nomination. Burns won the June primary with an overwhelming 72 percent of the vote, but was narrowly defeated by Tester in the general election.

The governor's race, though, doesn't look much easier for the GOP. Schweitzer, a farmer and rancher with a folksy image, challenged Burns for the Senate as a political newcomer in 2000 and almost scored an upset, setting him up for his victorious 2004 run for governor. He has generally enjoyed strong job approval ratings since.

• **Democrats at Large.** Democrats, meanwhile, say they intend to back a serious run at Rehberg's House seat next year. One Democrat has stepped into the race so far: Yellowstone County Commissioner Bill Kennedy in April filed to challenge Rehberg. Kennedy's resume includes a bid for secretary of state in 2004 that was unsuccessful but gave him some statewide exposure.

Other candidates are still mulling the race, Farrell said.

But Rehberg comes to the 2008 contest with strong fundraising numbers behind him. The congressman raised \$82,000 in the first quarter of 2007 and had \$300,000 on hand as of April 1, according to his filing with the [Federal Election Commission](#).

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RADIO ADS

SIGN UP

CONTRIBUTE

ACTION

ABOUT US



Steve & Cindy Daines

Listen to our radio ad
"Visit to the Governor"

Listen to our radio ad
Clip from Steve's appearance on
David Berg's syndicated radio talk
show, 'Voice of Montana', 4/19/07

Dear Fellow Montanan,

GiveltBack.com was founded after watching the never-ending debate in Helena regarding the question -- "What should be done with a budget surplus of \$1 billion?" -- the largest in the history of our state. We are proposing a simple proposition that anyone can understand -- It's our money, give it back!

As a 5th generation Montanan, a father of four, and businessman from Bozeman, I was taught that if a customer is overcharged, two guiding principles should be used in response:

1. Apologize to the customer.
2. Give the customer their money back.

Former Montana Governor Marc Racicot once said, "When the taxpayer is overcharged, the people of Montana didn't tell the state to keep the change."

The taxpayers in Montana are being overcharged one billion dollars -- ~\$500 million is already "in the bank", and an additional ~\$500 million is projected in the next two years. We seek to bring a voice of reason, and common sense dialog to address this issue, and propose that much of the money should be returned to Montana taxpayers. To spend most of the surplus, as our Governor and leaders in Helena have proposed, is not only short-sighted, but fiscally irresponsible.

What should we do?

First, we propose that EVERY Montana income tax filer receive a check for \$1,000. This would return the current on-hand surplus of ~\$500 million dollars, and leave money to spare. Second, we propose that Montanan's call their leaders in Helena, and tell them how they want the remaining ~\$500 million dollars used...how much and where to invest in additional State services? How much returned to taxpayers? You decide.

Please join the growing number of Montanan's saying, "**GiveltBack**". **Sign-up** on this website, and then send a message to our elected officials. Our public servants must not forget where this surplus originated -- with the hard-working people of Montana.

Sincerely,

Steve Daines
Bozeman

GiveltBack.com P.O. Box 10250 Bozeman, MT 59719

[HOME](#)[RADIO ADS](#)[SIGN UP](#)[CONTRIBUTE](#)[ACTION](#)[ABOUT US](#)

Steve Daines

About Steve Daines

Steve is a fifth generation Montanan, and grew up in Bozeman, where his father and mother ran a home construction business. Steve attended public schools in Bozeman from kindergarten through high school, and graduated from Bozeman High in 1980. Upon graduation from high school, he attended Montana State University in Bozeman, and graduated with Highest Honors with a B.S. Degree in Chemical Engineering in 1984.

Immediately following graduation from MSU, Steve left Montana to work for Procter & Gamble. During his management career at P&G, he spent seven years managing operations in the United States, followed by a six year assignment in Hong Kong and mainland China leading the business expansion in China. After 13 great years with P&G, Steve and Cindy decided it was time to come back home to Montana. Steve worked along side his dad in the family construction business in Bozeman for the next three years.

In 2000 Steve joined RightNow Technologies, and has served the past seven years as Vice President at their global headquarters location in Bozeman. The company employs approximately 700 people, and is the second largest private employer in Bozeman. RightNow Technologies, Inc. provides organizations with next generation on demand Customer Relationship Management (CRM) solutions to build customer-focused businesses. More than 1,800 organizations worldwide use RightNow solutions including British Airways, Cisco, Intuit, American Express, Continental Tire, John Deere, Nikon, Department of Homeland Security, and the Social Security Administration. RightNow has global offices in London, Sydney, Tokyo, Munich, as well as North America offices in San Francisco, Dallas, Chicago, Washington D.C. and Princeton. RightNow is a publicly held company, and was one of Morgan Stanley's top performing IPO's in 2004.

Steve enjoys spending time with his wife Cindy of 20 years, and their four children David (17), Anne (15), Michael (12), and Caroline (10). Cindy has a B.A. Degree in Elementary Education from the University of Iowa, and taught first grade in the public schools for several years. Backpacking, hunting, skiing, and fishing are all family passions! All four of their children attend public schools in Bozeman.

GiveItBack.com P.O. Box 10250 Bozeman, MT 59719

[HOME](#)[RADIO ADS](#)[SIGN UP](#)[CONTRIBUTE](#)[ACTION](#)[ABOUT US](#)

Action

The Surplus Facts – General Fund Balance*

The State of Montana will have approximately \$530 million leftover-- "in the bank"-- in June 2007, projected to grow an additional \$459 million in the next two years, to nearly \$1 billion dollars by June 2009.

June 30, 2006	\$409 million	(increase of 40.6% over 6/30/05 balance)
June 30, 2007	\$530 million	
June 30, 2008	\$724 million	
June 30, 2009	\$989 million	

Steps to take:

1. Sign up to get involved;
2. Pass along the GiveItBack.com website to everyone you know in Montana;
3. Call your MT Senator, MT Representative: 406-444-3064 and the Governor: 406-444-3111
 1. Tell them you have been overcharged ~\$500 million for services delivered the past two years, and want your money back ~\$1,000+ for every person who filed a MT tax return.
 2. Tell them what you would like them to do with the additional ~\$500 million surplus projected to occur over the next two years.

How much to invest in additional State services? How much to return to you? You decide . . . but let them know!

Governor phone: 406-444-3111

Legislature phone: 406-444-3064

*Source: Legislative Budget Analysis 2009 Biennium, Submitted by the State of MT Legislative Fiscal Division , December 2006

GiveltBack.com P.O. Box 10250 Bozeman, MT 59719

COMMISSIONER OF
POLITICAL PRACTICES



STATE OF MONTANA

DENNIS UNSWORTH
COMMISSIONER
TELEPHONE (406) 444-2942
FAX (406) 444-1643

1205 EIGHTH AVENUE
PO BOX 202401
HELENA, MONTANA 59620-2401
www.politicalpractices.mt.gov



COPY

June 5, 2007

CERTIFIED MAIL
Return Receipt Requested

Governor Brian Schweitzer
PO Box 200801
Helena MT 59620-0801

Subject: Complaint received May 30th alleging campaign finance and practices violations

The enclosed complaint is in conformance with the requirements of the Administrative Rules of Montana 44.10.307; therefore, an investigation of the alleged violation will be conducted.

Your written response by June 22, 2007 would be helpful in the investigation of this complaint.

As is customary, following review of your written response to the complaint, it will be necessary to review all relevant documents and to interview individuals with knowledge of the activity described in the complaint. To facilitate the investigation, please collect and prepare for possible review all documents, including computer communications, in your possession or the possession of any of your agents, representatives, attorneys, or assigns concerning the complaint.

Please notify me by July 10, 2007 that these documents have been collected and are ready for inspection. If I do not receive written confirmation that the documents are available for inspection, I will issue an administrative subpoena or take other legal action necessary to require the production of these documents.

Be advised that § 13-37-208, MCA requires that the treasurer for each political committee preserve campaign account documents for a minimum period of four years. It is also necessary to emphasize the importance of collecting, retaining, and making available *all* documents relating to the campaign at issue in the complaint (§ 45-7-207, MCA).

Upon completion of the investigation, a summary of facts and statement of findings will be prepared and sent to you.

A handwritten signature in black ink, appearing to read "Dennis Unsworth".

Dennis Unsworth
Commissioner of Political Practices

Enclosures

THE STATE OF MONTANA

HAND DELIVERED

COMMISSIONER OF POLITICAL PRACTICES
1205 Eighth Avenue
Post Office Box 202401
Helena, MT 59620-2401
TELEPHONE: 406-444-2942
FAX NUMBER: 406-444-1643

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POLITICAL PRACTICES
2007 MAY 29 P 1:29

HAND DELIVERED	<input checked="" type="checkbox"/>
CERTIFIED MAIL	<input type="checkbox"/>
SIGNED/NOTARIZED	<input type="checkbox"/>

CAMPAIGN FINANCE AND PRACTICES

COMPLAINT FORM (07/01)

TYPE OR PRINT IN INK ALL INFORMATION ON THIS FORM EXCEPT FOR VERIFICATION SIGNATURE

PERSON BRINGING COMPLAINT (COMPLAINANT):

COMPLETE NAME JIM FARRELL, MONTANA DEMOCRATIC PARTY

COMPLETE MAILING ADDRESS P.O. BOX 802
HELENA, MT 59624

TELEPHONE NUMBERS: WORK 406.442.9520 HOME [REDACTED]

PERSON OR ORGANIZATION AGAINST WHOM COMPLAINT IS BROUGHT (RESPONDENT):

COMPLETE NAME STEVE DAINES, GIVEITBACK.COM

COMPLETE MAILING ADDRESS PO BOX 10250
BOZEMAN, MT 59719

TELEPHONE 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 + CLARKE

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

(SEAL)

[Signature]

Signature of Complainant

Dennis L. Rhine
Notary Public for the State of MT
Residing at Helena, Montana
My Commission Expires March 8, 2009

Subscribed and sworn to before me this 29th day of MAY, 2007

[Signature]

Notary Public

My Commission Expires:

**CAMPAIGN FINANCE AND PRACTICES
COMPLAINT FORM**

PAGE 2

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1. According to news stories in authoritative media sources such as the *New York Times*, Steve Daines appears to be a Republican candidate for Governor of Montana:

"Going for Governor? Schweitzer is another story, however, Daines said. "I think Gov. Schweitzer will be vulnerable because Montanans view it's more about him than about serving Montanans," he told CQPolitics.com.

"While Daines said he had "no definitive plans on getting involved in the races in '08," he is the force behind the "Give it Back" campaign that called on the governor to turn half of a \$1 billion budget surplus over to Montanans in the form of refunds.

"It just seemed like the voice of our politicians was being heard loud and clear, but the voice of our average Montanans wasn't being heard," Daines said of the budget process." [New York Times, May 18, 2007]

As a possible candidate for Governor, Steve Daines has used *GiveItBack.com* illegally to campaign against Governor Brian Schweitzer with negative attack ads on television and radio, which were aired in Montana during the past 2 months. The ads may be viewed on Mr. Daines' website.

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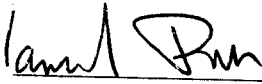
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Jim Farrell
Executive Director
Montana Democratic Party
PO Box 802, Helena MT 59624

 5.28.07
Signature Date

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Paid for by Give it Back.com

May 18, 2007

Montana GOP Still Searching for Candidates as Fighting Words Fly

By Marie Horrygan, CONGRESSIONAL QUARTERLY

It's not that Montana Republicans have lost their fight after recent setbacks at the polls, including Democrat Brian Schweitzer's win for governor in 2004 and Jon Tester's 2006 victory over Republican Sen. Conrad Burns. The state legislature's recently completed effort to fashion a hard-wrought budget compromise was marked by a profane and widely aired verbal attack on the governor by the Republican leader of the state House.

Nonetheless, for a conservative-leaning and usually Republican-voting state that in 2004 gave 59 percent of its votes to President Bush, Republicans appear to be struggling to find a viable candidate to challenge veteran Democratic Sen. Max Baucus.

In fact, Republican Michael Lange, then majority leader of the Montana House, was considered a top contender to challenge five-term Democratic Sen. Max Baucus — until he went off on Schweitzer in a tirade that quickly made its way onto the Internet.

The incident took place on April 25 about an hour after Lange met with Schweitzer to discuss the budget. "I'm pissed off at that S.O.B. on the second floor that thinks he is going to run this state like a dictator," he told his GOP colleagues in a room that also was occupied by reporters and a television camera.

"My message to the governor is stick it up your a--," he fumed.

Lange later apologized to the governor and to his colleagues, but the Republican caucus in Montana's House ousted Lange as majority leader Tuesday after the special session to complete the budget was adjourned.

Lange previously had gained consideration to take on Baucus because the Republicans' top potential recruit, four-term at-large Rep. Denny Rehberg, is said to be resisting GOP efforts to draft him into the race.

Rehberg ran a strong Senate race against Baucus in 1996, losing by just 5 percentage points, but would sacrifice the political security he has built up since in Montana's only House seat next year were he to stage a risky challenge to Baucus.

Though Montana's sizable Republican base makes it hard to describe Baucus as automatically safe, his seat does not appear a ripe target for Republicans looking for a pickup. Baucus became chairman of the prominent Senate Finance Committee in January in the newly Democratic-controlled 110th Congress.

His profile as a centrist Democrat, which has long given him cross-party appeal in Montana, was evident in his decision to prioritize renewal of presidential "fast-track" negotiating authority for trade agreements a top

priority for the Finance Committee.

This did not sit well with many Democratic and labor union activists who view free trade agreements with skepticism if not downright opposition. The progressive political action committee Working for Us ran radio ads on 13 radio stations in Montana deriding Baucus for his support of "fast-track" authority. When Baucus, by mid-April, reversed his opinion about proceeding on the issue, saying there was no immediate need to address it, Working for Us declared victory.

Nonetheless, Baucus currently appears to be in a comfortable position as he prepares for his re-election campaign. Though Montana Republican Committee Executive Director Chris Wilcox said the party has "a lot of optimism" regarding the Senate race, at least two other Republicans whose names have been floated as potential candidates told CQPolitics.com they are not interested.

One is technology billionaire and part-time Montana rancher Thomas Siebel, who has done extensive philanthropic work in the state. Siebel told CQPolitics.com he had heard the rumors, but that he was not looking at challenging Baucus.

Offering the same view was Steve Daines, a vice president with RightNow Technologies at the company's headquarters in Bozeman. Daines described Baucus as a friend and said the senator's long tenure together with his top spot on Finance would make it "very, very difficult" for a Republican to beat him in 2008.

• **Going for Governor?** Schweitzer is another story, however, Daines said. "I think Gov. Schweitzer will be vulnerable because Montanans view it's more about him than about serving Montanans," he told CQPolitics.com.

While Daines said he had "no definitive plans on getting involved in the races in '08," he is the force behind the "Give it Back" campaign that called on the governor to turn half of a \$1 billion budget surplus over to Montanans in the form of refunds.

"It just seemed like the voice of our politicians was being heard loud and clear, but the voice of our average Montanans wasn't being heard," Daines said of the budget process.

The current budget agreement, which includes a \$400-per-household rebate, would return about \$100 million from a \$1 billion surplus. That is not enough, Daines said, adding, "That's like [Bill Gates](http://BillGates.com) writing a \$100 check to a homeless shelter and feeling good about it."

Daines isn't the only Republican eyeing the governor's race. Former Montana Senate Majority Leader Bob Keenan also is said to be considering a run after a 2006 campaign in which he challenged incumbent senator Burns for the Republican nomination. Burns won the June primary with an overwhelming 72 percent of the vote, but was narrowly defeated by Tester in the general election.

The governor's race, though, doesn't look much easier for the GOP. Schweitzer, a farmer and rancher with a folksy image, challenged Burns for the Senate as a political newcomer in 2000 and almost scored an upset, setting him up for his victorious 2004 run for governor. He has generally enjoyed strong job approval ratings since.

• **Democrats at Large.** Democrats, meanwhile, say they intend to back a serious run at Rehberg's House seat next year. One Democrat has stepped into the race so far: Yellowstone County Commissioner Bill Kennedy in April filed to challenge Rehberg. Kennedy's resume includes a bid for secretary of state in 2004 that was unsuccessful but gave him some statewide exposure.

Other candidates are still mulling the race, Farrell said.

But Rehberg comes to the 2008 contest with strong fundraising numbers behind him. The congressman raised \$82,000 in the first quarter of 2007 and had \$300,000 on hand as of April 1, according to his filing with the [Federal Election Commission](#).

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Steve & Cindy Daines

**Listen to our radio ad
"Visit to the Governor"**

**Listen to our radio ad
Clip from Steve's appearance on
David Berg's syndicated radio talk
show, 'Voice of Montana', 4/19/07**

Dear Fellow Montanan,

GiveltBack.com was founded after watching the never-ending debate in Helena regarding the question -- "What should be done with a budget surplus of \$1 billion?" -- the largest in the history of our state. We are proposing a simple proposition that anyone can understand -- It's our money, give it back!

As a 5th generation Montanan, a father of four, and businessman from Bozeman, I was taught that if a customer is overcharged, two guiding principles should be used in response:

1. Apologize to the customer.
2. Give the customer their money back.

Former Montana Governor Marc Racicot once said, "When the taxpayer is overcharged, the people of Montana didn't tell the state to keep the change."

The taxpayers in Montana are being overcharged one billion dollars -- ~\$500 million is already "in the bank", and an additional ~\$500 million is projected in the next two years. We seek to bring a voice of reason, and common sense dialog to address this issue, and propose that much of the money should be returned to Montana taxpayers. To spend most of the surplus, as our Governor and leaders in Helena have proposed, is not only short-sighted, but fiscally irresponsible.

What should we do?

First, we propose that EVERY Montana income tax filer receive a check for \$1,000. This would return the current on-hand surplus of ~\$500 million dollars, and leave money to spare. Second, we propose that Montanan's call their leaders in Helena, and tell them how they want the **remaining ~\$500 million dollars used...how much and where to invest in additional State services? How much returned to taxpayers? You decide.**

Please join the growing number of Montanan's saying, "**GiveltBack**". **Sign-up** on this website, and then send a message to our elected officials. Our public servants must not forget where this surplus originated -- with the hard-working people of Montana.

Sincerely,

Steve Daines
Bozeman

GiveltBack.com P.O. Box 10250 Bozeman, MT 59719

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Steve Daines

About Steve Daines

Steve is a fifth generation Montanan, and grew up in Bozeman, where his father and mother ran a home construction business. Steve attended public schools in Bozeman from kindergarten through high school, and graduated from Bozeman High in 1980. Upon graduation from high school, he attended Montana State University in Bozeman, and graduated with Highest Honors with a B.S. Degree in Chemical Engineering in 1984.

Immediately following graduation from MSU, Steve left Montana to work for Procter & Gamble. During his management career at P&G, he spent seven years managing operations in the United States, followed by a six year assignment in Hong Kong and mainland China leading the business expansion in China. After 13 great years with P&G, Steve and Cindy decided it was time to come back home to Montana. Steve worked along side his dad in the family construction business in Bozeman for the next three years.

In 2000 Steve joined RightNow Technologies, and has served the past seven years as Vice President at their global headquarters location in Bozeman. The company employs approximately 700 people, and is the second largest private employer in Bozeman. RightNow Technologies, Inc. provides organizations with next generation on demand Customer Relationship Management (CRM) solutions to build customer-focused businesses. More than 1,800 organizations worldwide use RightNow solutions including British Airways, Cisco, Intuit, American Express, Continental Tire, John Deere, Nikon, Department of Homeland Security, and the Social Security Administration. RightNow has global offices in London, Sydney, Tokyo, Munich, as well as North America offices in San Francisco, Dallas, Chicago, Washington D.C. and Princeton. RightNow is a publicly held company, and was one of Morgan Stanley's top performing IPO's in 2004.

Steve enjoys spending time with his wife Cindy of 20 years, and their four children David (17), Anne (15), Michael (12), and Caroline (10). Cindy has a B.A. Degree in Elementary Education from the University of Iowa, and taught first grade in the public schools for several years. Backpacking, hunting, skiing, and fishing are all family passions! All four of their children attend public schools in Bozeman.

GiveItBack.com P.O. Box 10250 Bozeman, MT 59719

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Action

The Surplus Facts – General Fund Balance*

The State of Montana will have approximately \$530 million leftover-- "in the bank"-- in June 2007, projected to grow an additional \$459 million in the next two years, to nearly \$1 billion dollars by June 2009.

June 30, 2006	\$409 million (<u>increase of 40.6%</u> over 6/30/05 balance)
June 30, 2007	\$530 million
June 30, 2008	\$724 million
June 30, 2009	\$989 million

Steps to take:

1. Sign up to get involved;
2. Pass along the GiveItBack.com website to everyone you know in Montana;
3. Call your MT Senator, MT Representative: 406-444-3064 and the Governor: 406-444-3111
 1. Tell them you have been overcharged ~\$500 million for services delivered the past two years, and want your money back ~\$1,000+ for every person who filed a MT tax return.
 2. Tell them what you would like them to do with the additional ~\$500 million surplus projected to occur over the next two years.

How much to invest in additional State services? How much to return to you? You decide . . . but let them know!

Governor phone: 406-444-3111

Legislature phone: 406-444-3064

*Source: Legislative Budget Analysis 2009 Biennium, Submitted by the State of MT Legislative Fiscal Division, December 2006

GiveItBack.com P.O. Box 10250 Bozeman, MT 59719