



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Case Number: ADR 108 - **REVISED**

Source: MUR 5309

Case Name: Leelanau County
Democratic Committee

NEGOTIATED SETTLEMENT

This matter was initiated by a signed, sworn and notarized complaint filed by Rusty Hills on behalf of the Michigan Republican State Committee. Following a review of the record and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended ("the FECA"), and to resolve this matter, the Federal Election Commission ("the Commission") entered into negotiations with John C. Dick representing Leelanau County Democratic Committee ("the Committee") and John C. Dick, Treasurer ("the Respondents"). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and the Respondents have addressed all the issues raised in this matter. The parties have agreed to resolve the matter according to the following terms:

1. The Commission has entered into this agreement as part of its responsibility for administering the Federal Election Campaign Act and in an effort to promote compliance with the FECA on the part of the Respondents. The Commission's use of ADR procedures is authorized in "The Administrative Dispute Resolution Act of 1996", 5 U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. The Respondents have voluntarily entered into this agreement with the Commission.
3. The complaint alleges that Respondents failed to register as a political committee after it contributed more than \$1,000 to Federal election campaigns in calendar year 2000. The complainant argues that Respondents incurred an obligation to register when the Committee contributed \$1,000 each to the Stupak for Congress Committee and the Stabenow for United States Senate.
4. The Committee, a non registered local party committee in Michigan, acknowledged contributing to the Stupak for Congress and Stabenow for United States Senate Federal election campaigns. They cite their reliance on inaccurate information regarding the requirement that the Committee register with the Commission, however, the Respondents note they are prepared to register with the Commission and file the necessary reports.
5. Each authorized campaign committee shall file a statement of organization no later than 10 days after designation. All other committees shall file a statement of organization within 10 days after becoming a political committee, which is defined, *inter alia*, as any

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local committee of a political party, which makes contributions aggregating in excess of \$1,000 during a calendar year or makes expenditures aggregating in excess of \$1,000 during a calendar year. 2 U.S.C. §§ 433(a) and 431(4)(C).

6. Respondents acknowledge that they violated the FECA when they failed to register with the Commission after contributing more than \$1,000 to Federal election campaigns. In order to resolve this matter and avoid violating Federal election campaign regulations in the future, Respondents agree to: (1) complete the process of registering the Committee with the Commission; (2) establish and maintain in its offices a file on FEC regulations to provide guidance to the Committee on matters pertaining to Federal election campaign activity; and (3) pay a civil penalty of \$1,000.
7. The parties agree that if the Respondents fail to comply with the terms of this settlement, the Commission may undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
8. This agreement will become effective on the date signed by all the parties and approved by the Commission.
9. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 108/MUR 5309 and effectively resolves this matter. No other statement, promise or agreement, either written or oral, made by either party, not included in herein, shall be enforceable.

FOR THE COMMISSION:

Allan D. Silberman,
Director Alternative Dispute Resolution Office

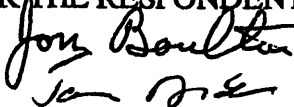


Allan D. Silberman

Feb. 11, 2005

Date

FOR THE RESPONDENTS:



Jon Boulton, Treasurer, on behalf of the
Leelanau County Democratic Committee
and John C. Dick, the former Treasurer

1-27-05



Date

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