

REPORTS ANALYSIS REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: March 4, 2008

ANALYST: Christopher Morse

I. COMMITTEE: Montana Democratic Party
C00010033
Brenda Schye, Treasurer (3/23/06 – present)
Ray Peck, Treasurer (6/11/03 – 3/22/06)
P.O. Box 802
Helena, MT 59624

TYPE OF COMMITTEE Party

II. REGISTRATION: July 10, 1976

III. BACKGROUND:

The Committee was sent twenty-two (22) Requests for Additional Information (RFAs) for reporting errors involving excessive, prohibited and other impermissible contributions and transfers, mathematical discrepancies, failure to provide supporting schedules, Federal Election Activity/Levin funds and allocated federal and non-federal activity.

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VIOLATION DESCRIPTION	REPORT(S)	DETAILS OF VIOLATION
Excessive, Prohibited And Other Impermissible Contributions And Transfers	2005 YE	Schedule A of the Committee's report disclosed the receipt of excessive and prohibited contributions totaling \$6,500.00 from three (3) corporations and one (1) federal political committee.
Mathematical Discrepancies	2006 M3	The Committee's report contained mathematical discrepancies totaling \$6,094.03.
Mathematical Discrepancies	2006 M4	The Committee's report contained mathematical discrepancies totaling \$341,257.58.
Failure to Provide Supporting Schedules	2005 Amended YE, received 5/21/07	The Committee's amended report failed to include all of the activity previously disclosed on Schedule B, resulting in an apparent missing schedule of \$16,671.60.
Failure to Provide Supporting Schedules	2006 M4	Schedule A supporting Line 12 of the Committee's reports for a three-month period disclosed \$0.00 in transfers received from a joint fundraiser. However, the supporting itemized memo entries provided on Schedule A total \$2,262.90, creating a discrepancy of \$2,262.90.
Failure to Provide Supporting Schedules	2006 M7	Schedule A supporting Line 12 of the Committee's reports for a three-month period disclosed \$0.00 in transfers received from a joint fundraiser. However, the supporting itemized memo entries provided on Schedule A total \$14,478.00, creating a discrepancy of \$14,478.00.
Failure to Provide Supporting Schedules	2006 M10	Schedule A supporting Line 12 of the Committee's reports for a three-month period disclosed \$0.00 in transfers received from a joint fundraiser. However, the supporting itemized memo entries provided on Schedule A total \$10,694.15, creating a discrepancy of \$10,694.15.
Failure to Provide Supporting Schedules	2006 Amended 12G, received 5/31/07	The Committee's report disclosed additional receipts totaling \$50,005.56 for the reporting period.
Federal Election Activity/Levin Funds	2005 YE	On Schedule B, the Committee disclosed \$37,338.61 in disbursements made for "General Printing Expense," "Other: General Printing Expense," and "FEA 100% Federal: Media Buy," but failed to clarify whether these disbursements were FEA public communications that promoted, supported, attacked or opposed Federal candidates or if they expressly advocated the election or defeat of clearly identified Federal candidates.

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Federal Election Activity/Levin Funds	2006 YE	On Schedule B, the Committee disclosed \$6,386.56 in disbursements made for "Mail Design Services," "Printing," and "Printing Scrap Fees," but failed to clarify whether these disbursements were FEA public communications that promoted, supported, attacked or opposed Federal candidates or if they expressly advocated the election or defeat of clearly identified Federal candidates.
Allocated Federal And Non-Federal Activity	2005 YE	<p>Schedule H4 disclosed an event year-to-date total for Administrative expenses of \$36,301.30; however, according to FEC calculations this total should be \$69,606.76, resulting in a discrepancy of \$33,305.46.</p> <p>On Schedule H4, the Committee failed to provide the full name and/or mailing address for \$874.49 in disbursements disclosed.</p> <p>The Committee failed to provide an adequate purpose for disbursements to one (1) vendor totaling \$560.00.</p>
Allocated Federal And Non-Federal Activity	2006 M3	The Committee failed to clarify whether the appropriate category was used for payments totaling \$13,000.00 that are categorized on Schedule H4 as Administrative expenses with purposes indicating they are Generic Voter Drive expenses.
Allocated Federal And Non-Federal Activity	2006 Amended M9, received 10/16/06	<p>The Committee failed to address an apparent impermissible transfer of \$13,874.38 from the non-federal account that occurred as a result of allocating payments between federal and non-federal accounts on Schedule H4 for apparent FEA Voter Identification activity.</p> <p>On Schedule H4, the Committee disclosed \$6,240.00 in disbursements made for "Tester Yard Signs," but failed to clarify whether the activity met the definition of Federal Election Activity and if the activity met the conditions of exempt party activity.</p>
Allocated Federal And Non-Federal Activity	2006 30G	<p>The Committee failed to address an apparent impermissible transfer of \$15,744.70 from the non-federal account that occurred as a result of allocating payments between the Federal and non-federal accounts on Schedule H4 for apparent FEA public communications.</p> <p>On Schedule H4, the Committee failed to provide the full name and/or mailing address for \$4,738.37 in disbursements disclosed.</p> <p>The Committee disclosed a transfer from a national party committee on Schedule A supporting Line 12 of the Detailed Summary Page. The Committee also disclosed payments for exempt activities on Schedule</p>

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		<p>B supporting Line 30(b) totaling \$95,261.09. The Committee failed to clarify the nature of the transfer-in and subsequent payments for these disbursements, including whether the transferred funds were used to pay for the exempt activities.</p> <p>The Committee disclosed \$972.55 in disbursements made for "Catering," "Equipment Rental," and "Facility Rental" on Schedule H4, but failed to clarify whether these disbursements were made on behalf of specifically identified federal candidates.</p>
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