

REPORTS ANALYSIS REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: December 7, 2009

ANALYST: Rosa Lewis

I. COMMITTEE: South Dakota Democratic Party
C00160937
Bill Nibbelink, Treasurer (1/4/99 - present)
309 West 43rd Street, Suite 107
Sioux Falls, SD 57105

TYPE OF COMMITTEE: State Party

II. REGISTRATION: August 24, 1982

III. BACKGROUND:

The Committee was sent sixteen (16) Requests for Additional Information (RFAIs) for reporting errors including prohibited contributions and other impermissible contributions and transfers, mathematical discrepancies, failure to provide supporting schedules, failure to properly itemize contributions from individuals, Federal Election Activity/Levin funds and allocated federal and non-federal activity.

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VIOLATION DESCRIPTION	REPORT(S)	DETAILS OF VIOLATION
Prohibited Contributions and Other Impermissible Contributions and Transfers	2007 M10	Schedule A of the Committee's report disclosed the receipt of an excessive contribution totaling \$5,000.00 from one (1) multicandidate committee.
Mathematical Discrepancies	2007 Amended M7, received 12/10/07	The Committee's beginning cash balance, \$24,789.19, was greater than the ending cash balance of the Committee's previous report, \$22,284.19, a discrepancy of \$2,505.00.
Mathematical Discrepancies	2007 YE	<p>The Committee's beginning cash balance, \$13,428.51, was less than the ending cash balance of the Committee's previous report, \$14,928.51, a discrepancy of \$1,500.00.</p> <p>The Committee's report contained mathematical discrepancies totaling \$7,975.20.</p>
Mathematical Discrepancies	2008 Amended M5, received 8/14/08	The Committee's report contained mathematical discrepancies totaling \$1,965.78.
Mathematical Discrepancies	2008 M6	The Committee's report contained mathematical discrepancies totaling \$16,227.68.
Mathematical Discrepancies	2008 M8	The Committee's report contained mathematical discrepancies totaling \$16,227.68.
Mathematical Discrepancies	2008 YE	<p>The Committee's beginning cash balance, \$140,630.91, was greater than the ending cash balance of the Committee's previous report, \$136,015.40, a discrepancy of \$4,615.51.</p> <p>The Committee's report contained mathematical discrepancies totaling \$34,262.57.</p>
Failure to Provide Supporting Schedules	2008 M7	The Committee failed to provide a Schedule C to itemize the \$3,040.00 in loan repayments made, disclosed on Line 26, Column A, of the Detailed Summary Page.
Failure to Properly Itemize Contributions from Individuals	2008 M5	The Committee failed to provide adequate identification for 34 of 79 contributions from individuals that required itemization.
Failure to Properly Itemize Contributions from Individuals	2008 M8	The Committee failed to provide adequate identification for 21 of 73 contributions from individuals that required itemization.
Federal Election Activity/Levin Funds	2008 M5	<p>The Committee failed to provide the address, and adequate purpose for disbursements that required itemization totaling \$14,486.89.</p> <p>On Schedule B, the Committee disclosed \$3,775.02 in disbursements made for "Fundraising Video Services," "Printing" and "Fundraising Event Video," 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</p>

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		<p>election or defeat of clearly identified Federal candidates.</p> <p>The Committee disclosed \$1,154.55 in disbursements made for "Fundraising Expense" on Schedule B, but failed to clarify whether these disbursements were made on behalf of specifically identified federal candidates.</p>
<p>Federal Election Activity/Levin Funds</p>	<p>2008 M6</p>	<p>On Schedule B, the Committee disclosed \$1,816.74 in disbursements made for "Event Audio Visual," 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.</p> <p>The Committee disclosed \$25,437.38 in disbursements made for "Fundraising Event Facility" on Schedule B, but failed to clarify whether these disbursements were made on behalf of specifically identified Federal candidates.</p>
<p>Allocated Federal and Non-Federal Activity</p>	<p>2008 M7</p>	<p>The Committee failed to provide an adequate purpose for disbursements to two (2) vendors totaling \$1,601.63.</p> <p>Schedule H4 disclosed an event year-to-date total for Admin category expenses of \$41,353.00; however, FEC calculations disclose this total to be \$41,136.19, resulting in a discrepancy of \$216.81.</p> <p>On Schedule B, the Committee failed to provide the full name and/or mailing address for \$1,300.00 in disbursements disclosed.</p> <p>Schedule H4 disclosed \$497.67 in disbursements for apparent non-travel reimbursements to individuals, however, the Committee failed to provide supporting MEMO entries.</p> <p>Schedule B disclosed \$1,603.55 in disbursements for apparent travel reimbursements to individuals, however, the Committee failed to provide supporting MEMO entries.</p>

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