

COMMISSIONER OF
POLITICAL PRACTICES



STATE OF MONTANA

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July 19, 2011

Ted Dick, Executive Director
Montana Democratic Party
P.O. Box 802
Helena, MT 59624

RE: Complaint against Edward A. Walker

Dear Ted:

I am in receipt of the Montana Democratic Party's complaint against Edward A. Walker, a Republican candidate for State Senate from Billings Senate District 29. Your letter containing this complaint was hand delivered to this office on July 14, 2011.

Your complaint alleges Mr. Walker violated § 13-35-227, M.C.A. The basis of your allegations against Mr. Walker is his Candidate Campaign Finance Report (Form C-5, Schedule A), which reflects a contribution from Exxon Mobile Corporation for \$160.00 on October 8, 2010. The Form C-5 filed by Mr. Walker of which you complain was received in this office on October 22, 2010.

You are correct that § 13-35-227, M.C.A., prohibits corporations from making a contribution that supports or opposes a candidate and this office has conducted a preliminary investigation into your complaint. Although Mr. Walker's Form C-5 lists the \$160 contribution as being from "Exxon Mobile Corporation," that reporting is contained on Schedule A under the heading "5. Political Action Committee Contributions,"

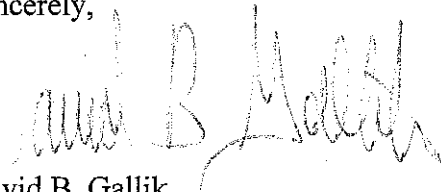
The entity that contributed to Mr. Walker is Exxon Mobile Corporation Political Action Committee. This is a PAC registered with the Federal Elections Commission. Its FEC Form 3X was filed in this office on October 25, 2010. I am enclosing a copy of Exxon Mobile Corporation Political Action Committee's filing. Please note the last page of this filing lists Exxon Mobile Corporation Political Action Committee's contributions to Montana Candidates.

Mr. Ted Dick
July 19, 2011
Page Two

Although Mr. Walker's C-5 is not technically correct, as it does not identify Exxon Mobile as a PAC, it was the Political Action Committee that contributed to Mr. Walker that you complain about, and the contribution is correctly reported under the Political Action Committee Contributions section of the C-5.

The contribution was proper pursuant to Montana law and reported to this office by both Exxon Mobile Corporation Political Action Committee and Edward A. Walker. Thus, your complaint against Edward A. Walker filed with this office on July 14, 2011 is dismissed.

Sincerely,



David B. Gallik
Commissioner

Enclosure