

COMMISSIONER OF
POLITICAL PRACTICES



STATE OF MONTANA

DAVID B. GALLIK
COMMISSIONER
TELEPHONE (406) 444-2942
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1205 EIGHTH AVENUE
PO BOX 202401
HELENA, MONTANA 59620-2401
www.politicalpractices.mt.gov

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,"

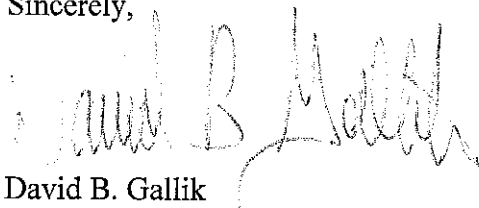
The entity that contributed to Mr. Walker is Exxon Mobile Corporation Political Action Committee. This is a PAC registered with the Federal Elections Commission. Its FEC Form 3X was filed in this office on October 25, 2010. I am enclosing a copy of Exxon Mobile Corporation Political Action Committee's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

A handwritten signature in dark ink, appearing to read "David B. Gallik", written over a light-colored background.

David B. Gallik
Commissioner

Enclosure

POSTMARKED

OCT 21 2010

FEC FORM 3X

REPORT OF RECEIPTS AND DISBURSEMENTS For Other Than An Authorized Committee

RECEIVED COMMISSIONER OF POLITICAL PRACTICES

2010 OCT 25 2:28 PM Office Use Only

1. NAME OF COMMITTEE (in full) USE FEC MAILING LABEL OR TYPE OR PRINT Example: If typing, type over the lines EXXON MOBIL CORPORATION POLITICAL ACTION COMMITTEE (EXXONMOBIL PAC)

ADDRESS (number and street) PO Box 20503 Indianapolis IN 46220

2. FEC IDENTIFICATION NUMBER C00121368 3. IS THIS REPORT NEW OR AMENDED

4. TYPE OF REPORT (Choose One) (a) Quarterly Reports: April 15, July 15, October 15, January 31, July 31 Mid-Year, Termination Report (b) Monthly Report Due On: Feb 20, Mar 20, Apr 20, May 20, Jun 20, Jul 20, Aug 20, Sep 20, Oct 20, Nov 20, Dec 20, Jan 31 (c) 12-Day PRE-Election Report for the: Primary, General, Runoff, Convention, Special (d) 30-Day Post-Election Report for the: General, Runoff, Special

5. Covering Period 10 01 2010 through 10 13 2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete. Type or Print Name of Treasurer Allan Sutherland Signature of Treasurer Electronically Filed by Allan Sutherland Date 10 20 2010

**SUMMARY PAGE
OF RECEIPTS AND DISBURSEMENTS**

FEC Form 3X (Rev. 02/2003)

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Write or Type Committee Name
EXXON MOBIL CORPORATION POLITICAL ACTION COMMITTEE (EXXONMOBIL PAC)

Report Covering the Period: From:

M	M
10	01

Y	Y	Y	Y
2	0	1	0

 To:

M	M
10	13

Y	Y	Y	Y
2	0	1	0

	COLUMN A This Period	COLUMN B Calendar Year-to-Date								
6. (a) Cash on Hand January 1 <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td>Y</td><td>Y</td><td>Y</td><td>Y</td></tr><tr><td>2</td><td>0</td><td>1</td><td>0</td></tr></table>	Y	Y	Y	Y	2	0	1	0	475523.80	475523.80
Y	Y	Y	Y							
2	0	1	0							
(b) Cash on Hand at Beginning of Reporting Period	640079.01									
(c) Total Receipts (from Line 19)	50.00	633000.65								
(d) Subtotal (add lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	640129.01	1108524.45								
7. Total Disbursements (from Line 31)	153930.00	622325.44								
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	486199.01	486199.01								
9. Debts and Obligations owed TO the committee (Itemize all on Schedule C and/or Schedule D)	0.00									
10. Debts and Obligations owed BY the committee (Itemize all on Schedule C and/or Schedule D)	0.00									

This Committee has qualified as a multicandidate committee. (see FEC FORM 1M)

For further information contact:

Federal Election Commission
999 E street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

**DETAILED SUMMARY PAGE
OF RECEIPTS**

FEC Form 3X (Rev. 06/2004)

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Write or Type Committee Name
EXXON MOBIL CORPORATION POLITICAL ACTION COMMITTEE (EXXONMOBIL PAC)

Report Covering the Period: From:

M	M
10	01

Y	Y	W	Y
20	10		

 To:

M	M
10	13

Y	Y	W	Y
20	10		

I. Receipts	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. Contributions (other than loans) From:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A)	0.00	469849.16
(ii) Unitemized	50.00	161081.49
(iii) TOTAL (add Lines 11(a)(i) and (ii))	50.00	630930.65
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs)	0.00	0.00
(d) Total Contributions (add Lines 11(a)(iii), (b) and (c)) (Carry Totals to Line 33, page 5)	50.00	630930.65
12. Transfers From Affiliated/Other Party Committees	0.00	0.00
13. All Loans Received	0.00	0.00
14. Loan Repayments Received	0.00	0.00
15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 5)	0.00	0.00
16. Refunds of Contributions Made to Federal candidates and Other Political Committees	0.00	2070.00
17. Other Federal Receipts (Dividends, Interest, etc.)	0.00	0.00
18. Transfers from Non-Federal and Levin Funds		
(a) Non-Federal Account (from Schedule H3)	0.00	0.00
(b) Levin Funds (from Schedule H5)	0.00	0.00
(c) Total Transfer (add 18(a) and 18(b))	0.00	0.00
19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c))	50.00	633000.65
20. Total Federal Receipts (subtract Line 18(c) from Line 19)	50.00	633000.65

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3X (Rev. 02/2003)

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II. DISBURSEMENTS		COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:			
(a) Shared Federal/Non-Federal Activity (from Schedule H4)			
(i) Federal Share.....		0.00	0.00
(ii) Non-Federal Share.....		0.00	0.00
(b) Other Federal Operating Expenditures.....		0.00	605.44
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii) and (b)).....		0.00	605.44
22. Transfers to Affiliated/Other Party Committees.....		0.00	0.00
23. Contributions to Federal Candidates/Committees and Other Political Committees.....		35000.00	499000.00
24. Independent Expenditure (use Schedule E).....		0.00	0.00
25. Coordinated Expenditures Made by Party Committees (2 U.S.C. 441a(d)) (use Schedule F).....		0.00	0.00
26. Loan Repayments Made.....		0.00	0.00
27. Loans Made.....		0.00	0.00
28. Refunds of Contributions To:			
(a) Individuals/Persons Other Than Political Committees.....		0.00	1050.00
(b) Political Party Committees.....		0.00	0.00
(c) Other Political Committees (such as PACs).....		0.00	0.00
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c)).....		0.00	1050.00
29. Other Disbursements.....		118930.00	121670.00
30. Federal Election Activity (2 U.S.C 431(20))			
(a) Shared Federal Election Activity (from Schedule H6)			
(i) Federal Share.....		0.00	0.00
(ii) "Levin" Share.....		0.00	0.00
(b) Federal Election Activity Paid Entirely With Federal Funds.....		0.00	0.00
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b))....		0.00	0.00
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c))..		153930.00	622325.44
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31).....		153930.00	622325.44

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3X (Rev. 02/2003)

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III. Net Contributions/Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) from Line 11(d), page 3)	50.00	630930.65
34. Total Contribution Refunds (from Line 28(d))	0.00	1050.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33)	50.00	629880.65
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b)).....	0.00	605.44
37. Offsets to Operating Expenditures (from Line 15, page 3)	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36)	0.00	605.44

FE6AN026

Exxon Mobil Corporation PAC Contributions to Montana Candidates

Date	First	Last	Office	State	Dist	Party	Election	FEC Line	Amount	Payee	Address1	City	State	Zip
10/8/2010	F. Edward	Buttrey	St Senate	MT	13	Republican	General 2010	29	\$160.00	Edward Buttrey, Candidate for Senate 13	27 Granite Hill Lane	Great Falls	MT	59405
10/8/2010	Rowlie	Hutton	St Senate	MT	17	Republican	General 2010	29	\$160.00	Rowlie Hutton, Candidate for Senate 17	2 Lila drive	Great Falls	MT	59405
10/8/2010	Edward	Walker	St Senate	MT	29	Republican	General 2010	29	\$160.00	Edward Walker, Candidate for Senate 29	4221 Rimrock Road	Billings	MT	59106
10/8/2010	Derek	Skees	St.House	MT	4	Republican	General 2010	29	\$100.00	Derek Skees, Candidate for House 4	119 Sinopah Street	Kalispell	MT	59901
10/8/2010	Kristin	Hansen	St.House	MT	33	Republican	General 2010	29	\$100.00	Kristin Hansen, Candidate for House 33	519 1st Avenue	Havre	MT	59501
							Total		\$680.00					