

**STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

Findings in the Matter of the Rice County DFL Political Party Unit

Summary of the Facts

Pursuant to Minnesota Statutes, Section 10A.27, subdivision 13, candidates, political party units, and political committees registered with the Campaign Finance and Public Disclosure Board (the Board) may not accept a contribution in excess of \$100 from an association that is not registered with the Board unless the contribution is accompanied by financial disclosure of the donating association's receipts and expenditures in the form specified by statute.

In the 2009 year-end Report of Receipts and Expenditures filed with the Board, the Rice County DFL disclosed receipt of a \$200 contribution on June 11, 2009, from the Chris Coleman for Saint Paul Committee. No additional disclosure was provided with the contribution.

The Chris Coleman for Saint Paul Committee is a municipal office campaign committee registered in the City of Saint Paul, but not registered with the Board. For that reason, the Chris Coleman for Saint Paul Committee is an unregistered association for the purposes of Minnesota Statutes, section 10A.27, subdivision 13(b).

In a response dated February 22, 2010, Ronelle Deschamp, treasurer of the Rice County DFL, confirmed receiving a \$200 contribution from Chris Coleman for Saint Paul Committee for the attendance at a fundraising event held by the Rice County DFL. Tickets to fundraising events are reported as contributions under Minnesota Statutes, Section 10A.20, subdivision 3(b).

Ms. Deschamp also provided a copy of a letter and check dated February 17, 2010, which was used by the Rice County DFL to return \$100 to the Chris Coleman for Saint Paul Committee. The excess contribution was not returned within 60 days of receipt and is therefore deemed accepted, under Minnesota Statutes, section 10A.15, subdivision 3.

In anticipation of Board action on this matter Ms. Deschamp submitted a payment of \$100 on February 22, 2010, to be applied toward any civil penalty that may be imposed.

This matter was considered by the Board in executive session on April 6, 2010. The Board's decision was based upon correspondence from Ms. Deschamp and Board records.

Board Analysis

Purchasing a ticket to a fundraiser is a contribution to the organization holding the event. Tickets to fundraising events are classified and reported as contributions under Minnesota Statutes, section 10A.20, subdivision 3(b). Therefore, the purchase of tickets to attend the Rice County DFL fundraiser was a \$200 contribution by the Chris Coleman for Saint Paul Committee.

Based on the above Summary of the Facts and Relevant Statutes, the Board makes the following:

Finding Concerning Probable Cause

1. There is probable cause to believe that the Rice County DFL Committee violated Minnesota Statutes, section 10A.27, subdivision 13, when it accepted a contribution in excess of \$100 from an unregistered association without receiving the appropriate disclosure with the contribution.
2. There is probable cause that the contribution was not returned within 60 days as permitted in Minnesota Statutes, section 10A.15, subdivision 3.
3. There is no probable cause to believe that this violation was intentional or done with the intent to circumvent the requirements of Minnesota Statutes, Chapter 10A.

Based on the above Finding Concerning Probable Cause, the Board issues the following:

ORDER

1. The Board imposes a civil penalty of \$100, one times the amount by which the contribution exceeded \$100, on the Rice County DFL Committee for accepting and depositing a contribution from an unregistered association without the disclosure required by Minnesota Statutes, section 10A.27, subdivision 13. The \$100 payment received on February 22, 2010, is hereby applied in satisfaction of this civil penalty.
2. The Board investigation of this matter is hereby concluded and made a part of the public records of the Board pursuant to Minnesota Statutes, section 10A.02, subdivision 11.

Dated: April 6, 2010



Bob Milbert, Chair
Campaign Finance and Public Disclosure Board

Relevant Statutes

10A.20, subdivision 3(b). Contents of report. (b) The report must disclose the name, address, and employer, or occupation if self-employed, of each individual or association that has made one or more contributions to the reporting entity, including the purchase of tickets for a fund-raising effort, that in aggregate within the year exceed \$100 for legislative or statewide candidates or ballot questions, together with the amount and date of each contribution, and the aggregate amount of contributions within the year from each source so disclosed. A donation in-kind must be disclosed at its fair market value. An approved expenditure must be listed as a donation in-kind. A donation in-kind is considered consumed in the reporting period in which it is received. The names of contributors must be listed in alphabetical order. Contributions from the same contributor must be listed under the same name. When a contribution received from a contributor in a reporting period is added to previously reported unitemized contributions from the same contributor and the aggregate exceeds the disclosure threshold of this paragraph, the name, address, and employer, or occupation if self-employed, of the contributor must then be listed on the report.

10A.27, subdivision 13. Unregistered association limit; statement; penalty. (a) The treasurer of a political committee, political fund, principal campaign committee, or party unit must not accept a contribution of more than \$100 from an association not registered under this chapter unless the contribution is accompanied by a written statement that meets the disclosure and reporting period requirements imposed by section 10A.20. This statement must be certified as true and correct by an officer of the contributing association. The committee, fund, or party unit that accepts the contribution must include a copy of the statement with the report that discloses the contribution to the board. This subdivision does not apply when a national political party contributes money to its affiliate in this state.

(b) An unregistered association may provide the written statement required by this subdivision to no more than three committees, funds, or party units in a calendar year. Each statement must cover at least the 30 days immediately preceding and including the date on which the contribution was made. An unregistered association or an officer of it is subject to a civil penalty imposed by the board of up to \$1,000, if the association or its officer:

(1) fails to provide a written statement as required by this subdivision; or

(2) fails to register after giving the written statement required by this subdivision to more than three committees, funds, or party units in a calendar year.

(c) The treasurer of a political committee, political fund, principal campaign committee, or party unit who accepts a contribution in excess of \$100 from an unregistered association without the required written disclosure statement is subject to a civil penalty up to four times the amount in excess of \$100.