

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

**FINDINGS REGARDING THE
42nd SENATE DISTRICT RPM**

Procedural Background

In response to an inquiry from the Campaign Finance and Public Disclosure Board (“the Board”), William Cullen, treasurer, 42nd Senate District RPM, notified the Board that the 42nd Senate District RPM, a registered political party unit, accepted a \$109.72 contribution from the Eden Prairie Independent Republican Party an association that is not registered with the Board.

Minn. Stat. §10A.27, subd. 13 (a), prohibits a registered political party unit from accepting a contribution from an unregistered association unless, at the time the contribution was made, the unregistered association provides the recipient with the disclosure required by Minn. Stat. §10A.20.

On April 11, 2005, Mr. Cullen stated “it does appear that this contribution is not allowed...the contribution of \$109.72 was a final disbursement of the Eden Prairie Independent Republican Party and there is no party/association left.”

This matter was considered by the Board in executive session in its meeting on June 7, 2005. The Board’s decision was based upon correspondence from Mr. Cullen and Board records.

Based on the record before it, the Board issues the following:

EVIDENTIARY FINDINGS

1. There is evidence that the 42nd Senate District RPM inadvertently violated Minn. Stat. §10A.27, subd. 13 (a), when it accepted a contribution in excess of \$100 from the Eden Prairie Independent Republican Party, an unregistered association, without the required disclosure.
2. There is no evidence that this contribution was returned.
3. Minn. Stat. §10A.27, subd. 13 (c), provides that a political party unit that accepts a contribution from an unregistered association without the required disclosure is subject to civil penalty of up to four times the amount by which the contribution exceeded \$100.

Based on the above Statement of the Evidence, the Board makes the following:

FINDINGS CONCERNING PROBABLE CAUSE

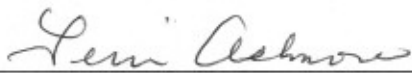
There is probable cause to believe that the 42nd Senate District RPM inadvertently violated Minn. Stat. §10A.27, subd. 13 (a), by accepting a contribution in excess of \$100 from the Eden Prairie Independent Republican Party without the required disclosure.

Based on the above Findings, the Board issues the following:

ORDER

1. Given that the unregistered association is no longer active, the Board directs the 42nd Senate District RPM to forward \$9.72 to the State for deposit in the general fund.
2. The Board imposes a civil penalty of \$9.72, one times the amount by which the contribution exceeded \$100, on the 42nd Senate District RPM, for accepting a contribution in excess of \$100 from an unregistered association without the disclosure required by Minn. Stat. §10A.20.
3. The 42nd Senate District RPM is directed to forward to the Board payment of the \$9.72 civil penalty, by check or money order payable to the State of Minnesota, within thirty days of receipt of this order.
4. If the 42nd Senate District RPM does not comply with the provisions of this order, the Board's Executive Director shall refer this matter to the appropriate County Attorney for civil enforcement pursuant to Minn. Stat. §10A.28, subd.4.
5. The Board investigation of this matter is hereby made a part of the public records of the Board pursuant to Minn. Stat. §10A.02, subd. 11, and upon payment of the civil penalty imposed herein, this matter is concluded.

Dated: June 7, 2005



Terri Ashmore, Chair
Campaign Finance and Public Disclosure Board