

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

**Findings and Order in the Matter of a Contribution to The Stonewall DFL Committee
from the Mary Doran for Schools Committee**

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. Acceptance of a contribution in excess of \$100 without the required disclosure may result in a civil penalty of up to four times the amount of the contribution over \$100.

An unregistered association that makes a contribution of more than \$100 without the required disclosure is in violation of Minnesota Statutes section 10A.27, subdivision 13(b). Failure to provide the appropriate disclosure with a contribution of more than \$100 subjects the donor to a civil penalty of up to \$1,000.

In the 2011 year-end Report of Receipts and Expenditures filed with the Board, The Stonewall DFL Committee disclosed receipt of a contribution on June 1, 2011, in the amount of \$200 from the Mary Doran for Schools Committee. The Mary Doran for Schools Committee is registered with Ramsey County as the campaign committee of a St. Paul School District candidate. However, the Doran committee is not registered with the Board. Therefore, the Doran committee is an unregistered association that is required to provide the appropriate disclosure with any contribution in excess of \$100 to an association registered with the Board. No financial disclosure was provided with the \$200 contribution to The Stonewall DFL Committee. The contribution was not returned within sixty days, and is therefore considered accepted under the provisions of Minnesota Statutes section 10A.15, subdivision 3.

In response to a Board inquiry, Andrew Hauer, treasurer of The Stonewall DFL Committee, states, "I accept the fact that The Stonewall DFL did violate [the statute] by accepting a \$200.00 payment for the resale of two chairs of our purchase of ten chairs for the Minnesota State DFL Humphrey Day Annual Dinner by the Mary Doran for Schools Campaign...on June 1, 2011. The Mary Doran for Schools did file...with Ramsey County on January 4, 2011..."

On April 17, 2012, the Board received a response from Mary Doran. Ms. Doran acknowledged purchasing two tickets to the Humphrey Day Annual Dinner from The Stonewall DFL Committee.

This matter was considered by the Board in executive session on June 5, 2012. The Board's decision is based on the correspondence received from Andrew Hauer and Mary Doran and on Board records.

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

Findings Concerning Probable Cause

1. There is probable cause to believe that The Stonewall 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 to believe that Mary Doran for Schools Committee violated Minnesota Statutes section 10A.27, subdivision 13 (b), when it made a contribution in excess of \$100 without providing the required disclosure.
3. There is no probable cause to believe that the violations by The Stonewall DFL Committee or the Mary Doran for Schools Committee were intentional, or were done with the intent to circumvent the provisions of Chapter 10A.

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

ORDER

1. The Stonewall DFL Committee is directed to refund \$100 to the Mary Doran for Schools Committee and forward to the Board a copy of the check used to return the excess contribution within thirty days of receipt of this order.
2. The Stonewall DFL Committee is directed to pay a civil penalty of \$100, which is one times the amount that the contribution exceeded the limit from unregistered associations without the required disclosure. Payment should be made to the Board within thirty days of receipt of this order by check or money order made payable to the State of Minnesota.
3. The Mary Doran for Schools Committee is directed to pay a civil penalty of \$100, which is one times the amount that the contribution exceeded the limit from unregistered associations without the required disclosure. Payment should be made to the Board within thirty days of receipt of this order by check or money order made payable to the State of Minnesota.
4. If The Stonewall DFL Committee or the Mary Doran for Schools Committee does not comply with the provisions of this order, the Board's Executive Director may request that the Attorney General bring an action for the remedies available under Minnesota Statutes section 10A.34.
5. The Board investigation of this matter is hereby made a part of the public records of the Board pursuant to Minnesota Statutes section 10A.02, subdivision 11, and upon payment of the civil penalties imposed herein, this matter is concluded.

Dated: June 5, 2012

/s/ Greg McCullough
Greg McCullough, Chair
Campaign Finance and Public Disclosure Board

Relevant Statutes

Minn. Stat. § 10A.27, subd. 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.