

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

FINDINGS IN THE MATTER OF THE MINNESOTA DFL STATE CENTRAL COMMITTEE

Summary of the Facts

In May 2007 the Campaign Finance and Public Disclosure Board (“Board”) sent a routine reconciliation inquiry to the Minnesota DFL State Central Committee (“the Minnesota DFL”) and to the Minnesota State Council of UNITE HERE Unions (“MSCUHU”) regarding the Report of Receipts and Expenditures for calendar year 2006. The inquiry questioned a contribution of \$625 reported as received by the Minnesota DFL from the MSCUHU, a political fund registered with the Board. The MSCUHU responded that the contribution was made from the union’s general fund.

In a letter dated June 26, 2007, Mary Bonk, comptroller, stated, “It is extremely difficult to tell if we have received a check from the wrong account. ...”

Pursuant to Minnesota Statutes, Section 10A.27, subd. 13, political committees registered with the Board may not accept contributions in excess of \$100 from unregistered associations unless each contribution is accompanied by financial disclosure specified by statute. No such disclosure was provided in this case.

This matter was considered by the Board in executive session on July 10, 2007.

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 Minnesota DFL inadvertently violated Minnesota Statutes, section 10A.27, subdivision 13, when they accepted a contribution from an unregistered association, believing the check to be from the association’s registered political committee, which has the same name.
2. There is probable cause that the contributions were not returned within 60 days as permitted in Minnesota Statutes, section 10A.15, subdivision 3.

Relevant Statutes

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.