

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

**FINDINGS REGARDING THE
DALY FOR CONGRESS**

Procedural Background

Campaign Finance and Public Disclosure Board (“the Board”) staff’s review of Minnesotans for a Democratic Majority’s Report of Receipts and Expenditures for the period covering January 1, 2004, through August 23, 2004, disclosed that Daly for Congress, an association that is not registered with the Board, made a \$150 contribution to Minnesotans for a Democratic Majority.

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

Board staff sent two letters to Daly for Congress regarding this contribution. No response was received. Minnesotans for a Democratic Majority provided the Board with a copy of the check returning \$50 to Daly for Congress.

This matter was considered by the Board in executive sessions in its meetings on November 17, 2004, and December 17, 2004. The Board’s decision was based upon correspondence received from Minnesotans for a Democratic Majority regarding this contribution and from Board records.

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

EVIDENTIARY FINDINGS

1. There is evidence that Daly for Congress inadvertently violated Minn. Stat. §10A.27, subd. 13, when it made a contribution in excess of \$100 to the Minnesotans for a Democratic Majority without providing the required disclosure.
2. There is evidence that this contribution was not returned within 60 days. Minn. Stat. §10A.27, subd. 13 (b), provides that an unregistered association that makes a contribution to a political committee without the required disclosure is subject to civil penalty of up to \$1,000.

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

FINDINGS CONCERNING PROBABLE CAUSE

There is probable cause to believe that Daly for Congress inadvertently violated Minn. Stat. §10A.27, subd. 13, by making a contribution to Minnesotans for a Democratic Majority without providing the required disclosure.

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

ORDER

1. The Board imposes a civil penalty of \$50, one times the amount by which the contribution exceeded \$100, on Daly for Congress, an unregistered association, for making a contribution to a registered political committee without providing the disclosure required by Minn. Stat. §10A.20.
2. Daly for Congress is directed to forward to the Board payment of the civil penalty, by check or money order payable to the State of Minnesota, within thirty days of receipt of this order.
3. If Daly for Congress 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.
4. 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 by the civil penalty imposed herein, this matter is concluded.

Dated: December 17, 2004

Wil Fluegel, Chair
Campaign Finance and Public Disclosure Board