

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

Findings and Order in the Matter of the Friends of Jim Oberstar Committee

Summary of the Facts

Minnesota Statutes, section 10A.27, subdivision 13(b), prohibits an association that is not registered with the Campaign Finance and Public Disclosure Board (“the Board”) from making a contribution in excess of \$100 to a candidate, political party unit, or political committee that is registered with the Board unless, at the time the contribution was made, the unregistered association provides the recipient with disclosure of the unregistered associations receipts and expenditures in the form specified by statute. An unregistered association that fails to provide the appropriate disclosure with the contribution is subject to a civil penalty of up to \$1,000.

In the 2007 year-end Report of Receipts and Expenditures filed with the Board the 7th Senate District DFL Committee and the 8th Congressional District DFL Committee each disclosed receipt of contributions of over \$100 from the Friends of Jim Oberstar Committee. The Friends of Jim Oberstar Committee (“the Committee”) is an association that is not registered with the Board.

In a letter dated March 7, 2008, Alan Weinblatt, representing Friends of Jim Oberstar Committee, confirmed that the Committee purchased tickets in the amount of \$350 to a fundraiser held by the 7th Senate District DFL, and \$200 for tickets to a fundraiser held by the 8th Congressional District DFL. Mr. Weinblatt states “...Friends of Jim Oberstar was not aware that its purchase of a table at a political event was included in the definition of “contribution” ...The committee apologizes for its misunderstanding of what is included in the term “contribution”. The error was made in good faith.”

Board records show that the Friends of Jim Oberstar Committee was issued Findings in June of 2005 for a previous violation of Minnesota Statutes, section 10A.27, subdivision 13(b). This matter was considered by the Board in executive session at its meeting on April 15, 2008. The Board’s decision was based upon correspondence from Mr. Weinblatt, and Board records.

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

Findings Concerning Probable Cause

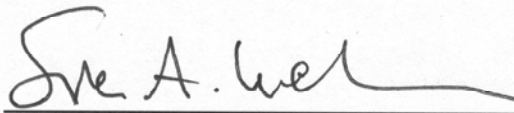
1. There is probable cause to believe that the Friends of Jim Oberstar, an association that is not registered with the Board, inadvertently violated Minnesota Statutes, section 10A.27, subdivision 13, when it made contributions in excess of \$100 to each of the 7th Senate District DFL Committee and the 8th Congressional District DFL Committee without providing the required disclosure.
2. 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 Findings, the Board issues the following:

Order

1. The Board imposes a civil penalty of \$700, two times the amount by which the contributions exceeded \$100, on the Friends of Jim Oberstar Committee for making contributions in excess of \$100 to political party units without the disclosure required by Minnesota Statutes, section 10A.27, subdivision 13.
2. The Friends of Jim Oberstar Committee is directed to forward to the Board payment of the civil penalty, by check or money order payable to the State of Minnesota, within 30 days of receipt of this order.
3. If the Friends of Jim Oberstar Committee does not comply with the provisions of this order, the Board's Executive Director shall request that the Attorney General bring an action for the remedies available under Minnesota Statute, section 10A.34.
4. 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 by the civil penalty imposed herein, this matter is concluded.

Dated: April 15, 2008



Sven Wehrwein, Chair
Campaign Finance and Public Disclosure Board

Relevant Statute

Minnesota Statutes, section 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.

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