

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

FINDINGS REGARDING MINNESOTANS FOR A DEMOCRATIC MAJORITY

Procedural Background

Campaign Finance and Public Disclosure Board (“Board”) staff reviewed the Report of Receipts and Expenditures for the period covering January 1, 2004, through August 23, 2004, filed by Minnesotans for a Democratic Majority and found that on January 29, 2004, the Committee accepted contributions in excess of \$100 from the Daly for Congress and Martin Olav Sabo for Congress committees, two associations that are not registered with the Board. The contribution from Daly for Congress was for \$150, and the contribution from Martin Olav Sabo for Congress was for \$300.

On September 1, 2004, Board staff sent written notice to Lisa Rahn, treasurer, Minnesotans for a Democratic Majority, of a potential violation of Minn. Stat. §10A.27, subd. 13, which prohibits a political committee from accepting contributions in excess of \$100 from unregistered associations, unless, at the time the contributions are received, the unregistered association includes a written statement that meets the disclosure and reporting requirements imposed by Minn. Stat. §10A.20.

On September 23, 2004, Ms. Rahn wrote “I would like to assure the Board that the error made by Minnesotans for a Democratic Majority (MDM) was unintentional. At the time MDM received the contributions, I did not know that there was additional information needed to accept the contributions. Since your contact I read Minnesota Statutes, Chapter 10A more carefully and I will not make that error again.” Ms. Rahn provided a copy of a check returning \$200 to Martin Olav Sabo for Congress and a copy of a check returning \$50 to Daly for Congress.

The Board considered this matter in executive session on October 15, 2004. The Board’s decision was based upon Board records and Ms. Rahn’s response.

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

EVIDENTIARY FINDINGS

1. There is evidence that Minnesotans for a Democratic Majority inadvertently violated Minn. Stat. §10A.27, subd. 13, when it accepted contribution in excess of \$100 from two unregistered associations, Daly for Congress and the Martin Olav Sabo for Congress Volunteer Committee.
2. There is evidence that these contributions were not returned within 60 days. Minn. Stat. §10A.27, subd. 13 (c), provides that the treasurer of a political committee that accepts a contribution in excess of \$100 from an unregistered association without the required written disclosure is subject to a 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 Minnesotans for a Democratic Majority inadvertently violated Minn. Stat. §10A.27, subd. 13, by accepting contributions in excess of \$100 from Daly for Congress and the Martin Olav Sabo for Congress Volunteer Committee, without obtaining the required disclosure.

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

ORDER

1. The Board imposes a civil fine of \$250, one times the amount by which the contribution exceeded \$100, on Minnesotans for a Democratic Majority for accepting contributions in excess of \$100 from two unregistered associations without obtaining the disclosure required by Minn. Stat. §10A.20.
2. Minnesotans for a Democratic Majority is directed to forward to the Board payment of the \$250 civil penalty, by check or money order payable to the State of Minnesota, within thirty days of receipt of this order.
3. If Minnesotans for a Democratic Majority 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 receipt of the civil penalty imposed herein, this matter is concluded.

Dated: December 17, 2004

Wil Fluegel, Chair
Campaign Finance and Public Disclosure Board