

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

**FINDINGS REGARDING THE
MOWER COUNTY DFL**

Procedural Background

In response to an inquiry from the Campaign Finance and Public Disclosure Board (“the Board”), Wanda Lunning, treasurer, Mower County DFL, notified the Board that the Mower County DFL, a registered political party unit, accepted an \$800 contribution from the Austin Central Labor Union an association that is not registered with the Board.

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

On April 26, 2005, Ms. Lunning stated “I mistakenly thought we had accepted a donation from the same group in 2002 so I didn’t check to see if they were registered before making the deposit.”

The Mower County DFL provided the Board with a copy of the check returning \$800 to the Austin Central Labor Council. However, the contribution was not returned within 60 days.

This matter was considered by the Board in executive session in its meeting on June 7, 2005. The Board’s decision was based upon correspondence from Ms. Lunning and Board records.

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

EVIDENTIARY FINDINGS

1. There is evidence that the Mower County DFL inadvertently violated Minn. Stat. §10A.27, subd. 13 (a), when it accepted a contribution in excess of \$100 from the Austin Central Labor Union, an unregistered association, without the required disclosure.
2. There is evidence that this contribution was returned. However, the contribution was not returned within 60 days.
3. Minn. Stat. §10A.27, subd. 13 (c), provides that a political party unit that accepts a contribution from an unregistered association without the required disclosure is subject to 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 the Mower County DFL inadvertently violated Minn. Stat. §10A.27, subd. 13 (a), by accepting a contribution in excess of \$100 from the Austin Central Labor Union without the required disclosure. The Mower County DFL has provided the Board with a copy of the check returning \$800 to the Austin Central Labor Union. However, the contribution was not returned within 60 days.

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

ORDER

1. The Board imposes a civil penalty of \$700, one times the amount by which the contribution exceeded \$100, on the Mower County DFL, for accepting a contribution in excess of \$100 from an unregistered association without the disclosure required by Minn. Stat. §10A.20.
2. The Mower County DFL is directed to forward to the Board payment of the \$700 civil penalty, by check or money order payable to the State of Minnesota, within thirty days of receipt of this order.
3. If the Mower County DFL 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 of the civil penalty imposed herein, this matter is concluded.

Dated: June 7, 2005



Terri Ashmore, Chair
Campaign Finance and Public Disclosure Board