

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

Findings and Order in the Matter of the John Moore for Sheriff Campaign

Summary of Allegations and Responses

In response to an inquiry from the Campaign Finance and Public Disclosure Board (“the Board”) Rebecca Aurit, treasurer of the St Paul DFL, confirmed that the John Moore for Sheriff Campaign, an association that is not registered with the Board, made a \$722.79 contribution to the St Paul DFL Committee on January 3, 2006.

Minnesota Statutes, section 10A.27, subdivision 13(b), prohibits an unregistered association from making a contribution in excess of \$100 to a registered political party unit unless, at the time the contribution was made, the unregistered association provides the recipient with the disclosure required by Minnesota Statutes, section 10A.20. 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 a letter dated October 3, 2006, John Moore states, “...my campaign treasurer ...received a letter from the Campaign Finance and Public Disclosure Board which indicated that my campaign ...was in violation of Minnesota Statutes. I was surprised to hear this as we have gone to great lengths to ensure that our campaign was conducted in a lawful and honorable manner.”

This matter was considered by the Board in executive sessions in its meetings on October 17, 2006. The Board’s decision was based upon correspondence from the St Paul DFL and Board records.

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

Findings Concerning Probable Cause

1. There is evidence that the John Moore for Sheriff Campaign inadvertently violated Minnesota Statute, section 10A.27, subdivision 13, when it made a contribution in excess of \$100 to the St Paul DFL without providing the required disclosure.
2. There is evidence that this contribution was not returned within 60 days as provided in Minnesota Statute, section 10A.15, subdivision 3.

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

ORDER

1. The Board imposes a civil penalty of \$622.79, one times the amount of the contribution in excess of \$100, for making a contribution to a registered political party unit without providing the disclosure required by Minnesota Statute, section 10A.27, subdivision 13.
2. The John Moore for Sheriff Campaign 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 the John Moore for Sheriff Campaign does not comply with the provisions of this order, the Board's Executive Director shall refer this matter to the Ramsey County Attorney for civil enforcement pursuant to Minnesota Statute, section 10A.28, subdivision 4.
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: October 17, 2006



Bob Milbert, 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.