

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

Findings and Order in the Matter of the 8th Congressional District DFL

Summary of the Facts

During a routine reconciliation of the contributions made and received as reported on the 2006 year end Report of Receipts and Expenditures the Campaign Finance and Public Disclosure Board (“the Board”) contacted the 8th Congressional District DFL political party unit on an apparent discrepancy. The 8th Congressional District DFL reported receiving \$105 from the Leech Lake PAC, a registered political committee. The Leech Lake PAC did not report making a contribution to the 8th Congressional District DFL.

Carol Bailey, treasurer, 8th Congressional District DFL, responded to the Board inquiry by letter dated May 23, 2007. In the letter Ms. Bailey states: “I did receive \$105.00 from LLBO (Leech Lake Band of Ojibwe) PAC - #40889 and I do have a copy of the check, if you should need it.” By letter dated June 26, 2007, Rodney White, treasurer, Leech Lake PAC, responded to the Board inquiry on the contribution by stating: “We have reviewed our records and have no documentation that the Leech Lake PAC contributed \$105.00 to the 8th Congressional District DFL”.

In order to resolve the discrepancy Board staff requested and received a copy of the contribution check. The check is identified as coming from the account of the “LLBO General Fund”. By letter dated June 29, 2007, Rodney White, who also serves as the Executive Director of the Administration Department, Leech Lake Band of Ojibwe, contacted the Board to explain the contribution. Mr. White stated: “It has come to my attention that the administration department of the Leech Lake Tribal Council paid for registration and dinner for three employees to attend the 8th Congressional District DFL Fundraiser in May of 2006...The amount of \$105.00 was paid out of the Tribal administrative funds, not the Leech Lake Political Action Committee...The omission was inadvertent and we had no intention to circumvent the statutes or rules of the Minnesota Campaign Finance and Public Disclosure Board”.

The Leech Lake Band of Ojibwe general fund is not a political committee or fund registered with the Board. Minnesota Statutes, section 10A.27, subdivision 13(a), prohibits the treasurer of a political party unit from accepting a contribution of more than \$100 from an association not registered with the Board unless the contribution is accompanied by a written statement that meets the disclosure and reporting period requirements imposed by section 10A.20. The treasurer of a political 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.

This matter was considered by the Board in executive session at its meeting on August 21, 2007. The Board’s decision was based upon documentation from the 8th Congressional District DFL, correspondence from Mr. White, and Board records.

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

Findings Concerning Probable Cause

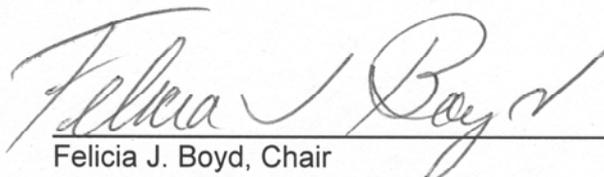
1. There is probable cause to believe that the 8th Congressional District DFL accepted a contribution of \$105 from the Leech Lake Band of Ojibwe, an association not registered with the Campaign Finance and Public Disclosure Board. The contribution was accepted without the disclosure required in Minnesota Statutes, Section 10A.27, subdivision 13.
2. There is probable cause to believe that the 8th Congressional District DFL accepted the contribution from an unregistered association, believing the check to be from the association's registered political committee, which has a similar name.

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

ORDER

1. The Board directs the 8th Congressional District DFL party unit to return \$5, that portion of the contribution that may not be accepted from an unregistered association without disclosure, to the Leech Lake Band of Ojibwe general fund. The Board imposes no civil penalty on the 8th Congressional District DFL.
2. The Board investigation of this matter is entered into the public record in accordance with Minnesota Statutes, section 10A.02, subdivision 11. The matter is concluded.

Dated: August 21, 2007



Felicia J. Boyd, 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.