

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

Findings in the Matter of the womenwinning State PAC

Summary of the Facts

Pursuant to Minnesota Statutes, Section 10A.27, subdivision 13, candidates, political party units, and political committees registered with the Campaign Finance and Public Disclosure Board (the Board) may not accept a contribution in excess of \$100 from an association that is not registered with the Board unless the contribution is accompanied by financial disclosure of the donating association's receipts and expenditures in the form specified by statute.

In the 2008 Report of Receipts and Expenditures filed with the Board, the womenwinning State PAC disclosed receipt of a contribution in the amount of \$2,500 from the Terri Bonoff for State Senate Committee. In response to a routine reconciliation Sarah Taylor-Nanista, executive director, womenwinning, acknowledged that the contribution was from the Terri Bonoff for Congress, a federal candidate committee not registered with the Board. No financial disclosure was provided.

In a letter dated June 18, 2009, Ms. Taylor-Nanista states "In reviewing our bank records and cancelled checks, we now see that the check was written from the account of Terri Bonoff for Congress.... During this investigation, we have had several conversations with the treasurer of the Terri Bonoff for Congress committee and we understand that Senator Bonoff thought that her sponsorship at the annual event was a contribution to our organization's federal PAC, not the state PAC".

Lillian Lundeen, former treasurer, Terri Bonoff for Congress, submitted a response dated June 18, 2009. Ms. Lundeen states "The payment of \$2,500 to womenwinning was intended as a contribution to the womenwinning Federal PAC. ...There was an apparent misunderstanding as to which organization the contribution was intended." Ms. Lundeen also states that the Terri Bonoff for Congress committee no longer exists and a termination report was filed with the Federal Elections Commission.

This matter was considered by the Board in executive session on July 7, 2009. The Board's decision was based upon correspondence from Ms. Taylor-Nanista, Ms. Lundeen, and Board records.

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

Finding Concerning Probable Cause

1. There is probable cause to believe that the womenwinning State PAC inadvertently violated Minnesota Statutes, section 10A.27, subdivision 13, when it accepted a contribution in excess of \$100 from an unregistered association.

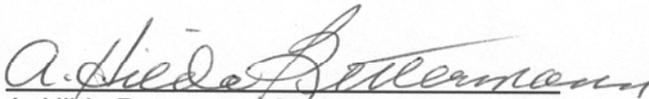
2. There is probable cause that the contribution was not returned within 60 days as permitted in Minnesota Statutes, section 10A.15, subdivision 3.
3. There is no probable cause to believe that this violation was intentional or done with the intent to circumvent the requirements of Minnesota Statutes, Chapter 10A.

Based on the above Finding Concerning Probable Cause, the Board issues the following:

ORDER

1. The Board imposes a civil penalty of \$2,400, one times the amount by which the contribution exceeded \$100, on the womenwinning State PAC for accepting and depositing a contribution from an unregistered association without the disclosure required by Minnesota Statutes, section 10A.27, subdivision 13.
2. The womenwinning State PAC 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. In recognition of the intent of the Terri Bonoff for Congress committee to make a contribution to the federal committee, the womenwinning State PAC may transfer \$2,500 to the womenwinning Federal PAC if not prohibited by statutes or laws not under the Board's jurisdiction.
4. If the womenwinning State PAC does not comply with the provisions of this order, the Board's Executive Director may request that the Attorney General bring an action for the remedies available under Minnesota Statutes, section 10A.34.
5. 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: July 7, 2009


A. Hilda Betterman, Chair
Campaign Finance and Public Disclosure Board

Relevant Statutes

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.