

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

**Findings In The Matter of a Prohibited Contribution by the (David) Senjem for Senate  
Committee to the Paul Koering for Senate Committee**

**Summary of the Facts**

Pursuant to Minnesota Statutes, section 10A.27, subdivision 9, a candidate or the treasurer of a candidate's principal campaign committee must not accept a contribution from another principal campaign committee unless the contributing candidate's principal campaign committee is being dissolved. The statute provides no penalty for violating this provision.

A candidate's principal campaign committee must not make a contribution to another candidate's principal campaign committee, except when the contributing committee is being dissolved. A penalty of up to four times the amount of the contribution may be imposed on a principal campaign committee that fails to dissolve within 12 months after making a contribution to another principal campaign committee.

The 2010 pre-general election Reports of Receipts and Expenditures filed with the Campaign Finance and Public Disclosure Board ("the Board") by the Paul Koering for Senate Volunteer Committee disclosed receipt of a \$250 contribution from the (David) Senjem for Senate Committee on August 25, 2010. The report filed by the (David) Senjem for Senate Committee reported making the contribution.

The committees were notified by letter of the statutory provision that appeared to be violated. In a response dated December 14, 2010, Senator David Senjem states he misunderstood the statute relating to contributions made with campaign funds and acknowledges violating the noted statute. In a letter dated December 9, 2010, Senator Paul Koering stated the contribution was returned to the (David) Senjem for Senate Committee and provided a copy of the check.

This matter was considered by the Board in executive session on January 10, 2011. The Board's decision is based on the correspondence from Senator Paul Koering, Senator David Senjem and Board records.

**Based on the information outlined in the above Summary of the Facts and Relevant Statutes, the Board makes the following:**

**Findings Concerning Probable Cause**

1. There is probable cause to believe that the (David) Senjem for Senate Committee made a contribution to the Paul Koering for Senate Volunteer Committee.
2. There is probable cause to believe contribution was not returned within 60 days as permitted under Minnesota Statute 10A.15, subdivision 3.
3. There is no probable cause to believe that the violations were intentional or done with the intent to circumvent the requirements of Minnesota Statutes, Chapter 10A.

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

**ORDER**

1. Chapter 10A provides no penalty on the Paul Koering for Senate Committee for acceptance of a contribution from a principal campaign committee.
2. The Board imposes a civil penalty of \$250, one times the amount of the prohibited contribution, on the (David) Senjem for Senate Committee for making a contribution to another principal campaign committee without dissolving in violation of Minnesota Statutes, section 10A.27, subdivision 9.
3. The (David) Senjem for Senate Committee is directed to forward to the Board \$250 by check or money order payable to the State of Minnesota within 30 days of receipt of this order.
4. If the (David) Senjem for Senate Committee does not comply with the provisions of this order, the Board's Executive Director may request that the Attorney General bring an action on behalf of the Board 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: January 10, 2011

/s/ John Scanlon  
John Scanlon, Chair  
Campaign Finance and Public Disclosure Board

**Relevant Statute**

Minnesota Statutes, section 10A.27, subdivision 9. **Contributions to and from other candidates.** (a) A candidate or the treasurer of a candidate's principal campaign committee must not accept a contribution from another candidate's principal campaign committee or from any other committee bearing the contributing candidate's name or title or otherwise authorized by the contributing candidate, unless the contributing candidate's principal campaign committee is being dissolved.

A candidate's principal campaign committee must not make a contribution to another candidate's principal campaign committee, except when the contributing committee is being dissolved.

(b) A principal campaign committee that makes a contribution to another principal campaign committee must provide with the contribution a written statement of the committee's intent to dissolve and terminate its registration within 12 months after the contribution was made. If the committee fails to dissolve and terminate its registration by that time, the board may levy a civil penalty up to four times the size of the contribution against the contributing committee. A contribution from a terminating principal campaign committee that is not accepted by another principal campaign committee must be forwarded to the board for deposit in the general account of the state elections campaign fund.