

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

**FINDINGS AND ORDER IN THE MATTER OF
A CONTRIBUTION WITHOUT PROVIDING REGISTRATION NUMBER
BY DAVID CRESS**

Summary of the Facts

In response to inquiries from the Campaign Finance and Public Disclosure Board (“the Board”), the Linda Scheid for Senate Committee and the (Joyce) Peppin Volunteer Committee (“the Committees”) confirmed that David Cress made a contribution of \$250 to each Committee without providing his lobbyist registration number. Mr. Cress gave a contribution to the Linda Scheid for Senate Committee on January 26, 2006, and to the (Joyce) Peppin Volunteer Committee on February 27, 2006. Mr. Cress registered with the Board as a lobbyist on January 27, 2005.

Minnesota Statutes, Section 10A.15, subdivision 5, prohibits a registered lobbyist from making a contribution without providing the lobbyist’s name and registration number. A lobbyist that violates this section is subject to a civil penalty imposed by the Board of up to \$1,000.

By letters dated February 23, and March 21, 2007, the Board notified David Cress of the correspondence received from the Committees and the statutory provision that appeared to be violated. Mr. Cress responded by letters dated March 8 and March 27, 2007. Mr. Cress stated, “I was a registered lobbyist from January 27, 2005 until December 31 2006...Please accept my apologies for not knowing that I was also responsible to add my lobbyist [number] to all contribution checks.”

This matter was considered by the Board in executive session on April 10, 2007. The Findings are based on the correspondence from Mr. Cress, the Linda Scheid for Senate Committee, the (Joyce) Peppin Volunteer Committee, and Board records.

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

Findings Concerning Probable Cause

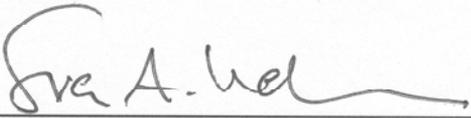
There is evidence that David Cress failed to indicate his lobbyist registration number on contributions to the Linda Scheid for Senate Committee and the (Joyce) Peppin Volunteer Committee. The Board finds that there is probable cause to believe that Mr. Cress inadvertently violated Minnesota Statutes, section 10A.15, subdivision 5.

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

Order

1. For failure to provide a lobbyist registration number on or with the contributions the Board orders David Cress to pay a civil penalty of \$500, which is one times the total amount of the two contributions. This civil penalty must be paid within 30 days.
2. If David Cress 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 Statutes, section 10A.273.
3. The Board investigation of this matter is entered into the public record in accordance with Minnesota Statutes, section 10A.02, subdivision 11, and upon payment by David Cress of the civil penalties imposed herein, the matter is concluded.

Dated: April 10, 2007



Sven A. Wehrwein, Vice Chair
Campaign Finance and Public Disclosure Board

Relevant Statutes

Minnesota Statutes section 10A.15, subdivision 5. **Registration number on checks.** A contribution made to a candidate by a lobbyist, political committee, political fund, or party unit must show the name of the lobbyist, political committee, political fund, or party unit and the number under which it is registered with the board.