

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

**Findings and Order In The Matter Of Contributions Made By
The Paul Gaston for Minnesota Committee
To Candidates Seeking Local Office**

Summary of the Facts

Minnesota Statutes section 10A.27, subdivision 9, clause (d), prohibits contributions from a principal campaign committee to a candidate for a local political subdivision office (an office other than state legislature, judicial, or constitutional). There is no specified civil penalty for a principal campaign committee that violates this statute, but the amount of a prohibited contribution must be returned to the principal campaign committee.

The 2010 Year-End Report of Receipts and Expenditures filed by the Paul Gaston for Minnesota Committee (“the Committee”) disclosed a \$50 contribution to the Bob Fletcher for Sheriff Committee, and a \$75 contribution to the Susan Banovetz for Mayor Committee. The Fletcher and Banovetz campaigns were for local political subdivision offices.

By letter dated February 10, 2011, Board staff notified Paul Gaston of the potential violation. Mr. Gaston responded by letter dated February 14, 2011. Mr. Gaston states, “Unfortunately, our campaign committee and I made an error by assuming that the Banovetz and Fletcher Campaigns were qualified committees to receive contributions...However, I stand corrected and will return the contributions in the amount of \$125.00 enclosed to the general fund of the state.” Mr. Gaston provided the amount of the contributions for deposit in the state general fund because the Committee had terminated, and was therefore not available to receive the return of the funds.

The matter was considered by the Campaign Finance and Public Disclosure Board (the Board) in executive session on March 1, 2011. The Board’s decision was based upon the response from the Paul Gaston for Minnesota Committee and Board records.

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

Findings Concerning Probable Cause

1. There is probable cause to believe that the Paul Gaston for Minnesota Committee contributed \$125 to committees seeking office for a local political subdivision, in violation of Minnesota Statutes section 10A.27, subdivision 9, clause (d).
2. 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.

