

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

Findings and Order in the Matter of the Chris Coleman for Saint Paul Committee

Summary of the Facts

Minnesota Statutes, section 10A.27, subdivision 13(b), prohibits an association that is not registered with the Campaign Finance and Public Disclosure Board (“the Board”) from making a contribution in excess of \$100 to a candidate, political party unit, or political committee that is registered with the Board unless, at the time the contribution was made, the unregistered association provides the recipient with disclosure of the unregistered association’s receipts and expenditures in the form specified by statute. An unregistered association that fails to provide the appropriate disclosure with the contribution is subject to a civil penalty of up to \$1,000.

The Rice County DFL political party unit disclosed on the 2009 year-end Report of Receipts and Expenditures a \$200 contribution from the Chris Coleman for Saint Paul Committee on June 11, 2009. No additional disclosure was provided with the contribution.

The Chris Coleman for Saint Paul Committee is a municipal office campaign committee registered in the City of Saint Paul, but not registered with the Board. For that reason, the Chris Coleman for Saint Paul Committee is an unregistered association for the purposes of Minnesota Statutes, section 10A.27, subdivision 13(b).

In a response dated February 22, 2010, Ronelle Deschamp, treasurer of the Rice County DFL, confirmed receiving a \$200 contribution from the Chris Coleman for Saint Paul Committee for attendance at a fundraising event. Ms. Deschamp also provided a copy of a letter and check dated February 17, 2010, which was used by the Rice County DFL to return \$100 to the Chris Coleman for Saint Paul Committee. The excess contribution was not returned within 60 days of receipt and is therefore deemed accepted, under Minnesota Statutes, section 10A.15, subdivision 3.

In a response dated February 25, 2010, Patrick Sellner, treasurer, of the Chris Coleman for Saint Paul Committee, confirmed that the committee mistakenly made a \$200 contribution to the Rice County DFL. Board records show that Findings were issued in 2007 and 2008 for previous violations of Minnesota Statutes, section 10A.27, subdivision 13(b), by the Chris Coleman for Saint Paul Committee.

This matter was considered by the Board in executive session on April 6, 2010. The Board’s decision was based upon correspondence from Ms. Deschamp, Mr. Sellner, and Board records.

Board Analysis

Purchasing a ticket to a fundraiser is a contribution to the organization holding the event. Tickets to fundraising events are classified and reported as contributions under Minnesota Statutes, section 10A.20, subdivision 3(b). Therefore, the purchase of tickets to attend the Rice County DFL fundraiser was a \$200 contribution by the Chris Coleman for Saint Paul Committee.

The Board is concerned that the Chris Coleman for Saint Paul Committee has violated the provisions of Minnesota Statutes, section 10A.27, subdivision 13(b) for three consecutive years.

The committee's repeated violation of this statutory requirement was considered when determining the appropriate civil penalty for these Findings.

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 Chris Coleman for Saint Paul Committee, an association that is not registered with the Board, violated Minnesota Statutes, section 10A.27, subdivision 13(b), when it made a contribution in excess of \$100 to the Rice County DFL political party unit without providing the required disclosure.
2. There is probable cause to believe that the excess portion of the contribution was not returned within 60 days as permitted by Minnesota Statutes, section 10A.15, subdivision 3.

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

Order

1. The Board imposes a civil penalty of \$300 on the Chris Coleman for Saint Paul Committee for making a contribution in excess of \$100 to political party unit without the disclosure required by Minnesota Statutes, section 10A.27, subdivision 13.
2. The Chris Coleman for Saint Paul Committee is directed to forward to the Board payment of the civil penalty, by check or money order payable to the State of Minnesota, within 30 days of receipt of this order.
3. If the Chris Coleman for Saint Paul Committee 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 Statute, section 10A.34.
4. 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: April 6, 2010



Bob Milbert, 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.