

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

**Findings and Order In The Matter of a Contribution
During the Regular 2009 Legislative Session
By Denise Welte**

Summary of the Facts

In the 2009 Report of Receipts and Expenditures received from the Andy Welti for State Representative Committee on February 1, 2010, Representative Andy Welti notified the Campaign Finance and Public Disclosure Board (“the Board”) that the Committee accepted a contribution from a registered lobbyist on May 12, 2009, during the 2009 Legislative Session, which was held from January 6 through May 18, 2009.

In a memo submitted with the 2009 report Representative Welti stated that the lobbyist registration number was not included with the contribution. Representative Welti stated it is his campaign policy not to accept contributions from lobbyists. The contribution was refunded on December 27, 2009.

Minnesota Statutes, section 10A.273, subdivision 1(b), prohibits a registered lobbyist from making a contribution to a candidate for legislature or for constitutional office, or the candidate’s principal campaign committee during a regular legislative session. A lobbyist that violates this section is subject to a civil penalty imposed by the board of up to \$1,000.

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 letter dated February 5, 2010, the Board notified Denise Welte of the statutory provisions that appeared to be violated. Ms. Welte has been registered as a lobbyist with the Board since March 2007.

In a response dated February 10, 2010, Ms. Welte acknowledged making a \$25 contribution during the legislative session. Ms. Welte confirmed her registration number was not included on the check.

This matter was considered by the Board in executive session on March 2, 2010. The Findings are based on the correspondence from Ms. Welte, Representative Welti, and Board records.

Based on 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 Denise Welte violated Minnesota Statutes, section 10A.273, subdivision 1(b) by contributing to the Andy Welti for State Representative Committee during the 2009 regular legislative session.
2. There is evidence that Denise Welte failed to indicate her lobbyist registration number on a contribution to the Andy Welti for State Representative Committee. The Board finds that

there is probable cause to believe that Ms. Welte inadvertently violated Minnesota Statutes, section 10A.15, subdivision 5.

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, the Board issues the following:

Order

1. The Board imposes a civil penalty of \$25, which is one times the amount of the contribution, on Denise Welte, for contributing to a principal campaign committee during the 2009 legislative session in violation of Minnesota Statutes, section 10A.273, subdivision 1(b).
2. For failure to provide a lobbyist registration number on or with the contribution the Board orders Denise Welte to pay a civil penalty of \$25, which is one times the amount of the contribution.
3. Denise Welte is directed to forward to the Board payment of the \$50 civil penalty, by check or money order payable to the State of Minnesota, within 30 days of receipt of this order.
4. If Denise Welte 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.
5. 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 Denise Welte of the civil penalties imposed herein, the matter is concluded.

Dated: April 6, 2010



Bob Milbert, 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.

Minnesota Statutes, section 10A.273, subdivision 1, clause b. **Contributions during legislative session.** A registered lobbyist, political committee, political fund, or dissolving principal campaign committee, or a party unit established by the party organization within a house of the legislature, must not make a contribution to a candidate for the legislature or for constitutional office, the candidate's principal campaign committee, or a political committee or party unit established by all or a part of the party organization within a house of the legislature during a regular session of the legislature.