

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

Findings and Order in the Matter of the Leech Lake Band of Ojibwe

Summary of the Facts

During a routine reconciliation of the contributions made and received as reported on the 2006 year end Report of Receipts and Expenditures the Campaign Finance and Public Disclosure Board (“the Board”) contacted the 8th Congressional District DFL political party unit on an apparent discrepancy. The 8th Congressional District DFL reported receiving \$105 from the Leech Lake PAC, a registered political committee. The Leech Lake PAC did not report making a contribution to the 8th Congressional District DFL. The 8th Congressional District DFL provided the Board with a copy of the check used to make the contribution. The check was written from the general fund of the Leech Lake Band of Ojibwe. The Leech Lake Band of Ojibwe is not a political committee or fund registered with the Board.

Minnesota Statutes, section 10A.27, subdivision 13(b), prohibits associations not registered with the Board from making a contribution in excess of \$100 to a registered political party unit unless, at the time the contribution was made, the contributor provides the recipient with the disclosure required by Minnesota Statutes, section 10A.20. An unregistered association that fails to provide the appropriate disclosure with the contribution is subject to a civil penalty of up to \$1,000.

By letter dated June 29, 2007, Rodney White, Executive Director of the Administration Department, Leech Lake Band of Ojibwe, contacted the Board to explain the contribution. Mr. White stated: “It has come to my attention that the administration department of the Leech Lake Tribal Council paid for registration and dinner for three employees to attend the 8th Congressional District DFL Fundraiser in May of 2006...The amount of \$105.00 was paid out of the Tribal administrative funds, not the Leech Lake Political Action Committee...The omission was inadvertent and we had no intention to circumvent the statutes or rules of the Minnesota Campaign Finance and Public Disclosure Board”.

With his letter Mr. White provided a copy of a disclosure statement dated June 29, 2007, which was provided to the 8th Congressional District DFL. The disclosure statement conformed to the requirements enumerated in Advisory Opinion 290 for the period of calendar year 2006. Mr. White further stated that in the future the Administration Department would insure that all political contributions are made by the Leech Lake Political Action Committee.

This matter was considered by the Board in executive session at its meeting on August 21, 2007. The Board’s decision was based upon documentation from the 8th Congressional District DFL, correspondence from Mr. White, and Board records.

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 Leech Lake Band of Ojibwe, an association not registered with the Campaign Finance and Public Disclosure Board, contributed to the 8th Congressional District DFL political party unit without providing the disclosure required in Minnesota Statutes, Section 10A.27, subdivision 13.

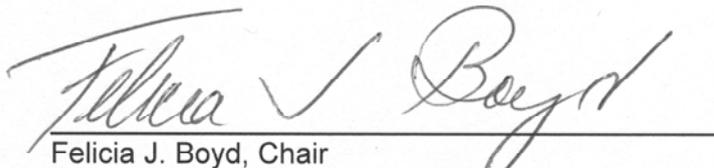
2. There is no probable cause to believe that this violation was intentional or done with the intent to circumvent the requirements of Minnesota Statutes, Chapter 10A.

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

ORDER

1. The Board imposes a civil penalty of \$5, one times the amount of the contribution over \$100, on the Leech Lake Band of Ojibwe for making a contribution to a political party unit without the disclosure required by Minnesota Statutes, section 10A.27, subdivision 13.
2. The Leech Lake Band of Ojibwe 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 Leech Lake Band of Ojibwe does not comply with the provisions of this order, the Board's Executive Director shall refer this matter to the appropriate County Attorney for civil enforcement pursuant to Minnesota Statute, section 10A.28, subdivision 4.
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: August 21, 2007



Felicia J. Boyd, 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.