

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

Findings in the Matter of the CropLife Political Action Committee

Summary of the Facts

In response to an inquiry from the Campaign Finance and Public Disclosure Board (“the Board”) John Apitz, representing CropLife Political Action Committee (“CropLife”), confirmed that during the 2006 reporting year CropLife accepted a \$500 contribution without the required disclosure from the Dow Chemical Company Agricultural Executive PAC (“Dow PAC”), an association not registered with the Board.

In a letter dated August 20, 2007, Mr. Apitz stated, “The CLA PAC ...itemized a contribution of \$500.00 received from Dow Chemical Company Agricultural Executive Political Action Committee.... The Dow PAC is not registered with the Board and, therefore, CLA PAC is not eligible to receive this contribution. ...CLA PAC has returned the total contribution to Dow PAC... .” A copy of the check and letter returning the contribution was provided to the Board.

Pursuant to Minnesota Statutes, Section 10A.27, subdivision 13, political committees registered with the Board may not accept contributions in excess of \$100 from unregistered associations unless each contribution is accompanied by financial disclosure specified by statute. No such disclosure was provided in this case.

In anticipation of Board action, CropLife submitted a payment of \$400 to the Board on August 20, 2007, to be applied to any civil penalty that might be imposed in this matter.

This matter was considered by the Board in executive session on October 9, 2007. The Board’s decision was based upon correspondence from Mr. Apitz and Board records.

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

Finding Concerning Probable Cause

1. There is probable cause to believe that CropLife violated Minnesota Statutes, section 10A.27, subdivision 13, when it accepted a contribution in excess of \$100 from Dow PAC, an association not registered with the Board, without receiving the required disclosure.
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.
3. CropLife returned the contribution received from Dow PAC on August 16, 2007.

Based on the above Finding Concerning Probable Cause, the Board issues the following:

ORDER

1. The Board imposes a civil penalty of \$400, one times the amount exceeding \$100. The payment by CropLife submitted to the Board on August 20, 2007, shall be, and hereby is, applied in satisfaction of this civil penalty.
2. 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 this matter is concluded.

Dated: October 9, 2007



Felicia J. Boyd, Chair
Campaign Finance and Public Disclosure Board

Relevant Statutes

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.