

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

Findings in the Matter of Progressive Majority

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 2008 year-end Reports of Receipts and Expenditures filed by the Minnesota DFL State Central Committee and the womenwinning State PAC each disclosed contributions from Progressive Majority Minnesota. Progressive Majority Minnesota is a political committee registered with the Board. However, the 2008 year-end Reports of Receipts and Expenditures filed by Progressive Majority Minnesota did not show corresponding contributions to the Minnesota DFL State Central Committee or the womenwinning State PAC.

On June 26, 2009, Gloria Totten, treasurer for Progressive Majority Minnesota, provided a written response to an inquiry from the Board on the discrepancy. Ms. Totten explained that, “Progressive Majority is a national political organization and registered a political committee, Progressive Majority Minnesota, in Minnesota in April 2007. In accordance with Minnesota state law, upon registration a separate bank account was established in Minnesota to receive contributions and make disbursements in connection with Minnesota electoral activities.” In reference to the contributions reported by the Minnesota DFL State Central Committee and the womenwinning State PAC Ms. Totten further provided that, “The contribution reported by the Minnesota DFL State Central Committee was mistakenly drawn from one of Progressive Majority [sic] national accounts.” Ms. Totten also acknowledged that the contribution to the womenwinning State PAC was mistakenly made from a national account of Progressive Majority.

The contribution from the national account of Progressive Majority to the Minnesota DFL State Central Committee was \$1,250; the contribution to the womenwinning State PAC was \$125.

A written response dated July 27, 2009, from Libby Keefe on behalf of the Minnesota DFL State Central Committee states “The name, address, city, state and zip on the check received are identical to the filing with the Minnesota Campaign Finance and Public Disclosure Board. ...It is the position of the Party that the check accepted was believed to be from Progressive Majority Minnesota’s PAC...there was no reason for the party to believe otherwise. ”

In a letter dated June 17, 2009, Sarah Taylor-Nanista replied on behalf of womenwinning State PAC and stated “We deposited a check from Progressive Majority Minnesota for

\$125.00 on 6/10/2008. The check was for a ticket to our annual State PAC fundraiser. In June of 2008 we called Progressive Majority staff to confirm that the check was meant for the State PAC and they confirmed.”

This matter was considered by the Board in executive session on September 1, 2009. The Board’s decision was based upon correspondence from Ms. Totten, Ms. Keefe, Ms. Taylor-Nanista, 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 Progressive Majority, an association not registered with the Campaign Finance and Public Disclosure Board, contributed to the Minnesota DFL State Central Committee and womenwinning State PAC from one of its national accounts without providing the disclosure required by Minnesota Statutes, Section 10A.27, subdivision 13(b).
2. There is probable cause that the contributions were not returned to Progressive Majority within 60 days as permitted in Minnesota Statutes, section 10A.15, subdivision 3.
3. 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 Finding Concerning Probable Cause, the Board issues the following:

ORDER

1. The Board imposes a civil penalty of \$1,000 on Progressive Majority for making a contribution to the Minnesota DFL State Central Committee without the disclosure required by Minnesota Statutes, section 10A.27, subdivision 13(b). The Board imposes a civil penalty of \$25 for making a contribution to womenwinning State PAC without the disclosure required by Minnesota Statutes, section 10A.27, subdivision 13(b).
2. Progressive Majority is directed to forward to the Board payment of \$1,025 for the civil penalty, by check or money order payable to the State of Minnesota, within 30 days of receipt of this order.
3. If Progressive Majority does not comply with the provisions of this order, the Board’s Executive Director shall refer this matter to the Ramsey County Attorney for civil enforcement pursuant to Minnesota Statutes, 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: September 1, 2009



Bob Milbert, Vice 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.