

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

**FINDINGS IN THE MATTER OF THE MINNESOTA CHAMBER OF COMMERCE  
LEADERSHIP FUND**

**Summary of the Facts**

Pursuant to Minnesota Statutes, Section 10A.27, subdivision 13, candidates, political party units, and political committees registered with the Campaign Finance and Public Disclosure Board (the Board) may not accept a contribution in excess of \$100 from an association that is not registered with the Board unless the contribution is accompanied by financial disclosure of the donating association's receipts and expenditures in the form specified by statute.

In May 2008 the Campaign Finance and Public Disclosure Board ("Board") sent a routine reconciliation inquiry to the Minnesota Chamber of Commerce Leadership Fund and the Faegre and Benson Limited Liability Partnership Committee regarding the Report of Receipts and Expenditures for calendar year 2007. The inquiry questioned a contribution of \$500 reported as received by the Minnesota Chamber of Commerce Leadership Fund from the Faegre and Benson Limited Liability Partnership Committee, a political committee registered with the Board. The Faegre and Benson Limited Liability Partnership Committee did not report making a contribution to the Minnesota Chamber of Commerce Leadership Fund.

David Olson, treasurer, Minnesota Chamber of Commerce Leadership Fund, responded in a letter dated July 14, 2008, that he believed the contribution was from the Faegre and Benson Limited Liability Partnership Committee that is registered with the Board. He states, "When we filed our 2007 year-end report of expenditures and contributions using the Campaign Finance Board's software, we attributed the check to Faegre & Benson's registered committee (#30163) on our belief that the funds originated from this committee. ...We had no other reason to suspect that the check was not drawn from a Minnesota-registered political committee account. ...We have already refunded \$500 to Faegre & Benson's Government Fund..."

By letter dated July 15, 2008, Jerry Snyder, treasurer, Faegre and Benson Limited Liability Partnership Committee, responded that the contribution was made from an account called the Faegre and Benson Government Fund. The Fund was formerly registered with the Hennepin County Elections Division but terminated its registration on July 18, 2005.

This matter was considered by the Board in executive session on August 19, 2008. The Board's decision was based upon correspondence from Mr. Olson, Mr. Snyder, 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 the Minnesota Chamber of Commerce Leadership Fund inadvertently violated Minnesota Statutes, section 10A.27, subdivision 13, when they accepted a contribution in excess of \$100 from an unregistered association, believing the check to be from the association's registered political committee, which has a similar name.
2. There is probable cause that the contribution was not returned within 60 days as permitted in Minnesota Statutes, section 10A.15, subdivision 3. There is probable cause to believe the Minnesota Chamber of Commerce Leadership Fund returned the contribution as soon as it became aware of the violation.

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

**ORDER**

1. The Board imposes no penalty on the Minnesota Chamber of Commerce Leadership Fund.
2. The Board investigation of this matter is entered into the public record in accordance with Minnesota Statutes, section 10A.02, subdivision 11. The matter is concluded.

Dated: September 16, 2008



Sven A. Wehrwein, 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.