

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

FINDINGS AND ORDER IN THE MATTER OF FAEGRE AND BENSON LLP

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.

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

Mr. Snyder states “The reason for this error is that the Faegre attorney requesting the check for the contribution to the Chamber Leadership Fund ...erroneously made the request ...on an incorrect ‘Payment Request Form’ that no longer should have been used for this type of contribution.... We have taken steps to ensure that another inadvertent contribution from an unregistered account will not occur again.”

David Olson, treasurer, Minnesota Chamber of Commerce Leadership Fund, responded in a letter dated July 14, 2008, that he believed the contribution was from a committee registered with the Board. The Minnesota Chamber of Commerce Leadership Fund has refunded \$500 to the Faegre and Benson Government Fund and provided a copy of the check used to make the refund.

This matter was considered by the Board in executive session at its meeting on August 19, 2008. The Board’s decision was based upon correspondence from Mr. Snyder, Mr. Olson, and Board records.

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

Findings Concerning Probable Cause

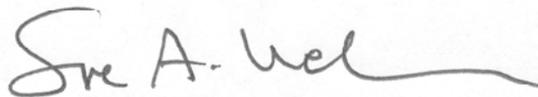
1. There is probable cause to believe that Faegre and Benson LLP, an association not registered with the Campaign Finance and Public Disclosure Board, contributed to the Minnesota Chamber of Commerce Leadership Fund using an account named "Faegre and Benson Government Fund" without providing the disclosure required by 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.
3. The contribution was not returned within 60 days as permitted in Minnesota Statutes, section 10A.15, subdivision 3.

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

ORDER

1. The Board imposes a civil penalty of \$400 on Faegre and Benson LLP for making a contribution to a political committee without the disclosure required by Minnesota Statutes, section 10A.27, subdivision 13. This penalty represents one times the amount by which the contribution exceeded the amount that may be made without the required disclosure.
2. Faegre and Benson LLP 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 Faegre and Benson LLP does not comply with the provisions of this order, the Board's Executive Director may request that the Attorney General bring an action on behalf of the Board for the remedies available under Minnesota Statutes, section 10A.34.
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 16, 2008



Sven A. Wehrwein, 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.