

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

FINDINGS REGARDING MAYER FOR CONGRESS

Procedural Background

In response to an inquiry from the Campaign Finance and Public Disclosure Board (“the Board”) Joe Mayer, Mayer for Congress, notified the Board, that Mayer for Congress, an association that is not registered with the Board made a \$225 contribution to the Olmsted County DFL on April 28, 2004.

Minn. Stat. §10A.27, subd. 13 (b), prohibits an unregistered association from making a contribution to a registered political party unit unless, at the time the contribution was made, the unregistered association provides the recipient with the disclosure required by Minn. Stat. §10A.20.

In a letter received November 17, 2004, Mr. Mayer stated “our campaign manager handled the purchasing of the tickets, and we were not aware of Minn. Stat. §10A.27, subd. 13 at that time. We certainly had no intention of violating Campaign Finance rules, and it won’t happen again.”

This matter was considered by the Board in executive sessions in its meetings on November 17, 2004, and December 17, 2004. The Board’s decision was based upon correspondence from Mr. Mayer and Board records.

Based on the record before it, the Board issues the following:

EVIDENTIARY FINDINGS

1. There is evidence that Mayer for Congress inadvertently violated Minn. Stat. §10A.27, subd. 13, when it made a contribution to the Olmsted County DFL and did not provide the required disclosure.
2. There is evidence that this contribution was not returned within 60 days. Minn. Stat. §10A.27, subd. 13 (b), provides that an unregistered association that makes a contribution to a political party unit without the required disclosure is subject to civil penalty of up to \$1,000.

Based on the above Statement of the Evidence, the Board makes the following:

FINDINGS CONCERNING PROBABLE CAUSE

There is probable cause to believe that Mayer for Congress inadvertently violated Minn. Stat. §10A.27, subd. 13, by making a contribution to the Olmsted County DFL without providing the required disclosure.

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

ORDER

1. The Board directs the Mayer for Congress to contact the Olmsted County DFL to ensure that \$125, one times the amount the contribution was in excess of \$100, is returned to the Mayer for Congress .
2. The Mayer for Congress is directed to provide the Board with a copy of the check and accompanying letter received from the Olmsted County DFL within thirty days of receipt of this order.
3. The Board imposes a civil penalty of \$125, one times by which the contribution exceeded \$100, on Mayer for Congress, an unregistered association, for making a contribution to a registered political party unit without providing the disclosure required by Minn. Stat. §10A.20.
4. Mayer for Congress is directed to forward to the Board payment of the civil penalty, by check or money order payable to the State of Minnesota, within thirty days of receipt of this order.
5. If Mayer for Congress does not comply with the provisions of this order, the Board's Executive Director shall refer this matter to the Olmsted County Attorney for civil enforcement pursuant to Minn. Stat. §10A.28, subd.4.
6. The Board investigation of this matter is hereby made a part of the public records of the Board pursuant to Minn. Stat. §10A.02, subd. 11, and upon receipt of the copy of the check and accompanying letter returning the contribution and upon payment by the civil penalty imposed herein, this matter is concluded.

Dated: December 17, 2004

Wil Fluegel, Chair
Campaign Finance and Public Disclosure Board