

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

**FINDINGS AND ORDER IN THE MATTER OF A CONTRIBUTION MADE BY
THE JIM KOSTREBA CAMPAIGN COMMITTEE
TO A CANDIDATE SEEKING FEDERAL OFFICE**

Facts Used In These Findings

The Jim Kostreba Campaign Committee (“Committee”) filed a termination Report of Receipts and Expenditures for calendar year 2005 with the Campaign Finance and Public Disclosure Board (“Board”) on January 31, 2006. The report disclosed that on January 4, 2005, the Committee made a \$500 contribution to the Patty Wetterling for Congress Committee, the committee of a candidate seeking election as a representative in Congress of the United States. The Federal Election Commission 2005 April Quarterly Report for the Patty Wetterling for Congress Committee discloses a \$500 contribution from the Jim Kostreba Campaign Committee.

Minnesota Statutes section 10A.27, subdivision 9, clause (c), prohibits contributions from principal campaign committees to candidates for federal office.

By letter dated February 6, 2006, Board staff notified Jim Kostreba of the potential violation. Mr. Kostreba responded by letter dated February 24, 2006, in which he stated “I was not aware that it was a violation to contribute to a congressional race...I am sorry and I am in the process of contacting the Wetterling Campaign to have the contribution returned, which I will then forward to you..”

The matter was considered by the Board in executive sessions on March 13, 2006. The Board’s decision was based upon the response from Mr. Kostreba, and Board records.

Relevant Statute

Minnesota Statutes section 10A.27, subdivision 9, clause (c) A candidate's principal campaign committee must not accept a contribution from, or make a contribution to, a committee associated with a person who seeks nomination or election to the office of president, senator, or representative in Congress of the United States.

The statute provides no penalty for violating this provision.

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

Findings Of Probable Cause

1. There is evidence that the Jim Kostreba Campaign Committee contributed \$500 to the Wetterling for Congress Committee on January 4, 2005. The Board finds there is probable cause to believe that the Jim Kostreba Campaign Committee violated Minnesota Statutes section 10A.27, subdivision 9, clause (c). There is no specified penalty for violating this statute.

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

ORDER

1. Jim Kostreba is ordered to forward the funds returned by the Wetterling for Congress Committee to the Board for deposit in the General Fund of the State.
2. The record in this matter and all correspondence is hereby entered into the public record in accordance with Minnesota Statutes, section 10A.02, subdivision 11.
3. Board staff shall provide a copy to Jim Kostreba.

Dated: March 13, 2006



Bob Milbert, chair
Campaign Finance and Public Disclosure Board