

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

**Findings and Order in the Matter of a Contribution to the Cass County DFL Committee  
from the Leech Lake Gaming Division**

**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 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. Acceptance of a contribution in excess of \$100 without the required disclosure is punishable by civil penalty of up to four times the amount of the contribution over \$100. A party unit has 60 days to return a contribution after which time the contribution is considered to be accepted. Minn. Stat. § 10A.15, subd. 3.

An unregistered association that makes a contribution of more than \$100 without the required disclosure is in violation of Minnesota Statutes section 10A.27, subdivision 13 (b). Failure to provide the appropriate disclosure with a contribution of more than \$100 is punishable by civil penalty of up to \$1,000.

On the 2012 Report of Receipts and Expenditures filed with the Board, the Cass County DFL Committee disclosed receipt of a contribution in the amount of \$2,500 from the Leech Lake PAC, a registered political committee.

In response to a routine reconciliation audit, James Morales, gaming director for the Leech Lake Band, stated the contribution was made by the Leech Lake Gaming Division in response to a request from the Cass County DFL Committee. Mr. Morales stated that Leech Lake Gaming "understood the reasoning for this request was to provide the funding to the Leech Lake Youth Build Program for the Wellstone Action Training." The Leech Lake Gaming Division is not registered with the Board. As an unregistered association, the Leech Lake Gaming Division was required to provide the appropriate disclosure with its contribution. No disclosure statement was provided with the contribution.

On September 13, 2013, Randi Agens, treasurer, Cass County DFL Committee, provided a copy of a check returning \$2,500 to the Leech Lake Gaming Division.

This matter was considered by the Board in executive session on November 5, 2013. The Board's decision is based on the correspondence and information received from Randi Agens and James Morales and on Board records.

**Based on the information outlined in the above Summary of the Facts and the relevant statutes, the Board makes the following:**

**Findings**

1. The Cass County DFL Committee violated Minnesota Statutes section 10A.27, subdivision 13, when it accepted a contribution in excess of \$100 from an unregistered association without receiving the appropriate disclosure with the contribution.

2. The Cass County DFL Committee has returned \$2,500 to the Leech Lake Gaming Division.
3. The Leech Lake Gaming Division violated Minnesota Statutes section 10A.27 subdivision 13 (b), when it made a contribution in excess of \$100 to the Cass County DFL Committee without providing the required disclosure with the contribution.
4. The violations by the Cass County DFL Committee and the Leech Lake Gaming Division were not intentional or done with the intent to circumvent the provisions of Chapter 10A.

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

**ORDER**

1. The Board imposes a civil penalty of \$2,400, one times the amount by which the contribution exceeded \$100, on the Cass County DFL Committee for accepting a contribution from an unregistered association without the disclosure required by Minnesota Statutes section 10A.27, subdivision 13.
2. The Cass County DFL Committee 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.
3. The Board imposes a civil penalty of \$1,000 on the Leech Lake Gaming Division for making a contribution in excess of \$100 without providing the disclosure required by Minnesota Statutes section 10A.27, subdivision 13 (b).
4. The Leech Lake Gaming Division 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 the Cass County DFL Committee or the Leech Lake Gaming Division does not comply with the provisions of this order, the Board's Executive Director may request that the Attorney General bring an action for the remedies available under Minnesota Statutes section 10A.34.
6. 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 receipt of the copy of the check used to return the excess contribution and payment of the civil penalties imposed herein, this matter is concluded.

Dated: November 5, 2013

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/s/ Deanna Wiener  
Deanna Wiener, Chair  
Campaign Finance and Public Disclosure Board

## Relevant Statutes

**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.

(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.