

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

**Findings In The Matter of the Acceptance of  
a Prohibited Contribution During the 2010 Legislative Session  
by the Karen Clark Election Committee**

**Summary of the Facts**

Minnesota Statutes, section 10A.273, subdivision 1(a), prohibits a candidate for a legislative office or the candidate's principal campaign committee from soliciting or accepting a contribution from a political committee or political fund during a regular legislative session. A candidate that violates this section is subject to a civil penalty of up to \$1,000.

The 2010 Pre-Primary-Election Report of Receipts and Expenditures filed with the Campaign Finance and Public Disclosure Board (the "Board") by the Pipe Fitters Local 539 political fund disclosed a contribution in the amount of \$250 made to the Karen Clark Election Committee on February 4, 2010. The legislative session was held from February 4 through May 17, 2010.

In response to a Board inquiry, Russell Scherber, treasurer of the Pipe Fitters Local 539 Political Fund, confirmed the contributions were made as reported on February 4, 2010.

In a letter dated October 1, 2010, Vernon Wetternach, treasurer of the Karen Clark Election Committee maintains the contribution was received before the start of the legislative session, however, documentation provided by the Pipe Fitters Local 539 Political Fund indicates the check was issued on February 4, 2010.

This matter was considered by the Board in executive session on November 1, 2010. The Board's decision is based on the Report of Receipts and Expenditures filed by the Pipe Fitters Local 539, correspondence from Russell Scherber, treasurer of the Pipe Fitters Local 539 Political Fund, Vernon Wetternach 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 Karen Clark Election Committee accepted a contribution from the Pipe Fitters Local 539 Political Fund during the 2010 regular legislative session, in violation of Minnesota Statutes, section 10A.273, subdivision 1.
2. There is probable cause to believe that the contribution was not returned within 60 days as permitted in Minnesota Statutes, section 10A.15, subdivision 3.

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

**ORDER**

1. The Board imposes a civil penalty of \$250, one times the amount of the prohibited contribution, on the Karen Clark Election Committee for acceptance of a contribution from a political fund during the regular session of the Minnesota Legislature in violation of Minnesota Statutes, section 10A.273, subdivision 1(a).
2. The Karen Clark Election Committee is directed to return \$250 to the Pipe Fitters Local 539 Political Fund.
3. The Karen Clark Election Committee is directed to forward to the Board \$250 by check or money order payable to the State of Minnesota, and forward a copy of the check and letter used to return the prohibited contribution, within 30 days of receipt of this order.
4. If the Karen Clark Election Committee 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.
5. 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: November 1, 2010

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/s/ Bob Milbert

Bob Milbert, Chair  
Campaign Finance and Public Disclosure Board

**Relevant Statutes**

1. Minnesota Statutes, section 10A.273, subdivision 1. **Contributions during legislative session.** (a) A candidate for the legislature or for constitutional office, the candidate's principal campaign committee, or a political committee or party unit established by all or a part of the party organization within a house of the legislature, must not solicit or accept a contribution from a registered lobbyist, political committee, political fund, or dissolving principal campaign committee, or from a party unit established by the party organization within a house of the legislature, during a regular session of the legislature.