

**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 DFL Senate Caucus**

**Summary of the Facts**

Minnesota Statutes, section 10A.273, subdivision 1, prohibits a political party organization within a house of the legislature (a political party caucus) from soliciting or accepting a contribution from a political committee during a regular legislative session. A political party caucus that violates this section is subject to a civil penalty of up to \$1,000.

The 2010 pre-general-election Report of Receipts and Expenditures filed with the Campaign Finance and Public Disclosure Board by the DFL Senate Caucus Committee disclosed a \$250 contribution from the Grand Portage PAC, a political committee registered with the Board, on February 4, 2010. The legislative session was held from February 4 through May 17, 2010.

In response to a Board inquiry, James Genia, treasurer of the Grand Portage PAC, stated that the contribution was mailed before the legislative session began. The 2010 pre-general-election Report of Receipts and Expenditures filed by the Grand Portage PAC disclosed making the contribution on February 2, 2010.

On November 11, 2010, Libby Keefe, responded on behalf of the DFL Senate Caucus, acknowledging acceptance of the contribution during the legislative session.

Board records show that DFL Senate Caucus was issued findings for two previous violations of Minnesota Statutes, section 10A.273, subdivision 1, in 2006 and 2008.

This matter was considered by the Board in executive session on December 9, 2010. The Board's decision was based upon correspondence from Ms. Keefe 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 DFL Senate Caucus violated Minnesota Statutes, section 10A.273, subdivision 1(a), when it accepted a contribution from a registered political committee during the 2010 regular legislative session.
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 \$750, three times the amount of the contribution, on the DFL Senate Caucus for acceptance of a contribution from a registered political committee during the regular session of the Minnesota Legislature in violation of Minnesota Statutes, section 10A.273, subdivision 1. The penalty is three times the amount in recognition that this is the third violation of this statute by the DFL Senate Caucus.
2. The DFL Senate Caucus is directed to return \$250 to the Grand Portage PAC political committee.
3. The DFL Senate Caucus 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.
4. If DFL Senate Caucus 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 entered into the public record in accordance with Minnesota Statutes, section 10A.02, subdivision 11, and upon payment by the DFL Senate Caucus, the matter is concluded.

Dated: December 9, 2010

/s/ John Scanlon

John Scanlon, Vice 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.