

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

Findings, Conclusions, and Order in the Matter of Harbor Times, Inc.

Summary of the Facts

On January 11, 2014, Sue Rasmussen, treasurer for the 52nd Senate District DFL party unit ("Party Unit"), emailed Board staff for clarification on how to enter certain transactions on the Party Unit's 2013 Year-end Report of Receipts and Expenditures. The Party Unit had held a fundraiser which various individual and associations had sponsored. One of the sponsors of the event was Harbor Times, Inc. ("Harbor Times").

Minnesota Statutes, section 211B.15, subdivision 2, states that:

A corporation may not make a contribution or offer or agree to make a contribution directly or indirectly, of any money, property, free service of its officers, employees, or members, or thing of monetary value to a major political party, organization, committee, or individual to promote or defeat the candidacy of an individual for nomination, election, or appointment to a political office.

The Board has previously determined that sponsoring a political party unit's event is a contribution to the political party unit.

A violation of the prohibition subjects the contributing corporation to a civil penalty of up to ten times the amount of the violation, but not to exceed \$10,000.

The Board received a copy of the sponsorship check from Ms. Rasmussen on February 14, 2014. The check, dated July 22, 2013, was from Harbor Times for \$100 and made out to the "DFL Senate District 52" for a "Comedy Sponsorship." Nancy Breymeier, Chief Executive Officer for Harbor Times, signed the check.

After being informed by Board staff that political party units may not accept corporate contributions, Ms. Rasmussen returned the contribution to Harbor Times on January 18, 2014, and provided the Board with a copy of the check used for the return.

Ms. Breymeier wrote the Board on April 3, 2014, and stated that "...I didn't think a sponsorship would be a donation, I think of sponsorship as advertising." Ms. Breymeier confirmed that the contribution had been returned by Ms. Rasmussen. Further, she explained that "[t]his was an honest mistake, not one that will be done again."

Based on the above Facts and the relevant statutes, the Board makes the following:

Findings

1. Harbor Times, Inc., d/b/a Amore Coffee, made a corporate contribution to the 52nd Senate District DFL party unit.
2. The 52nd Senate District DFL party unit returned the \$100 corporate contribution on January 18, 2014. However, because the contribution was not returned within 90 days of deposit, as permitted in Minnesota Statutes, section 10A.15, subdivision 3, the contribution was deemed accepted.

Conclusions

1. Harbor Times unintentionally violated Minnesota Statutes, section 211B.15, subdivision 2, when it made a prohibited corporate contribution to the 52nd Senate District DFL party unit on July 22, 2013, in the amount of \$100.
2. The violation of Minnesota Statutes, section 211B.15, subdivision 2, by Harbor Times was inadvertent, as it was not done with the intent to provide a prohibited contribution.

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

Order

1. The Board imposes a civil penalty of \$25 on Harbor Times for making a contribution that was prohibited by Minnesota Statutes, section 211B.15, subdivision 2.
2. Harbor Times 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. If Harbor Times 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.
4. 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 payment of the civil penalty imposed herein, this matter is concluded.

Dated: April 22, 2014

/s/ Deanna Wiener

Deanna Wiener, Chair
Campaign Finance and Public Disclosure Board