



COMPLAINT FOR VIOLATION OF THE CAMPAIGN FINANCE AND PUBLIC DISCLOSURE ACT

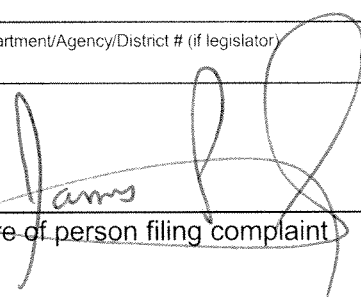
All information on this form is private and confidential until a finding is issued by the Board.

Information about complaint filer

Name of complaint filer JAMES SANBORN	
Address 825 Yellowstone Trail	
City, state, zip Waconia MN 55387	Daytime telephone no. 952-270-6085

Identify person/entity you are complaining about

Name of person/entity being complained about Bob Fry MN
Address 13150 Stewart Ave
City, state, zip Norwood MN 55368
Title of respondent (if applicable)
Board/Department/Agency/District # (if legislator) 47A


Signature of person filing complaint

8/21/2014
Date

Send completed form to: Campaign Finance & Public Disclosure Board
Suite 190, Centennial Building
658 Cedar Street
St. Paul, MN 55155

If you have questions call: 651/296-1721; 800/657-3889; or
for TTY/TDD communication contact us through the Minn. Relay Service at 800/627-3529
Board staff may also be reached by e-mail at: cf.board@state.mn.us.

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Complaint:

From the information listed below, there is probable cause to indicate that Bob Frey MN Committee is in violation of 10A.27 §8 by accepting a personal loan in excess of \$5,000 (\$9,000), regardless of the loan balance at year's end.

This violation is self-evident in the Bob Frey MN Committee's own report to the Board from July 28, 2014. I believe a Prima Facie Determination is supported by the facts, and a Probable Cause hearing should be scheduled

Facts:

"Bob Frey for MN" is the committee that was formed with Minnesota Campaign Finance Board to support Bob Frey as a candidate for House district 47A. The registration number is 17715.

According to the Campaign Finance Board website, Bob Frey for MN has signed the Public Subsidy Agreement, and returned the Affidavit of Contributions.

Bob Frey for MN filed a pre-primary report as required for receipts and expenditures from January 1, 2014 to July 21, 2014. This report was received by the CFB on July 28.

The report shows receipts of \$10,810.00 and expenditures of \$10,373.88 with remaining cash of \$436.12.

Also included in the report is Schedule A2-LP ("Receipt From Loans Incurred in the Current Year"). Schedule A2 indicates that a loan was received from Bob Frey on June 2, 2014 in the amount of \$9,000.

According to Minnesota statute 10A.27 §8, "A candidate must not permit the candidate's principal campaign committee to accept a loan from other than a financial institution for an amount in excess of the contribution limits imposed by this section."

Personal contributions to principal campaign committees by candidates who sign the Public Subsidy Agreement are limited by Minnesota statute 10A.27 §10, to five times the standard contribution limit for that candidate. The contribution limit for a House candidate during the 2013-2014 election cycle is

\$1,000. Therefore, Mr Frey is limited to making a \$5,000 contribution and/or loan to his Committee of \$5,000.

\$9,000 is more than \$5,000.

According to Minnesota statute 10A.28 §2, violations are subject to “a civil penalty of up to four times the amount by which a contribution exceeds the applicable limits.”

10A.27 CONTRIBUTION LIMITS.

Subdivision 1. **Contribution limits.**

(a) Except as provided in subdivision 2, a candidate must not permit the candidate's principal campaign committee to accept aggregate contributions made or delivered by any individual, political committee, political fund, or association not registered with the board in excess of the following:

(5) to a candidate for state representative, \$1,000 in the election segment of an election cycle for the office sought

Subd. 8. **Excess loans prohibited.** A candidate must not permit the candidate's principal campaign committee to accept a loan from other than a financial institution for an amount in excess of the contribution limits imposed by this section. A candidate must not permit the candidate's principal campaign committee to accept a loan from a financial institution for which the financial institution may hold an endorser of the loan liable to pay an amount in excess of the amount that the endorser may contribute to that candidate.

Subd. 10. **Limited personal contributions.** A candidate who signs an agreement under section 10A.322 may not contribute to the candidate's own campaign during a segment of an election cycle more than five times the candidate's contribution limit for that segment under subdivision 1.

10A.28 PENALTY FOR EXCEEDING LIMITS.

Subd. 2. **Exceeding contribution limits.** The following are subject to a civil penalty of up to four times the amount by which a contribution exceeds the applicable limits:

(4) a candidate who permits the candidate's principal campaign committee to accept contributions in excess of the limits imposed by section 10A.27.