

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

**IN THE MATTER OF THE STAFF REVIEW
OF THE GAROFALO (PATRICK) VOLUNTEER COMMITTEE**

ORDER OF DISMISSAL

Under Minnesota Statutes section 10A.27, subdivision 11, a legislative candidate may not accept aggregate special source contributions that exceed an amount equal to 20% of the election cycle segment expenditure limit for the office sought by the candidate. Special sources include lobbyists, political committees and funds, and associations not registered with the Board. For the 2017 - 2018 election cycle segment the special source limit for state representative candidates was \$13,100.

The Garofalo (Patrick) Volunteer Committee is the principal campaign committee for Representative Patrick Garofalo. In 2017, the committee received \$500 in contributions from Minnesota Power PAC, which counted towards the aggregate special source contribution limit. In July of 2018, the Garofalo committee decided to return the \$500 in contributions to the Minnesota Power PAC. By returning the contributions, the Garofalo committee believed it had reduced the total contributions received from special sources by \$500. The committee subsequently accepted additional special source contributions, which by the committee's calculation, still left it \$50 under the special source limit. The Garofalo committee uses the Board's Campaign Finance Reporter software. The committee entered the return of a prior year special source contribution into the software correctly; therefore, the software also reported that the committee was under the aggregate special source contribution limit.

However, during the annual reconciliation of contributions received and given by registered committees in 2018 it was determined that the Minnesota Power PAC had not reported the return of the contributions from the Garofalo committee. The Minnesota Power PAC stated in response to the reconciliation that it had not received the check returning the contributions from the Garofalo committee. If the return of the contributions by the Garofalo committee was not accomplished the committee would exceed the special source limit by \$450. Based on this information the executive director ordered a staff review of the Garofalo committee's special source contributions during the 2017 – 2018 election cycle.

When the Garofalo committee was informed that the check returning the contributions had not been received by Minnesota Power PAC it promptly reissued the check. The Garofalo committee has provided a copy of the canceled check showing that the replacement check was deposited by Minnesota Power PAC. Therefore, the Garofalo committee has returned an amount sufficient to bring it back under the special source limit.

Based on the information gathered during the staff review, the Board concludes that the Garofalo committee understood the special source limit and took actions which should have kept it in compliance with that limit. Additionally, the committee reported the return of the contribution to the Minnesota Power PAC to the Board because it believed that the contribution had been successfully returned. Further, the committee reissued a check returning the contribution, and

has documented that the check was deposited in the Minnesota Power PAC account. As a result, the Garofalo committee has reduced the amount of retained special source contributions to below the applicable limit. Based on the staff review the matter is resolved and no further action is necessary.

Order

The staff review of this matter is dismissed and hereby made a part of the public records of the Board pursuant to Minnesota Statutes section 10A.022, subdivision 5.

/s/ Margaret Leppik
Margaret Leppik
Chair, Campaign Finance and Public Disclosure Board

Date: August 14, 2019