

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

**FINDINGS IN THE MATTER OF
CONTRIBUTIONS DURING THE REGULAR 2004 LEGISLATIVE SESSION
BY CARPENTERS UNION LOCAL 87 PAF**

PROCEDURAL BACKGROUND

On its Report of Receipts and Expenditures for the period covering January 1, 2004, through August 23, 2004, Carpenter's Union Local 87 PAF disclosed to the Campaign Finance and Public Disclosure Board ("the Board") a \$500 contribution to the Paul Gardner for Minnesota House Committee on April 21, 2004. Minn. Stat. §10A.273, subd. 1 (b), prohibits a political committee from making a contribution to a legislative principal campaign committee during a regular session of the legislature. The regular 2004 legislative Session was held from February 2, 2004, to May 16, 2004.

In response to an inquiry from the Campaign Finance and Public Disclosure Board ("the Board") staff, John Fahey, treasurer, Carpenters Union Local 87 PAF, stated "our records indicate the check for Mr. Gardner was cut on April 21, 2004."

This matter was considered by the Board in executive sessions on January 25, 2005, and February 22, 2005. The Board's decision was based on correspondence from Mr. Fahey and Board records.

Based on the record before it, the Board issues the following:

EVIDENTIARY FINDINGS

1. There is evidence that Carpenters Local Union 87 PAF inadvertently violated Minn. Stat. §10A.273, subd. 1, (b), by making a \$500 contribution to a registered legislative principal campaign committee during the regular 2004 legislative session. Minn. Stat. §10A.273, subd. 1 (b), prohibits a political fund from making a contribution during a regular session of the legislature. The regular 2004 legislative Session was held from February 2, 2004, to May 16, 2004.
2. There is no evidence that this contribution was returned. Minn. Stat. §10A.273, subd. 4, provides that a political fund that violates Minn. Stat. §10.273, (b), is subject to a civil penalty of up to \$1,000.

Based on the above Statement of the Evidence, the Board makes the following:

FINDING CONCERNING PROBABLE CAUSE

There is probable cause to believe that Carpenters Local Union 87 PAF inadvertently violated Minn. Stat. §10A.273, subd. 1 (b), by making a contribution to a registered legislative principal campaign committee during the regular session of the legislature in 2004.

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

ORDER

1. In lieu of forwarding the above public finding of probable cause to the appropriate county attorney to pursue a judgment in district court, the Board imposes a civil penalty of \$500 on Carpenters Local Union 87 PAF for making a contribution during the regular 2004 legislative session.
2. Carpenters Local Union 87 PAF is directed to forward to the Board payment of the \$500 civil penalty, by check or money order payable to the STATE OF MINNESOTA, within thirty days after the public posting of this order.
3. If Carpenters Local Union 87 PAF does not comply with the provisions of this order, the Board's Executive Director shall refer this matter to the Ramsey County Attorney for civil enforcement pursuant to Minn. Stat. §10A.273.
4. The Board investigation of this matter is entered into the public record in accordance with Minn. Stat. §10A.02, subd. 11, and upon payment by Carpenters Local Union 87 PAF of the civil penalty imposed herein, the matter is concluded.

Dated: February 22, 2005



Terri Ashmore, Chair
Campaign Finance and Public Disclosure Board