

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

**Findings and Order in the Matter of the IBEW Local 292**

**Summary of the Facts**

In response to an inquiry from the Campaign Finance and Public Disclosure Board (“the Board”) Mary Bonk, comptroller of the Minnesota DFL State Central Committee (“the State DFL”), confirmed that during the 2006 reporting year the State DFL accepted a \$2,500 contribution from the general fund of the International Brotherhood of Electrical Workers Local 292 Union (“the IBEW 292 Union”)

The IBEW Local 292 Union has a political fund registered with the Board, however, the contribution was from the union itself, which is an association not registered with the Board.

The Union was offered an opportunity to explain the contribution. By letter dated August 9, 2007, Christian Sande, attorney for the Union, stated that the payment was for “for tickets, tables, dinner and entertainment at the DFL’s Annual Humphrey Day Dinner . . . “.

Mr. Sande relates that the payment was made from the Union’s general account rather than from its political fund because of a clerical error based on the fact that the payment was “for tickets to a dinner rather than an obvious political contribution.” It is the Union’s position that the State DFL was in a better position to recognize that the transaction constituted a prohibited contribution, yet it failed to put the Union on notice of that fact.

Minnesota Statutes, section 10A.27, subdivision 13(b), prohibits an association not registered with the Board from making a contribution in excess of \$100 to a registered political party unit unless at the time the contribution was made, the unregistered association provides the recipient with the disclosure required by Minnesota Statutes, section 10A.20. An unregistered association that fails to provide the appropriate disclosure with the contribution is subject to a civil penalty of up to \$1,000.

This matter was considered by the Board in executive session at its meeting on August 21, 2007. The Board’s decision was based upon correspondence from Mr. Sande, Ms. Bonk, and Board records, and on information presented by Mr. Sande at the Board meeting.

**Based on the above Summary of the Facts and the Relevant Statute, the Board makes the following:**

**Findings Concerning Probable Cause**

1. There is probable cause to believe that the International Brotherhood of Electrical Workers Local 292 union, an association not registered with the Campaign Finance and Public Disclosure Board, made a contribution in excess of \$100 to the Minnesota DFL State Central Committee without providing the disclosure required by Minnesota Statutes, Section 10A.27, subdivision 13.

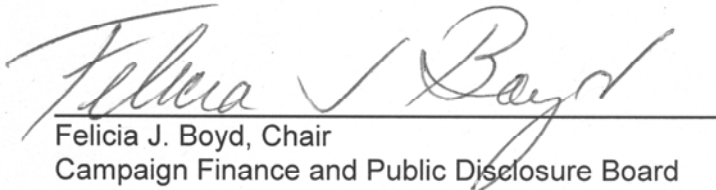
2. There is no probable cause to believe that this violation was intentional or done with the intent to circumvent the requirements of Minnesota Statutes, Chapter 10A.
3. The contribution was not returned within 60 days as permitted in Minnesota Statutes, section 10A.15, subdivision 3.

**Based on the above Findings, the Board issues the following:**

**ORDER**

1. The Board imposes a civil penalty of \$250 on the International Brotherhood of Electrical Workers Local 292 union for making a contribution to a political party unit without the disclosure required by Minnesota Statutes, section 10A.27, subdivision 13.
2. The IBEW Local 292 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.
3. If the IBEW Local 292 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 Minnesota Statute, section 10A.28, subdivision 4.
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 payment by the civil penalty imposed herein, this matter is concluded.

Dated: August 21, 2007

  
\_\_\_\_\_  
Felicia J. Boyd, Chair  
Campaign Finance and Public Disclosure Board

### Relevant Statute

**Minnesota Statutes, section 10A.27, subdivision 13. Unregistered association limit; statement; penalty.** (a) The treasurer of a political committee, political fund, principal campaign committee, or party unit must not accept a contribution of more than \$100 from an association not registered under this chapter unless the contribution is accompanied by a written statement that meets the disclosure and reporting period requirements imposed by section 10A.20. This statement must be certified as true and correct by an officer of the contributing association. The committee, fund, or party unit that accepts the contribution must include a copy of the statement with the report that discloses the contribution to the board. This subdivision does not apply when a national political party contributes money to its affiliate in this state.

(b) An unregistered association may provide the written statement required by this subdivision to no more than three committees, funds, or party units in a calendar year. Each statement must cover at least the 30 days immediately preceding and including the date on which the contribution was made. An unregistered association or an officer of it is subject to a civil penalty imposed by the board of up to \$1,000, if the association or its officer:

- (1) fails to provide a written statement as required by this subdivision; or
- (2) fails to register after giving the written statement required by this subdivision to more than three committees, funds, or party units in a calendar year.