

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

**Findings in the Matter of the Sheet Metal Workers' International Association**

**Summary of the Facts**

Minnesota Statutes, Section 10A.27, subdivision 13(b), prohibits an association that is not registered with the Campaign Finance and Public Disclosure Board ("the Board") from making a contribution in excess of \$100 to a candidate, political party unit, or political committee that is registered with the Board unless, at the time the contribution was made, the unregistered association provides the recipient with disclosure of the unregistered associations receipts and expenditures in the form specified by statute. An unregistered association that fails to provide the appropriate disclosure with the contribution is subject to a civil penalty of up to \$1,000.

In the 2009 year-end Report of Receipts and Expenditures filed with the Board, the Rice County DFL disclosed receipt of a \$500 contribution received on June 11, 2009, from the Sheet Metal Workers PAC 10. In response to a routine reconciliation of the 2009 reports, Jason Engbrecht, treasurer of the Rice County DFL, filed an amendment which disclosed that the contribution was actually from the Sheet Metal Workers' International Association. The Sheet Metal Workers' International Association is not registered with the Board. The Rice County DFL did not receive the required disclosure with the contribution.

In a letter dated May 26, 2010, Mr. Engbrecht acknowledged that the contribution was accepted without the necessary disclosure. The Rice County DFL has returned \$400 to the Sheet Metal Workers' International Association, and provided the Board with a copy of the check and letter used to return the donation.

In an email dated July 9, 2010, Jackie Gallodoro, from the political education department of the Sheet Metal Workers' International Association, acknowledged making the contribution and receiving a refund of from the Rice County DFL.

This matter was considered by the Board in executive session on August 3, 2010. The Board's decision was based upon correspondence from Ms. Gallodoro, Mr. Engbrecht and Board records.

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

**Findings Concerning Probable Cause**

1. There is probable cause to believe that the Sheet Metal Workers' International Association violated Minnesota Statutes, Section 10A.27, subdivision 13, when it made a contribution in excess of \$100 to the Rice County DFL Committee without providing the required disclosure.
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.

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

**Order**

1. The Board imposes a civil penalty of \$400, one times the amount by which the contribution exceeded \$100, on the Sheet Metal Workers' International Association. for making a contribution in excess of \$100 to a political party unit without the disclosure required by Minnesota Statutes, section 10A.27, subdivision 13.
2. The Sheet Metal Workers' International Association 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 Sheet Metal Workers' International Association does not comply with the provisions of this order, the Board's Executive Director shall request that the Attorney General bring an action for the remedies available under Minnesota Statute, 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 payment by the civil penalty imposed herein, this matter is concluded.

Dated: August 3, 2010



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Bob Milbert, Chair  
Campaign Finance and Public Disclosure Board

## Relevant Statutes

**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.

(c) The treasurer of a political committee, political fund, principal campaign committee, or party unit who accepts a contribution in excess of \$100 from an unregistered association without the required written disclosure statement is subject to a civil penalty up to four times the amount in excess of \$100.