

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

**Findings and Order In The Matter of a Contribution
During the Regular 2010 Legislative Session
By Pipe Fitters Local 539 Political Fund**

Summary of the Facts

Minnesota Statutes, section 10A.273, subdivision 1(b), prohibits a registered political fund from making a contribution to a candidate for legislature or for constitutional office, or the candidate's principal campaign committee during a regular legislative session. A political fund that violates this section is subject to a civil penalty imposed by the board of up to \$1,000.

The 2010 Pre-primary-election Report of Receipts and Expenditures filed with the Campaign Finance and Public Disclosure Board ("the Board") by the Pipe Fitters Local 539 Political Fund disclosed contributions made during the 2010 legislative session which was held February 4 through May 17, 2010. According to the report contributions of \$250 each were made to the Karen Clark Election Committee and to the Dan Skogen for Senate Committee, with checks issued on February 4, 2010.

By letter dated September 9, 2010, the Board notified Russell Scherber, treasurer of the Pipe Fitters Local 539 Political Fund, of the statutory provision that appeared to be violated. On September 14, 2010, Mr. Scherber confirmed the contributions were made as reported.

This matter was considered by the Board in executive session on November 1, 2010. The Findings are based on the correspondence from Mr. Scherber 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 Pipe Fitters Local 539 Political Fund violated Minnesota Statutes, section 10A.273, subdivision 1(b) by contributing \$250 each to the Karen Clark Election Committee and the Dan Skogen for Senate Committee during the 2010 regular legislative session.
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 \$500, which is one times the amount of the two contributions, on the Pipe Fitters Local 539 Political Fund, for contributing to principal campaign committees during the 2010 legislative session in violation of Minnesota Statutes, section 10A.273, subdivision 1(b).
2. The Pipe Fitters Local 539 Political Fund 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 Pipe Fitters Local 539 Political Fund does not comply with the provisions of this order, the Board's Executive Director may 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 entered into the public record in accordance with Minnesota Statutes, section 10A.02, subdivision 11, and upon payment by the Pipe Fitters Local 539 Political Fund of the civil penalties imposed herein, the matter is concluded.

Dated: November 1, 2010

/s/ Bob Milbert

Bob Milbert, Chair
Campaign Finance and Public Disclosure Board

Relevant Statutes

Minnesota Statutes, section 10A.273, subdivision 1, clause b. **Contributions during legislative session.** A registered lobbyist, political committee, political fund, or dissolving principal campaign committee, or a party unit established by the party organization within a house of the legislature, must not make a contribution to a candidate for the legislature or for constitutional office, the candidate's principal campaign committee, or a political committee or party unit established by all or a part of the party organization within a house of the legislature during a regular session of the legislature.