

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

**Findings and Order in the Matter of the IBEW Minnesota State Council**

**Summary of the Facts**

In a letter dated February 8, 2007, Reid LeBeau, Alliance for a Better Minnesota (“the Committee”), notified the Campaign Finance and Public Disclosure Board (“the Board”) that the Committee accepted a contribution from the IBEW Minnesota State Council general fund.

By letter dated February 16, 2007, Vince Guertin, treasurer, IBEW Minnesota State Council PAC stated, “The IBEW Minnesota State Council issued a check in the amount of \$5,000 on June 2, 2006, to the Alliance for a Better Minnesota. This check was not issued by the registered IBEW MN State Council PAC...nor was it accompanied by a disclosure statement... It was simply a matter of the check being written out of the wrong checkbook.”

The IBEW Minnesota State Council has a political committee registered with the Board, however, the contribution was from the Council itself, which is an association not registered with the Board.

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 committee or political fund 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 March 13, 2007. The Board’s decision was based upon correspondence from Mr. Guertin, Mr. LeBeau, and Board records.

**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 IBEW Minnesota State Council, an association not registered with the Campaign Finance and Public Disclosure Board, contributed to the Alliance for a Better Minnesota from the its general fund without providing the disclosure by Minnesota Statutes, Section 10A.27, subd. 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. Rather, the violation resulted from an agent of the donor using the wrong checking account to make the donation.
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:**

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

**ORDER**

1. The Board imposes a civil penalty of \$500 on the IBEW Minnesota State Council for making a contribution to a political committee without the disclosure required by Minnesota Statutes, section 10A.27, subdivision 13.
2. The IBEW Minnesota State Council 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 Minnesota State Council 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: March 13, 2007



Felicia 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.