

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

Findings and Order in the Matter of the Minnesota State Council of UNITE HERE Unions

Summary of the Facts

In May 2007 the Campaign Finance and Public Disclosure Board (“the Board”) sent a routine reconciliation inquiry regarding the Report of Receipts and Expenditures for 2006 to the Minnesota State Council of UNITE HERE Unions (“MSCUHU”), a registered political fund, and the Minnesota DFL State Central Committee (“Minnesota DFL”). The inquiry questioned a \$625 contribution to the Minnesota DFL made from MSCUHU.

By letter dated June 27, 2007, Wade Luneburg stated “The Minnesota State Council of UNITE HERE Unions inadvertently issued a check to the Minnesota DFL State Central Committee for ...tickets in the amount of \$625 from our general checking account.”

The MSCUHU has a political fund registered with the Board, however, the contribution was from the council, 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 July 10, 2007. The Board’s decision was based upon correspondence from Mr. Luneburg, Ms. Bonk, 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 Minnesota State Council of UNITE HERE Unions, an association not registered with the Campaign Finance and Public Disclosure Board, contributed to the Minnesota DFL from the general fund without providing the disclosure by Minnesota Statutes, Section 10A.27, subdivision 13.
2. There is probable cause to believe that the Minnesota State Council of UNITE HERE Unions inadvertently violated Minnesota Statutes, section 10A.27, subdivision 13.
3. The contribution was not returned within 60 days as permitted in Minnesota Statutes, section 10A.15, subdivision 3.

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.