

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

**Findings and Order in the Matter of a Contribution to the (Jeanne) Poppe for the People
Committee from the United Food and Commercial Workers International Union Active
Ballot Club Federal Committee**

Summary of the Facts

Pursuant to Minnesota Statutes section 10A.27, subdivision 13, candidates, political party units, and political committees registered with the Campaign Finance and Public Disclosure Board may not accept a contribution in excess of \$100 from an association that is not registered with the Board unless the contribution is accompanied by financial disclosure of the donating association's receipts and expenditures in the form specified by statute. Acceptance of a contribution in excess of \$100 without the required disclosure is punishable by civil penalty of up to four times the amount of the contribution over \$100. A candidate has 60 days to return a contribution after which time the contribution is deemed to be accepted. Minn. Stat. §10A.15, subd. 3.

An unregistered association that makes a contribution of more than \$100 without the required disclosure is in violation of Minnesota Statutes section 10A.27, subdivision 13 (b). Failure to provide the appropriate disclosure with a contribution of more than \$100 is punishable by civil penalty of up to \$1,000.

The 2012 Report of Receipts and Expenditures filed with the Board by the (Jeanne) Poppe for the People Committee disclosed receipt of a \$500 contribution from the United Food and Commercial Workers Council 6, a political fund registered with the Board. The report filed by the United Food and Commercial Workers Council 6 did not report a corresponding contribution.

In response to a reconciliation audit, Julie Tufte, treasurer for the (Jeanne) Poppe for the People Committee, stated, "In taking a closer look at the receipt in question, I noticed it was actually from 'United Food and Commercial Workers International Union, CLC' out of Washington DC. I incorrectly attributed it to 'United Food and Commercial Workers Council 6'."

In a letter dated August 19, 2013, in response to staff inquiry, Anthony Perrone, treasurer of the United Food and Commercial Workers International Union Active Ballot Club, stated the \$500 contribution was made by the United Food and Commercial Workers International Union Active Ballot Club (ABC Federal). He further states, "This was an inadvertent administrative error by ABC Federal's connected sponsoring organization, the United Food and Commercial Workers International Union ("UFCW")." He states the intent was to make this contribution from the similarly named fund, the UFCW Active Ballot Club, which is registered with the Board.

This matter was considered by the Board in executive session on September 10, 2013. The Board's decision is based on the correspondence and information received from Julie Tufte, Anthony Perrone, and on Board records.

Based on the information outlined in the above Summary of the Facts and Relevant Statutes, the Board makes the following:

Findings

1. The (Jeanne) Poppe for the People Committee violated Minnesota Statutes section 10A.27, subdivision 13, when it accepted a contribution in excess of \$100 from an unregistered association without receiving the appropriate disclosure with the contribution.
2. The United Food and Commercial Workers International Union Active Ballot Club federal committee violated Minnesota Statutes section 10A.27, subdivision 13 (b), when it made a contribution in excess of \$100 to the (Jeanne) Poppe for the People Committee without providing the required disclosure with the contribution.
3. The violations by the (Jeanne) Poppe for the People Committee and the United Food and Commercial Workers International Union Active Ballot Club federal committee were not intentional or done with the intent to circumvent the provisions of Chapter 10A.

Order

1. The Board imposes a civil penalty of \$400, one times the amount by which the contribution exceeded \$100, on the (Jeanne) Poppe for the People Committee for accepting a contribution from an unregistered association without the disclosure required by Minnesota Statutes section 10A.27, subdivision 13.
2. The (Jeanne) Poppe for the People Committee is directed to forward to the Board payment of the civil penalty by check or money order payable to the State of Minnesota within thirty days of receipt of this order.
3. The (Jeanne) Poppe for the People Committee is directed to refund \$400 to the United Food and Commercial Workers International Union Active Ballot Club federal committee and forward to the Board a copy of the check used to return the excess contribution within thirty days of receipt of this order.
4. The Board imposes a civil penalty of \$400, one times the amount that the contribution exceeded \$100, on the United Food and Commercial Workers International Union Active Ballot Club federal committee for making a contribution in excess of \$100 without providing the disclosure required by Minnesota Statutes section 10A.27, subdivision 13 (b).
5. The United Food and Commercial Workers International Union Active Ballot Club federal committee is directed to forward to the Board payment of the civil penalty by check or money order payable to the State of Minnesota within thirty days of receipt of this order.
6. If the (Jeanne) Poppe for the People Committee or the Commercial Workers International Union Active Ballot Club federal committee 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 Statutes section 10A.34.

7. 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 the refund of the excess contribution and payment of the civil penalties imposed herein, this matter is concluded.

Dated: September 10, 2013

/s/ Deanna Wiener

Deanna Wiener, 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.

(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.