

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

**Findings in the Matter of the Acceptance of Contributions from Registered Lobbyists
During the 2010 Legislative Session by the RT Rybak for Governor Committee**

Summary of the Facts

Minnesota Statutes, section 10A.273, subdivision 1(a), prohibits a candidate for a constitutional office or the candidate's principal campaign committee from soliciting or accepting a contribution from a registered lobbyist during a regular legislative session. A candidate that violates this section is subject to a civil penalty imposed by the Campaign Finance and Public Disclosure Board of up to \$1,000.

In 2010, the regular legislative session was held from February 4th through May 17th.

The 2010 Report of Receipts and Expenditures filed with the Board by the RT Rybak for Governor Committee (the "Committee") disclosed receipt of contributions from three registered lobbyists during the regular legislative session: a \$250 contribution from John Arlandson on April 18, 2010; contributions totaling \$250 from Rod Halvorson, on February 10, April 16, and April 22, 2010; and a \$250 contribution from Roger Moe on April 22, 2010. The total received from the three registered lobbyists was \$750.

In response to a Board inquiry, Peter Taylor, treasurer, confirmed that the Committee did receive the contributions during in the amounts and on the dates listed above. Board records show that this is the first violation of Minnesota Statutes, section 10A.273, subdivision 1(a), by the Committee.

This matter was considered by the Board in executive session on February 14, 2012. The Board's decision is based on the correspondence received from Peter Taylor and Board records.

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

Finding Concerning Probable Cause

1. There is probable cause to believe that the RT Rybak for Governor Committee violated Minnesota Statutes, section 10A.273, subdivision 1(a), when the committee accepted \$750 in contributions from lobbyists during the 2010 regular legislative session.
2. There is probable cause to believe that the contributions were not returned within 60 days as permitted under Minnesota Statutes, Section 10A.15, subdivision 3.
3. There is no probable cause to believe that the RT Rybak for Governor Committee intentionally violated the provisions of Minnesota Statutes, section 10A.273, subdivision 1(a).

Based on the above Findings Concerning Probable Cause, the Board issues the following:

ORDER

1. The RT Rybak for Governor Committee is directed to refund \$250 to John Arlandson, \$250 to Rod Halvorson, and \$250 to Roger Moe and forward to the Board a copy of the checks returning the contributions within 30 days of receipt of this order.
2. The Board imposes a civil penalty of \$750, which is one times the amount of the contributions, on the RT Rybak for Governor Committee for acceptance of contributions from lobbyists during the 2010 regular legislative session in violation of Minnesota Statutes, section 10A.273, subdivision 1.
3. The RT Rybak for Governor Committee is directed to forward to the Board payment of the \$750 civil penalty, by check or money order payable to the State of Minnesota, within 30 days of receipt of this order.
4. If the RT Rybak for Governor 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 Statute, section 10A.34.
5. The Board investigation of this matter is entered into the public record in accordance with Minnesota Statutes, section 10A.02, subdivision 11. The matter is concluded.

Issued February 14, 2012

/s/ Greg McCullough

Greg McCullough, Chair
Campaign Finance and Public Disclosure Board

Relevant Statutes

Minnesota Statutes, section 10A.273, subdivision 1. **Contributions during legislative session.** (a) 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, must not solicit or accept a contribution from a registered lobbyist, political committee, political fund, or dissolving principal campaign committee, or from a party unit established by the party organization within a house of the legislature, during a regular session of the legislature.