

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

**FINDINGS AND ORDER IN THE MATTER OF
A CONTRIBUTION DURING THE REGULAR 2006 LEGISLATIVE SESSION
BY LYNN GRUBER**

Summary of Allegations and Responses

In a letter dated August 22, 2006, Tim Carlson, candidate, Tim Carlson for Senate Committee (“the Committee”) voluntarily notified the Campaign Finance and Public Disclosure Board (“the Board”) that the Committee accepted a \$25 contribution from Lynn Gruber during the 2006 regular legislative session. The contribution was received on April 22, 2006. The 2006 regular legislative session was held from March 1, 2006, to May 21, 2006. Lynn Gruber registered with the Board as a lobbyist in 1991.

Minnesota Statutes, section 10A.273, subdivision 1 (b), prohibits lobbyists from making a contribution to a principal campaign committee during a regular legislative session. A lobbyist who violates this section is subject to a civil penalty imposed by the board of up to \$1,000.

With the notification of the violation the Committee included a copy of the check received from Lynn Gruber. The check did not contain Ms. Gruber’s lobbyist registration number. Tim Carlson, candidate, explained that the Committee was not aware that the contribution was from a lobbyist until Ms. Gruber was identified as a lobbyist by the Campaign Finance Software. Because the Committee had a change in the position of treasurer the contribution was not entered in to the software until after the sixty day period for returning contributions had expired.

Minnesota Statutes, section 10A.15, subdivision 5, requires lobbyists to provide their lobbyist registration number on contributions made to candidates. A lobbyist violating this section is subject to a civil penalty imposed by the board of up to \$1,000 per violation.

By letter dated August 25, 2006, the Board notified Lynn Gruber of the correspondence received from the Committee, the statutory provision that appeared to be violated, and offered her an opportunity to respond. On September 5, 2006, Ms. Gruber sent a response stating “...I was not aware that the law related to contributions made by registered lobbyists (during the Legislative Session) to candidates for state office who have never been elected to public office. ...I was wrong in my belief that it was acceptable to make a contribution to new candidates for state office.”

This matter was considered by the Board in executive session on September 15, 2006. The Findings are based on the correspondence from received from Tim Carlson, Lynn Gruber, and Board records.

Relevant Statutes

1. Minnesota Statutes section 10A.15, subdivision 5. **Registration number on checks.** A contribution made to a candidate by a lobbyist, political committee, political fund, or party unit must show the name of the lobbyist, political committee, political fund, or party unit and the number under which it is registered with the board.
2. 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.

Based on the above Summary of Allegations and Responses and Relevant Statutes, the Board makes the following:

Findings of Probable Cause

1. There is evidence that Lynn Gruber, a registered lobbyist, contributed \$25 to a candidate during the 2006 regular legislative session. The Board finds that there is probable cause to believe that Ms. Gruber inadvertently violated Minnesota Statutes, section 10A.273, subdivision 1, clause b.
2. There is evidence that Lynn Gruber contributed a check to a candidate that did not indicate the lobbyist registration number of Ms. Gruber. The Board finds that there is probable cause to believe that Ms. Gruber inadvertently violated Minnesota Statutes section 10A.15, subdivision 5.

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

Order

1. For making a contribution to a candidate during the 2006 regular legislative session the Board orders Lynn Gruber, to pay a civil penalty of \$25, which is one times the amount of the contribution. This civil penalty must be paid within 30 days.
2. For failure to provide the lobbyist registration number on or with the contribution the Board orders Lynn Gruber to pay a civil penalty of \$25, which is one times the amount of the contribution. This civil penalty must be paid within 30 days.

3. If Lynn Gruber 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 Statutes, section 10A.273.
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 Lynn Gruber of the civil penalties imposed herein, the matter is concluded.

Dated: September 15, 2006



Bob Milbert, Chair
Campaign Finance and Public Disclosure Board