

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

**FINDINGS IN THE MATTER OF THE ACCEPTANCE OF
A CONTRIBUTION DURING THE 2006 LEGISLATIVE SESSION
BY THE TIM CARLSON FOR SENATE COMMITTEE**

Summary of the 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 contribution from a lobbyist during the regular 2006 Legislative Session which was held from March 1 until May 21, 2006.

Minnesota Statutes, section 10A.273, subdivision 1, prohibits candidates from soliciting or accepting a contribution from lobbyists during a regular legislative session. A candidate who violates this section is subject to a civil penalty imposed by the board of up to \$1,000.

Mr. Carlson states, “Enclosed is a copy of a letter I sent today to Lynn Gruber. We did not find out that she is a registered lobbyist until we completed our first Compliance Report. My first treasurer...resigned a few weeks ago and my new treasurer ...completed our first report yesterday when this discrepancy appeared. ...My sincere apologies for this and with a new treasurer, we do not expect an event like this will ever happen again.” A copy of a check for \$25 signed by Lynn R. Gruber was provided. A lobbyist registration number was not provided on the check. Mr. Carlson also provided a copy of the letter and check returning the contribution to Ms. Gruber.

This matter was considered by the Board in executive session on September 15, 2006.

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.

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

Finding of Probable Cause

1. There is evidence that the check used by Lynn Gruber to make the donation to the Committee did not contain the lobbyist registration number. The Board finds that the Committee accepted a contribution from Lynn Gruber during the 2006 regular legislative session because there was no registration number to identify the donor as a lobbyist. By accepting the contribution the Committee inadvertently violated Minnesota Statutes, section 10A.273, subdivision 1.
2. There is evidence that the Committee returned the contribution received from Lynn Gruber during the 2006 regular legislative session. The Board finds that the Committee returned the contribution to Ms. Gruber as soon as it became aware that she was a lobbyist.

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

ORDER

1. The Board imposes no penalty on the Tim Carlson for Senate Committee for acceptance of the contribution from Lynn Gruber during the regular 2006 legislative session.
2. 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.

Dated September 15, 2006



Bob Milbert, Chair
Campaign Finance and Public Disclosure Board