

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

**Findings In The Matter of the Acceptance of
Prohibited Contributions During the 2010 Legislative Session from Roger Moe,
Registered Lobbyist, to the RT Rybak for Governor Committee**

Summary of the Facts

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

The 2010 Report of Receipts and Expenditures filed with the Board by the RT Rybak Committee disclosed receipt of a contribution of \$250 from Roger Moe, a registered lobbyist, on April 22, 2010. The 2010 Legislative Session was held from February 4 through May 17, 2010.

In response to a Board inquiry, Peter Taylor, treasurer, confirmed that the Committee received the contributions during the 2010 Legislative Session.

In a letter dated January 13, 2012, Roger Moe was notified of the statutory provision that appeared to be violated. Mr. Moe contacted staff and confirmed making a contribution on April 21, 2010.

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, Mr. Moe's statement, 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 Roger Moe violated Minnesota Statutes, section 10A.273, subdivision 1(b) by making a contribution to the RT Rybak for Governor Committee 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 Roger Moe intentionally violated the provisions of Minnesota Statutes, section 10A.273, subdivision 1(b).

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

ORDER

1. The Board imposes a civil penalty of \$250, which is one times the amount of the contributions, on Roger Moe, for contributing to a principal campaign committee during the 2010 legislative session in violation of Minnesota Statutes, section 10A.273, subdivision 1(b).
2. Roger Moe is directed to forward to the Board payment of the \$250 civil penalty, by check or money order payable to the State of Minnesota, within 30 days of receipt of this order.
3. If Roger Moe 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.
4. 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.

(b) 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.