

**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 EUGENE MARTINEZ**

Summary of the Facts

On November 20, 2006, the Patricia Ray Torres for State Senate Committee (“the Committee”) voluntarily notified the Campaign Finance and Public Disclosure Board (“the Board”) that the Committee received a \$50 contribution from Eugene Martinez on April 17, 2006. Mr. Martinez registered with the Board as a lobbyist in 1994. The 2006 regular legislative session was held from March 1, 2006, to May 21, 2006.

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

By letter dated November 20, 2006, the Board notified Eugene Martinez of the correspondence received from the Committee and the statutory provision that appeared to be violated. Mr. Martinez responded by letter dated November 21, 2006. Mr. Martinez stated, “...I did make the contribution. However, I thought that the prohibition on campaign contributions during the legislative session only applied to people who are sitting legislators. ...I would not have knowingly committed this offense.”

This matter was considered by the Board in executive session on January 9, 2007. The Findings are based on the correspondence from the Patricia Ray Torres for State Senate Committee, Mr. Martinez, and Board records.

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

Findings Concerning Probable Cause

- 1 There is evidence that Eugene Martinez failed to indicate his lobbyist registration number on a contribution to a candidate. The Board finds that there is probable cause to believe that Mr. Martinez inadvertently violated Minnesota Statutes section 10A.15, subdivision 5.
- 2 There is evidence that Eugene Martinez, a registered lobbyist, contributed \$50 to the Patricia Ray Torres for State Senate Committee during the 2006 regular legislative session. The Board finds that Eugene Martinez inadvertently violated Minnesota Statutes, section 10A.273, subdivision 1(b).

