

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

**FINDINGS AND ORDER IN THE MATTER OF
A CONTRIBUTION MADE WITHOUT A
LOBBYIST REGISTRATION NUMBER BY GARY BOTZEK**

Summary of the Facts

In response to an inquiry from the Campaign Finance and Public Disclosure Board (“the Board”), the People for (Rick) Hansen Committee stated that the committee received a contribution of \$35 from Gary Botzek on August 9, 2007. The committee provided the Board with a copy of the check used to make the contribution. Mr. Botzek made the contribution without providing his lobbyist registration number on the check. Mr. Botzek first registered with the Board as a lobbyist in 1986.

Minnesota Statutes, Section 10A.15, subdivision 5, prohibits a registered lobbyist from making a contribution without providing the lobbyist’s name and registration number. A lobbyist that violates this section is subject to a civil penalty imposed by the Board of up to \$1,000.

By letter dated February 28, 2008, the Board notified Mr. Botzek of the correspondence received from the People for (Rick) Hansen Committee and the statutory provision that appeared to be violated. By letter dated March 13, 2008, Mr. Botzek stated that, “I do not remember but I may not have written in the memo part of the check that I was a lobbyist or my registration number. ...It appears that I did something wrong and admit it. I will accept the fine that the Board considers reasonable for my violation of the law.”

This matter was considered by the Board in executive session on April 15, 2008. The Findings are based on the correspondence received from the People for Rick Hansen Committee, Gary Botzek, and Board records.

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

Findings Concerning Probable Cause

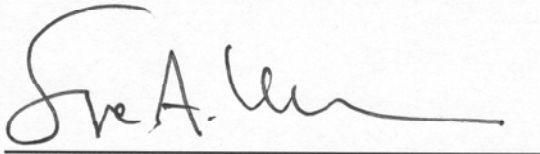
There is evidence that Gary Botzek failed to indicate his lobbyist registration number on a contribution to the People for (Rick) Hansen Committee. The Board finds that there is probable cause to believe that Mr. Botzek inadvertently violated Minnesota Statutes, section 10A.15, subdivision 5.

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

Order

1. For failure to provide a lobbyist registration number on or with the contribution the Board orders Gary Botzek to pay a civil penalty of \$35, which is one times the amount of the contribution. This civil penalty must be paid within 30 days.
2. If Gary Botzek 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.
3. 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 Gary Botzek of the civil penalties imposed herein, the matter is concluded.

Dated: April 15, 2008

A handwritten signature in black ink, appearing to read "Sven A. Wehrwein", is written over a solid horizontal line.

Sven Wehrwein, Chair
Campaign Finance and Public Disclosure Board

Relevant Statutes

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.

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