

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

**Findings and Order in the Matter of the Complaint of Rhonda Miller
Regarding the (Rob) Lambert for Senate Campaign Committee**

Summary of the Facts

On February 12, 2010, the Campaign Finance and Public Disclosure Board (the Board) received a complaint from Rhonda Miller regarding the information listed on the Registration and Statement of Organization for the (Rob) Lambert for Senate Campaign Committee. Specifically, Ms. Miller (the complainant) alleges that Mr. Lambert listed a false address of residence when he registered his campaign committee with the Board on November 2, 2009. The complainant further states that the address listed by Mr. Lambert is owned by another individual, and to the complainant's knowledge, has never been the residence of Mr. Lambert.

Minnesota Statutes, section 10A.025, subdivision 2, provides that all reports and statements filed with the Board under the provisions of Chapter 10A must be signed and certified as true by the individual filing the document. An individual who certifies to be true a report or statement knowing it contains false information, or knowingly omits required information, is subject to a civil penalty imposed by the Board of up to \$3,000 and may be subject to criminal prosecution for a gross misdemeanor.

On December 8, 2009, Mr. Lambert submitted an amendment to his committee's Registration and Statement of Organization. The amendment changed the address of residence for Mr. Lambert.

The Board notified Mr. Lambert of the complaint on February 17, 2010. With the notification the Board asked Mr. Lambert for documentation that he did in fact reside at the address listed on the original Registration and Statement of Organization as filed on November 2, 2009, and for an explanation of the amendment to his address of residence filed on December 8, 2009.

On March 1, 2010, Mr. Lambert responded to the complaint. As part of his response Mr. Lambert explained that he sold a previous residence in St. Paul, MN, on October 29, 2009. A friend offered Mr. Lambert a place to reside while he looked for a new home. Mr. Lambert further provides that he listed the address of the friend's house on the Registration and Statement of Organization because that is where he resided on November 2, 2009. In support of this explanation Mr. Lambert provided a written statement from the owner of the residence listed on the original Registration and Statement of Organization. The owner verified that Mr. Lambert lived at the address from October 30, 2009 through December 6, 2009.

In explanation of the need to amend his committee's Registration and Statement of Organization Mr. Lambert stated, "On December 7, 2009, I moved into my present residence...I amended my ...form to reflect this change of residence." To support this explanation Mr. Lambert provided a written statement from an individual who helped Mr. Lambert move to the address listed on the December 8, 2009, amendment.

Board Analysis

The address for the candidate provided on the Registration and Statement of Organization must be current at the time that the form is filed with the Board. The documentation provided by Mr. Lambert shows that both the original and amended Registration and Statement of Organization filed by Mr. Lambert were accurate and did not contain false information.

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

Findings Concerning Probable Cause

1. There is no probable cause to believe that Rob Lambert violated Minnesota Statutes, section 10A.025, subdivision 2, when he filed the original or amended Registration and Statement of Organization for the (Rob) Lambert for Senate Campaign Committee.

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

Order

1. The Board investigation of this matter is concluded and hereby made a part of the public records of the Board pursuant to Minnesota Statutes, section 10A.02, subdivision 11.

Dated: April 6, 2010



Bob Milbert, Chair
Campaign Finance and Public Disclosure Board

Relevant Statute

Minnesota Statutes, section 10A.025, subdivision 2. Penalty for false statements. A report or statement required to be filed under this chapter must be signed and certified as true by the individual required to file the report. The signature may be an electronic signature consisting of a password assigned by the board. An individual who signs and certifies to be true a report or statement knowing it contains false information or who knowingly omits required information is guilty of a gross misdemeanor and subject to a civil penalty imposed by the board of up to \$3,000.