

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

**FINDINGS IN THE MATTER OF
A CONTRIBUTION DURING THE REGULAR 2004 LEGISLATIVE SESSION
RECEIVED BY THE (PATRICK) GAROFALO VOLUNTEER COMMITTEE**

PROCEDURAL BACKGROUND

In response to a Board inquiry, on September 24, 2004, the (Patrick) Garofalo Volunteer Committee notified the Campaign Finance and Public Disclosure Board ("the Board") that it had accepted a \$250 contribution from Mark Geier, a registered lobbyist, during the regular 2004 legislative session.

In a letter to the Board, Patrick Garofalo stated "I was mistakenly under the impression that the prohibition on donations from lobbyists during session, was only limited to current members of the legislature. Please accept my apologies for this error. . . I will make sure that our campaign does not make this mistake again."

The contribution was made on April 17, 2004. The regular 2004 legislative session was held from February 2, 2004, to May 16, 2004.

This matter was considered by the Board in executive session on October 15, 2004.

Based on the record before it, the Board issues the following:

EVIDENTIARY FINDINGS

1. Mark Geier, a registered lobbyist, made a \$250 contribution to the (Patrick) Garofalo Volunteer Committee on April 17, 2004.
2. Minn. Stat. §10A.273, subd. 1, (a), prohibits a candidate from accepting a contribution from a lobbyist during a regular session of the legislature. The regular 2004 legislative Session was held from February 2, 2004, to May 16, 2004.
3. The (Patrick) Garofalo Volunteer Committee has not yet returned the contribution to Mark Geier.

Based on the above Statement of the Evidence, the Board makes the following:

FINDING CONCERNING PROBABLE CAUSE

There is probable cause to believe that (Patrick) Garofalo Volunteer Committee violated Minn. Stat. §10A.273, subd. 1, (a), by accepting a contribution from a registered lobbyist during the regular session of the legislature in 2004.

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

ORDER

1. In lieu of forwarding the above public finding of probable cause to the county attorney in Ramsey County to pursue a judgment in district court, the Board imposes a civil penalty of \$250 on the (Patrick) Garofalo Volunteer Committee for accepting a contribution during the regular 2004 legislative session.
2. Patrick Garofalo is directed to forward to the Board payment of the civil penalty, by check or money order payable to the STATE OF MINNESOTA, within thirty days after receipt of this order.
3. Patrick Garofalo is directed to return \$250 to Mark Geier, and to provide the Board with a copy of the check and accompanying letter returning the contribution, within thirty days after receipt of this order.
3. If Patrick Garofalo 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 Minn. Stat. § 10A.273.
4. The Board investigation of this matter is entered into the public record in accordance with Minn. Stat. §10A.02, subd. 11, and upon receipt of a copy of the check and accompanying letter to Mark Geier and payment by Patrick Garofalo of the civil penalty imposed herein, the matter is concluded.

Dated: _____

Wil Fluegel, Chair
Campaign Finance and Public Disclosure
Board