

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

**Findings In The Matter of the Acceptance of
a Prohibited Contribution During the 2012 Legislative Session from Trudy Richter,
Registered Lobbyist, to the Judy Ohly Campaign Fund**

Summary of the Facts

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

Minnesota Statutes section 10A.273, subdivision 1(b), prohibits a registered lobbyist from making a contribution to a candidate for legislative 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 of up to \$1,000.

The 2012 pre-primary-election Report of Receipts and Expenditures filed with the Board by the Judy Ohly Campaign Fund (the Committee) disclosed a \$200 contribution from Trudy Richter, a registered lobbyist, on March 30, 2012. The 2012 legislative session was held from January 24 through May 10, 2012.

In a letter dated October 8, 2012, Mary Jo Fiebiger, treasurer of the Committee, states "There was no intent on Judy's or my part to violate any election laws."

In a letter dated October 10, 2012, Trudy Richter confirmed making the contribution during the legislative session. Ms. Richter states "When making the contribution, I did not consider the prohibition for lobbyists supporting someone for the legislature that was not currently in the legislature."

This matter was considered by the Board in executive session on November 7, 2012. The Board's decision is based on the correspondence received from Mary Jo Fiebiger and Trudy Richter, 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 Trudy Richter violated Minnesota Statutes section 10A.273, subdivision 1(b), by contributing to the (Judy) Ohly Campaign Fund during the 2012 regular legislative session.
2. There is probable cause to believe that the (Judy) Ohly Campaign Fund violated Minnesota Statutes section 10A.273, subdivision 1(a), when the committee accepted the contribution from Ms. Richter during the 2012 regular legislative session.

3. There is no probable cause to believe that the violations by Trudy Richter or the (Judy) Ohly Campaign Fund were intentional or were done with the intent to circumvent the provisions of Chapter 10A.

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

ORDER

1. The Board imposes a civil penalty of \$200, which is one times the amount of the contribution, on the Judy Ohly Campaign Fund for acceptance of a contribution from Trudy Richter during the regular 2012 legislative session.
2. The Judy Ohly Campaign Fund is directed to forward to the Board payment of the \$200 civil penalty, by check or money order payable to the State of Minnesota, within 30 days of receipt of this order.
3. The Judy Ohly Campaign Fund is directed to refund \$200 to Trudy Richter and forward to the Board a copy of the check returning the contribution within 30 days of receipt of this order.
4. The Board imposes a civil penalty of \$200, which is one times the amount of the contribution, on Trudy Richter, for contributing to a principal campaign committee during the 2012 legislative session in violation of Minnesota Statutes section 10A.273, subdivision 1(b).
5. Trudy Richter is directed to forward to the Board payment of the \$200 civil penalty, by check or money order payable to the State of Minnesota, within 30 days of receipt of this order.
6. If Trudy Richter or the Judy Ohly Campaign Fund 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.
7. The Board investigation of this matter is entered into the public record in accordance with Minnesota Statutes section 10A.02, subdivision 11 and, upon the return of the contribution and payment of the civil penalties imposed herein, the matter is concluded.

Dated: November 7, 2012

/s/ Andrew M. Luger

Andrew M. Luger, Vice 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.