

Minnesota

# ***Campaign Finance and Public Disclosure Board Meeting***

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Wednesday, October 3rd, 2018  
10:30 AM

St Croix Room  
Centennial Office Building  
St Paul MN

## **REGULAR SESSION AGENDA**

1. **Minutes**  
Regular session, September 12, 2018
2. **Chair's report**
  - a. Meeting schedule
3. **Paper Reports – Libertarian Party**
4. **Executive director report**
5. **Annual Board Report – Fiscal Year 2017**
6. **Enforcement report**
7. **Legal report**
8. **Other business**

## **EXECUTIVE SESSION**

Immediately following regular session

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

.....  
**September 12, 2018  
St Croix Room  
Centennial Office Building**  
.....

**MINUTES**

The meeting was called to order by Chair Flynn.

Members present: Flynn, Haugen, Leppik, Moilanen, Rosen (arrived during request to accept affidavit of contributions), Swanson

Others present: Sigurdson, Engelhardt, Olson, Pope, staff; Hartshorn, counsel

**MINUTES** (August 16, 2018)

After discussion, the following motion was made:

Member Leppik's motion: To approve the August 16, 2018, minutes as drafted.

Vote on motion: Motion passed (5 ayes, 1 absent).

**CHAIR'S REPORT**

**A. Meeting schedule**

The next Board meeting is scheduled for 10:30 a.m. on Wednesday, October 3, 2018.

**REQUEST TO ACCEPT AFFIDAVIT OF CONTRIBUTIONS**

Mr. Sigurdson presented members with a memorandum regarding this matter that is attached to and made a part of these minutes. Mr. Sigurdson said that one of the requirements for a candidate to qualify for public subsidy payments is to file an affidavit of contributions by the deadline for filing the pre-primary report of receipts and expenditures. Mr. Sigurdson said that at the August 16, 2018, meeting, the Board granted a request from a candidate to accept an affidavit of contributions that was filed after the deadline. Mr. Sigurdson said that a second candidate, Rep. Matt Grossell, wanted to address the Board and ask it to accept his affidavit, which also had been filed after the deadline. Mr. Sigurdson stated that the facts underlying Rep. Grossell's request were very similar to the facts underlying the previous request.

Rep. Grossell then appeared before the Board. Rep. Grossell said that he had called Board staff on the day that the pre-primary report was due and had asked if everything for his committee was in. Based on the staff response, Rep. Grossell believed that he had timely filed everything necessary to

qualify for public subsidy. Rep. Grossell therefore asked the Board to accept his affidavit of contributions.

Mr. Sigurdson then clarified that as with the previous request, staff had spoken with Rep. Grossell on the affidavit due date but had believed that Rep. Grossell was asking only whether the committee's pre-primary report had been filed, not the affidavit of contributions.

After discussion, the following motion was made:

Member Leppik's motion: To accept the Grossell affidavit of contributions under the circumstances of this case with Mr. Grossell appearing before the Board.

Vote on motion: Motion passed (4 ayes, 2 nays).

### **EXECUTIVE DIRECTOR REPORT**

Mr. Sigurdson gave members information about the number and amount of public subsidy payments that had been made on August 17, 2018. Mr. Sigurdson also said that since the last meeting, staff had been busy responding to questions from regulated parties and the public, preparing for the next campaign finance report due on September 25, 2018, and drafting the lobbyist summary and annual report. Mr. Sigurdson stated that the Department of Revenue soon would be issuing a report on the use of the Political Contribution Refund program. Finally, Mr. Sigurdson introduced the Board's new legal/management analyst, Andrew Olson. Mr. Olson briefly summarized his work history and experience. Members then welcomed Mr. Olson to the agency.

### **ADVISORY OPINION 448 – LOAN TO CANDIDATE**

Mr. Sigurdson presented members with a memorandum regarding this matter that is attached to and made a part of these minutes. Mr. Sigurdson said that this advisory opinion request had been laid over from the August meeting and that it concerned whether a loan made by an individual to a candidate for the purpose of allowing the candidate to campaign full time would be subject to the contribution limits and reporting requirements in Chapter 10A. Mr. Sigurdson discussed the changes that had been made to the draft since the last meeting and said that the revised draft clarified the statutory analysis on which the opinion was based. Mr. Sigurdson said, however, that the revised draft reached the same conclusion as the previous draft, which was that the loan was subject to the reporting requirements and contribution limits in Chapter 10A.

After discussion, the following motion was made:

Member Swanson's motion: To adopt the advisory opinion as drafted.

Vote on motion: Motion passed (5 ayes, 1 nay).

**ENFORCEMENT REPORT**

**A. Waiver requests**

<u>Name of Candidate or Committee</u>	<u>Late Fee &amp; Civil Penalty Amount</u>	<u>Reason for Fine</u>	<u>Factors for waiver</u>	<u>Board Member's Motion</u>	<u>Motion</u>	<u>Vote on Motion</u>
Pilgrim's/JFC LLC dba GNP Co (fka Gold'N Plump Poultry)	\$1,000 LFF, \$700 CP	3/15/2018 principal report	Pilgrim's purchased JFC early in January 2017 and all administrative staff responsible for Minnesota lobbying and principal reports had left the company by June 2017. Pilgrim's therefore did not know of need to file principal's report in March 2018.	Member Leppik	To waive the late filing fee and civil penalty	Motion failed (2 ayes, 3 nays, 1 abstention)
Haley for House	\$100 LFF	2018 pre-primary report	Treasurer attempted to upload report using CFR software and received a message that she believed showed that report had been filed. Treasurer, however, actually had downloaded information from the Board instead of sending report to the Board. When treasurer learned that report had not been filed, she called Board staff and obtained help to upload report.	Member Moilanen	To waive the late filing fee	Passed unanimously
Minn AFL-CIO	\$175 LFF	2018 1 <sup>st</sup> quarter report	Treasurer attempted to upload report using CFR software and received a message that she believed showed that report had been filed. Treasurer, however, actually had not submitted entire report due to loss of internet connection. Board records show that an attempt to file report had been made on due date.  Previous waivers - In 2016, a 24 hr notice LFF was reduced from \$1,000 to \$250. In 2012, four 24 hr notice LFFs were reduced from \$1,000 to \$0 due to notification error in software.	Member Rosen	To waive the late filing fee	Passed unanimously
Kenneth Bush for State Rep	\$350 LFF	2018 pre-primary report	Treasurer thought that she had filed report but she actually had submitted affidavit of contributions. When treasurer learned that report had not been filed, she contacted Board staff and obtained help correcting the negative balance that had prevented report from being filed. Treasurer states that neither she nor candidate received reminder calls or emails.	Member Swanson	To waive the late filing fee	Passed unanimously
Lois Conroy for Judge	\$100 LFF	2018 pre-primary report	Treasurer is asking for a waiver. Committee has had a zero balance since December 31, 2013. Treasurer has filed no-change reports since that date.	Member Leppik	To waive the late filing fee contingent on the committee terminating	Motion passed (5 ayes, Rosen recused)

					after the election	
4 <sup>th</sup> Senate District DFL	\$250 LFF	2018 pre-primary report	Party unit did not notify Board that it had new treasurer. When former treasurer received report reminder, he sent email saying there had been no changes since last report. When staff notified former treasurer that actual report was needed, he completed and filed no-change report.	Member Leppik	To reduce the late filing fee to \$200	Motion passed (5 ayes, Rosen absent)
MN School Counselors Assn PAC	\$550 LFF	2018 pre-primary report	Treasurer did not see reminder email until he returned from out-of-state trip. Treasurer then filed a no-change report.	Member Leppik	To reduce the late filing fee to \$150	Motion passed (5 ayes, Rosen absent)
Houston County RPM	\$100 LFF	2018 pre-primary report	Treasurer did not file report on time because he needed additional information to ensure that he reported a transaction correctly.	Member Swanson	To waive the late filing fee	Passed unanimously
Power by the People	\$150 LFF	2018 pre-primary report	Treasurer did not check her mail on time. When treasurer checked mail, she immediately filed report.	No motion		

**Informational Items**

**A. Payment of a late filing fee for 2017 year-end report of receipts and expenditures**

Bois Forte Political Ed Fund, \$200  
 Dennis Smith, \$275  
 Unidos Votamos Political Fund, \$1,000  
 Wade Fremling, \$500.05

**B. Payment of a late filing fee for June 15, 2016, lobbyist disbursement report**

Dan McGrath, \$123.19

**C. Payment of a late filing fee for June 15, 2018, lobbyist disbursement report**

Jason Craig, \$25  
 Thomas Keliher, \$300

**D. Payment of a late filing fee and civil penalty for 2016 year-end report**

Bruce Patterson, \$193.33

**E. Payment of a late filing fee for 2017 candidate economic interest statement**

Ross Aigner, \$60.94

**F. Payment of a civil penalty for 2016 excess party unit contribution**

Jerald Loud, \$450

**G. Deposit to the General Fund**

Amy Dawson, \$329.83

**H. Payment of a late filing fee for June 14, 2018, report of receipts and expenditures**

MEDPAC Minn Medical PAC, \$50  
MN Jobs Coalition Legislative Fund, \$25

**I. Payment of a late filing fee for 2016 pre-primary-election report of receipts and expenditures**

Lawrence Patwin, \$7.20

**J. Payment of a late filing fee for July 30 2018, report of receipts and expenditures**

Abdalla Abdulkadir, \$50  
Alarm PAC, \$250  
Michael Ford, \$50  
Minn. State Bar Assoc. \$50  
Pipe Fitters Local 539, \$150  
TwinWest Business Advocacy Fund, \$350  
TwinWest Chamber of Commerce, \$350  
Water is Life, \$100

**LEGAL COUNSEL'S REPORT**

Mr. Hartshorn presented members with a legal report that is attached to and made a part of these minutes. Mr. Hartshorn told members that complaints in four matters had been served on September 10, 2018, and that the report would be updated with that information for the next meeting.

**OTHER BUSINESS**

Ms. Pope told members that since the last meeting, the chair had dismissed a complaint after determining that it did not state a prima facie violation of Chapter 10A. Ms. Pope presented members with a memorandum regarding this matter that is attached to and made a part of these minutes. Ms. Pope stated that the complaint involved a newspaper ad that did not include a disclaimer and that was not reported by the subject candidate or the sponsoring association. Ms. Pope stated that the chair had concluded that because the complaint contained no evidence supporting its allegation that the candidate named in the ad was responsible for it, the complaint did not state a prima facie violation by the candidate of the disclaimer or reporting requirements. The chair further concluded that because the ad did not include words of express advocacy, it was not an independent expenditure under Chapter 10A. The complaint therefore did not state a prima facie violation of the independent expenditure disclaimer or reporting requirements.

There was no other business to report.

**EXECUTIVE SESSION**

The chair recessed the regular session of the meeting and called to order the executive session. Upon recess of the executive session, the regular session of the meeting was called back to order and the chair had the following to report into regular session:

Order of dismissal regarding the John Lesch for State Representative committee

Final report for the public subsidy qualifying contributions audit

There being no other business, the meeting was adjourned by the chair.

Respectfully submitted,

Jeff Sigurdson  
Executive Director

Attachments:

Memorandum regarding request to accept affidavit of contributions

Memorandum regarding Advisory Opinion 448- Loan to candidates

Draft public advisory opinion 448

Legal report

Memorandum regarding prima facie determination finding no violation

Order of dismissal regarding the John Lesch for State Representative committee

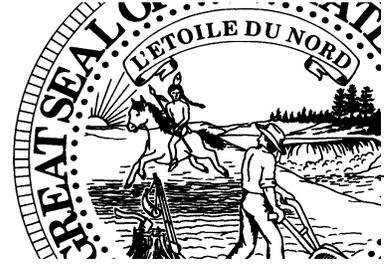
Final report for the public subsidy qualifying contributions audit



# Campaign Finance and Public Disclosure Board

190 Centennial Bldg, 658 Cedar St, St Paul, MN 55155

[www.cfboard.state.mn.us](http://www.cfboard.state.mn.us)



## **Board Meeting Dates for Calendar Year 2018**

Meetings are at **10:30 A.M.** unless otherwise noted.

### **2018**

Wednesday, November 7

Wednesday, December 5





# MINNESOTA CAMPAIGN FINANCE BOARD

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**DATE:** September 26, 2018

**TO:** Board Members

**FROM:** Jeff Sigurdson  
Executive Director

**TELEPHONE:** 651-539-1189

**SUBJECT:** **Filing of Reports of Receipts and Expenditures – Request by Libertarian Party of Minnesota**

## **Background**

In 2011 the legislature enacted the Board's recommendation that campaign finance reports of receipts and expenditures must be filed electronically. Minn. Stat. § 10A.20, subd. 1(c). The electronic filing can be achieved by using the free Campaign Finance Reporter software provided by the Board, or by using third-party vendor software that complies with standards developed by the Board. Electronic filing eliminates the need for manual data entry of reports by Board staff, and makes the data in the Board's systems more accurate.

The Board is required to provide a committee a waiver from the requirement to file electronically if good cause is shown. Good cause means a valid reason – more than just not wanting to file electronically. The Board has recognized three standard reasons for granting a waiver:

- A small committee has a history of raising or spending no more than \$5,000 in a year.
- A treasurer does not have internet access or does not own and use a computer.
- A treasurer uses a MAC. The Campaign Finance Reporter software will not run on a MAC computer without emulation software. Recently, this waiver has also been granted to committees that have a Chrome-based computer, as Campaign Finance Reporter will not work on Chrome.

A committee that receives a waiver is identified in the database of registered committees, and the committee is sent a paper report for each reporting period. The paper reports are developed by the Board to provide consistent disclosure. Minnesota Statutes section 10A.20, subdivision 3, provides in part: "The board shall prescribe forms based on the filer type indicating which of those items must be included in the filer's report."

## **Libertarian Party of Minnesota**

The Libertarian Party of Minnesota was granted a waiver on the grounds that the treasurer, Mary O'Connor, does not own a PC. The reports for the party unit were not filed on the paper reports developed by the Board. Instead, Ms. O'Connor filed the cover, summary, and certification pages from the paper report and then attached a document that she has developed for itemized expenditures and contributions.

From my perspective, using something other than the paper report developed by the Board is at best problematic for data entry and consistent disclosure for public inspection. I have informed Ms. O'Conner that the Libertarian party should file using the Board's paper reports starting in 2019.

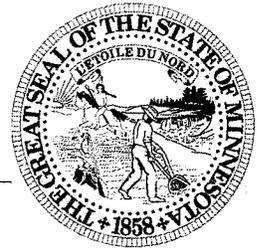
Ms. O'Conner has asked to appear before the Board at the October meeting to explain why filing with the Board's paper report is not necessary. She has asked that I provide members with example reports filed by the Libertarian party this year. The reports are attached for your reference.

### Attachments

2018 September report  
2018 Pre-primary report  
2018 1<sup>st</sup> quarter report

# Campaign Finance and Public Disclosure Board

RECEIVED SEP 25 2018



190 Centennial Office Building, 658 Cedar St, St Paul, MN 55155

<https://cfb.mn.gov/>

## Report of Receipts and Expenditures Political Party State Central Committees and Legislative Caucuses Period Covered: January 1 through September 18, 2018

**REPORT DUE DATE IS SEPTEMBER 25, 2018**

### FILING INSTRUCTIONS

- This report may be emailed to [cfb.reports@state.mn.us](mailto:cfb.reports@state.mn.us) or faxed to 651-539-1196 or 800-357-4114.
- All information on this report is public information and may be published on the Board's website at [www.cfb.mn.gov](http://www.cfb.mn.gov).
- It is unlawful to use this information for commercial purposes.
- Board staff may be reached by phone at 651-539-1180 or 800-657-3889 or by email at [cfb.reports@state.mn.us](mailto:cfb.reports@state.mn.us).

### COMMITTEE INFORMATION

Party unit name <b>Libertarian Party of Minn</b>		Registration number <b>40858</b>
Treasurer name <b>Mary O'Connor</b>	Treasurer email address <b>mary_oconnor08@hotmail.com</b>	
Treasurer address <b>5429 Lyndale Ave N</b>		
Treasurer city, state, zip <b>Brooklyn Center MN 55430</b>		Treasurer telephone (Daytime) <b>7634968423</b>

### REPORT OPTIONS

Check one of the boxes below **only if applicable** and provide the requested information.

**No change statement**

Check this box only if your committee received *no* contributions and made *no* expenditures during this reporting period. Do not use this statement if there was any monetary change. If there was no change:

Provide the current cash balance: \$ \_\_\_\_\_, and sign here

\_\_\_\_\_, I, the  treasurer or  deputy treasurer (check one), \_\_\_\_\_ Date  
certify there has been no change and that this report is complete, true and correct.

**Amendment**

Check this box if your committee or fund is filing this report to amend a previously filed report for this period.

Provide date of the report being amended: \_\_\_\_\_

**Termination**

Check this box if your committee has dissolved. A committee may not dissolve unless it has settled all its debts and disposed of all its assets in excess of \$100.

This document is available in alternative formats to individuals with disabilities by calling 651-539-1180, 800-657-3889, or through the Minnesota Relay Service at 800-627-3529.

For office use only:		
<input checked="" type="checkbox"/> Checked in	<input type="checkbox"/> Scanned	<input type="checkbox"/> Data entered

## COMMITTEE TRANSACTION SUMMARY

1	Beginning cash balance 1/1/18 (should be the same as the 12/31/17 ending cash balance)	\$ 8523.54
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**A RECEIPTS:** Cash (Col. 1) Blank (Col. 2) In-kind (Col. 3) Totals (Col. 4)

2	Total contributions received	Schedule A1 - CR	\$50656.18	\$	\$50656.18
3	Receipts from loans payable	Schedule A2 - LP	\$		\$
4	Miscellaneous income	Schedule A2 - MISC	\$		\$
5	<b>TOTAL RECEIPTS</b>	<b>Sum: #2 thru #4</b>	\$50656.18	\$	\$50656.18

**B DISBURSEMENTS:** Cash (Col. 1) Unpaid bills (Col. 2) In-kind (Col. 3) Totals (Col. 4)

6	General expenditures	Schedule B1 - EXP	\$40071.25	\$	\$	\$40071.25
7A	Direct contributions to candidate committees	Schedule B2A - CAN	\$			
7B	Approved expenditures for candidate committees	Schedule B2B - CAN	\$8570.17	\$		\$8570.17
7C	<b>TOTAL CONTRIBUTIONS TO CANDIDATE COMMITTEES</b>	<b>Sum: #7A + #7B</b>	\$	\$	\$	\$
8	Contributions to political party units	Schedule B2 - PPU	\$		\$	\$
9	Contributions to political committees and funds	Schedule B2 - PCF	\$		\$	\$
10	Independent expenditures <i>See required form on page 20</i>	Schedule B3 - IND	\$	\$	\$	\$
11	Ballot question expenditures	Schedule B4 - BQ	\$	\$	\$	\$
12	<b>TOTAL EXPENDITURES AND DISBURSEMENTS</b>	<b>Sum: #6 + #7C thru #11</b>	\$48641.42	\$	\$	\$48641.42

**C ENDING CASH BALANCE:** Cash (Col. 1)

13	Ending cash balance 9/18/18	Sum: #1 + #5 - #12	\$10538.30
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## LOANS AND UNPAID OBLIGATIONS SUMMARY

14A	Total outstanding balance of all loans incurred during the current reporting year	Schedule A2 - LP	\$
14B	Total outstanding balance of all loans incurred during any year prior to the reporting year	Schedule C	\$
14C	Total outstanding balances of all loans	Sum of #14A + #14B	\$

15A	Total unpaid obligations incurred during current reporting year	From page 3, line 12, col. 2	\$
15B	Total unpaid obligations incurred during any year prior to the reporting year	Schedule D	\$
15C	Total unpaid obligations	Sum of #15A + #15B	\$

16	Total debt of committee or fund	Sum of #14C + #15C	\$
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## CERTIFICATION

I, Mary O'Connor, certify that this report is complete, true, and correct.  
Print or type name

Mary O'Connor

Signature of (Check one):  Treasurer  Deputy treasurer

9-23-18

Date

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Registration #

Any person who signs and certifies to be true a report or statement which the person knows contains false information, or who knowingly omits required information, is subject to a civil penalty imposed by the Board of up to \$3,000 and is subject to criminal prosecution for a gross misdemeanor.

Contributions Received

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Date	Name and address	Cash	Total
5-5-2018	Duane Faulkner 10279 245th Ave Zimmerman, MN 55398 Self, machine shop	250	250
1-22-2018	Chris Holbrook	510	
2-22-18	1302 Van Buren Ave	10	
3-22-18	St. Paul, MN 55104	10	
4-14-18	Boise Cascade	50	
4-22-18		10	
5-22-18		10	
6-22-18		10	
7-22-18		10	
8-27-18		20	630
1-9-2018	David Holsinger	25	
2-12-18	4235 1ST Ave S	25	
3-9-18	Mpls, MN 55409	25	
3-15-18	Reeher LLC	50	
4-9-18		25	
5-9-18		25	
6-9-18		25	
7-9-18		25	
8-9-18		25	
9-9-18		25	275
1-1-2018	Jacob Lambert	25	
2-1-18	902 Ledgestone Dr	25	
3-1-18	Mahtomedi, MN 55115	25	
4-1-18	Self	25	
5-1-18	General Contractor	25	
6-1-18		25	
7-1-18		25	
8-1-18		25	
9-1-18		25	225

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# Contributions Received

1-15-2018	Sean LaPlante	25	
2-15-18	14682 Dunbar Ct	25	
4-11-18	Apple Valley, MN 55124	25	
5-10-18	American Airlines	25	
6-10-18		25	
7-10-18		25	
8-10-18		25	
9-10-18		25	
9-12-18		50	250

1-20-2018	Vicki McFee	100	
4-12-18	1621 E River Pkwy	60	
5-12-18	Mpls, MN 55414	10	
6-12-18	Retired	10	
7-12-18		10	
8-12-18		10	
9-12-18		10	210

1-16-2018	Mary O'Connor	200	
3-19-18	5429 Lyndale Ave N	50	
3-28-18	Brooklyn Center, MN 55430	100	
9-17-18	Self, Landlady	200	550

3-29-2018	Robert Odden	150	
6-19-18	1201 42 1/2 Ave NE	100	250
	Columbia Heights, MN 55421		
	Retired		

1-23-2018	William O Perkins III	10,000	
5-4-18	3050 Post Oak Blvd	5,000	15,000
	Houston, TX 77056		
	Self, Investor		

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Contributions Received

1-17-2018	James Rongstad	25	
2-17-18	6207 13th Ave NW	25	
2-26-18	Rochester, MN 55901	50	
3-17-18	Retired	25	
4-17-18		25	
5-17-18		25	
6-17-18		25	
7-17-18		25	
8-17-18		25	
9-17-18		25	275

1-21-2018	Charles Test	5000	
5-30-18	2710 2nd Ave S	5000	10,000
	Mpls, MN 55408		
	Retired		

4-2-2018	Douglas Zotz	300	300
	3131 135th Ave NW		
	Anoka, MN 55304		
	Zotz Electrical		

	Subtotal	\$28,215.00
	Nonitemized contributions	\$22,441.18
	Total contributions	\$50,656.18

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General Expenditures

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Date	Name and address	Purpose	Cash
6-18-2018	Reimburse Shaun Atkielski 865 15th St SE Rochester, MN 55904	flags FlagsImporter .com Ontario, CA 32864	212.78
4-15-2018	Cambria Suites Hotel	rooms, food	1321.27
4-16-18	9655 Grove Circle N Maple Grove, MN 55369	rooms for convention	263.04
1-1-2018	FTK Properties	office rent	216.00
2-1-18	PO Box 53		216.00
3-2-18	Crystal Bay, MN 55323		216.00
4-1-18			216.00
5-1-18			216.00
6-1-18			216.00
7-1-18			216.00
8-1-18			216.00
9-1-18			216.00
4-16-2018	Grand Avenue Business St. Paul, MN	booth for festival	320.00
6-18-2018	Reimburse Chris Holbrook	clipboards	45.03
6-18-18	1302 Van Buren Ave St. Paul, MN 55104	Rondo Festival booth Rondo Ave Inc St. Paul, MN	550.00
9-17-18		lockbox, Square reader, supplies for fair booth	338.35
4-23-2018	Reimburse Cindy Hucks 8276 Packard Ave Otsego, MN 55330	food, liquor, party items for convention	381.62

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# General Expenditures

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1-5-2018	Kleinman Realty	Storage unit	75.00
2-2-18	5201 E. River Rd, Suite 308		75.00
3-2-18	Mpls, MN 55421		75.00
4-2-18			75.00
5-2-18			75.00
6-2-18			75.00
7-2-18			75.00
8-2-18			75.00
9-2-18			75.00

1-15-2018	Matt Kawolski	Executive Director pay	250.00
2-1-18	3455 Adair Ave N		250.00
2-16-18	Crystal, MN 55422		250.00
3-2-18			250.00
3-18-18			250.00
3-31-18			250.00
4-14-18			250.00
4-30-18			250.00
5-15-18			250.00
5-31-18			250.00
6-16-18			250.00
7-1-18			250.00
7-16-18			250.00
7-31-18			250.00
8-16-18			250.00
9-4-18			250.00
9-16-18			250.00

1-15-18	"	Executive Director expenses	197.32
2-19-18		mileage, etc	80.20
3-19-18		"	359.80
4-23-18		supplies, trophy	254.23
4-30-18		mileage	25.18
5-21-18		mileage, toner cartridge	331.46
6-18-18		mileage, supplies	377.28
7-16-18		mileage	15.51
8-20-18		supplies, postage	40.68
9-17-18		mileage, parking	275.45

1-8-18	"	Executive Director commission	2495.02
4-5-18			5541.94
7-8-18			3688.87

1-2-2018	Mailchimp	email services	30.00
2-1-18	675 Ponce de Leon Ave NE		31.50
3-2-18	Suite 5000		31.50
4-2-18	Atlanta, GA 30308		31.50
5-2-18			31.50

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# General Expenditures

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6-4-18	Mailchimp, cont.		31.50
7-2-18			31.50
8-2-18			31.50
9-2-18			31.50

5-10-2018	Minnesota State Fair	booth	1443.00
8-10-18	1265 N Snelling St. Paul, Mn 55108	tickets	275.00

1-23-2018	Nativ3 Suite 200	Web services	500.00
2-15-18	323 Washington Ave N		500.00
3-26-18	Mpls, Mn 55401		500.00
4-16-18			500.00
5-15-18			500.00
6-12-18			500.00
7-12-18			500.00
8-12-18			500.00
9-12-18			500.00

5-15-2018	Reimburse Claudia Nicolae	nonprofit mailing renewal	
	3455 Adair Ave N	and outgoing mail	245.00
5-18-18	Crystal, MN 55422	printer ink	184.43
5-18-18		mailing	110.00

3-19-2018	reimburse Robert Odden	booth for gunshow	45.00
3-19-18	1201 47 1/2 Ave NE	booth for Pride festival	239.69
	Columbia Heights, MN 55421	Twin Cities Pride	
		2021 East Hennepin Ave	
		Mpls, Mn 55413	
9-17-18		2 booths for gunshows	90.00

1-1-2018 to 9-17-2018	Paypal.com	fees	228.94
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5-30-2018	Seven Corners Printing	5000 envelopes	557.00
6-16-18	1099 Snelling Ave N	Tee shirts	930.30
6-17-18	St. Paul, MN 55108	Print newsletter	862.00
8-15-18		Quiz cards	500.00
8-27-18		Tee shirts	841.00
9-18-18		Tee shirts	2173.00

40858

# General Expenditures

page 4 of 4

1-23-2018	Square Inc Suite 600 1455 Market St	Fee for processing donation	350.15
5-4-18	San Francisco, CA 94103	Fee for processing donation	175.15
5-16-2018	Staples	toner cartridge	285.58
5-17-18	11500 Wayzata Blvd Minnetonka, MN	toner cartridge	138.48
4-6-2018	State Farm Insurance	insurance	480.07
6-19-18	PO Box 82542 Lincoln, NE 68501	overpayment refund	(37.94)
1-18-2018	TMD Hosting	computer services	39.95
1-23-18	618 E South St		39.95
2-18-18	Orlando, FL 32801		39.95
2-23-18			39.95
2-28-18		overpayment refund	(199.75)
3-18-18			39.95
3-23-18			39.95
4-18-18			39.95
4-23-18			39.95
5-18-18			39.95
5-23-18			39.95
6-18-18			39.95
6-23-18			39.95
7-18-18			39.95
7-23-18			39.95
8-18-18			39.95
8-23-18			39.95
9-18-18			39.95

Subtotal \$39,361.28

Nonitemized expense \$ 709.97

Total expense \$40,071.25

40858

RECEIVED JUL 30 2018

# Campaign Finance and Public Disclosure Board



190 Centennial Office Building, 658 Cedar St, St Paul, MN 55155 <https://cfb.mn.gov/>

## Report of Receipts and Expenditures for Political Party Units Period Covered: January 1 through July 23, 2018

**REPORT DUE DATE IS JULY 30, 2018**

### FILING INSTRUCTIONS

- This report may be emailed to [cfb.reports@state.mn.us](mailto:cfb.reports@state.mn.us) or faxed to 651-539-1196 or 800-357-4114.
- All information on this report is public information and may be published on the Board's website at [www.cfb.mn.gov](http://www.cfb.mn.gov).
- It is unlawful to use this information for commercial purposes.
- Board staff may be reached by phone at 651-539-1180 or 800-657-3889 or by email at [cfb.reports@state.mn.us](mailto:cfb.reports@state.mn.us).

### COMMITTEE INFORMATION

Party unit name <b>Libertarian Party of Minn</b>		Registration number <b>40858</b>
Treasurer name <b>Mary O'Connor</b>		Treasurer email address <b>mary_oconnor08@hotmail.com</b>
Treasurer address <b>5429 Lyndale Ave N</b>		
Treasurer city, state, zip <b>Brooklyn Center MN 55430</b>		Treasurer telephone (Daytime) <b>7634968423</b>

### REPORT OPTIONS

Check one of the boxes below **only if applicable** and provide the requested information.

**No change statement**

Check this box only if your committee received *no* contributions and made *no* expenditures during this reporting period. Do not use this statement if there was any monetary change. If there was no change:

Provide the current cash balance: \$ \_\_\_\_\_, and sign here

\_\_\_\_\_, I, the  treasurer or  deputy treasurer (check one), \_\_\_\_\_ Date  
certify there has been no change and that this report is complete, true and correct.

**Amendment**

Check this box if your committee or fund is filing this report to amend a previously filed report for this period.

Provide date of the report being amended: \_\_\_\_\_

**Termination**

Check this box if your committee has dissolved. A committee may not dissolve unless it has settled all its debts and disposed of all its assets in excess of \$100.

This document is available in alternative formats to individuals with disabilities by calling 651-539-1180, 800-657-3889, or through the Minnesota Relay Service at 800-627-3529.

For office use only:		
<input checked="" type="checkbox"/> Checked in	<input type="checkbox"/> Scanned	<input type="checkbox"/> Data entered

## COMMITTEE TRANSACTION SUMMARY

1	Beginning cash balance 1/1/18 (should be the same as the 12/31/17 ending cash balance)	\$8,523.54
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**A RECEIPTS:** Cash (Col. 1) Blank (Col. 2) In-kind (Col. 3) Totals (Col. 4)

2	Total contributions received	Schedule A1 - CR	\$ 35433.18		\$ 35433.18
3	Receipts from loans payable	Schedule A2 - LP	\$		\$
4	Miscellaneous income	Schedule A2 - MISC	\$		\$
<b>5</b>	<b>TOTAL RECEIPTS</b>	<b>Sum: #2 thru #4</b>	<b>\$ 35433.18</b>		<b>\$ 35433.18</b>

**B DISBURSEMENTS:** Cash (Col. 1) Unpaid bills (Col. 2) In-kind (Col. 3) Totals (Col. 4)

6	General expenditures	Schedule B1 - EXP	\$ 32532.49	\$	\$	\$ 32532.49
7A	Direct contributions to candidate committees	Schedule B2A - CAN	\$			
7B	Approved expenditures for candidate committees	Schedule B2B - CAN	\$ 8570.17	\$		\$ 8570.17
<b>7C</b>	<b>TOTAL CONTRIBUTIONS TO CANDIDATE COMMITTEES</b>	<b>Sum: #7A + #7B</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
8	Contributions to political party units	Schedule B2 - PPU	\$		\$	\$
9	Contributions to political committees and funds	Schedule B2 - PCF	\$		\$	\$
10	Independent expenditures <i>See required form on page 20</i>	Schedule B3 - IND	\$	\$	\$	\$
<b>11</b>	<b>TOTAL EXPENDITURES AND DISBURSEMENTS</b>	<b>Sum: #6 + #7C thru #10</b>	<b>\$ 41102.66</b>	<b>\$</b>	<b>\$</b>	<b>\$ 41102.66</b>

**C ENDING CASH BALANCE:** Cash (Col. 1)

12	Ending cash balance 7/23/18	Sum: #1 + #5 - #11	\$ 2854.06
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40858

## LOANS AND UNPAID OBLIGATIONS SUMMARY

14A	Total outstanding balance of all loans incurred during the current reporting year	Schedule A2 - LP	\$
14B	Total outstanding balance of all loans incurred during any year prior to the reporting year	Schedule C	\$
14C	Total outstanding balances of all loans	Sum of #14A + #14B	\$

15A	Total unpaid obligations incurred during current reporting year	From page 3, line 12, col. 2	\$
15B	Total unpaid obligations incurred during any year prior to the reporting year	Schedule D	\$
15C	Total unpaid obligations	Sum of #15A + #15B	\$

16	Total debt of committee or fund	Sum of #14C + #15C	\$
----	---------------------------------	--------------------	----

## CERTIFICATION

I, Mary O'Connor, certify that this report is complete, true, and correct.  
Print or type name

Mary G. O'Connor

Signature of (Check one):  Treasurer  Deputy treasurer

7-29-18

Date

40858

Registration #

Any person who signs and certifies to be true a report or statement which the person knows contains false information, or who knowingly omits required information, is subject to a civil penalty imposed by the Board of up to \$3,000 and is subject to criminal prosecution for a gross misdemeanor.

Contributions Received

Date	Name and address	Cash	Total
5-5-2018	Duane Faulkner 10279 245th Ave Zimmerman, MN 55398 Self, machine shop	250	250
1-22-2018	Chris Holbrook	510	
2-22-18	1302 Van Buren Ave	10	
3-22-18	St. Paul, MN 55104	10	
4-22-18	Boise Cascade	10	
5-22-18		10	
6-22-18		10	
7-22-18		10	570
1-9-2018	David Holsinger	25	
2-12-18	4235 1ST Ave S	25	
3-9-18	Mpls, MN 55409	25	
3-15-18	Reeher LLC	50	
4-9-18		25	
5-9-18		25	
6-9-18		25	
7-9-18		25	225
1-16-2018	Mary O'Connor	200	
3-19-18	5429 Lyndale Ave N	50	
3-28-18	Brooklyn Center, MN 55430 Self, Landlady	100	350
3-29-2018	Robert Odden	150	
6-19-18	1201 42 1/2 Ave NE Columbia Heights, MN 55421 Retired	100	250

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1-23-2018	William O Perkins III	10,000	
5-4-18	3050 Post Oak Blvd	5,000	15,000
	Houston, TX 77056		
	Self, Investor		
1-17-2018	James Rongstad	25	
2-17-18	6207 13th Ave NW	25	
2-26-18	Rochester, MN 55901	50	
3-17-18	Retired	25	
4-17-18		25	
5-17-18		25	
6-17-18		25	
7-17-18		25	225
1-21-2018	Charles Test	5000	
5-30-18	2710 2nd Ave S	5000	10,000
	Mpls, MN 55408		
	Retired		
3-16-2018	Michael Toman	60	
3-29-18	876 Lincoln Ave #Z	150	210
	St. Paul, MN 55408		
	self, HVAC		
4-2-2018	Douglas Zotz	300	300
	3131 135th Ave NW		
	Anoka, MN 55304		
	Zotz Electrical		

Subtotal \$27,380.00

Nonitemized contributions \$8,053.18

Total contributions \$35,433.18

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General Expenditures

Date	Name and address	Purpose	Cash
6-18-2018	Reimburse Shaun Atkielski 865 15th St SE Rochester, MN 55904	flags FlagsImporter .com Ontario, CA 32864	212.78
4-15-2018	Cambria Suites Hotel	rooms, food	1321.27
4-16-18	9655 Grove Circle N Maple Grove, MN 55369	rooms for convention	263.04
1-1-2018	FTK Properties	office rent	216.00
2-1-18	PO Box 53		216.00
3-2-18	Crystal Bay, MN 55323		216.00
4-1-18			216.00
5-1-18			216.00
6-1-18			216.00
7-1-18			216.00
4-16-2018	Grand Avenue Business St. Paul, MN	booth for festival	320.00
6-18-2018	Reimburse Chris Holbrook	clipboards	45.03
6-18-18	1302 Van Buren Ave St. Paul, MN 55104	Rondo Festival booth Rondo Ave Inc St. Paul, MN	550.00
4-23-2018	Reimburse Cindy Hucks 8276 Packard Ave Otsego, MN 55330	food, liquor, party items for convention	381.62

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1-5-2018	Kleinman Realty	Storage unit	75.00
2-2-18	5201 E. River Rd, Suite 308		75.00
3-2-18	Mpls, MN 55421		75.00
4-2-18			75.00
5-2-18			75.00
6-2-18			75.00
7-2-18			75.00

1-15-2018	Matt Kawolski	Executive Director pay	250.00
2-1-18	3455 Adair Ave N		250.00
2-16-18	Crystal, MN 55422		250.00
3-2-18			250.00
3-18-18			250.00
3-31-18			250.00
4-14-18			250.00
4-30-18			250.00
5-15-18			250.00
5-31-18			250.00
6-16-18			250.00
7-1-18			250.00
7-16-18			250.00

1-15-18	"	Executive Director expenses	197.32
2-19-18		mileage, etc	80.20
3-19-18		"	359.80
4-23-18		supplies, trophy	254.23
4-30-18		mileage	25.18
5-21-18		mileage, toner cartridge	331.46
6-18-18		mileage, supplies	377.28
7-16-18		mileage	15.51

1-8-18	"	Executive Director commission	2495.02
4-5-18			5541.94
7-8-18			3688.87

1-2-2018	Mailchimp	email services	30.00
2-1-18	675 Ponce de Leon Ave NE		31.50
3-2-18	Suite 5000		31.50
4-2-18	Atlanta, GA 30308		31.50
5-2-18			31.50
6-4-18			31.50
7-2-18			31.50

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5-10-2018	Minnesota State Fair 1265 N Snelling St. Paul, Mn 55108	booth	1443.00
1-23-2018	Nativ3 Suite 200	Web services	500.00
2-15-18	323 Washington Ave N		500.00
3-26-18	Mpls, Mn 55401		500.00
4-16-18			500.00
5-15-18			500.00
6-12-18			500.00
7-12-18			500.00
5-15-2018	Reimburse Claudia Nicolae 3455 Adair Ave N	nonprofit mailing renewal and outgoing mail	245.00
5-18-18	Crystal, MN 55422	printer ink	184.43
5-18-18		mailing	110.00
3-19-2018	reimburse Robert Odden	booth for gunshow	45.00
3-19-18	1201 47 1/2 Ave NE Columbia Heights, MN 55421	booth for Pride festival Twin Cities Pride 2021 East Hennepin Ave Mpls, Mn 55413	239.69
5-30-2018	Seven Corners Printing	5000 envelopes	557.00
6-16-18	1099 Snelling Ave N	Tee shirts	930.30
6-17-18	St. Paul, MN 55108	Print newsletter	862.00
1-23-2018	Square Inc Suite 600 1455 Market St	Fee for processing donation	350.15
5-4-18	San Francisco, CA 94103	Fee for processing donation	175.15
5-16-2018	Staples	toner cartridge	285.58
5-17-18	11500 Wayzata Blvd Minnetonka, MN	toner cartridge	138.48

40858

4-6-2018	State Farm Insurance	insurance	480.07
6-19-18	PO Box 82542	overpayment refund	(37.94)
	Lincoln, NE 68501		
1-18-2018	TMD Hosting	computer services	39.95
1-23-18	618 E South St		39.95
2-18-18	Orlando, FL 32801		39.95
2-23-18			39.95
2-28-18		overpayment refund	(199.75)
3-18-18			39.95
3-23-18			39.95
4-18-18			39.95
4-23-18			39.95
5-18-18			39.95
5-23-18			39.95
6-18-18			39.95
6-23-18			39.95
7-18-18			39.95
7-23-18			39.95

Subtotal \$31,834.01

Nonitemized expense \$ 698.48

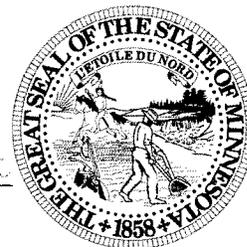
Total expense \$32,532.49

40858

# Campaign Finance and Public Disclosure Board

190 Centennial Office Building, 658 Cedar St, St Paul, MN 55155

<https://cfb.mn.gov/>



## Report of Receipts and Expenditures Political Party State Central Committees and Legislative Caucuses Period Covered: January 1 through March 31, 2018 REPORT DUE DATE IS APRIL 16, 2018

### FILING INSTRUCTIONS

- This report may be emailed to [cfb.reports@state.mn.us](mailto:cfb.reports@state.mn.us) or faxed to 651-539-1196 or 800-357-4114.
- All information on this report is public information and may be published on the Board's website at [www.cfboard.state.mn.us](http://www.cfboard.state.mn.us).
- It is unlawful to use this information for commercial purposes.
- Board staff may be reached by phone at 651-539-1180 or 800-657-3889 or by email at [cfb.reports@state.mn.us](mailto:cfb.reports@state.mn.us).

### COMMITTEE INFORMATION

Party unit name	Libertarian Party of Minn	Registration number	40858
Treasurer name	Mary O'Connor	Treasurer email address	mary_oconnor08@hotmail.com
Treasurer address	5429 Lyndale Ave N		
Treasurer city, state, zip	Brooklyn Center MN 55430	Treasurer telephone (Daytime)	7634968423

### REPORT OPTIONS

Check one of the boxes below **only if applicable** and provide the requested information.

#### No change statement

Check this box only if your committee received *no* contributions and made *no* expenditures during this reporting period. Do not use this statement if there was any monetary change. If there was no change:

Provide the current cash balance: \$ \_\_\_\_\_, and sign here

\_\_\_\_\_, I, the  treasurer or  deputy treasurer (check one), \_\_\_\_\_ Date  
certify there has been no change and that this report is complete, true and correct.

#### Amendment

Check this box if your committee or fund is filing this report to amend a previously filed report for this period.

Provide date of the report being amended: \_\_\_\_\_

#### Termination

Check this box if your committee has dissolved. A committee may not dissolve unless it has settled all its debts and disposed of all its assets in excess of \$100.

This document is available in alternative formats to individuals with disabilities by calling 651-539-1180, 800-657-3889, or through the Minnesota Relay Service at 800-627-3529.

For office use only:

Checked in  Scanned  Data entered

40858

**COMMITTEE TRANSACTION SUMMARY**

1	Beginning cash balance 1/1/18 (should be the same as the 12/31/17 ending cash balance)	\$ 8523.54
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**A RECEIPTS:** Cash (Col. 1) Blank (Col. 2) In-kind (Col. 3) Totals (Col. 4)

2	Total contributions received	Schedule A1 - CR	\$ 19696.81		\$	\$ 19696.81
3	Receipts from loans payable	Schedule A2 - LP	\$			\$
4	Miscellaneous income	Schedule A2 - MISC	\$			\$
5	<b>TOTAL RECEIPTS</b>	<b>Sum: #2 thru #4</b>	\$ 19696.81		\$	\$ 19696.81

**B DISBURSEMENTS:** Cash (Col. 1) Unpaid bills (Col. 2) In-kind (Col. 3) Totals (Col. 4)

6	General expenditures	Schedule B1 - EXP	\$ 8022.99	\$ 5541.94	\$	\$ 13564.93
7A	Direct contributions to candidate committees	Schedule B2A - CAN	\$			
7B	Approved expenditures for candidate committees	Schedule B2B - CAN	\$ 8570.17	\$		\$ 8570.17
7C	<b>TOTAL CONTRIBUTIONS TO CANDIDATE COMMITTEES</b>	<b>Sum: #7A + #7B</b>	\$	\$	\$	\$
8	Contributions to political party units	Schedule B2 - PPU	\$		\$	\$
9	Contributions to political committees and funds	Schedule B2 - PCF	\$		\$	\$
10	Independent expenditures <i>See required form on page 20</i>	Schedule B3 - IND	\$	\$	\$	\$
11	Ballot question expenditures	Schedule B4 - BQ	\$	\$	\$	\$
12	<b>TOTAL EXPENDITURES AND DISBURSEMENTS</b>	<b>Sum: #6 + #7C thru #11</b>	\$ 16593.16	\$ 5541.94	\$	\$ 22135.10

**C ENDING CASH BALANCE:** Cash (Col. 1)

13	Ending cash balance 3/31/18	Sum: #1 + #5 - #12	\$ 11627.19
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## LOANS AND UNPAID OBLIGATIONS SUMMARY

14A	Total outstanding balance of all loans incurred during the current reporting year	Schedule A2 - LP	\$
14B	Total outstanding balance of all loans incurred during any year prior to the reporting year	Schedule C	\$
14C	Total outstanding balances of all loans	Sum of #14A + #14B	\$

15A	Total unpaid obligations incurred during current reporting year	From page 3, line 12, col. 2	\$
15B	Total unpaid obligations incurred during any year prior to the reporting year	Schedule D	\$
15C	Total unpaid obligations	Sum of #15A + #15B	\$

16	Total debt of committee or fund	Sum of #14C + #15C	\$
----	---------------------------------	--------------------	----

## CERTIFICATION

I, Mary O'Connor, certify that this report is complete, true, and correct.  
Print or type name

*Mary O'Connor*

Signature of (Check one):  Treasurer  Deputy treasurer

4-16-18

Date

40858

Registration #

Any person who signs and certifies to be true a report or statement which the person knows contains false information, or who knowingly omits required information, is subject to a civil penalty imposed by the Board of up to \$3,000 and is subject to criminal prosecution for a gross misdemeanor.

40858

## Contributions Received

Date	Name and address	Cash	Total
1-22-2018	Chris Holbrook	510	
2-22-18	1302 Van Buren Ave	10	
3-22-18	St. Paul, MN 55104 Boise Cascade	10	530
1-16-2018	Mary O'Connor	200	
3-19-18	5429 Lyndale Ave N	50	
3-28-18	Brooklyn Center, MN 55430 Self, Landlady	100	350
1-23-2018	William O Perkins III 3050 Post Oak Blvd Houston, TX 77056 Self, Investor	10,000	10,000
1-21-2018	Charles Test 2710 2nd Ave S Mpls, MN 55408 Retired	5000	5000
		Subtotal	\$15,880.00
		Nonitemized contributions	\$3,816.81
		Total contributions	\$19,696.81

40858

General Expenditures

Date	Name and address	Purpose	Cash	Unpaid bill
1-1-2018	FTK Properties	office rent	216.00	
2-1-18	PO Box 53		216.00	
3-2-18	Crystal Bay, MN 55323		216.00	
1-5-2018	Kleinman Realty	Storage unit	75.00	
2-2-18	5201 E. River Rd, Suite 308		75.00	
3-2-18	Mpls, MN 55421		75.00	
1-15-2018	Matt Kawolski	Executive Director pay	250.00	
2-1-18	3255 Adair Ave N		250.00	
2-16-18	Crystal, MN 55422		250.00	
3-2-18			250.00	
3-18-18			250.00	
3-31-18			250.00	
1-15-18	"	Executive Director expenses	197.32	
2-19-18		mileage, etc	80.20	
3-19-18		"	359.80	
1-8-18	"	Executive Director commission	2495.02	

Unpaid commission:

5541.94

1-23-2018	Nativ3 Suite 200	Web services	500.00	
2-15-18	323 Washington Ave N		500.00	
3-26-18	Mpls, Mn 55401		500.00	

General Expenditures

40858

Unpaid bill

3-19-2018	reimburse Robert Odden	booth for gunshow	45.00
3-19-18	1201 47 1/2 Ave NE Columbia Heights, MN 55421	booth for Pride festival Twin Cities Pride 2021 East Hennepin Ave Mpls, Mn 55413	239.69

1-23-2018	Square Inc Suite 600 1455 Market St San Francisco, CA 94103	Fee for processing donation	350.15
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Subtotal	\$7,640.18
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5541.94

Nonitemized expense	\$ 382.81
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Total expense	\$8,022.99
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40858

**SCHEDULE B2B - CAN - APPROVED EXPENDITURES FOR CANDIDATE COMMITTEES**

Make photocopies of this page if additional space is needed.

Date	Committee registration number REQUIRED	Name and full address of committee	Name and full address of vendor	Purpose of expenditure	Col 1. Cash	Col. 2 Unpaid bills	Col. 3 Totals
2-23-18	# 18257	Mellingen 2018 880 Lyn Way # 308 Hastings, MN 55033	Elizabeth Dahl 3237 Zane Ave N Crystal, MN 55422	Managing phone bank	\$ 500	\$	\$ 500
2-5-18	# 18257		Google LLC 1600 Amphitheatre Pkwy Mountain View, CA 94043	U Tube ads	\$ 200	\$	\$ 200
2-12-18	# 18257				350		350
2-1-18	# 18257		Groundgame LLC 2865 Upper 79th Ct E Inver Grove Hts, MN 55076	Canvassing	\$ 1600	\$	\$ 1600
2-15-18	# 18257			Canvassing	1600		1600
3-12-18	# 18257			Erecting signs	800		800
2-18-18	# 18257		Nativ3 Suite 200 323 Washington Ave N Mpls, MN 55401	Web services	\$ 773.19	\$	\$ 773.19
				Non-itemized expenditures/disbursements	\$ 18.47	\$	\$ 18.47
				<b>TOTALS</b>	\$ 8570.17	\$	\$ 8570.17
					To page 3, line 7B, col. 1	To page 3, line 7B, col 2	To page 3, line 7B, col 4

It is unlawful to use this information for commercial purposes.

40 858

**SCHEDULE B2B - CAN - APPROVED EXPENDITURES FOR CANDIDATE COMMITTEES**

Make photocopies of this page if additional space is needed.

Date	Committee registration number REQUIRED	Name and full address of committee	Name and full address of vendor	Purpose of expenditure	Col 1. Cash	Col. 2 Unpaid bills	Col. 3 Totals
1-23-18 2-3-18	# 18257	Mellingen 2018 880 Lyn Way #308 Hastings/MN55033	7 Corners Printing 1099 Snelling Ave N St. Paul, MN 55108	Flyers Yard signs	\$ 1218 895	\$	\$ 1218 895
1-26-18	# 18257	11	Stratics Networks Ste 287 762 Upper James St Hamilton, Ontario Canada L9C 3A2	Voicemail drops	\$ 615.51	\$	\$ 615.51
	#				\$	\$	\$
	#				\$	\$	\$
				<b>Non-itemized expenditures/disbursements</b>	\$	\$	\$
				<b>TOTALS</b>	\$ See First page	\$	\$ See First page
					To page 3, line 7B, col. 1	To page 3, line 7B, col 2	To page 3, line 7B, col 4

It is unlawful to use this information for commercial purposes.



Minnesota

# *Campaign Finance and Public Disclosure Board*



**Date:** September 26, 2018

**To:** Board Members

**From:** Jeff Sigurdson, Executive Director

**Telephone:** 651-539-1189

**Re:** Executive Director's Report – Board Operations

## **Program Updates**

### **Campaign Finance Program**

The 4th report of receipts and expenditures for constitutional and appellate court candidates on the general election ballot, political committees and funds, political party state central committees, and legislative caucuses was due September 25, 2018. Staff mailed a notification of the need to file the report to all affected treasurers, and then followed up with an e-mail reminder and a telephone call to all treasurers who had not yet filed on September 25<sup>th</sup>.

### **Development of Fiscal Years 2020 – 2021 Biennial Base Budget**

I am working with the SmART team to develop the Board's base budget and change item requests for the governor's budget proposal. Despite the upcoming change in the office of governor, the base budget represents an important starting place for evaluating state agency budgets regardless of who wins the election.

As I explained to the Board at the July meeting, the Board last asked for, and received, a change to the base budget for the fiscal year 2014 – 2015 biennium. At that time the base budget was increased to \$1,000,000 to allow for a staff of nine. The governor in subsequent budget years made small increases to all small agency budgets to partially compensate for expected contractual increases to employee salaries. The fiscal year 2019 budget is \$1,046,000.

As part of the budget process, the Department of Administration provides a salary estimate for each agency that reflects expected step increases, but which does not include any estimate of salary increases negotiated in labor contracts. Using the salary numbers in the estimate, and factoring in minor increases in operating costs, it appears that the existing budget of \$1,046,000 will be insufficient to maintain nine full-time positions in the upcoming biennium.

In FY 2020 the operating budget will be approximately \$45,000 short, and in FY 2021 the budget will be approximately \$68,000 deficient under current projections. This shortfall is about \$35,000 more than I expected in July prior to the release of projected salary costs. As I explained to the Board in July, I am developing an operational change item to increase the base budget of the Board. The change item would not increase the complement of the Board, but will allow the Board to maintain current operations. Change items requests must be submitted

by October 15<sup>th</sup>. I will keep the Board updated on any feedback I receive during the development of the budget proposal.

### **Impact of CREW v. FEC on Ch. 10A**

On occasion there are court decisions on campaign finance, lobbying, or public disclosure laws that potentially have ramifications for Chapter 10A. When I become aware of these decisions, I intend to ask one of the Board's legal analysts to review the ruling and prepare a memo for the Board's reference.

The attached memo by Mr. Olson is a review of a U.S. Supreme Court action on CREW v. FEC, which occurred earlier this month. Media coverage of the decision implied that the action would dramatically affect disclosure provided by associations that make independent expenditures. Mr. Olson's review indicates that conclusion is premature. The memo is attached for your review.

### **Attachment**

Memo on CREW v. FEC



# MINNESOTA

## CAMPAIGN FINANCE BOARD

---

**DATE:** September 26, 2018

**TO:** Board Members

**FROM:** Andrew Olson  
Legal/Management Analyst

**TELEPHONE:** 651-539-1190

**SUBJECT:** Impact of CREW v. FEC (No. 18A274) on Ch. 10A

### **State reporting requirements for independent expenditures**

[Minnesota Statutes section 10A.20, subdivision 3\(c\)](#), requires the treasurer of a political committee or fund, including an independent expenditure political committee or fund, to file reports disclosing the identity of those contributing, within a calendar year, more than \$200.

An association contributing more than \$5,000 of its general treasury funds to independent expenditure political committees or funds must disclose the identity of individuals who paid dues or fees, or donated money to the association, under certain circumstances. [Minnesota Statutes section 10A.27, subdivision 15](#), specifies the circumstances under which a donor association must identify individuals as the underlying source of funds for the association's contributions. Individuals are identified as an underlying source of funds if that person contributed more than \$5,000 and specifically authorized the funds to be donated to a particular independent expenditure committee or fund. [Minnesota Statutes section 10A.27, subdivision 15](#), also requires that an individual be identified as the underlying source of funds if the donor association designates over \$5,000 of a specific individual's contributions, dues, or fees as the source of the subject contribution, regardless of any specific authorization or intent on the part of that individual.

### **Federal reporting requirements for independent expenditures**

An entity that would be a political fund under chapter 10A is simply called a person other than a political committee under federal law. These entities may include any organization whose major purpose is not the election or defeat of federal candidates, such as a 501(c)(4). Until now, these organizations have only been required to disclose the identity of donors that contributed over \$200 for the express purpose of specific independent expenditures. See [52 U.S.C. § 30104\(c\)](#) (federal reporting statute); [11 C.F.R. § 109.10\(e\)\(1\)\(vi\)](#) (federal reporting rule).

Tax-exempt organizations, such as 501(c) groups, must identify in their tax returns any person who contributed at least \$5,000 during the taxable year. However, that information is not available to the public. Crossroads GPS is the 501(c) group involved in the CREW v. FEC case. Because the FEC has deadlocked multiple times on motions finding Crossroads GPS to be a political committee, up until now the FEC has not required Crossroads GPS to disclose its donors.

### **Issues raised by CREW v. FEC**

The [lawsuit](#) brought by Citizens for Responsibility and Ethics in Washington (CREW) against the FEC is premised on two underlying claims regarding the federal independent expenditure reporting requirements. The first allegation is that the federal reporting rule, [11 C.F.R. § 109.10\(e\)\(1\)\(vi\)](#), is invalid, both because it requires disclosure of contributors only to the extent their contributions exceed \$200 and were made for the purpose of specific independent expenditures, rather than any independent expenditure, and because it is silent as to the broader requirement to disclose all donors who have contributed over \$200 to the reporting entity. The second contention is that the FEC improperly [closed](#) CREW's [administrative complaint](#) alleging that Crossroads GPS violated the federal reporting requirements by not disclosing donors that contributed funds used for TV ads about a 2012 U.S. Senate race in Ohio. The administrative complaint was closed in November 2015 because the [FEC deadlocked 3-3](#) on separate motions.

On August 3, 2018 a federal district court [agreed with CREW and ordered](#) that the federal rule be vacated, with the vacatur stayed for 45 days to give the FEC time to issue interim regulations. The district court noted that as to the closure of the administrative complaint, the FEC had failed to show it was entitled to deference based on prosecutorial discretion. The district court also stated that the FEC was not entitled to deference when it had adopted a policy that amounted to an abdication of its statutory obligations, nor when it had acted based on a statutory interpretation that was contrary to law. The district court remanded the administrative complaint to the FEC. Upon remand the FEC again closed the administrative complaint, [deadlocking 2-2](#) on separate motions.

Crossroads GPS, which previously had intervened in the case as a defendant, filed an emergency [motion for a stay](#) pending appeal which was [denied](#) by the D.C. Circuit Court of Appeals on September 15. The court found that Crossroads GPS was unlikely to succeed on the merits of an appeal because the challenged regulation impermissibly hollowed out the mandate of the federal reporting statutes. Crossroads GPS immediately [applied](#) to Chief Justice Roberts and on September 15 he [stayed](#) the district court's order. On September 18, the U.S. Supreme Court, without any noted dissents or discussion of substance, [denied](#) the application for a stay and vacated the stay entered September 15, thereby causing the federal rule to be vacated as of September 18.

### **Potential impact on Chapter 10A**

There is no immediate impact on Chapter 10A resulting from the district court's order or the denials of applications for a stay pending appeal. The arguments offered before the district court focused almost entirely upon issues of federal statutory interpretation, the federal

Administrative Procedure Act, deference to administrative agencies, and whether it would be proper to penalize Crossroads GPS for violating the federal reporting statute based on the language of the federal rule and the FEC's longstanding practice of only requiring disclosure of donors who contributed with the intent of funding a specific independent expenditure.

The arguments offered by Crossroads GPS in favor of a stay of the district court's order raise broad constitutional issues that would potentially impact Chapter 10A if ultimately decided in their favor by the D.C. Circuit Court of Appeals or the Supreme Court. However, only the motion for a stay pending appeal has been briefed thus far, so many of the issues raised are particular to the timing of the district court's decision in advance of the 2018 general election and are not broadly applicable. Any impact of a forthcoming Court of Appeals decision in favor of Crossroads GPS would likely be limited to independent expenditure political funds.

In its per curiam order denying the requested stay, the Court of Appeals noted that Crossroads GPS argued that donors contributed with the implicit understanding that their donations for independent expenditures would not subject them to disclosure. The court stated that those asserting a chilling effect from disclosure requirements would have to offer evidence showing that donors may face threats or reprisals resulting from those requirements.

The application for a stay submitted to Chief Justice Roberts argued that the district court decision places a considerable burden and risks upon speakers who may "choose simply to abstain from protected speech." Crossroads GPS further argued that the decision is likely to have widespread effect in inhibiting the speech of those engaged in independent expenditures that are not political committees due to the fear of legal repercussions. These arguments offer only the barest of outlines of constitutional issues that may be raised by Crossroads GPS and possibly the FEC before the Court of Appeals. Any potential impact on Chapter 10A could be reevaluated following further briefing of the issues on appeal.





# MINNESOTA CAMPAIGN FINANCE BOARD

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**Date:** September 26, 2018

**To:** Board Members

**From:** Jeff Sigurdson, Executive Director

**Telephone:** 651-539-1189

**Re:** Annual Report of Board Operations

Staff has completed for Board approval a report of the Board's operations during fiscal year 2017. This report is required by Minnesota Statutes section 10A.02, subdivision 8. The report is provided to the governor, legislative leadership, and is made available to the public through the Board's website. The report is required to contain the fiscal operations of the Board, including the names, duties, and salaries of staff. The report also reviews the major programs administered by the Board.

The annual report of Board operations is one of three primary reports produced by the Board. The Board also produces an annual summary of lobbyist disbursements and a campaign finance summary, which is produced at the end of each two-year election segment. The lobbyist disbursement summary for 2017 was released in September, and is available on the Board's website at:  
[https://cfb.mn.gov/pdf/publications/reports/lobbyist\\_disbursement\\_summaries/lbsm\\_2017.pdf](https://cfb.mn.gov/pdf/publications/reports/lobbyist_disbursement_summaries/lbsm_2017.pdf) .

Board members are asked to review their profile information and photograph in the report. Changes to member profiles or photographs will also be used on the Board's website. Please send me any comments or suggestions on the executive summary and any changes to your profile. The annual report of operations for fiscal year 2018 is in the works, and will be presented at the December meeting.

The Board will need to take a formal action to authorize the issuance of the report.

Attachment

Report of Board operations for fiscal year 2017.

# Report of the Minnesota Campaign Finance and Public Disclosure Board



## Covering Fiscal Year 2017

July 1, 2016 - June 30, 2017

Issued: October 3, 2018  
CAMPAIGN FINANCE and PUBLIC DISCLOSURE BOARD  
Suite 190, Centennial Building  
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St. Paul MN 55155-1603

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This document is available in alternative formats to individuals with disabilities by calling 651-539-1180, 800-657-3889, or through the Minnesota Relay Service at 800-627-3529.



# MINNESOTA CAMPAIGN FINANCE BOARD

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**DATE:** October 3, 2018

**TO:** The Honorable Mark Dayton, Governor  
The Honorable, Paul Gazelka Senate Majority Leader  
The Honorable Kurt Daudt, Speaker of the House  
The Honorable Thomas Bakk, Senate Minority Leader  
The Honorable Melissa Hortman, House Minority Leader  
The Honorable Mary Kiffmeyer, Chair State Government Finance and Policy and Elections  
The Honorable Tim O'Driscoll, Chair Government Operations and Elections Policy

**FROM:** Carolyn Flynn, Chair  
Campaign Finance and Public Disclosure Board

**SUBJECT:** Report of Board activities during fiscal year 2017.

Pursuant to Minnesota Statutes section 10A.02, subdivision 8 (a), the Campaign Finance and Public Disclosure Board submits this report of the Board's activities during fiscal year 2017.

The Board, consistent with its objectives and administrative procedures, provided guidance to the thousands of individuals and associations whose disclosure of certain political, economic interest, and lobbying activities is regulated by the Campaign Finance and Public Disclosure Act, Minnesota Statutes, Chapter 10A.

Included in this report is information about campaign finance disclosure, the filing of lobbyist disbursement and lobbyist principal reports, and the filing of statements of economic interest by public officials.

Throughout its activities the Board strives to accomplish its mission; which is to promote public confidence in state government decision-making through development, administration, and enforcement of disclosure and public financing programs and ensure public access to and understanding of information filed with the Board.

We recognize the importance the State of Minnesota places on public disclosure laws and the regulation of campaign finance activity and appreciate the trust placed in the Board and its staff by the Legislature and the Office of the Governor.

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## **EXECUTIVE SUMMARY**

The Campaign Finance and Public Disclosure Board is charged with the administration of the Campaign Finance and Public Disclosure Act, Chapter 10A of Minnesota Statutes. There are three major programs governed by Chapter 10A: 1) the regulation of campaign finance contributions and expenditures for state-level candidates, party units, and political committees; 2) the registration and reporting of lobbyists and the principals the lobbyists represent; and 3) the collection and disclosure of economic interest statements required of public officials. A brief overview of each program is provided here, with reference to the page in the annual report where detailed information is located. Additionally, the annual report provides information on Board members who served during the fiscal year beginning on page 3, and on the Board's staff, budget, and other financial activity during the fiscal year starting on page 19.

On the filing date for the 2016 year-end report of campaign receipts and expenditures there were 711 state-level candidates, 323 political party units, and 406 political committees and funds registered with the Board. Collectively, the year-end reports disclosed \$78,645,364 in receipts and \$86,969,690 in expenditures during the 2016 calendar year. Additional information regarding the campaign finance program begins on page 10.

About 1,450 lobbyists were registered with the Board at any one time throughout the fiscal year. The lobbyists represented 1,460 principals. The principals reported total lobbying expenditures of \$68,316,904 in calendar year 2016. Additional information on the lobbyist program is found on page 14.

The economic interest disclosure program requires public officials in approximately 2,800 positions to file economic interest statements with the Board. Depending on the position, these officials file their statements when they initially file their affidavits of candidacy for state-level office or when they take office. Additionally, public officials must review and update their statements in January of each year. Details on the economic interest disclosure program start on page 16.

During the fiscal year, the Board held ten scheduled meetings. At these meetings, the Board issued one advisory opinions, reviewed and approved nineteen conciliation agreements resolving violations of Chapter 10A, and resolved twenty complaints alleging violations of Chapter 10A.

## INTRODUCTION TO THE BOARD

### **Authority**

The Campaign Finance and Public Disclosure Board was established by the state legislature in 1974 through enactment of Chapter 10A of the Minnesota Statutes. Throughout its history the Board has enforced the provisions of Chapter 10A, promulgated and enforced Minnesota Rules 4501 through 4525, and issued advisory opinions to guide clients in meeting the chapter's requirements.

New authority was given to the Board in 2013, which extended the Board's jurisdiction to three sections of Chapter 211B. Those sections are (1) 211B.04, which governs the "prepared and paid for" form of disclaimer, (2) 211B.12, which specifies the purposes for which campaign money may be legally used, and (3) 211B.15, which governs corporate contributions. The new authority is limited to those individuals and associations already under the Board's jurisdiction under Chapter 10A. The Board's new jurisdiction means that it may conduct investigations of possible violations of these statutes and may also issue advisory opinions on these provisions.

### **Mission Statement**

To promote public confidence in state government decision-making through development, administration, and enforcement of disclosure and public financing programs which will ensure public access to and understanding of information filed with the Board.

### **Functions**

Core functions of the Board include administration and management of the:

- registration and public disclosure by state legislative, constitutional office, and judicial office candidates, political party units, political committees, and political funds;
- state public subsidy program that provides public funding to qualified state candidates and the state committees of political parties;
- registration and public disclosure by lobbyists and principals attempting to influence state legislative action, administrative action, and the official action of metropolitan governmental units;
- disclosure of economic interest, conflicts of interest, and representation of a client for a fee under certain circumstances for designated state and metropolitan governmental unit officials.

## Goals and Objectives

- Create better compliance with the Campaign Finance and Public Disclosure Act by moving to an educational model in which providing easy to access information and training reduces the number of violations.
- Provide fair and consistent enforcement of the Act.
- Help citizens become better informed about public issues related to the Act.

## Board and Staff

- The Board consists of six members, none of who may be an active lobbyist, a state elected official, or an active candidate for state office. The Board is not non-partisan; rather it is multi-partisan, with no more than three of the members of the Board supporting the same political party.
- The Board was able to maintain eight full time and one part time equivalent positions during the fiscal year. Additional information about Board staff is found beginning on page 18.

## Board Member Qualifications

The Board consists of six citizen members who are responsible for the administration of the Campaign Finance and Public Disclosure Act. Members of the Board are appointed by the Governor to staggered four-year terms. Their appointments must be confirmed by a three-fifths vote of the members of each body of the legislature. Two members must be former members of the legislature who support different political parties; two members must be persons who have not been public officials, held any political party office other than precinct delegate, or been elected to public office for which party designation is required by statute in the three years preceding the date of their appointment; and the other two members must support different political parties. The Board holds regular monthly meetings, which are open to the public, and executive session meetings, which are closed to the public.

## Board Members - July 1, 2016, through June 30, 2017



### Carol Flynn

Carol Flynn was appointed to the Board in February of 2015 by Governor Dayton for a term ending in January of 2019. She fills a Board position requiring a former DFL legislator. Flynn served as a state senator from 1990-2000 where she was Majority Whip and chaired the Judiciary and Transportation Committees. She studied at the University of Minnesota. A retired public employee, she volunteers on the Minneapolis Transportation Management Organization and as Vice President of the Loring Green West Association Board.

### **Margaret Leppik**



Margaret (Peggy) Leppik was appointed to the Board in May of 2015 by Governor Dayton for a term ending in January of 2016. Governor Dayton re-appointed Ms. Leppik in January 2016 for a term ending in January of 2020. Because the Senate was not able to schedule a vote to confirm her appointment before adjourning sine die, her appointment ended in May of 2016. She was reappointed by the Governor in July of 2016 to the same position. She fills a Board position requiring a former Republican legislator. Ms. Leppik served as a state representative from 1991-2003 where she chaired the Higher Education Finance Committee. She served on the Metropolitan Council from 2003-2011 where she was vice chair for three years and chaired the Environmental Committee. A graduate of Smith College, Leppik is an active volunteer for numerous nonprofit organizations.

### **Robert Moilanen**



Robert Moilanen was initially appointed by Governor Dayton to the Board in October, 2016. Mr. Moilanen was reappointed in June of 2017 for a term ending in January of 2019. He occupies a Board position for a member who has not been a public official, held any political party office other than precinct delegate, or been elected to public office for which party designation is required by statute in the three years preceding the member's appointment. Mr. Moilanen is a graduate of Gustavus Adolphus College and George Washington University Law School. Mr. Moilanen spent the early part of his legal career working in the public sector. Subsequently, he spent nearly thirty years in the private practice of law with the majority of that time spent as a partner at the law firm of Popham, Haik, Schnobrich, Kaufman and Doty. His private practice career primarily focused on securities fraud. Mr. Moilanen concluded his professional career working as the Director of Securities for the State of Minnesota from 2011-2014.

**Daniel N. Rosen**



Daniel N. Rosen was appointed in July, 2014, by Governor Dayton for a term ending in January of 2018. He fills a Board position requiring a member who has not been a public official, held any political party office other than precinct delegate, or been elected to public office for which party designation is required by statute in the three years preceding the member's appointment to the Board. A lawyer in Minneapolis, Mr. Rosen is a graduate of the University of Minnesota Law School and a founding partner of the Parker Rosen law firm, where he practices in the field of business and real estate litigation. Prior to law school Mr. Rosen was as an officer in the United States Navy and served in Operations Desert Shield and Desert Storm.

**Christian Sande – Left Board July 8, 2016**



Christian Sande was appointed by Governor Dayton to the Board in October 2013, and re-appointed in February 2015, for a term scheduled to expire in January 2019. Mr. Sande left the Board to accept the position of Hennepin County District Court Judge. He occupied a Board position for a member who has not been a public official, held any political party office other than precinct delegate, or been elected to public office for which party designation is required by statute in the three years preceding the member's appointment. Mr. Sande is an attorney in private practice focusing on securities fraud litigation and antitrust and consumer fraud class actions. He is a member of the Minnesota and Washington State Bar Associations and the Public Investors Arbitration Bar Association. He is a graduate of Hamline University College of Liberal Arts and William Mitchell College of Law. He volunteers as a GED Tutor at the Open Door Learning Center in North Minneapolis and is a volunteer judge for the Minnesota State Bar Association's high school mock trial program.

**Ed Oliver – Left Board June 30, 2017**



Ed Oliver was appointed in June of 2013 by Governor Dayton for a term ending in January of 2017. Mr. Oliver continued to serve until June 30, 2017. He fills a Board position that has no restrictions on previous political activities. Mr. Oliver was a member of the Minnesota State Senate from 1993 - 2002, and served as an Assistant Minority Leader from 1998 - 2002. Mr. Oliver is an arbitrator with FINRA Dispute Resolution, Inc., and is owner and president of Oliver Financial. He currently serves on the board of the Friends of the Mississippi River, and previously served on the Minnesota State Arts Board and as a member of the Great Lakes Commission. Mr. Oliver is a University of Minnesota, College of Liberal Arts graduate where he was awarded a Bachelor of Arts degree with a major in economics.

**Emma Greenman – Left Board March 31, 2017**



Emma Greenman was initially appointed to the Board in January of 2016 by Governor Mark Dayton for a term ending in January of 2020. Because the Senate was not able to schedule a vote to confirm her appointment before adjourning sine die, her appointment ended in May of 2016. She was reappointed by the Governor in July of 2016 to the same position. She filled a Board position that has no restrictions on previous political activities. Ms. Greenman is an attorney and advocate who serves as the Director of Voting Rights and Democracy for the Center for Popular Democracy. Her expertise includes voting rights, campaign finance, criminal justice and civil litigation. Ms. Greenman holds a law degree from University of California, Berkeley Law (Boalt Hall) and a Master in Public Administration from Harvard Kennedy School of Government. She is a member of the Minnesota State Bar Association and serves on the board of The Moving Company Theatre and the steering committee of the Minneapolis Alumni Connection.

## Summary of Board Activities

### Meetings

The Campaign Finance and Public Disclosure Board held ten scheduled meetings during the fiscal year. Minutes of Board meetings are published on the Board's web site.

### Advisory Opinion Procedure

The Board is authorized to issue advisory opinions on the requirements of the Campaign Finance and Public Disclosure Act (Minn. Stat. chapter 10A), Minnesota Statutes sections 211B.04, 211B.12, and 211B.15 if the requestor is under the jurisdiction of Chapter 10A, and the Hennepin County Disclosure Law (Minn. Stat. §§ 383B.041 - 383B.058). Individuals or associations may ask for advisory opinions based on real or hypothetical situations to guide their compliance with these laws.

A request for an advisory opinion and the opinion itself are nonpublic data. The Board provides Consent to Release Information forms to individuals requesting opinions as part of the procedures under this law. If the requester does not consent to the publication of the requester's identity, the Board generally publishes a public version of the opinion, which does not identify the requester.

A written advisory opinion issued by the Board is binding on the Board in any subsequent Board proceeding concerning the person making or covered by the request and is a defense in a judicial proceeding that involves the subject matter of the opinion and is brought against the person making or covered by the request unless: 1) the Board has amended or revoked the opinion before the initiation of the Board or judicial proceeding, has notified the person making or covered by the request of its action, and has allowed at least 30 days for the person to do anything that might be necessary to comply with the amended or revoked opinion; 2) the request has omitted or misstated material facts; or 3) the person making or covered by the request has not acted in good faith in reliance on the opinion.

One advisory opinion, Advisory Opinion 443, was issued in fiscal year 2017. A summary of Advisory Opinion 443 is provided in the review of the campaign finance program.

## **Education and Training Outreach**

To accomplish the goal of educating clients and the interested public on the compliance and reporting requirements of Chapter 10A Board staff conducted the following training during the fiscal year:

- Six compliance training sessions attended by 94 candidates and treasurers of principal campaign committees, political party units, and political committees and funds;
- Two computer lab training classes attended by 27 treasurers who use the Campaign Finance Reporter software.

An ongoing problem in providing compliance training to treasurers is the difficulty in reaching St. Paul from many locations in Minnesota. Board staff does schedule some training classes in greater Minnesota, but training sessions held outside of the metro area are always going to be limited in number and may still be inconvenient to attend for some treasurers.

As an effort to provide training available at any time and at any location with web access the Board contracted to develop five online training videos for treasurers. The modules allow viewers to move at their own pace through the topics covered and incorporate quizzes during the training to make the modules more interactive. The Board also maintains videos on specific topics related to using Campaign Finance Reporter. The videos are available on the Board's web site. Based on favorable client feedback both of these training tools will be developed and used more extensively in the future.

Additionally Board staff participated in numerous panels, presented at many continuing legal education courses, and spoke to interested groups of the public on the requirements of Chapter 10A.

## **Use of Technology**

The Board has long recognized the value of receiving disclosure reports in electronic format. Electronic reports may be moved directly into Board databases where the records are analyzed for compliance issues and then exported to the Board's website for faster disclosure to the public. Electronic filing eliminates the cost and errors associated with data entry of paper reports.

To facilitate electronic filing, the Board developed web based applications for filing lobbyist disbursement reports, lobbyist

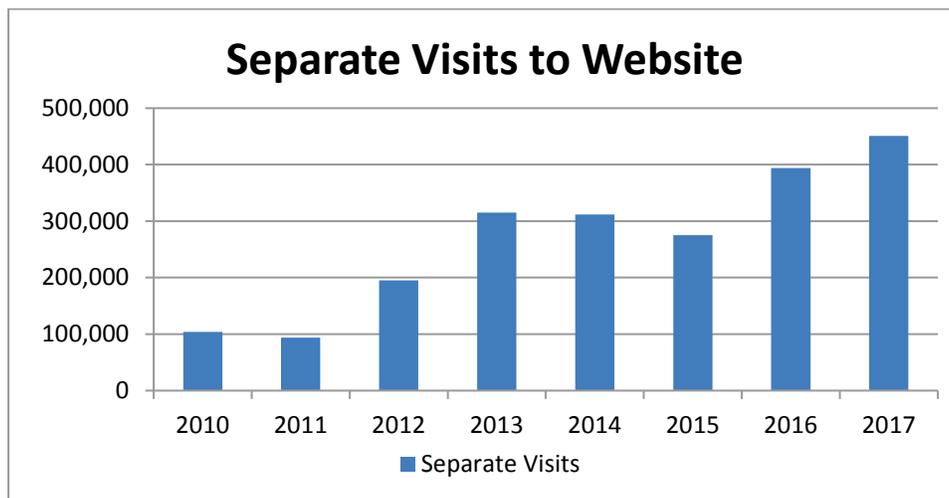
## Use of Technology (continued)

principal reports, and the economic interest statement. Use of these web based applications is optional, clients may still file a paper report, but all three applications have participation rates of over 90%, which indicates that clients also prefer electronic filing.

The Board increasingly turns to the internet to provide the point of access for clients and the general public to Board applications and information. The Board's website monitoring tools are by calendar year, not fiscal year.

The Board website offers:

- Board meeting notices and minutes;
- Board enforcement actions - findings and conciliation agreements;
- Advisory opinions;
- Lists of lobbyists and associations, candidate committees, political committees, political funds, party units, and public officials;
- Copies of all campaign finance and lobbyist reports;
- Electronic filing for lobbyists and lobbyist principals;
- Electronic filing of the *Statement of Economic Interest* for public officials;
- All Board publications and forms;
- Searchable databases of campaign finance contributions;
- Searchable database of independent expenditures;
- Campaign Finance Summaries;
- Lobbyist Disbursement Summaries;
- Annual Report of Lobbyist Principal Expenditures;
- Training videos on the use of Campaign Finance Reporter.



## **PROGRAM REVIEWS**

The Board administers three major and several minor programs as authorized by Minnesota Statutes Chapter 10A. The major programs are campaign finance, lobbying, and economic interest disclosure. The review of each major program includes a general description of the program, a review of legislation passed during the fiscal year that affects the program, a review of any Board advisory opinions issued during the time period for the program area, and an overview of administrative activity that occurred during the fiscal year.

## **CAMPAIGN FINANCE PROGRAM**

### **Program Overview**

The Board administers the provisions of Chapter 10A of the Minnesota Statutes that govern campaign finance laws for principal campaign committees, political committees, political funds, political party units, and independent expenditure committees and funds.

During 2016, an election year, these committees and funds file a three reports disclosing receipts and expenditures to the Board. Information on the number of reports filed is found on pages 11 and 12.

Each filed report is reviewed by Board staff for compliance with the disclosure law requirements, including accurate accounting and reporting, and adherence to applicable contribution and expenditure limits. Violations of contribution and expenditure limits are resolved through either a conciliation agreement, or in some cases, a Board order. Information on Board investigations and enforcement actions is found on pages 13 and 14.

As a part of the campaign finance program the Board administers and regulates the distribution of payments for the state's public subsidy program, which provides public funding to qualified state candidates and the state committees of political parties. Payments are made following the state primary election to candidates and monthly to the state committees of political parties. Information on the payments made to political parties during fiscal year 2016 is found on page 13.

### **Legislative Action**

During fiscal year 2017, the Board identified several rules that needed amendment to bring them into conformance with statutory changes that had been made since the Board's last rulemaking. The legislature enacted these conforming changes into law during the 2017 session. The legislation did not change any campaign finance requirements. It simply brought the rules into conformance with existing statutory requirements.

**Rulemaking**

The Board began a rulemaking in fiscal year 2017. The rulemaking involved potential rule amendments to 1) clarify the conduct, actions, and relationships that could prevent an expenditure from being independent; 2) clarify which expenditures could qualify as noncampaign disbursements and related topics; 3) clarify the disclaimer requirements and exemptions for statements of attribution on independent expenditures and campaign material; 4) allow staff review investigations to be resolved more quickly; 5) clarify issues that had arisen regarding the reporting of reimbursements and electronic contributions; 6) specify the deadlines for actions necessary to qualify for public subsidy payments in some special elections; and 7) bring existing rules into conformance with statutory changes made since the Board’s last rulemaking. As discussed above, the legislature enacted the conforming changes into law during the 2017 session. The Board continued to pursue the rulemaking on the other topics.

**Advisory Opinions Issued Related to the Campaign Finance Program**

The Board issued one advisory opinion in the campaign finance program in fiscal year 2017. Advisory Opinion 443 provided that a principal campaign committee registered in Hennepin County under the provisions of Minnesota Statutes Chapter 383B could amend its registration to reflect the office to which the candidate currently was seeking election.

**Campaign Finance Disclosure Reports Filed**

Number of Reports of Receipts and Expenditures filed by candidates, political party units, political committees, and political funds during a reporting year. Reporting years overlap multiple fiscal years.

**2016 Election Year**

	<b>Paper</b>	<b>Electronic</b>	<b>Total</b>
<b>Candidate Committee</b>	140	557	697
<b>Political Party Unit</b>	65	323	388
<b>Political Committee or Fund</b>	94	225	388

**Electronic Filing of Reports**

Principal campaign committees, political committees, political funds, and political party units have been using the Campaign Finance Reporter software since 1998. The Board provides the software to registered committees without charge. The maintenance, upgrade, training, and helpdesk support of the software is provided by Board staff.

**Electronic Filing of Reports (continued)**

The software provides compliance checks and warnings as records are entered, generates electronic reports for filing that reduce the data entry demands on Board staff, and provides contact management tools for the committees that use the software.

**Number of Committees Filing Electronically (Numbers are based on calendar year, not fiscal year)**

Electronic filing of campaign finance reports became mandatory beginning with the 2012 election cycle. The Board may grant a waiver from the requirement to file electronically if the total financial activity of a committee is less than \$5,000, or if there are technical or other valid reasons why the electronic filing requirement would be an unreasonable burden to the committee.

The Board has developed and distributed a XML schema that is the standard for the electronic filing of campaign finance reports using a third party vendor's software. Fifteen committees filed electronically using the XML standard.

<b>Reporting year</b>	<b>Candidate Campaign Committees</b>	<b>Political Committees, Political Funds, and Political Party Units</b>
<b>2016</b>	557	548
<b>2015</b>	442	524
<b>2014</b>	516	543
<b>2013</b>	479	526
<b>2012</b>	581	594
<b>2011</b>	327	237
<b>2010</b>	376	174
<b>2009</b>	292	154
<b>2008</b>	278	135
<b>2007</b>	201	114
<b>2006</b>	228	126

**Public Subsidy Payments**

The Board administers the distribution of payments for the state's public subsidy program, which provides public funding to qualified state candidates and the state committees of political parties. Payments to qualified candidates during the 2016 state general election were made in fiscal year 2017.

**Political Contribution Refund Program**

By statute, candidates who sign the public subsidy agreement and political parties are allowed to give political contribution refund receipts to individual contributors. However, the political contribution refund program was not funded by the legislature for fiscal year 2017.

**Political Party Payments**

The state committees of political parties receive 10% of the tax check-offs to the party account of the State Elections Campaign Fund. Based on monthly certification from the Department of Revenue during fiscal year 2017 the payments to political parties were as follows:

<b>Party</b>	<b>FY 2017</b>
Democratic Farmer Labor	\$38,443
Independence Party of Minnesota	\$2,423
Grassroots Party	\$518
Green Party	\$1,651
Legalize Marijuana Now Party	\$1,024
Libertarian Party	\$1,067
Republican Party of Minnesota	\$18,037
Total Payments to State Party Committees:	<b>\$ 63,163</b>

**Campaign Finance Enforcement Actions**

The Board conducts investigations of possible violations of the provisions of Chapter 10A or those sections of 211B under the Board's jurisdiction. An investigation is started in response to a complaint filed with the Board or may be initiated by staff based on information disclosed on documents filed with the Board.

Investigations of many types of violations are typically resolved by conciliation agreement. The conciliation agreement will set the terms under which the violation is to be remedied, provide for remedial measures to correct the offending behavior, and provide for a civil penalty to the committee. Violations not resolved by conciliation agreement are resolved through the issuance of a Board order. The Board may also issue an order stating that no violation occurred, if warranted.

During fiscal year 2017 the Board issued 13 agreements to resolve violations of Chapter 10A or those sections of Chapter 211B under the Board's jurisdiction. In fiscal year 2017 the Board also issued 12 findings or orders to conclude investigations, dismissed two complaints for lack of probable cause, and dismissed 12 complaints that did not state a prima facie violation of the campaign finance laws.

**Campaign Finance  
Enforcement Actions  
(continued)**

To ensure compliance with disclosure deadlines Chapter 10A provides for late fees applied at the rate of \$25 dollars a day for year-end Reports of Receipts and Expenditures, and \$50 a day for pre-primary-election and pre-general-election Reports of Receipts and Expenditures. Disclosure reports that are filed after a \$1,000 late fee has accumulated may also be subject to an additional \$1,000 civil penalty.

Civil penalties and late fees collected by the Board are deposited in the state general fund. A breakdown of late fees and civil penalties collected through enforcement is provided on page 22.

**LOBBYIST PROGRAM**

**Program Overview**

The Board administers the provisions of Chapter 10A that govern registration and public disclosure by lobbyists and principals attempting to influence state legislative action, administrative action, and the official action of metropolitan governmental units.

Lobbyists are required to report disbursements for lobbying purposes to the Campaign Finance and Public Disclosure Board two times each year (January 15 and June 15). On the June 15<sup>th</sup> report the lobbyist must provide a general description of the subject(s) lobbied on during the previous 12 months.

Individuals or associations that hire lobbyists or spend \$50,000 or more to influence legislative action, administrative action, or the official action of certain metropolitan governmental units, are principals and are required to file an annual report disclosing total expenditures on these efforts. The report is due March 15<sup>th</sup>, and covers the prior calendar year.

**Legislative Action and  
rulemaking**

During fiscal year 2017, the Board identified several rules that needed amendment to bring them into conformance with statutory changes that had been made since the Board's last rulemaking. The legislature enacted these conforming changes into law during the 2017 session. The legislation did not change any lobbying requirements. It simply brought the rules into conformance with existing statutory requirements.

The Board began a rulemaking in fiscal year 2017. The rulemaking involved potential rule amendments to bring existing rules into conformance with statutory changes made since the Board's last rulemaking. As discussed above, the legislature

**Legislative Action and rulemaking (continued)**

enacted the conforming changes into law during the 2017 session.

**Advisory Opinions Issued Related to the Lobbying Program**

No advisory opinions were issued related to the lobbying program in fiscal year 2017.

**Lobbyist Disbursement Reports**

The Board has developed a web based reporting system for lobbyists. Use of the system is voluntary, but as shown below it is used by most lobbyists as the reporting method of choice. Lobbyist disbursement reports are available for review on the Board web site.

<b>Reporting year</b>	<b>Reports filed</b>	<b>Electronically filed</b>
<b>2016</b>	4,174	98%
<b>2015</b>	4,076	97%
<b>2014</b>	4,041	96%
<b>2013</b>	3,998	97%
<b>2012</b>	3,823	93%
<b>2011</b>	3,959	94%
<b>2010</b>	3,950	98%
<b>2009</b>	4,028	93%
<b>2008</b>	4,022	92%
<b>2007</b>	3,798	90%

**Principal Expenditures**

Chapter 10A requires principals to file an annual report disclosing expenditures made in Minnesota to influence legislative, administrative, or official actions by a metropolitan governmental unit. The disclosure is a single number which may be rounded to the nearest \$20,000. Starting in 2012 principals are required to break out the amount spent influencing administrative action of the Minnesota Public Utilities Commission from all other lobbying.

	<b>All Other Lobbying in Minnesota</b>	<b>MN Public Utilities Commission</b>	<b>Total</b>
<b>2016</b>	\$62,140,012	\$6,222,560	\$68,362,572
<b>2015</b>	\$63,947,699	\$5,177,020	\$69,124,719
<b>2014</b>	\$64,517,472	\$5,889,000	\$70,406,472
<b>2013</b>	\$69,185,283	\$5,568,210	\$74,753,493
<b>2012</b>	\$59,060,155	\$2,749,590	\$61,809,745
<b>2011</b>	\$65,241,174		\$65,241,174
<b>2010</b>	\$59,172,799		\$59,172,799

**Lobbyist Program  
Enforcement Actions**

During fiscal year 2017 Board staff initiated one review regarding a possible violation of the gift ban, which resulted in dismissal.

Information on late fees and civil penalties paid by lobbyist and principals for missing a report filing deadline is found on page 22.

**ECONOMIC INTEREST PROGRAM**

**Program Overview**

The Board administers the provisions of Chapter 10A of the Minnesota Statutes that govern disclosure of economic interests by public officials and local officials in metropolitan governmental units. There were over 3,179 public officials who filed with the Board in fiscal year 2017. Local officials use forms developed by the Board, but file with the local government unit.

Original statements of economic interest must be filed at the time of appointment, or for candidates, when the candidate files for office. All incumbent candidates and appointed officials must annually review and recertify their statements. The annual recertification is due by the last Monday in January and covers all time served during the previous calendar year. The Board has developed a web based system for submitting economic interest statements.

During fiscal year 2017, there were 369 state offices, boards, agencies, or commissions with elected or appointed public officials. The Board processed 3,260 statements of economic interest during the fiscal year, 95% of which were submitted using the Board's electronic filing system, and 5% were submitted on paper forms.

During the annual recertification period in January of 2017, staff processed 2,762 statements, of those statements 99% were filed electronically.

**Legislative Action and  
Rulemaking**

During fiscal year 2017, the Board identified several rules that needed amendment to bring them into conformance with statutory changes that had been made since the Board's last rulemaking. The legislature enacted these conforming changes into law during the 2017 session. The legislation did not change any economic interest program requirements. It simply brought the rules into conformance with existing statutory requirements.

**Legislative Action and Rulemaking (continued)**

The Board began a rulemaking in fiscal year 2017. The rulemaking involved potential rule amendments to 1) clarify the definition of securities for economic interest statements to ensure that it is not overbroad; and 2) bring existing rules into conformance with statutory changes made since the Board's last rulemaking. As discussed above, the legislature enacted the conforming changes into law during the 2017 session. The Board continued to pursue the rulemaking on the other topic.

**Advisory Opinions Issued Related to the Economic Interest Program**

No advisory opinions were issued related to the economic interest program in fiscal year 2017.

**OTHER BOARD PROGRAMS**

**Potential Conflict of Interest**

A public or local official who in the discharge of the official's duties would be required to take an action or make a decision that would substantially affect the official's financial interests or those of an associated business must under certain circumstances file a *Potential Conflict of Interest Notice*, or a written statement describing the potential conflict. If there is insufficient time to comply with the written requirements, oral notice must be given to the official's immediate supervisor of the possible conflict. If the official is not permitted or is otherwise unable to abstain from action in connection with the matter, the public official must file the notice with the Board and a local official must file with the governing body of the official's political subdivision. The statement must be filed within one week of the action taken.

**Public Employees Retirement Association (PERA) Trustee Candidates**

Candidates for election as PERA Trustees are required to file certain campaign finance disclosure reports with the Campaign Finance and Public Disclosure Board under Minn. Stat. § 353.03, subd. 1. Under this statute, the Board prescribes and furnishes to trustee candidates the reporting form and instructions for completing the form.

**Enterprise Minnesota, Inc.**

The agency name was changed from Minnesota Technology, Inc (MTI) to Enterprise Minnesota, Inc. in 2008. Minn. Stat. §§ 116O.03 and 116O.04 require certain disclosure by the board of directors and the president of Enterprise Minnesota upon appointment and annually thereafter during their terms in office. Under these statutes, the Board prescribes and furnishes to the directors and president the reporting form and instructions for completing the form.

**State Board of Investment (SBI)**

Minn. Stat. § 11A.075 requires certain disclosure by SBI members upon appointment and SBI employees upon hire and by both annually until termination of appointment or employment. Under this statute, the Board prescribes and furnishes to the members and employees the reporting form and instructions for completing the form.

**Representation Disclosure**

A public official who represents a client for a fee before any individual board, commission, or agency that has rule making authority in a hearing conducted under Minnesota Statutes chapter 14, and in the cases of rate setting, power plant and powerline siting, and granting of certificates of need under Minn. Stat. § 216B.243, must file a *Representation Disclosure Statement* within 14 days after the appearance has taken place, disclosing the official's part in the action.

**Local Pension Plans**

Members of a governing board of a covered pension plan and the chief administrative officer of the plan are required to file certain statements of economic interest with the governing board under Minn. Stat. § 356A.06, subd. 4.

The Office of the State Auditor prescribes the statement and instructions for completing the statement. The chief administrative officer of each covered pension plan must submit to the Campaign Finance and Public Disclosure Board a certified list of all pension board members who filed statements with the pension board no later than January 15th. Approximately 755 pension plans are required to file with the Board under this law. The Board does not have jurisdiction over enforcement of this certification requirement.

**STAFF DUTIES**

**Executive Director**

Facilitate achievement of the Board's goals and objectives. Set agenda and prepare materials for Board and committee meetings. Direct all agency and staff operations. Draft advisory opinions for Board consideration. Serve as the Board's representative to the Legislature and the Executive Branch. Educate and assist clients in compliance with reporting requirements, limits, and prohibitions. Administer the preparation of the biennial budget.

<b>Assistant Executive Director</b>	<p>Serve as advisor to the Executive Director and assist in management of the operations for the agency. Conduct complex investigations and prepare drafts for Board consideration. Reconcile and report on the Board's financial systems. Supervise the agency's compliance programs and information resources. Administer the state public subsidy payment program. Prepare and conduct training classes for clients on campaign finance reporting requirements.</p>
<b>Legal Analyst - Management Analyst (2 staff members hold this position)</b>	<p>Perform legal analysis, make recommendations, and assist in agency administrative rulemaking and the conduct of Board investigations and drafting findings and orders for Board consideration. These positions also serve as an internal management consultant providing support and analysis to the Executive Director and Assistant Executive Director.</p>
<b>Compliance Officer Investigator</b>	<p>Review reconciliation of reported contributions; perform compliance checks on campaign finance reports filed with the Board. Assist in the conduct of Board audits. Monitor cases for Revenue Recapture and Minnesota Department of Revenue Collections Division. Prepare and submit reports to the Department of Finance regarding civil penalties.</p>
<b>Programs Administrator</b>	<p>Provide for distribution, collection, data entry, and filing of disclosure required by Chapter 10A. Collect, store, and retrieve data for the preparation and analysis of summaries of documents filed with the Board. Provide database advice and guidance to Board staff and clients.</p>
<b>Programs Assistant</b>	<p>Provide assistance with data entry and initial desk review for all filed reports. Assist with mailing, copying, and filing of all documents filed with the Board in all agency programs. Maintain agency receipts for deposit with the State Treasurer. Provide general administrative and program support.</p>
<b>Information Technology Specialist III</b>	<p>Develop, maintain, and manage complex database applications to support administration of all Board programs and activities. Provide technical service, assistance and training to Board staff. Develop, administer, and provide technical support for the Board's website. Provide client training and support in the use of the Campaign Finance Reporter Software.</p>
<b>Information Technology Specialist III</b>	<p>Ensure that the technology resources of the Board support applicable business rules and statutory obligations. Provide application design development and administration in response to management requests. Provide high-level programming. Design and support multiple complex relational databases.</p>

## Staff Salaries

### Fiscal Year 2017

Position	Staff	FY 2017
Executive Director ( 7/1/2016 – 8/31/2016)	Gary Goldsmith	\$22,466
Executive Director ( 9/1/2016 – 6/30/2017)	Jeffrey Sigurdson	\$93,540
Assistant Director (7/1/2016) – (8/31/2016)	Jeffrey Sigurdson	\$16,177
Legal - Management Analyst	Jodi Pope	\$43,002
Legal - Management Analyst	Kyle Fisher	\$52,924
Legal – Management Analyst (Part time)	Gary Goldsmith	\$41,355
Investigator	Joyce Larson	\$57,526
Information Technology Specialist 3	Jon Peterson	\$78,450
Information Technology Specialist 3	Gary Bauer	\$68,726
Office and Administrative Specialist Principal	Marcia Waller	\$52,557
Office and Administrative Specialist Intermediate	Andrew Schons	\$33,879
<b>Total Salaries</b>		<b>\$560,602</b>

## BOARD FINANCIAL INFORMATION

### Biennial Budget - Fiscal Year 2017

Income Summary	FY 2017
Appropriation	\$1,028,000
Carry forward from fiscal year 2016	\$39,993
<b>Total</b>	<b>\$1,067,993</b>
Expenditure Summary	
Operating budget expenditures	(\$1,027,625)
Refunded to state	\$40,368

## Board Operating Budget

The Campaign Finance and Public Disclosure Board is funded by a direct appropriation from the Minnesota Legislature. The appropriation for fiscal 2017 was one million twenty eight thousand dollars. Funds not expended in the first year of a biennium roll forward into the next fiscal year. At the end of fiscal year 2017 the Board returned \$40,368 to the state general fund.

**Board Operating Budget (continued)**

<b>Salary and Benefits</b>	<b>FY 2017</b>
Full time staff (salary and fringe)	\$644,905
Part time staff (salary and fringe)	\$89,095
Per diem for Board Members	\$4,800
<b>Salary and Benefits Sub Total of Expenditures</b>	<b>\$738,801</b>
<b>Operating Expenses</b>	
Office rent	\$39,550
Copier Lease	\$3,602
Postage	\$10,676
Travel	\$4,224
Printing	\$98
Staff development	\$6,125
Supplies	\$17,515
MNIT services	\$11,536
Court Reporter and Subpoena Costs	\$2,410
Equipment	\$6,106
Computer Systems Development	\$13,591
Repairs	\$1,892
Other purchased services	\$429
<b>Operating Expense Sub Total of Expenditures</b>	<b>\$117,754</b>
<b>Website Development</b>	<b>\$171,070</b>
	<b>\$1,027,625</b>

## Penalties Paid for Late Filing of Disclosure Reports and Other Violations of Chapter 10A

The following is a listing of fees and fines paid during the fiscal year. Some fees and fines may have been assessed prior to fiscal year 2017, and some fees and fines assessed during the fiscal year were not paid by June 30, 2017.

<b>Late Filing Fees</b>	<b>FY 2017 Dollars Paid</b>	<b>Number of Violations</b>
Candidate Campaign Committees	\$14,282	60
24-Hour Notice	\$10,750	21
Political Committees and Funds	\$9,992	59
Political Party Units	\$4,706	22
Economic Interest Statements	\$1,225	32
Lobbyist Disbursement Report	\$1,575	24
Lobbyist Principal Annual Report	\$1,400	14
<b>Total Late Fees</b>	<b>\$43,930</b>	<b>232</b>

<b>Civil Penalties</b>	<b>FY 2017 Dollars Paid</b>	<b>Number of Violations</b>
<b>Contribution from Unregistered association</b>		
Unregistered Association	\$70	3
Political Committees and Funds	\$0	0
Political Party Units	\$125	1
Candidate	\$125	1
<b>Contribution limits violations</b>		
Candidates accepted in excess of limit	\$0	0
Special source (20%) aggregate limit	\$750	1
PCF Contribution exceeded limits	\$0	0
Excess lobbyist contributions	\$0	0
Excess party unit contribution	\$0	0
Candidate exceeded spending limit	\$0	0
<b>Prohibited contributions during session</b>		
Political Committee and Funds	\$125	1
Lobbyist	\$0	0
Lobbyist failure to provide reg. number	\$50	2
Candidate	\$125	1
<b>Failure to file disclosure report</b>		
Candidate Committees	\$4,263	5
Political Committees and Funds	\$0	0
Political Party Units	\$0	0
Lobbyist	\$0	0
Lobbyist Principal	\$0	0
Failure to file amended report	\$0	0
Economic Interest Statement	\$100	1
<b>Independent expenditure violation</b>	\$0	0
<b>Other</b>	\$2,600	9
<b>Total Civil Penalties</b>	<b>\$8,333</b>	<b>25</b>
<b>Total Late Fees and Civil Penalties Deposited in State General Fund</b>	<b>\$52,263</b>	<b>257</b>



Minnesota

# Campaign Finance and Public Disclosure Board

190 Centennial Building . 658 Cedar Street . St. Paul, MN 55155-1603 FAX: 651-539-1196 or 800-357-4114

**DATE:** October 3, 2018  
**TO:** Board Members  
 Counsel Hartshorn  
**FROM:** Andrew Olson, Legal/Management Analyst  
**SUBJECT:** Enforcement report for consideration at the October 3, 2018, Board meeting

## A. Waiver requests

	Committee/ Entity	Late Fee/ Civil Penalty	Report Due	Factors	Most Recent Balance	Previous Waivers
1	Blong Yang, Mississippi Watershed Management Organization (MWMO)	\$1,000 CP \$100 LFF	2017 Annual EIS	Official was listed as an alternate commissioner in 2016 and 2017 by the MWMO but he states he never served on the MWMO and was never officially informed that he was an alternate commissioner. He nonetheless filed timely EISs for 2015 and 2016 because he received a reminder to do so. He states he did not receive a reminder to file an annual EIS for 2017 despite leaving a forwarding mailing address before leaving his position as a Minneapolis City Councilor in January 2018. However, he did receive our letter dated June 26 which was sent to Minneapolis City Hall and filed his EIS Sept. 5. The LFF assessed against another former Minneapolis City Councilor regarding an EIS for 2017 was waived under similar circumstances at the April 4 meeting.	NA	No
2	Kris Lohrke, MN Department of Health	\$100 LFF	2017 Annual EIS	Official was on leave from December 2017 until retirement in May 2018 and did not receive any mail sent to her work address until she received a notice from us September 12, 2018.	NA	No
3	Prosperity for Minnesota	\$1,000 LFF \$100 CP	2018 Pre- primary Report	The committee has decided to terminate and issued a partial refund to a contributor in June to zero out its balance. The treasurer mistakenly thought the next report was not due until September. Also, a late filing fee of \$25 remains owed from the 2017 year-end report being filed 1 day late.	\$0	No
4	7A House District RPM	\$1,000 LFF \$100 CP	2018 Pre- primary Report	This was the new treasurer's first report. New treasurer and old treasurer are busy and had difficulty finding time to work on the report. Notices were sent to old treasurer and new treasurer says he was ignorant of the seriousness of, and deadline for, filing the report.	\$1,337	No
5	MN State Council of UNITE HERE Unions	\$1,000 LFF \$300 CP	2018 Pre- primary Report	Long-time office manager retired and new office manager forgot to give the reminder regarding the pre-primary report to the fund's bookkeeper. Bookkeeper says they have taken steps to ensure the oversight doesn't happen again.	\$2,748	No

6	Kevin Leininger, Traverse County Commissioner	\$1,000 CP \$100 LFF	2017 Annual EIS	Official states he didn't realize an EIS needs to be filed annually and thought he didn't need to file another EIS since he filed one in 2017. Also, a late filing fee of \$100 remains owed from the initial EIS from 2017 being filed 7 weeks late.	NA	No
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**Informational Items**

**A. Payment of a late filing fee for June 15, 2018, lobbyist disbursement report**

Scott Hedderich, \$250

**B. Deposit to the General Fund**

Arlene Perkkio, \$50

**C. Payment of a late filing fee for July 30 2018, report of receipts and expenditures**

Coll PAC, \$100  
 Neighbors for Jim Davnie, \$300  
 Power by the People, \$150  
 Wabasha County DFL, \$150

Blong Yang  
3822 Lyndale Avenue North  
Minneapolis, MN 55412  
(612) 968-2504

SEP 11 7  
CAMPAIGN FINANCE &  
PUBLIC DISCLOSURE BOARD

September 4, 2018

Campaign Finance & Public Disclosure Board  
190 Centennial Office Building  
658 Cedar Street  
St. Paul, MN 55155  
ATTN: Kevin Lochner

To Whom It May Concern:

On June 26, 2018, I received a letter from Kevin Lochner informing me that I had failed to file my annual statement of economic interest as required because of my service on the Mississippi Water Management Organization (MWMO). This failure to file meant that I owe a \$1,000.00 civil penalty and a \$100 late filing fee. I am asking the Board to waive both the civil penalty and late filing fee for the reasons below.

From January 1, 2014 to January 1, 2018, I served as a city council member for the Fifth Ward in Minneapolis. I received council committee and non-council board assignments from the council president, Barbara Johnson, through council action or some form of written communication. I have filed timely statements of economic interest when required.

1. I completed a statement of economic interest for 2017, which should be on file. I do not believe that I should have to file a statement of economic interest for 2018 because I was not a public official and a MWMO board member in 2018.
2. I have never served on the MWMO nor have I ever been informed officially that I was an alternate to the MWMO. The only notice I have ever received about serving on the MWMO was the annual reminders from this Board that I should file a statement of economic interest. Every time I've received a reminder, I have filed a statement of economic interest. I did it without question, but with the knowledge that I was not officially on the MWMO board. I did not receive a reminder in 2018.
3. The action for which I have been given a civil penalty and a late filing fee arise from not filing a statement of economic interest for the year 2018. I should not be penalized for not filing in a year for which I didn't serve on the MWMO and/or for lack of notice.

- A. I am no longer a Minneapolis City Council Member. My last day as a city council member was January 1, 2018. Thus, it makes no sense to require a statement of economic interest for a year (2018) in which there is no possibility that I would serve on the MWMO. My alleged service on the MWMO ended the day I was no longer a council member because in my situation, being a council member was a condition of service on the MWMO.
- B. Before my service on the Minneapolis City Council ended, I left a forwarding address. I did not receive any of the Board's communications until the June 26<sup>th</sup> letter from Mr. Lochner. The Board incorrectly assumed that my address was at Minneapolis City Hall. Additionally, the City of Minneapolis never forwarded the Board's communications to me.

For the above-mentioned reasons, I respectfully request that the Board waive both the civil penalty and late filing fee.

Sincerely,

A handwritten signature in black ink, appearing to read 'Blong Yang', with a long horizontal flourish extending to the right.

Blong Yang

CC: Barbara Johnson  
Doug Snyder, MWMO Executive Director

**Blong Yang**  
**3822 Lyndale Avenue North**  
**Minneapolis, MN 55412**  
**(612) 968-2504**

18 SEP 11 AM 11:03  
CAMPAIGN FINANCE &  
PUBLIC DISCLOSURE BOARD

September 5, 2018

Campaign Finance & Public Disclosure Board  
190 Centennial Office Building  
658 Cedar Street  
St. Paul, MN 55155  
ATTN: Kevin Lochner

To Whom It May Concern:

On June 26, 2018, I received a letter from Kevin Lochner informing me that I had failed to file my annual statement of economic interest as required because of my service on the Mississippi Water Management Organization (MWMO). This failure to file meant that I owe a \$1,000.00 civil penalty and a \$100 late filing fee. I am asking the Board to waive both the civil penalty and late filing fee for the reasons below.

On September 4, 2018, I submitted a letter to this Board, assuming that I needed to submit a statement of economic interest for 2018. A few weeks ago, I spoke with Mr. Lochner and after our conversation, it was my understanding that submitting a statement of economic interest was for the current year, not the previous year. Mr. Lochner has informed me that there was a misunderstanding and that I needed to submit a statement of economic interest for 2017, which will also serve as a "termination statement." Please find attached a completed statement of economic interest for 2017.

I want to reiterate a couple of points made in my first letter.

1. I have never served on the MWMO nor have I ever been informed officially that I was an alternate to the MWMO. The only notice I have ever received about serving on the MWMO was the annual reminders from this Board that I should file a statement of economic interest. Every time I've received a reminder, I have filed a statement of economic interest. I did it without question, but with the knowledge that I was not officially on the MWMO board. I did not receive a reminder in 2018. I have informed Doug Snyder, the MWMO executive director, about this matter.
2. The action for which I have been given a civil penalty and a late filing fee arise from not filing a statement of economic interest for the year 2017. Before my service on the Minneapolis City Council ended, I left a forwarding address with the City of Minneapolis.

I did not receive any of the Board's communications until the June 26<sup>th</sup> letter from Mr. Lochner. The Board incorrectly assumed that my address was at Minneapolis City Hall. Additionally, the City of Minneapolis never forwarded the Board's communications to me.

For the above-mentioned reasons, I respectfully request that the Board waive both the civil penalty and late filing fee.

Sincerely,

A handwritten signature in black ink, appearing to read 'Blong Yang', with a long horizontal flourish extending to the right.

Blong Yang

CC: Barbara Johnson  
Doug Snyder, MWMO Executive Director  
Casey Joe Carl, Minneapolis City Clerk

September 16, 2018

18 SEP 19 AM 11:24

Campaign Finance and Disclosure Board:

CAMPAIGN FINANCE &  
PUBLIC DISCLOSURE BOARD

Enclosed are the completed documents I received on September 12, 2018.

I am requesting you waive the late filing fee as I was on leave of absence from my position as Director of Office of Health Facility Complaints with the MN Department of Health starting in December 2017 through my retirement date in May of 2018. I did not have access to any mail that I received at work, so this is the first notice I received. Thank you for your consideration.

Sincerely



Kris Lohrke

651-246-3575

**Stevens, Melissa (CFB)**

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**From:** Prosperity MN <prosperityminnesota@gmail.com>  
**Sent:** Wednesday, September 05, 2018 4:19 PM  
**To:** CFBEmail  
**Subject:** Prosperity Minnesota Report of Receipts  
**Attachments:** 2018\_IEPCF \_july.pdf

18 SEP 11 PM 1:31  
CAMPAIGN FINANCE &  
PUBLIC DISCLOSURE BOARD

Hello,

Please find attached Prosperity Minnesota's pre-primary report.

I am fully at fault for submitting this late and would like to hereby make a written request to the board to waive the late filing fee.

Our independent Expenditure Committee made the decision to terminate activities shortly after the June 14th, 2018 filing. At this point I stopped participating in any politically related activities on a daily basis. I mistakenly believed that I had till the September 14th to file the next quarterly filing and thereby notify the board of our decision to terminate. Upon review of this report and our expenditures since our last filing (reimbursement to original contributor), I believe the board will agree that no harm was done or advantage gained by our late filing. Again, I sincerely apologize for my inattention to this matter and ask the board to waive the late fee.

Best regards,

Matt Tramm  
Treasurer  
Prosperity Minnesota

**From:** [Engelhardt, Megan \(CFB\)](#)  
**To:** [Pope, Jodi \(CFB\)](#); [Olson, Andrew \(CFB\)](#)  
**Subject:** FW: A request for forgiveness!!!  
**Date:** Friday, September 07, 2018 10:39:08 AM

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**From:** Tom Sullivan <tomsullivan1031@gmail.com>  
**Sent:** Friday, September 07, 2018 10:35 AM  
**To:** Engelhardt, Megan (CFB) <megan.engelhardt@state.mn.us>; Stevens, Melissa (CFB) <melissa.stevens@state.mn.us>  
**Subject:** A request for forgiveness!!!

Megan and Melissa:

First of all, Megan, thank you for all the friendly help on preparing, correcting, and submission of the required report.

Secondly, due to the following listed reasons, I respectfully request that any penalties associated with the report being late be forgiven:

1. I was only recently "elected" to the position.
2. I'm a guy.
3. The previous Treasurer and I are both very busy, he's an Anesthetist and I'm a pilot. Our schedules just did not mesh to coordinate getting this report put together on time.
4. I'm a guy.
5. He's a guy.
6. Any late notices were sent to him or otherwise not received by me.
7. I was unaware of the timeliness required or the seriousness. NOW I AM!
8. I was ignorant, not trained or prepared...see #'s 2 and 3 above.

For these numerous reasons, I respectfully request forgiveness on being late on my *very first report* and will strive very hard to be better in the future.

I hope to meet you both at a future training session!

Tom Sullivan  
***Brand*** New Treasurer, HD7A  
218-590-7602

**Olson, Andrew (CFB)**

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**From:** Wade Luneburg <wluneburg@here17.org>  
**Sent:** Monday, September 24, 2018 9:39 AM  
**To:** Stevens, Melissa (CFB)  
**Cc:** Laura Malafa  
**Subject:** FW: UNITE HERE Local 17 - #30060

**WAIVER REQUEST**

Good day,

Our UNITE HERE State Council Bookkeeper has made me aware of lapse in the filing due on 7/31. As referenced below we do have a new Office Manager and there was some confusion on process of who gets the CFB mail and how it should be dealt with. Moving forward there is a process that will correct the situation.

We do seriously regret the incident and hope that in taking corrective action here, the Board would consider waiving the proposed fine. Thank you for your work.

Sincerely,

Wade Luneburg, Sec./Treasurer  
UNITE HERE Minnesota  
312 Central Ave. SE, Suite 444  
Mpls., MN. 55401

wluneburg@here17.org  
612-379-4730 #19  
612-281-9954 Cell

**From:** Laura Malafa <LMalafa@here17.org>  
**Sent:** Friday, September 21, 2018 10:20 AM  
**To:** Stevens, Melissa (CFB) <[melissa.stevens@state.mn.us](mailto:melissa.stevens@state.mn.us)>  
**Subject:** UNITE HERE Local 17 - #30060

Hi Melissa,

Thank you for returning my call yesterday. As discussed, I filed the previous missed report that was due on 7/31/18, as well as the upcoming report due on 9/25/18.

We have a new office manager at our local this year (our former one of 42 years recently retired) and she inadvertently did not give me the notice of a Pre-Primary Election report that was due on 7/31/18. I wasn't aware that a report had been missed until I went to file the Pre-General Election report due on 9/25/18 and the CF software notified me of such. All receipts and expenditures have been reported now through 09/18/18 and we've made steps to ensure that this never happens again. Could you please advise us as to what our options or next steps would be to be pardoned for the belatedly filed Pre-General Election report?

Thank you again for your assistance, it's greatly appreciated!

Laura Malafa

**Laura Malafa**

**Bookkeeper**

**UNITEHERE! Local 17**

**612-379-4730 ext 11**

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September 6, 2018

Kevin Lochner  
Campaign Finance & Public Disclosure Board  
190 Centennial Office Building  
658 Cedar St.  
St. Paul, MN 55155

Kevin,

I would like to formally request that the Board waive the late filing fee and civil penalty for my late submission of the Annual Statement of Economic Interest for Public Officials. I did not realize this form needed to be filled out annually. I was under the assumption that since I filled one out the previous year I didn't have to do it for 2018. I have completed the form which is attached and would like you to consider the waiver of the \$1,100.00.

Sincerely,

A handwritten signature in cursive script that reads "Kevin Leininger". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Kevin Leininger  
District 2 Commissioner  
Traverse County



**CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD  
October, 2018**

**ACTIVE FILES**

Candidate/Treasurer/ Lobbyist	Committee/Agency	Report Missing/ Violation	Late Fee/ Civil Penalty	Referred to AGO	Date S&C Served by Mail	Default Hearing Date	Date Judgment Entered	Case Status
Chilah Brown Michele Berger	Brown (Chilah) for Senate	Unfiled 2016 Year- End Report of Receipts and Expenditures  Unpaid late filing fee on 10/31/16 Pre- General Election Report	\$1,000 LF \$1,000 CP  \$50 LF	3/6/18	8/10/18			
Roxana Bruins	Roxana Bruins for Senate	Unfiled 2016 Year- End Report of Receipts and Expenditures	\$1,000 LF \$1,000 CP	7/28/17	9/6/17	8/17/18	8/20/18	
Brenden Ellingboe	Ellingboe (Brenden) for House	Unfiled 2015 Year- End Report of Receipts and Expenditures	\$1,000 LF \$1,000 CP	11/29/16	5/26/17			Hold by Board
Katy Humphrey, Kelli Latuska	Duluth DFL	Unfiled 2016 Year- End Report of Receipts and Expenditures	\$1,000 LF \$1,000 CP	3/6/18	8/10/18			

