

Minnesota

Campaign Finance and Public Disclosure Board Meeting

Thursday, January 3, 2019
10:30 AM

St Croix Room
Centennial Office Building
St Paul MN

REGULAR SESSION AGENDA

1. **Minutes**
Regular session, December 5, 2018
2. **Chair's report**
 - a. Meeting schedule
3. **Executive director report**
4. **Review of fees and civil penalties for late reports**
5. **Legislative proposals**
6. **Enforcement report**
7. **Legal report**
8. **Other business**

EXECUTIVE SESSION

Immediately following regular session

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

.....
**December 5, 2018
St Croix Room
Centennial Office Building**
.....

MINUTES

The meeting was called to order by Chair Flynn.

Members present: Flynn, Haugen, Leppik, Moilanen, Rosen, Swanson

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

MINUTES (November 7, 2018)

After discussion, the following motion was made:

Member Leppik's motion: To approve the November 7, 2018, minutes as drafted.

Vote on motion: Unanimously passed.

CHAIR'S REPORT

A. Meeting schedule

The next Board meeting is scheduled for 10:30 a.m. on Thursday, January 3, 2019.

B. Report of the nomination committee

Chair Flynn reported that the nomination committee, consisting of herself and Member Rosen, had met. Member Rosen said that the committee recommended that for 2019, Member Leppik be named as chair of the Board and Member Moilanen be named as vice-chair.

After discussion, the following motion was made:

Member Rosen's motion: To approve the nomination committee's recommendation that for 2019, Member Leppik be named as chair of the Board and Member Moilanen be named as vice-chair.

Vote on motion: Unanimously passed.

EXECUTIVE DIRECTOR REPORT

Mr. Sigurdson told members that staff was busy preparing for the reports due in January for all of the Board's programs. Mr. Sigurdson also said that the December public subsidy payments would be made by the 15th of the month. Mr. Sigurdson stated that he and Ms. Engelhardt had met with the Minnesota Governmental Relations Council (MGRC) regarding the proposed legislative changes to the lobbying program. Mr. Sigurdson said that the meeting had been very constructive and that the MGRC had raised some concerns about the proposal. Mr. Sigurdson said that staff wanted to continue the discussion with the MGRC and wanted to be able to incorporate any suggestions arising from that dialogue into the legislative proposal. Staff therefore planned to present the draft statutory language for the lobbying program at the February meeting. Mr. Sigurdson said that the draft legislative language for the other programs still would be presented at the January meeting. Mr. Sigurdson finally stated that the house had changed its committee structure for the upcoming session and had created a subcommittee whose sole topic was elections. Mr. Sigurdson therefore believed that additional attention might be paid to campaign finance issues in the coming session.

ANNUAL BOARD REPORT – FISCAL YEAR 2018

Mr. Sigurdson told members that staff had completed the annual report of Board operations for fiscal year 2018. Mr. Sigurdson said that this report was statutorily required and was provided to the governor and legislative leadership and posted on the Board's website. Mr. Sigurdson said that the report highlighted the statutory changes made to Chapter 10A during the 2018 legislative session. Mr. Sigurdson also stated that the report showed that use of the Board's website continued to increase. Mr. Sigurdson said that the new website had been rolled out at the start of fiscal year 2018.

After discussion, the following motion was made:

Member Leppik's motion:	To authorize the issuance of the annual report of Board operations for fiscal year 2018.
Vote on motion:	Unanimously passed.

ENFORCEMENT REPORT

A. Discussion Items

1. Request to refer officials with outstanding 2017 annual economic interest statements to the attorney general's office – Richard Hamer and Dan Schoen

Mr. Olson told members that public officials must file annual statements of economic interest. Mr. Olson said that Richard Hamer, a Lincoln County Commissioner, and Dan Schoen, a former Minnesota Senator, had not filed their 2017 annual statements and had accrued the maximum \$100 in late fees and \$1,000 in civil penalties for those statements. Mr. Olson stated that the officials had been notified of the requirement to file the statement by both first class and certified mail. Mr. Olson said that staff was asking the Board to refer the officials to the attorney general's office to seek orders compelling the filing of the statements and judgments for the accrued late filing fees and civil penalties.

After discussion, the following motion was made:

Member Rosen’s motion: To refer Richard Hamer and Dan Schoen to the attorney general’s office to seek orders compelling the filing of their 2017 annual statements of economic interest and judgments for the accrued late filing fees and civil penalties.

Vote on motion: Unanimously passed.

2. Balance adjustment request – Independent Community Bankers of Minnesota PAC

Mr. Olson told members that the Independent Community Bankers of Minnesota PAC had terminated the employment of the committee’s former treasurer in July 2018. The new treasurer had discovered a discrepancy between the ending cash balance on the committee’s 2017 year-end report and the year-end balance in the committee’s bank account. Mr. Olson said that the new treasurer had reviewed the committee’s year-end bank statements going back to 2012 and had stated that for several years, the bank account balances had differed significantly from the balances stated on reports filed with the Board. Mr. Olson said that the former treasurer had not cooperated with the new treasurer’s attempts to find an explanation for the discrepancies.

Mr. Olson also said that in reviewing the balance discrepancies, Board staff had discovered that there was an unexplained increase of \$1,550 from the committee’s reported 2014 ending cash balance to the committee’s reported 2015 beginning cash balance. Mr. Olson presented members with the chart below that included the unexplained increase and also illustrated how the balance discrepancy had changed in other ways over the past several years. Mr. Olson stated that the new treasurer felt that the PAC had exhausted its efforts to reconcile the balances and would not be able to provide any further explanation for the discrepancies. Mr. Olson said that the new treasurer therefore was asking the Board to adjust the PAC’s reported 2017 ending cash balance from \$36,962.39 to \$39,221.04. Mr. Olson stated that if the Board wanted to grant the adjustment request, staff was recommending that it also require the PAC to provide year-end bank statements and a reconciliation of deposits in transit and uncashed checks to support its reported ending cash balance for a period of two years.

Year-End	Bank Statement Balance	Report Balance	Difference	Report Balance Minus \$1,550 2015 Beginning Cash Increase	Total Difference	Year to Year Change in Total Difference
2012	\$45,764.24	\$46,289.11	(\$524.87)	-	(\$524.87)	-
2013	\$63,483.93	\$64,273.23	(\$789.30)	-	(\$789.30)	(\$264.43)
2014	\$60,046.20	\$58,629.61	\$1,416.59	-	\$1,416.59	\$2,205.89
2015	\$45,514.66	\$44,142.61	\$1,372.05	\$42,592.61	\$2,922.05	\$1,505.46
2016	\$27,719.22	\$25,845.58	\$1,873.64	\$24,295.58	\$3,423.64	\$501.59
2017	\$39,221.04	\$36,962.39	\$2,258.65	\$35,412.39	\$3,808.65	\$385.01

After discussion, the following motion was made:

Member Rosen's motion: To approve the requested balance adjustment with the condition that for a period of two years, the Independent Community Bankers of Minnesota PAC be required to provide year-end bank statements and a reconciliation of deposits in transit and uncashed checks to support its reported ending cash balance.

Vote on motion: Unanimously passed.

B. Waiver requests

4. AFSCME Local 2822 Political Action Fund - \$3,250 in late filing fees, \$800 in civil penalties

Alessandra Fuhrman, president of AFSCME Local 2822 Political Action Fund, addressed the Board regarding this waiver request. Ms. Fuhrman told members that she had become president of the local two years ago. The fund's treasurer then had passed away and a series of people had filled that position. Ms. Fuhrman said that when the third treasurer for the year 2018 had left the position in October, Ms. Fuhrman had discovered several unopened letters from the Board regarding the fund's reporting obligations. Ms. Fuhrman then worked with Board staff to get all the necessary reports filed. Ms. Fuhrman told the Board that she was committed to filing future reports on time and that she had created on-boarding procedures that included the fund's reporting obligations to ensure that any future officers would be aware of these obligations.

After discussion, the following motion was made:

Member Rosen's motion: 1) To reduce the late filing fee to \$800 and to reduce the civil penalty to \$200; 2) to stay payment of \$400 of the late filing fee and \$100 of the civil penalty until January 1, 2021, and to then waive these amounts if the AFSCME Local 2822 Political Action Fund has not incurred any other late fees or violations of Chapter 10A during that time; and 3) to require payment of the stayed amounts immediately if the fund incurs any late fees or violations of Chapter 10A before January 1, 2021.

Vote on motion: Unanimously passed.

<u>Name of Candidate or Committee</u>	<u>Late Fee & 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>
Pipestone County RPM (20103)	\$50 LFF	2018 pre-general	Treasurer tried to create report after office hours on due date and had trouble because beginning balance in CFR software was resulting in negative balance. He called following day, staff helped him correct balance, and he then was able to file report.	Member Rosen	To waive the late filing fee	Passed unanimously
Michelle Ness	\$100 LFF	2017 EIS	Official was abruptly placed on administrative leave in 12/17 and remained on leave until departing her position in 3/18. She didn't receive notice of need to file EIS until 11/20/18, at which time she promptly filed. The waiver request of Kris Lohrke, who was on leave due to same underlying matter, was granted by Board in 10/18.	Member Rosen	To waive the late filing fee	Passed unanimously
Joe Flanders	\$100 LFF \$1,000 CP	2017 EIS	Official stopped serving on Middle Fork Crow River WD Board in 4/17 because he moved outside district. He thought he didn't need to file an EIS because he was no longer serving on Board. Letters sent to his former address informing him of need to file were returned as undeliverable.	Member Rosen	To waive the late filing fee and civil penalty	Passed unanimously

Informational Items

1. Deposit to the General Fund

Ruth Richardson, \$140
 Doug Wardlow, \$75

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

42ND Senate Dist. DFL, \$150
 AGC PAC, \$50
 Building Trades C1 PAC, \$100
 Shaun Hainey, \$50
 Minneapolis Downtown Council PAC, \$50

3. Payment of a civil penalty for lobbyist contribution during 2018 legislative session

Rebecca Gagnon, \$75

4. Payment for late filing fee of a 24-hour large contribution pre-primary 2018

Messerli & Kramer PAC, \$250

5. Payment of a civil penalty for 2018 disclaimer violation

Ami Wazlawik, \$200

6. Payment for a late filing fee for 2018 economic interest statement

Kevin Leininger, \$100
Patrick Martin, \$15

7. Payment of a late filing fee and civil penalty for lobbyist principal report due March 15, 2018

JFC LLC dba GNP Company, \$1,700

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 he had spoken with Bryan Klabunde and that Mr. Klabunde had said that he had received service of the complaint and that a lawyer was helping him.

OTHER BUSINESS

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 nothing to report into regular session.

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

Respectfully submitted,

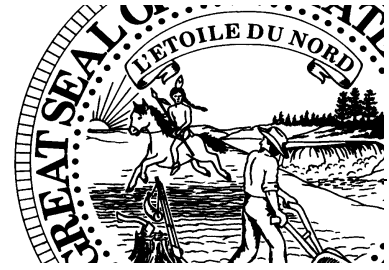
Jeff Sigurdson
Executive Director

Attachments:
Annual Board Report – Fiscal Year 2018
Legal report

Campaign Finance and Public Disclosure Board

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

www.cfboard.state.mn.us



Board Meeting Dates for Calendar Year 2019

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

2019

Wednesday, February 6

Wednesday, March 6

Wednesday, April 3

Wednesday, May 1

Wednesday, June 5

Wednesday, July 3

Wednesday, August 7

Wednesday, September 4

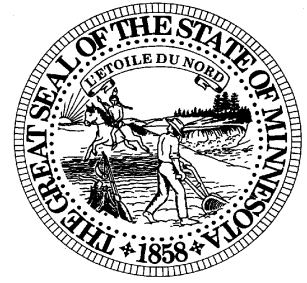
Wednesday, October 2

Wednesday, November 6

Wednesday, December 4

Minnesota

Campaign Finance and Public Disclosure Board



Date: December 26, 2018

To: Board Members

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Executive Director's Report

Year-end Reports

All three major program areas; campaign finance, lobbying, and economic interest statements have year-end filing requirements in January. A brief update for each program follows:

Lobbying Program. Lobbyist disbursement reports covering the period of June 1 through December 31, 2018, are due on January 15, 2019. About 820 lobbyists will be filling one or more reports for their clients during the reporting period.

Campaign Finance Program. The year-end report of receipts and expenditures for 2018 is due on January 31, 2019. Reports are expected from 317 party units, 665 candidate committees, and 352 political committees and funds.

Economic Interest Statement. The annual certification by public officials for 2018 is due on January 28, 2019. Staff expects to receive 2,940 annual certifications. Additionally, 147 original economic interest statements from judges, county commissioners, and soil and water district commissioners elected for the first time in 2018 are due in January.

2018 Public Subsidy Payments

On December 13th, staff processed a second public subsidy payment to 245 qualified candidates for the 2018 election. The December payment is much smaller than the payment made after the primary election as it is based on 2017 state tax returns processed by the Dept of Revenue after the primary payment in August. In total, the Board issued \$2,257,005 in public subsidy payments to candidates during 2018. A report showing the public subsidy payment made to each candidate by legislative district is attached for your reference.

Correspondence

The Board received the attached letter from George Beck on behalf of Minnesota Citizens for Clean Elections. The letter asks that the Board consider a legislative proposal requiring disclosure of donors to non-profits if the non-profit contributes to an independent expenditure committee in Minnesota.

Attachments

2018 Public Subsidy Payments

Letter from George Beck, Minnesota Citizens for Clean Elections



MINNESOTA CAMPAIGN FINANCE BOARD

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD RELEASES FINAL PUBLIC SUBSIDY PAYMENT AMOUNTS FOR 2018 ELECTION

The Campaign Finance and Public Disclosure Board distributed \$2,257,005 in public subsidy payments to 245 candidates who ran for Governor, Attorney General, Secretary of State, State Auditor, or the House of Representatives in the 2018 state general election. A list of qualifying candidates and payments is attached to this release.

Of the 305 candidates for constitutional or legislative office who filed for office in 2018 and registered a committee with the Board, 278 (91.1%) signed the voluntary public subsidy agreement to abide by spending limits and to comply with other conditions of the agreement required under Minnesota Statutes Chapter 10A.

To qualify for public subsidy a candidate must:

- be opposed at either the primary or general election,
- appear on the general election ballot,
- sign and file a public subsidy agreement with the Board to abide by applicable campaign expenditure limits,
- and raise a specified amount in contributions from individuals eligible to vote in Minnesota counting only the first \$50 from each donor.

Money for the public subsidy program comes from the state general fund. A portion of public subsidy money is allocated to specific parties and districts based on taxpayer check-offs on income and property tax returns. By office and party, the total public subsidy payments totaled:

	DFL	RPM
Governor	\$480,333	\$361,259
Attorney General	\$96,066	\$72,252
Secretary of State	\$54,895	\$41,287
State Auditor	\$54,895	\$41,287
House of Representatives	\$652,997	\$401,733
Total	\$1,339,186	\$917,818

DFL = Democratic Farmer Labor
RPM = Republican Party of Minnesota

Note: No minor party candidates qualified for a public subsidy payment in 2018.

2018 Public Subsidy Payments

Office	Party	Name	Party Account Payment	General Account Payment	Total Payment
Governor					
	DFL	Tim Walz	\$225,611.34	\$254,721.54	\$480,332.88
	RPM	Jeff Johnson	\$106,537.81	\$254,721.54	\$361,259.35
Attorney General					
	DFL	Keith Ellison	\$45,122.27	\$50,944.30	\$96,066.57
	RPM	Doug Wardlow	\$21,307.69	\$50,944.30	\$72,251.99
Secretary of State					
	DFL	Steve Simon	\$25,784.15	\$29,111.04	\$54,895.19
	RPM	John Howe	\$12,175.75	\$29,111.04	\$41,286.79
State Auditor					
	DFL	Julie Blaha	\$25,784.15	\$29,111.04	\$54,895.19
	RPM	Pamela (Pam) Myhra	\$12,175.75	\$29,111.04	\$41,286.79
House					
1A					
	DFL	Stephen Moeller	\$620.06	\$2,351.64	\$2,971.70
	RPM	Daniel Fabian	\$545.34	\$2,351.64	\$2,896.98
1B					
	DFL	Brent Lindstrom	\$1,028.39	\$2,351.64	\$3,380.03
	RPM	Debra (Deb) Kiel	\$657.94	\$2,351.64	\$3,009.58
2A					
	DFL	Michael Northbird	\$1,551.49	\$2,351.64	\$3,903.13
	RPM	Matthew (Matt) Grossell	\$823.11	\$2,351.64	\$3,174.75
2B					
	DFL	Karen Branden	\$1,236.19	\$2,351.64	\$3,587.83
	RPM	Steve Green	\$877.51	\$2,351.64	\$3,229.15
3A					
	DFL	Robert Ecklund	\$2,912.66	\$2,351.64	\$5,264.30
	RPM	Randy Goutermont	\$817.66	\$2,351.64	\$3,169.30

Office	Party	Name	Party Account Payment	General Account Payment	Total Payment
3B					
	DFL	Mary Murphy	\$3,136.52	\$2,351.64	\$5,488.16
	RPM	Keith MacDonald	\$975.52	\$2,351.64	\$3,327.16
4A					
	DFL	Benjamin Lien	\$1,939.49	\$2,351.64	\$4,291.13
	RPM	Jordan Idso	\$839.01	\$2,351.64	\$3,190.65
4B					
	DFL	Paul Marquart	\$1,597.81	\$2,351.64	\$3,949.45
	RPM	Jason Peterson	\$883.74	\$2,351.64	\$3,235.38
5A					
	DFL	John Persell	\$1,818.60	\$2,351.64	\$4,170.24
	RPM	Matt Bliss	\$932.20	\$2,351.64	\$3,283.84
5B					
	DFL	Pat Medure	\$1,654.24	\$2,351.64	\$4,005.88
	RPM	Sandy Layman	\$1,054.40	\$2,351.64	\$3,406.04
6A					
	DFL	Julie Sandstede	\$2,565.54	\$2,351.64	\$4,917.18
	RPM	Guy Anderson	\$846.81	\$2,351.64	\$3,198.45
6B					
	DFL	David Lislegard	\$2,971.97	\$2,351.64	\$5,323.61
	RPM	Skeeter Tomczak	\$986.17	\$2,351.64	\$3,337.81
7A					
	DFL	Jennifer Schultz	\$3,701.56	\$2,351.64	\$6,053.20
7B					
	DFL	Elizabeth (Liz) Olson	\$3,151.91	\$2,351.64	\$5,503.55
8A					
	DFL	Brittney Cole Johnson	\$1,146.45	\$2,351.64	\$3,498.09
	RPM	Larry (Bud) Nornes	\$1,051.20	\$2,351.64	\$3,402.84
8B					
	DFL	Gail Kulp	\$1,064.26	\$2,351.64	\$3,415.90
	RPM	Mary Franson	\$1,187.13	\$2,351.64	\$3,538.77
9A					
	DFL	Alex Hering	\$895.06	\$2,351.64	\$3,246.70
	RPM	John Poston	\$1,123.15	\$2,351.64	\$3,474.79

Office	Party	Name	Party Account Payment	General Account Payment	Total Payment
9B					
	DFL	Stephen Browning	\$768.05	\$2,351.64	\$3,119.69
	RPM	Ronald Kresha	\$856.36	\$2,351.64	\$3,208.00
10A					
	DFL	Dale Menk	\$1,673.19	\$2,351.64	\$4,024.83
	RPM	Joshua Heintzeman	\$1,294.90	\$2,351.64	\$3,646.54
10B					
	DFL	Philip Yetzer	\$1,431.52	\$2,351.64	\$3,783.16
	RPM	Dale Lueck	\$1,146.61	\$2,351.64	\$3,498.25
11A					
	DFL	Mike Sundin	\$2,243.08	\$2,351.64	\$4,594.72
	RPM	Jeff Dotseth	\$768.05	\$2,351.64	\$3,119.69
11B					
	DFL	Tim Burkhardt	\$1,169.94	\$2,351.64	\$3,521.58
	RPM	Jason Rarick	\$751.01	\$2,351.64	\$3,102.65
12A					
	DFL	Murray Smart	\$1,072.74	\$2,351.64	\$3,424.38
	RPM	Jeff Backer	\$761.15	\$2,351.64	\$3,112.79
12B					
	DFL	Ben Schirmers	\$968.23	\$2,351.64	\$3,319.87
	RPM	Paul Anderson	\$1,019.70	\$2,351.64	\$3,371.34
13A					
	DFL	Jim Read	\$1,312.17	\$2,351.64	\$3,663.81
	RPM	Lisa Demuth	\$997.84	\$2,351.64	\$3,349.48
13B					
	DFL	Heidi Everett	\$1,226.86	\$2,351.64	\$3,578.50
	RPM	Tim O'Driscoll	\$991.39	\$2,351.64	\$3,343.03
14A					
	DFL	Aric Putnam	\$1,722.77	\$2,351.64	\$4,074.41
	RPM	Tama Theis	\$737.34	\$2,351.64	\$3,088.98
14B					
	DFL	Dan Wolgamott	\$1,588.45	\$2,351.64	\$3,940.09
15A					
	DFL	Emy Minzel	\$1,184.48	\$2,351.64	\$3,536.12
	RPM	Sondra Erickson	\$964.88	\$2,351.64	\$3,316.52

Office	Party	Name	Party Account Payment	General Account Payment	Total Payment
15B					
	DFL	Karla Jean Scapanski	\$1,120.97	\$2,351.64	\$3,472.61
	RPM	Shane Mekeland	\$1,290.92	\$2,351.64	\$3,642.56
16A					
	DFL	Thomas (Tom) Wyatt-Yerka	\$962.00	\$2,351.64	\$3,313.64
	RPM	Christopher Swedzinski	\$616.81	\$2,351.64	\$2,968.45
16B					
	DFL	Marinda Kimmel	\$906.01	\$2,351.64	\$3,257.65
	RPM	Paul Torkelson	\$933.63	\$2,351.64	\$3,285.27
17A					
	DFL	Lyle Koenen	\$738.29	\$2,351.64	\$3,089.93
	RPM	Tim Miller	\$545.45	\$2,351.64	\$2,897.09
17B					
	DFL	Anita Flowe	\$1,310.62	\$2,351.64	\$3,662.26
	RPM	David (Dave) Baker	\$875.34	\$2,351.64	\$3,226.98
18A					
	DFL	Justin Vold	\$837.38	\$2,351.64	\$3,189.02
	RPM	Dean Urdahl	\$750.92	\$2,351.64	\$3,102.56
18B					
	DFL	Ashley Latzke	\$823.35	\$2,351.64	\$3,174.99
	RPM	Glenn Gruenhagen	\$915.91	\$2,351.64	\$3,267.55
19A					
	DFL	Jeff Brand	\$1,809.23	\$2,351.64	\$4,160.87
	RPM	Kim Spears	\$905.48	\$2,351.64	\$3,257.12
19B					
	DFL	Jack (John) Considine	\$1,900.40	\$2,351.64	\$4,252.04
	RPM	Joe Steck	\$668.80	\$2,351.64	\$3,020.44
20A					
	DFL	Barbara Droher Kline	\$1,414.10	\$2,351.64	\$3,765.74
	RPM	Robert (Bob) Vogel	\$1,355.47	\$2,351.64	\$3,707.11
20B					
	DFL	Todd Lippert	\$3,296.44	\$2,351.64	\$5,648.08
	RPM	Josh Gare	\$886.99	\$2,351.64	\$3,238.63
21A					
	DFL	Lori Ann Clark	\$1,845.02	\$2,351.64	\$4,196.66
	RPM	Barbara Ann May Haley	\$1,162.24	\$2,351.64	\$3,513.88

Office	Party	Name	Party Account Payment	General Account Payment	Total Payment
21B					
	DFL	Jonathan Richard Isenor	\$1,418.69	\$2,351.64	\$3,770.33
	RPM	Steven Drazkowski	\$1,131.17	\$2,351.64	\$3,482.81
22A					
	DFL	Maxwell Kaufman	\$812.62	\$2,351.64	\$3,164.26
	RPM	Joe Schomacker	\$740.42	\$2,351.64	\$3,092.06
22B					
	DFL	Cheniqua Johnson	\$695.18	\$2,351.64	\$3,046.82
	RPM	Rod Hamilton	\$671.90	\$2,351.64	\$3,023.54
23A					
	DFL	Heather Klassen	\$661.64	\$2,351.64	\$3,013.28
	RPM	Robert Gunther	\$832.86	\$2,351.64	\$3,184.50
23B					
	DFL	James Grabowska	\$969.69	\$2,351.64	\$3,321.33
	RPM	Jeremy Munson	\$914.26	\$2,351.64	\$3,265.90
24A					
	DFL	Joseph Heegard	\$1,137.09	\$2,351.64	\$3,488.73
	RPM	John Petersburg	\$946.93	\$2,351.64	\$3,298.57
24B					
	DFL	Yvette Marthaler	\$1,978.12	\$2,351.64	\$4,329.76
	RPM	Brian Daniels	\$1,010.60	\$2,351.64	\$3,362.24
25A					
	DFL	Jamie Mahlberg	\$1,838.87	\$2,351.64	\$4,190.51
	RPM	Duane Quam	\$1,305.88	\$2,351.64	\$3,657.52
25B					
	DFL	Duane Sauke	\$2,720.01	\$2,351.64	\$5,071.65
	RPM	Kenneth Bush	\$1,277.07	\$2,351.64	\$3,628.71
26A					
	DFL	Tina Liebling	\$2,680.00	\$2,351.64	\$5,031.64
26B					
	DFL	Tyrel Clark	\$2,489.02	\$2,351.64	\$4,840.66
	RPM	Nels Pierson	\$1,714.22	\$2,351.64	\$4,065.86
27A					
	DFL	Theron (Terry) Gjersvik	\$1,146.54	\$2,351.64	\$3,498.18
	RPM	Peggy Bennett	\$605.77	\$2,351.64	\$2,957.41

Office	Party	Name	Party Account Payment	General Account Payment	Total Payment
27B					
	DFL	Jeanne Poppe	\$3,051.31	\$2,351.64	\$5,402.95
28B					
	DFL	Thomas Trehus	\$1,386.82	\$2,351.64	\$3,738.46
29A					
	DFL	Renee Cardarelle	\$1,285.18	\$2,351.64	\$3,636.82
	RPM	Joseph (Joe) McDonald	\$1,331.34	\$2,351.64	\$3,682.98
29B					
	DFL	Sharon McGinty	\$1,229.07	\$2,351.64	\$3,580.71
	RPM	Marion Olivia O'Neill	\$1,190.20	\$2,351.64	\$3,541.84
30A					
	DFL	Sarah Hamlin	\$1,385.21	\$2,351.64	\$3,736.85
	RPM	Nicholas Zerwas	\$1,333.83	\$2,351.64	\$3,685.47
30B					
	DFL	Margaret Fernandez	\$1,208.21	\$2,351.64	\$3,559.85
	RPM	Eric Lucero	\$1,406.37	\$2,351.64	\$3,758.01
31A					
	DFL	Bradley (Brad) Brown	\$1,288.69	\$2,351.64	\$3,640.33
	RPM	Kurt Daudt	\$1,698.99	\$2,351.64	\$4,050.63
31B					
	DFL	Susan (Sue) Larson	\$1,775.13	\$2,351.64	\$4,126.77
	RPM	Calvin (Cal) Bahr	\$2,025.76	\$2,351.64	\$4,377.40
32A					
	DFL	Rena Ann Berg	\$1,204.91	\$2,351.64	\$3,556.55
	RPM	Brian Johnson	\$1,184.58	\$2,351.64	\$3,536.22
32B					
	DFL	Jeff Peterson	\$1,471.72	\$2,351.64	\$3,823.36
	RPM	Anne Neu	\$1,193.09	\$2,351.64	\$3,544.73
33A					
	DFL	Norrie Thomas	\$2,854.16	\$2,351.64	\$5,205.80
	RPM	Jerome Allan (Jerry) Hertaus	\$3,062.28	\$2,351.64	\$5,413.92
33B					
	DFL	Kelly Morrison	\$3,147.75	\$2,351.64	\$5,499.39
	RPM	Cynthia (Cindy) Pugh	\$2,322.17	\$2,351.64	\$4,673.81

Office	Party	Name	Party Account Payment	General Account Payment	Total Payment
34A					
	DFL	Daniel Solon	\$2,925.04	\$2,351.64	\$5,276.68
	RPM	Kristin Robbins	\$2,741.70	\$2,351.64	\$5,093.34
34B					
	DFL	Kristin Bahner	\$3,737.29	\$2,351.64	\$6,088.93
	RPM	Dennis Smith	\$2,503.65	\$2,351.64	\$4,855.29
35A					
	DFL	William Vikander	\$1,897.93	\$2,351.64	\$4,249.57
	RPM	John Heinrich	\$1,736.37	\$2,351.64	\$4,088.01
35B					
	DFL	Kathryn Schwartz Eckhardt	\$1,947.45	\$2,351.64	\$4,299.09
	RPM	Peggy Sue Scott	\$1,948.39	\$2,351.64	\$4,300.03
36A					
	DFL	Zachary Stephenson	\$2,825.93	\$2,351.64	\$5,177.57
	RPM	William Maresh	\$1,860.49	\$2,351.64	\$4,212.13
36B					
	DFL	Melissa Hortman	\$3,607.14	\$2,351.64	\$5,958.78
37A					
	DFL	Erin Koegel	\$2,476.99	\$2,351.64	\$4,828.63
	RPM	Anthony Wilder	\$1,248.07	\$2,351.64	\$3,599.71
37B					
	DFL	Amir Joseph Malik	\$2,665.60	\$2,351.64	\$5,017.24
	RPM	Nolan West	\$1,563.45	\$2,351.64	\$3,915.09
38A					
	DFL	Kevin Fogarty	\$2,188.93	\$2,351.64	\$4,540.57
	RPM	Linda Runbeck	\$1,734.43	\$2,351.64	\$4,086.07
38B					
	DFL	Ami Wazlawik	\$3,731.22	\$2,351.64	\$6,082.86
	RPM	Patricia Anderson	\$2,489.64	\$2,351.64	\$4,841.28
39A					
	DFL	Ann M.I. Mozey	\$2,520.74	\$2,351.64	\$4,872.38
	RPM	Bob Dettmer	\$1,929.53	\$2,351.64	\$4,281.17
39B					
	DFL	Shelly (Michelle) Christensen	\$2,755.74	\$2,351.64	\$5,107.38
	RPM	Kathleen Lohmer	\$1,834.42	\$2,351.64	\$4,186.06

Office	Party	Name	Party Account Payment	General Account Payment	Total Payment
40A					
	DFL	Michael Nelson	\$3,485.10	\$2,351.64	\$5,836.74
	RPM	David True	\$847.08	\$2,351.64	\$3,198.72
40B					
	DFL	Samantha Vang	\$3,653.63	\$2,351.64	\$6,005.27
	RPM	Robert Marvin	\$943.55	\$2,351.64	\$3,295.19
41A					
	DFL	Connie Bernardy	\$3,365.39	\$2,351.64	\$5,717.03
	RPM	Susan Erickson	\$1,269.17	\$2,351.64	\$3,620.81
41B					
	DFL	Mary Kunesh-Podein	\$4,014.66	\$2,351.64	\$6,366.30
42A					
	DFL	Kelly Moller	\$4,392.00	\$2,351.64	\$6,743.64
	RPM	Randy Jessup	\$2,225.93	\$2,351.64	\$4,577.57
42B					
	DFL	Jamie Becker-Finn	\$4,810.57	\$2,351.64	\$7,162.21
	RPM	Yele-Mis Yang	\$1,947.75	\$2,351.64	\$4,299.39
43A					
	DFL	Peter Fischer	\$4,220.46	\$2,351.64	\$6,572.10
43B					
	RPM	Rachael Bucholz	\$1,319.72	\$2,351.64	\$3,671.36
44A					
	RPM	Sarah Anderson	\$2,338.06	\$2,351.64	\$4,689.70
44B					
	DFL	Patty Acomb	\$4,658.20	\$2,351.64	\$7,009.84
	RPM	Gary Porter	\$2,078.97	\$2,351.64	\$4,430.61
45A					
	DFL	Lyndon Carlson	\$4,046.42	\$2,351.64	\$6,398.06
	RPM	Reid Allen Johnson	\$1,529.69	\$2,351.64	\$3,881.33
45B					
	DFL	Mike Freiberg	\$4,993.93	\$2,351.64	\$7,345.57
	RPM	Steve Merriman	\$1,351.60	\$2,351.64	\$3,703.24
46A					
	DFL	Ryan Winkler	\$5,249.67	\$2,351.64	\$7,601.31

Office	Party	Name	Party Account Payment	General Account Payment	Total Payment
46B					
	DFL	Cheryl Youakim	\$5,105.08	\$2,351.64	\$7,456.72
	RPM	Melissa Moore	\$1,164.97	\$2,351.64	\$3,516.61
47A					
	DFL	Madalynn Gerold	\$1,673.75	\$2,351.64	\$4,025.39
	RPM	Jim Nash	\$2,051.57	\$2,351.64	\$4,403.21
47B					
	DFL	Donzel Leggett	\$2,216.05	\$2,351.64	\$4,567.69
	RPM	Greg Boe	\$1,691.12	\$2,351.64	\$4,042.76
48A					
	RPM	Ellen Cousins	\$2,140.96	\$2,351.64	\$4,492.60
48B					
	DFL	Carlie Kotyza-Witthuhn	\$3,434.70	\$2,351.64	\$5,786.34
	RPM	Jenifer Loon	\$2,146.24	\$2,351.64	\$4,497.88
49A					
	DFL	Heather Edelson	\$4,674.08	\$2,351.64	\$7,025.72
49B					
	DFL	Steve Elkins	\$4,802.67	\$2,351.64	\$7,154.31
50A					
	DFL	Michael Howard	\$4,077.86	\$2,351.64	\$6,429.50
	RPM	Kirsten Johnson	\$1,296.36	\$2,351.64	\$3,648.00
50B					
	DFL	(Robert) Andrew Carlson	\$4,163.71	\$2,351.64	\$6,515.35
	RPM	Chad Anderson	\$1,817.73	\$2,351.64	\$4,169.37
51A					
	DFL	Sandra Masin	\$3,085.31	\$2,351.64	\$5,436.95
	RPM	James (Jim) Kiner	\$1,586.96	\$2,351.64	\$3,938.60
51B					
	DFL	Laurie Halverson	\$3,402.94	\$2,351.64	\$5,754.58
	RPM	Douglas Willetts	\$1,796.69	\$2,351.64	\$4,148.33
52A					
	DFL	Richard (Rick) Hansen	\$3,485.83	\$2,351.64	\$5,837.47
	RPM	Beth Arntson	\$1,391.97	\$2,330.86	\$3,722.83

Office	Party	Name	Party Account Payment	General Account Payment	Total Payment
52B					
	DFL	Ruth Richardson	\$2,971.36	\$2,351.64	\$5,323.00
	RPM	Regina Barr	\$1,827.24	\$2,351.64	\$4,178.88
53A					
	DFL	Tou Xiong	\$3,644.55	\$2,351.64	\$5,996.19
	RPM	Andrew (Andy) Turonie	\$1,420.33	\$2,351.64	\$3,771.97
53B					
	DFL	Stephen (Steve) Sandell	\$3,203.34	\$2,351.64	\$5,554.98
	RPM	Kelly Fenton	\$1,756.40	\$2,351.64	\$4,108.04
54A					
	DFL	Anne Claffin	\$2,833.60	\$2,351.64	\$5,185.24
	RPM	Keith Franke	\$1,382.55	\$2,351.64	\$3,734.19
54B					
	DFL	Tina Folch	\$2,664.38	\$2,351.64	\$5,016.02
	RPM	Tony Jurgens	\$1,813.32	\$2,351.64	\$4,164.96
55A					
	DFL	Brad Tabke	\$1,728.84	\$2,351.64	\$4,080.48
55B					
	DFL	Matt Christensen	\$1,548.11	\$2,351.64	\$3,899.75
	RPM	Tony Albright	\$1,956.65	\$2,351.64	\$4,308.29
56A					
	DFL	Hunter Cantrell	\$2,252.96	\$2,351.64	\$4,604.60
	RPM	Drew (Andrew) Christensen	\$1,591.50	\$2,351.64	\$3,943.14
56B					
	DFL	Alice Santoro Mann	\$2,659.14	\$2,351.64	\$5,010.78
	RPM	Roz Peterson	\$1,921.24	\$2,351.64	\$4,272.88
57A					
	DFL	Robert Bierman	\$3,110.56	\$2,351.64	\$5,462.20
	RPM	Matt Lundin	\$1,879.22	\$2,351.64	\$4,230.86
57B					
	DFL	John Duffy Huot	\$2,975.59	\$2,351.64	\$5,327.23
	RPM	Anna Christa Wills	\$2,011.63	\$2,351.64	\$4,363.27
58A					
	DFL	Maggie Williams	\$2,695.30	\$2,351.64	\$5,046.94
	RPM	Jon Koznick	\$2,171.42	\$2,351.64	\$4,523.06

Office	Party	Name	Party Account Payment	General Account Payment	Total Payment
58B					
	DFL	Marla Vagts	\$2,188.73	\$2,351.64	\$4,540.37
	RPM	Patrick Garofalo	\$2,252.10	\$2,351.64	\$4,603.74
59A					
	DFL	Fue Lee	\$4,175.79	\$2,351.64	\$6,527.43
59B					
	DFL	Raymond Dehn	\$5,166.00	\$2,351.64	\$7,517.64
60A					
	DFL	Diane Loeffler	\$5,716.69	\$2,351.64	\$8,068.33
	RPM	Kelly Winsor	\$434.40	\$2,351.64	\$2,786.04
60B					
	DFL	Mohamud Noor	\$5,320.95	\$2,351.64	\$7,672.59
61A					
	DFL	Frank Hornstein	\$7,463.35	\$2,351.64	\$9,814.99
61B					
	DFL	James (Jamie) Long	\$6,892.62	\$2,351.64	\$9,244.26
62B					
	DFL	Aisha Gomez	\$5,724.98	\$2,351.64	\$8,076.62
63A					
	DFL	Jim Davnie	\$6,779.95	\$2,351.64	\$9,131.59
	RPM	Kyle Bragg	\$608.04	\$2,351.64	\$2,959.68
63B					
	DFL	Jean Wagenius	\$5,911.59	\$2,351.64	\$8,263.23
	RPM	Frank Pafko	\$996.30	\$2,351.64	\$3,347.94
64A					
	DFL	Kaohly Her	\$6,812.84	\$2,351.64	\$9,164.48
	RPM	Patrick JD Griffin	\$872.95	\$2,351.64	\$3,224.59
64B					
	DFL	David Pinto	\$6,807.03	\$2,351.64	\$9,158.67
	RPM	Alex Pouliot	\$1,200.79	\$2,351.64	\$3,552.43
65A					
	DFL	Rena Moran	\$4,817.84	\$2,351.64	\$7,169.48
65B					
	DFL	Carlos Mariani	\$5,276.95	\$2,351.64	\$7,628.59

Office	Party	Name	Party Account Payment	General Account Payment	Total Payment
66A					
	DFL	Alice Hausman	\$5,827.22	\$2,351.64	\$8,178.86
	RPM	Jon Heyer	\$1,352.09	\$2,351.64	\$3,703.73
66B					
	DFL	John Lesch	\$4,419.99	\$2,351.64	\$6,771.63
67B					
	DFL	Jay Xiong	\$3,951.50	\$2,351.64	\$6,303.14
	RPM	Fred Turk	\$753.24	\$2,351.64	\$3,104.88
Totals			\$971,911	\$1,285,094	\$2,257,005



Dear Campaign Finance and Public Disclosure Board:

Some 80% of Minnesotans, including a majority of Republicans, oppose the use of dark money or undisclosed contributions in our Minnesota elections. And yet it persists. Dark money prevents us from knowing who is supporting candidates, an important factor in making a wise choice. Nor can we tell if officeholders are favoring contributors over constituents. And secret contributions supporting so called "issue ads" in Minnesota permit last minute attack ads in our elections that shield anonymous donors.

This is a request that the Board support 2019 legislation that amends the definition of expressly advocating to include issue ads that are clearly are intended to affect an election.

This is also a request that the Board look into whether or not 501c3 and 501c4 non-profits, who are allowed to hide their donors, are registering in Minnesota as are law requires and whether legislation is needed to clearly indicate that they must disclose contributions over \$5000 or \$10,000, as is required in New York and California.

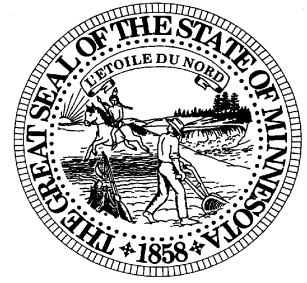
We believe that these are urgent matters impacting our democracy that are within the Board's statutory authority to advise the legislature of abuses of our campaign finance system.

Thank you for your consideration.

George Beck
Chair
Minnesota Citizens for Clean Elections

Minnesota

Campaign Finance and Public Disclosure Board



Date: December 27, 2018

To: Board Members

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Possible Legislative Recommendations

The Board initially reviewed a list of subject areas for possible legislative recommendations at the November 7, 2018, meeting. The Board directed staff to develop specific statutory language for technical and policy changes to the economic interest statement, campaign finance, and lobbying programs.

Additionally, Board members requested staff look at two other areas: 1) whether late filing fees are sufficient to deter the late filing of reports; and 2) to review the probable cause determination used when the Board decides whether to investigate a complaint filed with the Board. Staff is still developing information on these two areas. A separate memo providing information on late filing fees will be provided at the January meeting.

This memo provides draft statutory language for the majority of the areas discussed in November, with the exception that the specific language for the lobbying program is still in development. In the draft language underlined text is new language in a statute, ~~strikeout~~ identifies deleted language in a statute.

Economic interest statement program - Technical

- **Ensure that Minnesota State Colleges and Universities trustees and its chancellor continue to file EIS statements.** MNSCU trustees and chancellor are currently filing EIS statements as public officials. However, it appears that a 2002 change in the definition of public official inadvertently excluded the MNSCU trustees and chancellor from the requirement to file the EIS statement, and from the gift prohibition. In other words, their disclosure is being provided voluntarily. Given that the MNSCU Board makes decisions regarding the expenditure of millions of dollars in public funds it would be advisable to make the EIS disclosure required.

10A.01 DEFINITIONS

* * * *

Subd. 35. **Public official.** "Public official" means any:

(1) member of the legislature;

* * * *

(28) member of the Greater Minnesota Regional Parks and Trails Commission; ~~or~~

(29) member of the Destination Medical Center Corporation established in section 469.41; or

(30) chancellor or member of the board of trustees of the Minnesota State Colleges and Universities.

- **Eliminate requirement that local governments provide a notice of appointment for local officials to the Board.** Minnesota Statutes section 10A.09, subdivision 2, requires local governments to notify the Board whenever they hire or accept an affidavit of candidacy from a local official who is required to file a statement of economic interest with that local entity. The notice must include the name of the local official and the date of the employment or filing. The Board, however, never uses this information because local officials do not file with the Board. Therefore, most local governments do not bother to file the notice.

10A.09 STATEMENTS OF ECONOMIC INTEREST

* * * *

Subd. 2. **Notice to board.** The secretary of state or the appropriate county auditor, upon receiving an affidavit of candidacy or petition to appear on the ballot from an individual required by this section to file a statement of economic interest, and any official who nominates or employs a public ~~or local~~ official required by this section to file a statement of economic interest, must notify the board of the name of the individual required to file a statement and the date of the affidavit, petition, or nomination.

- **Enterprise Minnesota, Inc. contribution statement.** Minnesota Statutes section 116O.03, subdivision 9, and section 116O.04, subdivision 3, require members of the Enterprise Minnesota, Inc. Board of Directors and its president to file statements with the Campaign Finance Board showing contributions to any public official, political committee or fund, or political party unit. These statements must cover the four years prior to the person's appointment and must be updated annually. The information on these statements, however, is already reported by the recipients to the Campaign Finance Board or, for county commissioners, to the county auditor. This disclosure therefore is repetitive and not helpful to the public. Staff is also not sure why this disclosure is required only of members of the Enterprise Minnesota, Inc. Board of Directors and its president.

116O.03 CORPORATION; BOARD OF DIRECTORS; POWERS.

~~**Subd. 9. Contributions to public officials; disclosure.** Each director shall file a statement with the Campaign Finance and Public Disclosure Board disclosing the nature, amount, date, and recipient of any contribution made to a public official, political committee, political fund, or political party, as defined in chapter 10A, that:~~

~~(1) was made within the four years preceding appointment to the Enterprise Minnesota, Inc. board; and~~

~~(2) was subject to the reporting requirements of chapter 10A.~~

~~The statement must be updated annually during the director's term to reflect contributions made to public officials during the appointed director's tenure.~~

1160.04 CORPORATE PERSONNEL.

~~Subd. 3. Contributions to public officials; disclosure.~~ The president shall file a statement with the Campaign Finance and Public Disclosure Board disclosing the nature, amount, date, and recipient of any contribution made to a public official which:

~~(1) was made within the four years preceding employment with the Enterprise Minnesota, Inc. board; and~~

~~(2) was subject to the reporting requirements of chapter 10A.~~

~~The statement must be updated annually during the president's employment to reflect contributions made to public officials during the president's tenure.~~

- **Clarify economic interest statement reporting periods.** Minnesota Statutes section 10A.09, subdivision 6 clearly spells out the reporting period for an annual statement. There is no such language defining the reporting period for an original statement. This creates confusion among filers and, in some cases, inconsistent disclosure between public officials. Additionally, EIS forms are divided into five disclosure schedules, none of which have the same reporting period for an original statement. A standardization of the reporting period requirement would simplify completing the statement.

10A.09 STATEMENTS OF ECONOMIC INTEREST

Subd. 5b. Original statement; reporting period. (a) An original statement of economic interest required under subdivision 1, clause (1), must cover the calendar month before the month in which the individual accepted employment as a public official or a local official in a metropolitan governmental unit.

(b) An original statement of economic interest required under subdivision 1, clause (2), must cover the calendar month before the month in which the individual assumed office.

(c) An original statement of economic interest required under subdivision 1, clause (3), must cover the calendar month before the month in which the candidate filed the affidavit of candidacy.

Subd. 6. **Annual statement.** (a) Each individual who is required to file a statement of economic interest must also file an annual statement by the last Monday in January of each year that the individual remains in office. The annual statement must cover the period through December 31 of the year prior to the year when the statement is due. The annual statement must include the amount of each honorarium in excess of \$50 received since the previous statement and the name and address of the source of the honorarium. The board must maintain each annual statement of economic interest submitted by an officeholder in the same file with the statement submitted as a candidate.

~~(b) For the purpose of annual statements of economic interest to be filed, "compensation in any month" includes compensation and honoraria received in any month between the end of the period covered in the preceding statement of economic interest and the end of the current period.~~

(c) An individual must file the annual statement of economic interest required by this subdivision to cover the period for which the individual served as a public official even though at the time the statement was filed, the individual is no longer holding that office as a public official.

~~(d) For the purpose of an annual statement of economic interest, the individual shall disclose any real property owned at any time between the end of the period covered by the preceding statement of economic interest and through the last day of the month preceding the current filing or the last day of employment, if the individual is no longer a public official.~~

Economic interest statement program - Policy

- **Establish a two-tiered disclosure system.** Disclosure required for soil and water conservation district supervisors, members of watershed districts and watershed management organizations, and perhaps some other public officials with very limited authority would not include all financial investments. A higher level of disclosure would remain for other public officials.

10A.09 STATEMENTS OF ECONOMIC INTEREST

Subd. 5a. Form; exception for certain officials. (a) This subdivision applies to the following individuals:

(1) a supervisor of a soil and water conservation district;

(2) a manager of a watershed district; and

(3) a member of a watershed management organization as defined under section 103B.205, subdivision 13.

(b) Notwithstanding subdivision 5, paragraph (a), an individual listed in subdivision 5a, paragraph (a), must provide only the information listed below on a statement of economic interest:

(1) the individual's name, address, occupation, and principal place of business;

(2) a listing of any association, corporation, partnership, limited liability company, limited liability partnership, or other organized legal entity from which the individual receives compensation in excess of \$250, except for actual and reasonable expenses, in any month during the reporting period as a director, officer, owner, member, partner, employer, or employee;

(3) a listing of all real property within the state, excluding homestead property, in which the individual holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the interest is valued in excess of \$2,500; or (ii) an option to buy, if the property has a fair market value of more than \$50,000;

(4) a listing of all real property within the state in which a partnership of which the individual is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of

the partnership interest is valued in excess of \$2,500; or (ii) an option to buy, if the property has a fair market value of more than \$50,000. A listing under this clause or clause (3) must indicate the street address and the municipality or the section, township, range and approximate acreage, whichever applies, and the county in which the property is located;

(5) a listing of the name of any state department or agency listed in section 15.01 or 15.06, or any political subdivision, with which the individual, or the individual's employer, has a contract

(c) If an individual listed in subdivision 5a, paragraph (a), also holds a public official position that is not listed in subdivision 5a, paragraph (a), the individual must file a statement of economic interest that includes the information specified in subdivision 5, paragraph (a).

- **New disclosure.** Require public officials to disclose direct or indirect interest in government contracts.

10A.09 STATEMENTS OF ECONOMIC INTEREST

Subd. 5. Form; general requirements.

* * * *

(8) a listing of the full name of each security with a value of more than \$10,000 owned in part or in full by the individual at any time during the reporting period; and

(9) a listing of the name of any state department or agency listed in section 15.01 or 15.06, or any political subdivision, with which the individual, or the individual's employer, has a contract.

- **Disclosure for spouse.** Increase disclosure on the EIS to include the occupation and investments of the public official's spouse. As drafted, the language below does not require the public official to identify which investments are held by the spouse.

10A.09 STATEMENTS OF ECONOMIC INTEREST

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Subd. 5. Form; general requirements. (a) A statement of economic interest required by this section must be on a form prescribed by the board. Except as provided in subdivision 5a, the individual filing must provide the following information:

(1) the individual's name, address, occupation, and principal place of business;

(2) a listing of the name of each associated business and the nature of that association;

(3) a listing of all real property within the state, excluding homestead property, in which the individual, or the individual's spouse, holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the

interest is valued in excess of \$2,500; or (ii) an option to buy, if the property has a fair market value of more than \$50,000;

(4) a listing of all real property within the state in which a partnership of which the individual, or the individual's spouse, is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of the partnership interest is valued in excess of \$2,500; or (ii) an option to buy, if the property has a fair market value of more than \$50,000. A listing under this clause or clause (3) must indicate the street address and the municipality or the section, township, range and approximate acreage, whichever applies, and the county in which the property is located;

(5) a listing of any investments, ownership, or interests in property connected with pari-mutuel horse racing in the United States and Canada, including a racehorse, in which the individual directly or indirectly holds a partial or full interest or an immediate family member holds a partial or full interest;

(6) a listing of the principal business or professional activity category of each business from which the individual, or the individual's spouse, receives more than \$250 in any month during the reporting period as an employee, if the individual, or the individual's spouse, has an ownership interest of 25 percent or more in the business;

(7) a listing of each principal business or professional activity category from which the individual, or the individual's spouse, received compensation of more than \$2,500 in the past 12 months as an independent contractor; and

(8) a listing of the full name of each security with a value of more than \$10,000 owned in part or in full by the individual, or the individual's spouse, at any time during the reporting period; and

(9) a listing of the name of any state department or agency listed in section 15.01 or 15.06, or any political subdivision, with which the individual, the individual's spouse, the individual's employer, or the employer of the individual's spouse has a contract.

(b) The business or professional categories for purposes of paragraph (a), clauses (6) and (7), must be the general topic headings used by the federal Internal Revenue Service for purposes of reporting self-employment income on Schedule C. This paragraph does not require an individual to report any specific code number from that schedule. Any additional principal business or professional activity category may only be adopted if the category is enacted by law.

(c) The listings required in paragraph (a), clauses (2) through (9), must not identify whether the individual or the individual's spouse is associated with or owns the listed item. For the purpose of an original statement of economic interest, "compensation in any month" includes only compensation received in the calendar month immediately preceding the date of appointment as a public official or filing as a candidate.

* * * *

Campaign Finance Program - Technical

- **Affidavit of contribution deadline.** Minnesota Statutes section 10A.323, provides that the affidavit of contributions required to qualify for a public subsidy payment must be submitted “by the deadline for reporting of receipts and expenditures before a primary under section 10A.20, subdivision 4”. The cross reference to section 10A.20, subdivision 4, is incorrect as the deadline for submitting the pre-primary report is set in section 10A.20, subdivision 2.

10A.323 AFFIDAVIT OF CONTRIBUTIONS.

* * *

(3) submit the affidavit required by this section to the board in writing by the deadline for reporting of receipts and expenditures before a primary under section 10A.20, ~~subdivision 4~~ subdivision 2.

- **Update multicandidate political party expenditures.** Minnesota Statutes, section 10A.275, provides five specific way that a political party may spend money that does not constitute a contribution to a candidate. The list includes funds spent for a phone bank as long as the call includes the name of three or more individuals who will appear on the ballot. This provision could be updated to include direct text message service, direct voice mail services, and e-mails that meet the same standard.

10A.275 MULTICANDIDATE POLITICAL PARTY EXPENDITURES.

Subdivision 1. **Exceptions.** Notwithstanding other provisions of this chapter, the following expenditures by a party unit, or two or more party units acting together, with at least one party unit being either: the state committee or the party organization within a congressional district, county, or legislative district, are not considered contributions to or expenditures on behalf of a candidate for the purposes of section 10A.25 or 10A.27 and must not be allocated to candidates under section 10A.20, subdivision 3, paragraph ~~(g)~~(h):

- (1) expenditures on behalf of candidates of that party generally without referring to any of them specifically in a published, posted, or broadcast advertisement;
- (2) expenditures for the preparation, display, mailing, or other distribution of an official party sample ballot listing the names of three or more individuals whose names are to appear on the ballot;
- (3) expenditures for a telephone ~~conversation call~~, voice mail, text message, multimedia message, internet chat message, or e-mail when the communication includes the names of three or more individuals whose names are to appear on the ballot;
- (4) expenditures for a political party fund-raising effort on behalf of three or more candidates; or
- (5) expenditures for party committee staff services that benefit three or more candidates.

- **Eliminate disclosure requirement for shared expenditures between federal and state committee of same political party.** An unregistered association, including the federal committee of a state political party unit, is required to provide disclosure when the federal committee pays for a shared expenditure. For example, if the federal committee for the RPM and the state committee for the RPM share office space or staff costs, federal law requires that the federal committee pay for the costs. This creates a contribution to the state RPM from an “unregistered committee”, that triggers significant disclosure requirements to little or no practical effect. The unique relationship between national and state party units is already recognized in Minnesota Statutes, section 10A.27, subdivision 13, (d), which exempts a national political party from providing the disclosure statement required of unregistered associations when the national party makes a contribution to the state central committee of the same party.

10A.27 CONTRIBUTION LIMITS.

* * * *

Subd. 13. Unregistered association limit; statement; penalty. (a) The treasurer of a political committee, political fund, principal campaign committee, or party unit must not accept a contribution of more than \$200 from an association not registered under this chapter unless the contribution is accompanied by a written statement that meets the disclosure and reporting period requirements imposed by section 10A.20. This statement must be certified as true and correct by an officer of the contributing association. The committee, fund, or party unit that accepts the contribution must include a copy of the statement with the report that discloses the contribution to the board.

(b) An unregistered association may provide the written statement required by this subdivision to no more than three committees, funds, or party units in a calendar year. Each statement must cover at least the 30 days immediately preceding and including the date on which the contribution was made. An unregistered association or an officer of it is subject to a civil penalty imposed by the board of up to \$1,000, if the association or its officer:

(1) fails to provide a written statement as required by this subdivision; or

(2) fails to register after giving the written statement required by this subdivision to more than three committees, funds, or party units in a calendar year.

(c) The treasurer of a political committee, political fund, principal campaign committee, or party unit who accepts a contribution in excess of \$200 from an unregistered association without the required written disclosure statement is subject to a civil penalty up to four times the amount in excess of \$200.

(d) This subdivision does not apply:

(1) when a national political party contributes money to its state committee;

(2) when the federal committee of a major or minor political party registered with the Board gives an in kind contribution to its state central committee, or a party organization within a house of the state legislature or

(3) to purchases by candidates for federal office of tickets to events or space rental at events held by party units in this state (i) if the geographical area represented by the

party unit includes any part of the geographical area of the office that the federal candidate is seeking and (ii) the purchase price is not more than that paid by other attendees or renters of similar spaces.

Campaign Finance – Policy

- **Provide regulation of contributions made with bitcoins, and other virtual currency.** During 2018 staff received calls from campaign committees asking for guidance on accepting and reporting contributions made with bitcoins and other virtual currencies. Chapter 10A does not provide any guidance on the subject, other than to view the virtual currency as something of value.

10.01 DEFINITIONS

* * * *

Subd. 37. **Virtual currency.** (a) “Virtual currency” means an intangible representation of value in units that can only be transmitted electronically and function as a medium of exchange, units of account, or a store of value.

(b) Virtual currency includes cryptocurrencies. Virtual currency does not include currencies issued by a government.

10A.15 CONTRIBUTIONS

* * * *

Subd. 8. **Virtual currency contributions.** (a) A principal campaign committee, political committee, political fund, or party unit may accept a donation in kind in the form of virtual currency. The value of donated virtual currency is its fair market value at the time it is donated. The recipient of a virtual currency contribution must sell the virtual currency in exchange for United States currency within five business days after receipt.

(b) Any increase in the value of donated virtual currency after its donation, but before its conversion to United States currency, must be reported as a receipt that is not a contribution pursuant to section 10A.20, subdivision 3. Any decrease in the value of donated virtual currency after its donation, but before its conversion to United States currency, must be reported as an expenditure pursuant to section 10A.20, subdivision 3.

(c) A principal campaign committee, political committee, political fund, or party unit may not purchase goods or services with virtual currency.

- **Express Advocacy – Functional Equivalent.** Currently a communication that does not use the eight words of express advocacy (vote for, elect, support, cast your ballot for, Smith for Congress, vote against, defeat, and reject) does not fall under the definition of independent expenditure. The words of express advocacy were recognized in a footnote in the Buckley v. Valeo Supreme Court decision in 1976. In subsequent cases, (McConnell v. Federal Election Commission in 2003 and Federal Election Commission v. Wisconsin Right to Life, Inc in 2007) the Supreme Court has adopted a functional equivalent of express advocacy standard that recognizes that communications can easily convey support for or opposition to a candidate while avoiding use of the “magic words.” Staff developed multiple versions of draft language for members to consider.

10A.01 DEFINITIONS

* * * *

(This version has been previously offered by the Board.)

Subdivision 16a. **Expressly advocating.** “Expressly advocating” means:

(1.) that a communication clearly identifies a candidate and uses words or phrases of express advocacy; or

(2.) that a communication, when taken as a whole and with limited reference to external events, including the proximity to the election, is not susceptible to any other interpretation by a reasonable person other than that as advocating the election or defeat of a one or more clearly identified candidates.

(Version 2)

Subdivision 16a. **Expressly advocating.** “Expressly advocating” means:

(1.) that a communication clearly identifies a candidate and uses words or phrases of express advocacy; or

(2.) that a communication when taken as a whole is susceptible of no reasonable interpretation other than as advocating for the election or defeat of one or more clearly identified candidates.

(Version 3)

Subdivision 16a. **Expressly advocating.** “Expressly advocating” means:

(1.) that a communication clearly identifies a candidate and uses words or phrases of express advocacy; or

(2.) that a communication clearly identifies a candidate and advocates for specific action rather than simply giving information.

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: January 3, 2019

TO: Board Members
Counsel Hartshorn

FROM: Andrew Olson, Legal/Management Analyst

SUBJECT: Enforcement report for consideration at the January 3, 2019 Board meeting

A. Discussion Items

1. Balance adjustment request – Clay County DFL

The Clay County DFL reported an ending cash balance in 2016 of \$446.78, but their bank statements reflect a balance at that time of \$1,009.64, a difference of \$562.86. It is not clear when the balance discrepancy began or what caused it.

In approximately April 2016, Anna Darby replaced Roxanne Bjerck as the Clay County DFL's treasurer according to a registration amendment form filed with the Board. However, it appears that Ms. Bjerck continued filing the party unit's reports through the 2016 year-end report. Ms. Darby died in September 2017. The chair, Julian Dahlquist, filed the party unit's 2017 year-end report. Ms. Bjerck reportedly provided Ms. Darby with electronic financial records, however those files were never recovered after Ms. Darby's death. The party unit switched banks in late 2016, and their former bank refuses to provide any information even to those whose names were listed on the account.

Paul Harris became treasurer in early 2018 and shortly thereafter contacted staff to report that he was unable to reconcile the balances in previously filed reports with the party unit's bank statements. He has contacted Ms. Bjerck and Mr. Dahlquist, but the only information he learned that may help to explain the ending cash balance discrepancy from 2016 is that it was not Ms. Bjerck's practice to try to reconcile her figures with the party unit's bank account balance. The party unit's 2017 year-end report contained a considerable number of errors, but Mr. Harris has filed an amended report correcting those errors and all that remains unresolved is the balance discrepancy that carried over from 2016. Mr. Harris is thereby requesting that the Board adjust the party unit's 2016 ending cash balance upward from \$446.78 to \$1,009.64.

B. Waiver Requests

	Committee/ Entity	Late Fee/ Civil Penalty	Report Due	Factors	Most Recent Balance	Previous Waivers
1	Richard Reeves	\$100 LFF \$1,000 CP	2017 EIS	Official retired from DEED in April 2017. DEED did not forward any notices to the official and did not supply any contact information to the Board. The official promptly filed the EIS after a notice was sent to his home address.		No
2	St Louis County DFL (St Louis-06) (20893)	\$100 LFF	2018 pre- general	Treasurer's computer stopped working 9/28. After consulting a local repair shop, she shipped her computer to Florida to be repaired. She expected to receive it back in time to file the reports by the deadline and was diligent in tracking its return. However, it did not arrive until 10/31, at which point she filed the reports for each party unit the same day.	\$3,781	No
3	6th Senate District DFL	\$100 LFF			\$2,841	No
4	East Central MN Area Labor Council COPE (30626)	\$1,000 LFF	24-Hour Notice	\$1,601 was allocated from the supporting association to the political fund 8/1/2018. The treasurer didn't realize the amount and timing triggered the 24-hour notice requirement until the September report was filed 9/24/2018. None of the money was spent until well after the primary election. The Board typically reduces 24-hour notice late fees for first-time violations to \$250.	\$269	No
5	Sibley County RPM (20310)	\$750 LFF	2018 Pre- general	Treasurer previously received assistance from a coworker in faxing a paper report and intended to do so again. She wasn't in the office on the due date, so the treasurer instead took pictures of the report with his phone and attempted to email them to the Board. He didn't realize the email failed (apparently due to the file size of the attached pictures) until he received a letter from us Nov. 16.	\$262	\$700 LFF reduced to \$50 in Oct. 2012 (report sent to wrong fax #).

C. Informational Items

1. Payment of late filing fee for July 30, 2018, report of receipts and expenditures

4TH Senate District DFL, \$200
 MAIV PAC, \$200
 Michael Ford, \$50
 Minneapolis Downtown Council PAC, \$50

2. Payment of civil penalty for July 30, 2018, report of receipts and expenditures

MAIV PAC, \$50

3. Payment for civil penalty for accepting a corporation contribution for January 31st, 2017 report of receipts and expenditures

66th Senate District DFL, \$25

4. Payment for late filing fee for 6/15/17 lobbyist disbursement report

Mark Anfinson, \$325

5. Payment for late filing fee for October 29, 2018, report of receipts and expenditures

Democratic Midterm Victory Fund, \$150

Lyon County DFL, \$50

6. Payment for late filing fee of a 24 Hour Large contribution Pre-Primary 2018

Messerli & Kramer PAC, \$250

North Central States Regional Council Carpenters PAC \$1000

7. Payment for late filing fee for September, 25, 2018 report of receipts and expenditures

MN Muskie & Pike Alliance Legislative Fund, \$50

8. Payment for late filing fee for 2016 Pre-Primary, report of receipts and expenditures

Edwin Hahn, \$113.72



11-050-3: 11 2: 34

CAMPAIGN FINANCE BOARD
PUBLIC DISCLOSURE REPORT

December 3, 2018

Campaign Finance Board members,

I am writing as the treasurer for the Clay County DFL party unit to request several adjustments in the reports filed over the past two years. This is an attempt to rectify discrepancies that predate that period, probably by some years, but for reasons explained below, I cannot access any records prior to late 2016.

The discrepancies I have found are as follows:

- At the end of 2016, we were reported to have a balance of \$446.78. In fact, our bank balance at that time was \$1009.64, a difference of \$562.86.
- Our year-end report for 2017 reported receipts of \$4008.68. In fact, only \$3514.27 was deposited into our bank account during 2017. I am unable to discern by what mathematical error this discrepancy of \$494.41 arose.
- That report also gave our total expenditures and disbursements for 2017 as \$1277.23, when in fact we actually spent \$1851.65. Together those two errors meant that our net gain for the year was overstated by \$1068.83.
- The year-end report then contained an additional mathematical error when Julian Dahlquist neglected to include the beginning cash balance figure of \$446.78, so that he reported a year-end balance of \$2731.45, when it should have been mathematically calculated as \$3178.23. In short, the only figure on page 3 of our 2017 year-end report that was accurate was the \$250 contribution to the Minnesota DFL State Central Committee that was made in November.
- All of these errors compounded resulted in an apparent deficit in our accounts of \$505.97, as our bank balance at the end of 2017 was actually \$2,672.26, not \$3,178.23.

I have been repeatedly frustrated in my attempts to retrieve bank records prior to late 2016, and here is my explanation for that:

- Our former treasurer Roxanne Bjerck kept records on a computer that is no longer functional.
- When Anna Darby took over as treasurer, Bjerck put all those records on a thumb drive and gave them to Darby. Darby passed away unexpectedly in September 2017, and we have never come into possession of that thumb drive or any other records she may have had in her possession.
- In late 2016, we moved our banking from Wells Fargo to Gate City Bank. When the Wells Fargo account was closed, Bjerck was informed that records from that account would no longer be accessible. Indeed, two former Clay County DFL officials whose names would have been on that account got nowhere asking for information about it.

After Anna Darby passed away, an interim treasurer was named and soon resigned when she found out what our situation was. Julian Dahlquist, the unit chairman, was then pressed into service to complete the report for 2017, a task for which he was obviously unprepared and ill suited. I became treasurer in February of this year and have been trying since to get a handle on all this.

If the Campaign Finance Board would agree to change the 2016 year-end balance from \$446.78 to \$1,009.64, based simply on the fact that our bank statement from that time shows that amount, I would be happy to file an amended report to fix the errors Dahlquist made in his report.

Respectfully,

Paul Harris

Treasurer

Paul Harris, treasurer
Clay County DFL
704 20th Ave. S.
Moorhead, MN 56560

OCT 26 AM 11:33
CAMPAIGN FINANCE
PUBLIC DISCLOSURE BOARD

October 23, 2018

Ms. Engelhardt and Ms. Stevens,

As I previously reported, I became the treasurer for the Clay County DFL earlier this year. I took over the position following the unexpected death of our previous treasurer, Anna Darby (note that she is still listed on the enclosed statement from Gate City Bank though she was no longer living by then). After her demise, the last report for 2017 was filed by Julian Dahlquist, who apparently was working in the dark also. In addition to sending you our Gate City statement from the beginning of this year, I have also enclosed the first statement from 2017. Please note that the balance on neither statement corresponds to the figures on Dahlquist's report. This is clearly a problem that goes back a ways.

This makes it virtually impossible for me to reconstruct where the beginning balance I was given by the state (\$3,178.23) came from. I am therefore submitting my report with the beginning and ending balances left blank because I cannot honestly reconcile the number I was given with our actual assets, which our Gate City statement shows as \$2,672.26.

Even that number may be questionable. Last summer we learned of an account at Bell Bank that belonged to our local Senior Caucus, a group that was no longer functioning. With the consent of Larry Nicholson, one of the account holders, we closed that account and transferred the money to our main Gate City account. I am unclear whether those funds were ever counted as part of our Clay County DFL balance. In this report, I have therefore treated the money as a contribution to the Clay County DFL, but it might just as easily be counted as an existing holding of a group affiliated with the Clay County DFL, in which case our actual beginning balance would be \$2,912.26 instead of the \$2,672.26 shown on the Gate City statement.

Please let me know if I need to file an amended report. I should also point that I'm a Mac user and hence can't file electronically.

Sincerely,



Committee name Clay County DFL

Registration # 20093

Reconciliation Worksheet

Please attach a copy of the committee's year-end bank statement. You may redact the account number. If you are requesting a balance adjustment, please attach a letter explaining your request that is signed by the committee treasurer.

Bank balance on 12/31/2017

\$2,672.26

Add deposits not cleared though bank by 12/31/2017:

(Attach additional sheets if necessary)

Deposit No.	Amount
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Total deposits not cleared

0

Subtotal

(add deposits not cleared to bank balance on 12/31/2017)

\$2,672.26

Subtract checks written on the account that have not cleared the bank by 12/31/2017:

(Attach additional sheets if necessary)

Check No.	Amount
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Total checks not cleared

0

Adjusted bank balance

(subtract checks not cleared from subtotal)

\$2,672.26

Ending cash balance on year-end report

\$3,178.23

Difference

\$505.97

Return by

Fax: 651-539-1196 or 800-357-4114

Email: cf.board@state.mn.us

U.S. mail: 190 Centennial Office Bldg, 658 Cedar St., St. Paul, MN 55155



For a Better Way of Life.®

P.O. Box 2847 • Fargo, ND 58108-2847

Statement of Account

Statement Date DEC 24-JAN 23, 2018
Account Number [REDACTED]
Page 1 of 1

CLAY COUNTY DFL
C/O ANNA DARBY
PO BOX 161
MOORHEAD MN 56560

Better Home Loans

You'll love that our home loans are locally approved, financed, and serviced.
Get your FREE pre-approval immediately! Contact a Mortgage Lender at Gate City Bank to help you.

Totally FREE Business Checking [REDACTED]

Starting Balance	2,672.26	Interest Earned 12-24-2017 through 01-23-2018	0.00
Deposits	175.00	Average Daily Balance During this period	0.00
Withdrawals	115.81	Interest Rate	0.00%
Service Charges	0.00	Interest Earned Y-T-D	0.00
Interest	0.00	Annual Percentage Yield Earned	0.00%
Ending Balance	2,731.45		

Post Date	Trans Date	Transaction Description	Withdrawals	Deposits	Balance
		Starting Balance			2,672.26
01/04	01/04	External Withdrawal ACTBLUEDONATE 2711963372941 - 6175177600	8.10		2,664.16
01/04	01/04	External Withdrawal NGP VAN, INC. - 6177182980	30.00		2,634.16
01/08	01/08	Deposit		125.00	2,759.16
01/09	01/09	External Withdrawal Vantiv eCommerce 00000000274012471141 - Funds Disb 27500008868745	17.71		2,741.45
01/09	01/09	Deposit		50.00	2,791.45
01/18	01/18	Withdrawal	60.00		2,731.45

Non-Sufficient Funds (NSF Fee - Returned Item) and Overdraft (NSF Fee - Paid Item) Related Fees Summary		
	Total This Period	Total Year-to-Date
NSF Returned Fees	0.00	0.00
NSF Paid Fees	0.00	0.00



For a Better Way of Life.®

500 Second Avenue North • P.O. Box 2847 • Fargo, ND 58108-2847

Statement of Account

Statement Date **DEC 24-JAN 23, 2017**

Account Number [REDACTED]

Page 1 of 1

CLAY COUNTY DFL
C/O ANNA DARBY
316 7TH AVE S
MOORHEAD MN 56560

Contribute to an Individual Retirement Account to save for your future. To invest in an IRA stop by a Gate City Bank location, call us at (701) 293-2400 or (800) 423-3344, or visit gatecitybank.com.

Totally FREE Business Checking [REDACTED]

Starting Balance	1,009.64	Interest Earned 12-24-2016 through 01-23-2017	0.00
Deposits	0.00	Average Daily Balance During this period	0.00
Withdrawals	48.54	Interest Rate	0.00%
Service Charges	0.00	Interest Earned Y-T-D	0.00
Interest	0.00	Annual Percentage Yield Earned	0.00%
Ending Balance	961.10		

Post Date	Trans Date	Transaction Description	Withdrawals	Deposits	Balance
		Starting Balance			1,009.64
01/09	01/09	Check 1008	48.54		961.10

Non-Sufficient Funds (NSF Fee - Returned Item) and Overdraft (NSF Fee - Paid Item) Related Fees Summary		
	Total This Period	Total Year-to-Date
NSF Returned Fees	0.00	0.00
NSF Paid Fees	0.00	0.00

Checks Cleared at a Glance					
Check	Date	Amount	Check	Date	Amount
1008	01-09-2017	48.54			

Balance Summary					
Date	Balance	Date	Balance	Date	Balance
01/09	961.10	12/24	1,009.64		

REQUEST FOR WAIVER OF LATE FEE AND CIVIL PENALTIES

To: Campaign Finance & Public Disclosure Board

13 DEC 13 AM 11:09
December 11, 2018
CAMPAIGN FINANCE &
PUBLIC DISCLOSURE BOARD

Please consider this my request for waiver of the late filing fee and any potential civil penalties imposed by the Board's November 27, 2018 letter to me.

I was a part time Unemployment Law Judge for the Department of Employment and Economic Development (DEED). During my employment at DEED, I consistently filed timely annual statements of economic interest. I retired from the position effective April 5, 2017. My last work day was April 4, 2017.

After my retirement, I no longer had access to my work email account. No mail or email messages were ever forwarded to me by DEED.

I did not receive a notice from the Board to file a statement of economic interest for calendar year 2017. If the Board sent a notice, it appears it may have been sent to my former work address in St. Paul, or my work email address. After the due date of January 29, 2018, I did not receive any notices or warnings of an overdue filing (until the November 27, 2018 letter).

My first knowledge that a statement of economic interest was due for calendar year 2017 was on December 8, 2018, when I returned from a Thanksgiving vacation, collected our mail at the post office, and found the Board's November 27, 2018 letter. On Monday morning, December 10, 2018, I called Mr. Lochner and explained my situation. On December 10, 2018, I also mailed to the Board my Statement of Economic Interest covering the portion of 2017 during which I was a public official.

Given that I received no notice of the obligation to file a Statement of Economic Interest prior to the due date, nor any warnings after the due date, and the fact that I promptly filed the statement upon notice of the overdue filing, I believe I have shown good cause why the late fee and any civil penalties should be waived.

I appreciate your consideration.

Respectfully,



Richard S. Reeves

3944 Zenith Avenue South

Minneapolis, MN 55410

612-655-3755

sreeves1@earthlink.net

Richard S. Reeves
3944 Zenith Avenue South
Minneapolis, MN 55410

DEC 13 AM 11:09
CAMPAIGN FINANCE &
PUBLIC DISCLOSURE BOARD

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

December 11, 2018

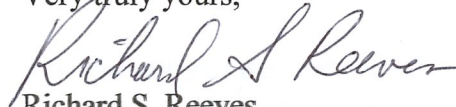
VIA U.S. Mail

Re: Annual Statement of Economic Interest Due January 29, 2018

Dear Mr. Lochner,

I enclose my Request for Waiver of Late Fee and Civil Penalties dated December 11, 2018, in print form, bearing my original signature.

Very truly yours,



Richard S. Reeves
3944 Zenith Avenue South
Minneapolis, MN 55410
612-655-3755
sreeves1@earthlink.net

December 12, 2018

13 DEC 19 AM 11:24
CAMPAIGN FINANCE &
PUBLIC DISCLOSURE BOARD

Attention: Megan Engelhardt

Subject: Waiver of fees.

St. Louis County 06 DFL (20893) and Senate District 06 DFL (20899)

I am asking that the fees on these accounts be waived.

On September 28th the computer would not power up. I took the computer to CR Computers in Hibbing. Brian diagnosed it as a bad power jack and he does not replace power jacks. Brian referred me to Steve at Pomeroy Computing in Margate, FL. Sent it via Fedex on 10/02/2018 arriving there on 10/05/2018. Then Michael hit. It was not the power jack but the motherboard. Steve transferred the information to a thumb drive and returned it. Left Florida on 10/22/2018 and into my hands at 11:30 am on 10/31/2018.

I have attached the tracking information.

Did the reports as soon as we got the thumb drive and downloaded on another computer.

Thank you for your consideration in this matter.

Cathy Daniels

Cathy Daniels

Attachments 7

Toner Planet Pack & Ship
The Silver Birch Gift Shop
3923 First Ave
Hibbing, MN 55746
(218)262-2202

Box 18x12x9 2.39 TX
Bubble Wrap 2 @ 0.65 3.90 TX

Shipment-----

FedEx Ground

Ship To:

Pomeroy Computing
6238 NAVAJO TER
MARGATE, FL 33063-8351

Package ID: 187271 21.25

Tracking #: 783046181975

Expected arrival: Fri 10/05 11:59 PM

Actual Wt: 7.30 lbs

Rating Wt: 9 lbs

Pkg Dims: 19.00 x 13.00 x 6.00

SUBTOTAL 27.54

TAX

State Tax on 6.29 0.47

TOTAL 28.01

TEND Chk: 7943 28.01

Total shipments: 1

Kathy Daniels

10/02/2018

#238794

11:51 AM

Workstation: 61 - SHIPPING-2

Thank You for Your Business
Fall is in the Air!

UPS: 1-800-742-5877

FedEx: 1-800-463-3339

Fedex
Hibbing to Margate, FL

7830 4618 1975

10/2/18 - Tuesday

11:51 AM		Shipment sent to Fedex
4:12 PM	Superior, WI	Picked up
6:27 PM	" "	Arrived at Fedex loc
9:23 PM	" "	Left Fedex origin facility

Wednesday 10/3/18

3:07 AM	St. Paul, MN	Arrived @ Fedex loc
6:45 AM	" "	Departed " "
7:46 PM	Brownsville, TX	In transit

Thursday 10/4/18

9:57 AM	Kernersville, NC	In transit
11:27 AM	Ocala, FL	Arrived @ Fedex loc
11:14 PM	" "	departed " "

Friday 10/5/18

7:03 AM	Pompano, FL	@ Local Fedex Facility
7:05 AM	" "	Arrived @ " loc
7:08 AM	" "	on Fedex vehicle for delivery
12:49 PM	" "	Delivered

Custom
123

Tracking of Computer
Via
Fedex

7735 3113 5266
from Margate, Florida

Monday 10/22/18

11:37 AM Shipment Info sent to Fedex
12:50 PM Coral Springs, FL In Fedex Possession
6:03 PM Pompano, FL Picked up
7:56 PM " Arrived @ Fedex location
10:38 PM " Left Fedex origin facility

Tuesday 10/23/18

4:23 AM Ocala, FL Arrived Fedex location
6:08 AM " " Departed " "
5:11 PM Trenton, KY in transit

Wed 10/24/18

10:25 AM ST. Paul, MN Arrived at Fedex loc
5:55 PM " " " Departed " "

Thursday 10/25/18

5:11 AM Superior, WI @ Local Fedex facility
5:17 AM " " on Fedex for delivery
6:22 PM " " Delivery exception
no attempt made,
delivery expected for next business day

Friday 10/26/18

2:18 AM Superior, WI at Local Fedex facility
3:28 AM " " on Fedex vehicle for delivery
7:03 PM " " Delivery Exception
no attempt made, delivery scheduled for
next business day

Saturday 10/27/18

2:13 AM Superior, WI at Local FedEx facility

3:26 AM " " on FedEx vehicle for

delivery - Scheduled for next business day

Estimated delivery 10/29/2018 - 1:20 pm

10/28/18 —

10/29/18 Said delivered @ 5:24 @ back door.

No package at either door.

Called FedEx

They will trace and could take up to
48 hours - Have no back door.

10/30/18 Called FedEx

Tracing - sending.

by 11/2/18

New driver

Called Police - 263-3601

Case NO. 18678615

10/30/18

Sandy - Across Street

called 7:30 pm. She tried to contact
Fedex with no response.

10/31/18

Rec'd 11:30 A.M.

2:21 Downloaded

- Rev: N -

651-539-1184

11/1/18

S. 1st - Cross street next to
The big Red House.

Pregeneral report due October 29, 2018

0 messages

Engelhardt, Megan (CFB) <megan.engelhardt@state.mn.us>

Thu, Oct 25, 2018 at 4:37 PM

To: "cathydaniels.cd@gmail.com" <cathydaniels.cd@gmail.com>

To: Cathy Daniels, 6th Senate District DFL

Re: 2018 – Pre-general Report of Receipts and Expenditures Reminder

Report Due – October 29, 2018

As of the date of this e-mail the Campaign Finance Board has not received your 2018 Pre-general Report of Receipts and Expenditures, which is due October 29, 2018, covering the period January 1 to October 22, 2018. A late filing fee for this report will begin on October 30, 2018, at the rate of \$50 per day to a maximum of \$1,000. If you believe your committee has already filed the report please contact me at the number below.

The Campaign Finance Board will be providing technical support this weekend to committees using the Campaign Finance Reporter (CFR) software. On Saturday, October 27, and Sunday, October 28, staff will be available from 10:00 AM to 4:00 PM to answer questions on using CFR. Call (651) 539-1185 for assistance.

The Board has also developed a series of short online videos that demonstrate how to do various tasks with CFR. The videos are available at: <https://cfb.mn.gov/filer-resources/saf-help/education-and-1008-2018-10-25>

Melissa Stevens

Campaign Finance and Public Disclosure Board

651-539-1188

Cathy Daniels <cathydaniels.cd@gmail.com>

Thu, Oct 25, 2018 at 5:55 PM

To: megan.engelhardt@state.mn.us

My computer is on the FedEx truck to be delivered today. I have been in contact with Gary and as soon as I get the thumb drive I will be in contact with him.
St. Louis 06 DFL is also on the thumb drive.

Cathy Daniels

[Quoted text hidden]

Cathy Daniels <cathydaniels.cd@gmail.com>

Mon, Oct 29, 2018 at 3:03 PM

To: megan.engelhardt@state.mn.us

Still on the FedEx truck. Now scheduled for delivery by 8 pm today.

Cathy

[Quoted text hidden]

Cathy Daniels <cathydaniels.cd@gmail.com>
To: megan.engelhardt@state.mn.us

Mon, Oct 29, 2018 at 8:57 PM

FedEx says package was delivered at 5:24 PM today at back door. Do not have a back door - front door and side door. They are not very helpful. Will let you know as they say it takes 48 hours to track.

Cathy

[Quoted text hidden]

Cathy Daniels <cathydaniels.cd@gmail.com>
To: megan.engelhardt@state.mn.us

Wed, Oct 31, 2018 at 6:05 PM

Received computer and thumb drive today at 11:30. Both reports have been submitted. St. Louis 06 and SD 06.

[Quoted text hidden]



Pomeroy Computing
6238 Navajo Terrace,
Margate, FL 33063
United States
Phone: 952-224-6624
Email: stevepomeroy@gmail.com

Date and time: Oct 19, 2018 8:43:31 AM PDT
Transaction ID: 3G348997V4054553N

Payment information

Card type: Visa
Card number: XXXXXXXXXXXXX0603

Billing information

Catherine Daniels

Shipping information

None provided

Invoice No.	Description	Amount
—	HP Laptop Repair	\$119.00 USD
Total		\$119.00 USD

Thanks for your purchase.

From: [Engelhardt, Megan \(CFB\)](#)
To: [Olson, Andrew \(CFB\)](#)
Subject: FW: Request for a waiver from late filing fee
Date: Friday, December 14, 2018 10:27:26 AM

From: East Central Area Labor Council <eastcentral.alc@gmail.com>
Sent: Friday, December 14, 2018 10:26 AM
To: Engelhardt, Megan (CFB) <megan.engelhardt@state.mn.us>
Subject: Request for a waiver from late filing fee

The East Central Area Labor Council is requesting that the \$1000.00 late filing fee which has been assessed against us for not providing a proper 24-hour notice from a contribution be waived.

Earlier this summer, a loosely formed group of individuals passed along to us some dollars which they had fund-raised because they were disbanding as a group. We deposited this money (\$1601.11) into our political committee fund on August 1, 2018.

Since this wasn't a typical kind of contribution to our fund, and we generally do not make deposits of over \$1000, it did not occur to us that a 24-hour notice was required. It wasn't until we submitted our next report on September 24th that the reporting system triggered a notice to us about the required 24-hour notice. By that time the late fee had already maxed out at \$1000.

Our fund currently has a balance of \$269.66 which will not cover this \$1000 fee. We request that this fee be reduced or waived. We apologize for the inaccuracy in our reporting.

Thank you for your consideration of this request.

Mary Broderick (President)
Destiny Dusosky (Treasurer)
East Central Area Labor Council
3051 2nd St. S.
Suite 202
St. Cloud, MN. 56301

From: Kevin Neuman <Kevin.Neuman@hopkinsschools.org>
Sent: Friday, November 30, 2018 11:34 AM
To: Engelhardt, Megan (CFB) <megan.engelhardt@state.mn.us>
Cc: Stevens, Melissa (CFB) <melissa.stevens@state.mn.us>
Subject: Sibley County RPM Finance report

Dear Megan,

My name is Kevin Neuman, I am the new treasurer (elected in March 2018) for Sibley County RPM. I received a Notice of Failure to File Report of Receipts and Expenditures from Melissa Stevens on November 16, 2018. I called Melissa to explain that I had sent the report to her office on Tuesday, October 30 by e-mail via my iPhone. When I tried sending verification to her from my phone, it was then that I discovered that the original document and attachments had not been delivered. Melissa then suggested that I prepare an email explaining the circumstances to you, so that the \$650 late fee could please be waived (which is more than what was in our account when I sent our forms in).

I previously had faxed our July 30th report from a copier/fax from my office in Hopkins with the help of our department secretary. I finished the report on Oct. 29th, but Michelle had left for the day. I waited to fax it on Tuesday, Oct. 30th, but Michelle was not able to be in the office that day. Panicking, I decided to take pictures of the report and then email them to Melissa via my iPhone. When I was ready to send the report, I was prompted to send it either: small, medium, large or actual size. I chose "actual size" and it made the zoom sound of being sent. I felt that the report had been sent and received.

When I was contacted by Melissa, I attempted to send verification of what I did. It was at that time that I discovered that even though my email from my computer is synced with my iPhone, they do not always communicate with each other the same way. When an email doesn't send on my computer I receive a prompt on my screen that it did not send. On my iPhone it puts it into a box with a red exclamation point by it. I did not discover this until I was playing around with it after Melissa said that she had not received an email sent from my

iPhone. Long story short, I believe that the original report was too large to have been sent "actual size", I should have chosen "small or "medium" with the attachments.

I am attaching screen shots from the day I took the pictures of the report. My photo archive shows the Oct. 30th date. I am also attaching a screen shot of the inbox that shows when I sent the report and that it failed.

I am really upset with myself with not understanding my phone and email better. I pretty much use both for their basic functions. Hopefully, you can see that there was no malicious intent or being derelict of duty on sending in our report. I am really trying hard to learn this new role in our group and want to follow all rules, regulations and timelines (I even attended the Campaign Finance training session at Bethany Lutheran College, earlier in the year).

Sincerely,

Kevin Neuman
Sibley County RPM
202 S Nicollet St.
PMB 103
Winthrop, MN 55396

cell: (612)558-1516

email: kevin.neuman@hopkinsschools.org

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Outbox

Search

melissa.stevens@state.mn.us

10:02 AM

 No Subject

Attachment: IMG_0676.PNG

Cfb

10/30/18

 No Subject

Attachments: IMG_0479.jpg, IMG_0480.jpg, IMG_0481.jpg, IMG_0482.jpg, IMG_0483.jpg, IMG_0...

**CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD
January 2019**

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			
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			Staff attempting to locate
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			
Bryan Klabunde	Klabunde for MN House	Unfiled 2017 Year- End Report of Receipts and Expenditures	\$1,000 LF \$1,000 CP	9/4/18	11/2/18			Meeting with staff
Christopher John Meyer	Meyer for Minnesota	2016 Year-End Report of Receipts and Expenditures	\$1,000 LF \$1,000 CP	7/28/17	9/6/17			Staff attempting to arrange fee payment

