

Minnesota

Campaign Finance and Public Disclosure Board Meeting

Wednesday, May 1, 2024

9:30 A.M.

Blazing Star Room
Centennial Office Building

REGULAR SESSION AGENDA

1. Approval of minutes

A. April 10, 2024

2. Chair's report

A. Meeting schedule

3. Executive director's report

4. Enforcement report

5. Advisory opinion requests

A. Advisory Opinion 462 – Registration of a political fund by a business partnership

B. Advisory Opinion 463 – layover

6. Administrative rulemaking update

7. Legal report

8. Other business

EXECUTIVE SESSION

Immediately following regular session

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

.....
April 10, 2024
Blazing Star Room
Centennial Office Building
.....

MINUTES

The meeting was called to order by Chair Asp.

Members present: Asp, Flynn, Leppik, Rashid, Soule, Swanson

Others present: Sigurdson, Engelhardt, Johnson, Olson, staff; Stephen Melchionne (on behalf of Nathan Hartshorn), counsel

MINUTES (March 8, 2024)

The following motion was made:

Member Leppik's motion: To approve the March 8, 2024, minutes as drafted.

Vote on motion: Unanimously approved.

EXECUTIVE DIRECTOR'S REPORT

Mr. Sigurdson provided an update regarding the 2023 Lobbyist Principal Report which was due on March 15, 2024. The reports filed so far disclose that \$90,012,463 was spent in 2023 to influence the legislature, administrative agencies, and the official actions of metropolitan governmental units. Additionally, the amount spent to influence administrative action by the Minnesota Public Utilities Commission in cases of rate setting, power plant, and powerline siting, and granting of certificates of need came to \$6,359,039. Total lobbying expenditures currently reported for 2023 amount to \$96,371,501. The total amount reported for lobbying disbursements represents the highest amount ever reported in Minnesota and represents a 16% increase over the previous high reported for 2022.

Mr. Sigurdson reported that the Governor has not made appointments for the positions currently held by Members Swanson and Leppik. Mr. Sigurdson updated the Board on the status of proposed legislation that would impact Board operations.

ENFORCEMENT REPORT

A. Consent Items

1. Lobbyist registration termination of Ade Salami (#4850)

The Water Sports Industry Association (WSIA) (#7646) and MN-FISH Coalition (#7892) requested the lobbyist registration of Ade Salami be terminated. Salami left Park Street Public on September 15, 2022. Park Street Public is the contract lobbying firm that represents WSIA and MN-FISH at the Minnesota State Capitol. WSIA and MN-FISH have tried to contact Salami several times and could not reach her.

2. Lobbyist registration termination of Manilan Houle (#4190)

OutFront Minnesota (#3628) requested the lobbyist registration of Manilan Houle be terminated. Houle has not been associated with OutFront MN since 2017. In 2023, the designated lobbyist left, which resulted in everyone on OutFront MN’s report becoming a self-reporting lobbyist, including Houle. Board staff requested to backdate Houle’s termination to May 31, 2023. Houle has not filed his lobbyist disbursement report covering the first reporting period in 2023. If the termination is backdated, he will not have to file that report.

The following motion was made:

Member Leppik’s’s motion: To approve the requested lobbyist terminations.

Vote on motion: Unanimously approved.

B. Waiver Requests

Entity	Late Fee / Civil Penalty	Report Due	Factors and Recommended Action	Board Member's Motion	Motion	Vote on Motion
1. Lawrence (Bryan) for MN (19050)	\$50 LFF	2024 Pre-Special Election	Board staff mistakenly failed to update the database to indicate that the candidate won the primary as he was the only candidate in the special election that had created a principal campaign committee. Because of the staff error, the committee was unable to file the correct report in CFRO. After being contacted by staff the next day, they filed the correct report. RECOMMENDED ACTION: Waive	Leppik	Approve staff recommendation for requests 1-9	Unanimously passed

<p>2. Jay Wood (DPS)</p>	<p>\$80 LFF</p>	<p>2023 EIS</p>	<p>Report due 1/29/24 and filed on 3/6/24. Wood states he left DPS on 3/4/23 and CFB was not given an updated address for Wood. Wood states he hadn't received any communication from DPS regarding his 2023 EIS until Feb 2024. It was only when CFB asked DPS to contact Wood that he was informed about it. DPS said that they had forwarded the mailings from CFB to Wood in early February. Wood states that when he received the notice he was recovering from surgery, but promptly filed the statement once he recovered. RECOMMENDED ACTION: Waive</p>	<p>Leppik</p>	<p>Approve staff recommendation for requests 1-9</p>	<p>Unanimously passed</p>
<p>3. Baker (Dave) for House (17700)</p>	<p>\$25 LFF</p>	<p>2023 Year-End</p>	<p>Report due 1/31/24 and filed 2/1/24. Phil Cleary, the treasurer attempted to file the report on 1/31/24 but ran into issues with CFRO. Cleary reached out to Ms. Engelhardt and informed her of the problem and let her know he would not be able to file until the issue was resolved. He filed the next day. RECOMMENDED ACTION: Waive</p>	<p>Leppik</p>	<p>Approve staff recommendation for requests 1-9</p>	<p>Unanimously passed</p>
<p>4. Sensible Change Minnesota (7540)</p>	<p>\$50 LFF</p>	<p>2023 LPR</p>	<p>Report due 3/15/24 and filed 3/19/24. Maren Schroeder states, they mistakenly filed an incorrect report on 3/15/24. During the process of filing the corrected report, they also spoke with the Board staff. Schroeder adds that reminders to file the report were sent to her junk mail. RECOMMENDED ACTION: Waive</p>	<p>Leppik</p>	<p>Approve staff recommendation for requests 1-9</p>	<p>Unanimously passed</p>

<p>5. Alyssa Erickson (Minneapolis Public Housing Authority)</p>	<p>\$80 LFF</p>	<p>2023 EIS</p>	<p>Report due 1/29/24 and filed 3/6/24. CFB is not responsible for collecting economic interest statements for the City of Minneapolis but does have the obligation to ensure they are filed. The City of Minneapolis notified Board staff that Erickson had not filed her EIS on 2/13/24. As a result, Board staff sent Erickson a notice to file. Erickson states that she never received any communication from the City of Minneapolis regarding the EIS due date. Erickson only became aware of the statement when she received a letter from CFB on 3/4/24. Erickson believes that the City of Minneapolis should have informed her to fill out the form, as she has the correct email and home address on file with the city. RECOMMENDED ACTION: Waive</p>	<p>Leppik</p>	<p>Approve staff recommendation for requests 1-9</p>	<p>Unanimously passed</p>
<p>6. Building Systems Holding, Inc. (7166)</p>	<p>500</p>	<p>2019 LPR</p>	<p>Report due 3/16/2020 and filed 4/13/2020. Andy Faulkner states the principal was not aware of this late filing fee until they received a letter from CFB notifying them about a 2023 late filing fee (that they will pay). Faulkner states they did not receive any reminders for the 2019 report due to a change in the primary contact. Faulkner states all the information given to Board staff is up to date to avoid future filing days. Faulkner states the 2019 report was not timely filed due to the global pandemic, which had shut down many business operations. They were unable to file the report within the given time frame due to Governor-mandated office shutdowns. The company was focused on determining the impact of the pandemic on their business's daily operations, clients (primarily K-12 School Districts), and ensuring the safety of their employees. RECOMMENDED ACTION: Waive</p>	<p>Leppik</p>	<p>Approve staff recommendation for requests 1-9</p>	<p>Unanimously passed</p>

7. Goggin for Senate (17969)	\$75 LFF	2023 Year-End	Report due 1/31/24 and filed 2/5/24. Goggin explained that his work schedule made it difficult for him to file before early February, which is why he did not file until then and the committee was working with Board staff on a balance adjustment. The committee was terminated as of 12/31/23. RECOMMENDED ACTION: Waive	Leppik	Approve staff recommendation for requests 1-9	Unanimously passed
8. Ujamaa Place (7245)	\$50 LFF	2023 LPR	Report due 3/15/24 and filed 3/19/24. The new CEO of Ujamaa started less than a year ago and was not receiving notifications from CFB. CFB called Ujamaa on 3/19/24 notifying them they had not filed and they promptly filed the same day. RECOMMENDED ACTION: Waive	Leppik	Approve staff recommendation for requests 1-9	Unanimously passed
9. Big Stone County RPM (20353)	\$75 LFF	2023 Year-End	Report due 1/31/24 and filed 2/5/24. The treasurer, Donald Diekmann, states that he is over 83 years old and has trouble with computers. To fill out reports, he usually has someone help him. Diekmann mentioned that the January report was filed with the help of one of his daughters and sent via email but unfortunately, it did not go through. It was resent on 2/5/24. Diekmann also stated that he has tried to find someone else to fill the role of treasurer, but so far, nobody has stepped up to the task. RECOMMENDED ACTION: Waive	Leppik	Approve staff recommendation for requests 1-9	Unanimously passed
10. Brian Tommerdahl (Clearwater River WD)	\$10 LFF	2023 EIS	Report due 1/29/24 and filed on 2/14/24. Tommerdahl provided several reasons for the delay in his filing, including overseas travel, unexpected surgery, legal matters, and a limited notification timeline of only 60 days from the Board. NO STAFF RECOMMENDATION	Flynn	Waive, for requests 10-11	Unanimously passed

<p>11. Committee to Elect Jim Bean III (18867)</p>	<p>\$125 LFF</p>	<p>2023 Year-End</p>	<p>Report due 1/31/24 and filed 2/7/24. Aula Yarnes, the treasurer of the committee, filed an amended 2022 year-end report on 1/31/2024 instead of the 2023 year-end report. Board staff contacted the committee to explain the problem and asked them to file the 2023 year-end report, which would allow them to record the 2023 expenses and terminate. After this, Yarnes worked with the Board staff to record the new year's expenditures and file the 2023 year-end report. The committee has terminated as of 12/31/23. NO STAFF RECOMMENDATION</p>	<p>Flynn</p>	<p>Waive, for requests 10-11</p>	<p>Unanimously passed</p>
<p>12. Minneapolis United for Rent Control (60071)</p>	<p>\$800 LFF</p>	<p>2023 Year-End</p>	<p>Report due 1/31/24 and filed 3/18/24. Nicole Buehler became the treasurer of Minneapolis United for Rent Control in February 2023. However, all the mail from CFB was sent to a PO box then forwarded to Buehler's previous home address, which resulted in her not receiving any communication from CFB. As of now, the organization is no longer active, and neither the previous nor current treasurer had access to the old email account. In 2023, the committee had limited expenditures, and no money was spent on ballot measures or Hennepin County elections that would have required additional reporting. As soon as the CFB brought the oversight to their attention by making a phone call on 3/18/24, Minneapolis United for Rent Control promptly filed its 2023 annual report. NO STAFF RECOMMENDATION</p>	<p>Swanson</p>	<p>Lay over to the May meeting to give the Committee time to terminate</p>	<p>Unanimously passed</p>

<p>13. North Central States Carpenters PAC (30561)</p>	<p>\$1,000 LFF</p>	<p>2023 1st Quarter (April)</p>	<p>Due 4/15/23 and never filed, but activity was disclosed within June report filed 6/13/23. Richard Kolodziejski, speaking on behalf of Treasurer Pat Nilsen, states that a former employee of the North Central States Regional Council of Carpenters (NCSRCC) had requested to donate multiple \$500 contributions to Minneapolis City Council Candidates. However, due to the absence of the administrative staff responsible for processing the checks and completing the Report of Receipts and Expenditures, the report was not completed on time. Kolodziejski assured that the PAC will have two individuals with calendar reminders set up at NCSRCC to prevent such errors from occurring in the future. All other 2023 reports were filed by NCSCP. NO STAFF RECOMMENDATION</p>	<p>Swanson</p>	<p>Reduce to \$500</p>	<p>Unanimously passed</p>
<p>14. Latasha Lee (Board of Nursing)</p>	<p>\$100 LFF \$1,000 CP</p>	<p>2023 EIS</p>	<p>Report due 1/29/24 and filed 3/20/24. Lee states that she has been filling out the EIS for the past four years and has always submitted it on time. However, this time she missed it due to an oversight on her part. She was feeling overwhelmed because she had to take care of her father, who was suffering from various medical issues. NO STAFF RECOMMENDATION</p>	<p>Soule Leppik</p>	<p>Waive Amend motion to waive CP only</p>	<p>Leppik's motion to amend motion failed 3-3. Soule's motion to waive entire amount unanimously passed.</p>

C. Informational Items

1. Payment of late filing fee for 2023 EIS

- Rebecca Petersen, \$25
- Tyler Ask, \$40
- Troy Larson, \$20
- Ed Prudhon, \$10
- Andy Weaver, \$10
- Billy Menz, \$65
- Kim Miller, \$70
- Luz Frias, \$40
- Louise Segreto, \$100
- Paul Traderwall, \$65

Paul Huneke, \$110

2. Payment of late filing fee for 2023 lobbyist disbursement report

Nancy Haas, \$25

Robert Doar, \$150

Stacey Mickelson, \$75

3. Forwarded anonymous contributions

Douglas County RPM, \$50

Carver County RPM, \$50

4. Payment of late filing fee for 2023 year-end report

Lenz (Paul) for House, \$100

Jim Nash for Minnesota, \$100

Pipestone County RPM, \$175

5. Payment of late filing fee for 2023 pre-primary report

Winthrop & Weinstine, PA Political Fund, \$1,000

6. Payment of late filing fee for 2023 September report

Faegre Drinker State Political Fund, \$600

St. Paul Pipefitters Local 455 PAC, \$1,000

ADVISORY OPINION REQUESTS

Mr. Sigurdson provided an update to the Board on the status of the request. As the opinion request is not public, no entities or individuals were mentioned. Member Swanson expressed concerns about whether requests for advisory opinions are becoming increasingly political, and if the Board responds to this one, where should the line be drawn on future responses?

Vice Chair Rashid made a motion to approve the layover request and also suggested having a more in-depth discussion on this matter at a later date. In addition, Chair Asp requested that Board staff look into the Board's history of seeking additional information from opinion requestors prior to issuing an advisory opinion.

The following motion was made:

Member Rashid's motion: To lay the matter over.

Vote on motion: Unanimously approved.

ADMINISTRATIVE RULEMAKING UPDATE

Mr. Olson stated that staff is preparing a Statement of Need and Reasonableness (SONAR). Mr. Olson explained that if H.F. 4772 is enacted in its current form, the legislation will codify in statute language similar to that found in some of the draft rules, in which case the proposed rule language will need to be modified accordingly. In response to a question from Chair Asp, Mr. Olson stated that Board staff hopes to have the SONAR drafted by the end of April.

LEGAL REPORT

Mr. Melchionne updated the Board on the Mariani matter and mentioned that it would be taken off the list of active files soon. The Board discussed the available payment options for Mr. Mariani's debt.

EXECUTIVE SESSION

Chair Asp recessed the regular session of the meeting and called to order the executive session. Upon recess of the executive session, 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:

Executive director's report
Memorandum regarding layover of Advisory Opinion Request 462
Legal report



MINNESOTA

CAMPAIGN FINANCE BOARD

Board Meeting Dates for Calendar Year 2024

Meetings are at **9:30 A.M.** unless otherwise noted.

2024

Wednesday, June 5

Wednesday, July 10

Wednesday, August 7

Wednesday, September 4

Wednesday, October 2

Wednesday, November 6

Wednesday, December 11



MINNESOTA CAMPAIGN FINANCE BOARD

Date: April 24, 2024

To: Board Members

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Executive Director's Report – Board Operations

Board Appointments

As of the date of this memo, the Governor has not made appointments for the positions currently held by Members Swanson and Leppik. Because the legislative session typically ends in the third week of May, I think it very unlikely that the appointments will be made prior to the end of session. Members Swanson and Leppik may continue to serve until July 1st of this year, pending reappointment or the appointment of a new Board member.

Legislative Action

The House Election Finance and Policy Committee omnibus bill, [HF 4772](#), has passed both the Senate and House. There are differences in the Senate and House versions of the bill, so a conference committee will be needed. The House conferees are Representatives Freiberg, Greenman, and Virnig. The Senate conferees have not yet been appointed.

[SF 4431 \(Westlin, Koran\)](#) – [HF 4728 \(Bahner, Torkelson\)](#) This bill streamlines the process for submitting a political contribution refund, and requires the Dept. of Revenue to develop a website for requesting the refund online. The bill requires an appropriation for the Dept. of Revenue, so it was not included in the respective omnibus bills. Neither bill has been to the floor for a vote.

CPI Increase for House Spending Limits

During a state election year, the spending limits for offices on the ballot are adjusted to reflect the consumer price index for the two prior years. The spending limit increase for House candidates increased by 10.36% to \$80,300 for the 2024 election cycle. The special source contribution limit is calculated from the spending limit, so the special source limit for House candidates also increased for the 2024 election cycle to \$16,100.



MINNESOTA

CAMPAIGN FINANCE BOARD

Date: April 24, 2024

To: Board members
Counsel Hartshorn

From: Greta Johnson, Legal/Management Analyst **Telephone:** 651-539-1183

Subject: Enforcement report for consideration at the May 1, 2024, Board meeting

A. Waiver Requests

#	Committee/ Entity	Late Fee/ Civil Penalty	Report Due	Factors	Prior Waivers	Recommended Action
1	Aldridge Electric (8140)	\$25 LFF	2023 LPR	Report due 3/15/24 and filed 3/18/24. Tim Bradley was responsible for filing the report. Mr. Bradley faced the death of a family member during the week the report was due, which made him unavailable due to travel and bereavement leave. Consequently, Aldridge Electric couldn't obtain Mr. Bradley's electronic signature within the required timeframe. To address this, Aldridge contacted Board staff on March 18, 2024, and Board staff assisted with the filing of the report with a different employee's electronic signature. All of the principal's lobbyists terminated their registration effective as of the end of 2023, so Aldridge Electric presently has no ongoing reporting obligations.	No.	Waive.
2	LeNell Enterprises LLC (6528)	\$25 LFF	2023 LPR	Report due 3/15/24 and filed 3/18/24. Jim Rau, the principal's contact, stated he was in and out of the hospital and had not been going through his mail or e-mail.	No.	Waive.

3	Heat & Frost Insulators Local 34 PAC Fund (30691)	\$1,000 LFF	2023 September Report	Report due 9/26/23 and never filed, but transactions were included in year-end report filed 1/18/24. William Meyer, the current treasurer, acknowledges an oversight in reporting requirements triggered by Hennepin County activity. On July 28, 2023, the fund contributed to a city council candidate in Brooklyn Park, thereby requiring the filing of the September report. Meyer apologizes for any inconvenience caused and emphasizes efforts to stay informed through training videos and seeking guidance when needed.	No.	In 2023, a new rule was implemented requiring political committees and funds to file periodic reports disclosing their contributions in Hennepin County. Understandably, the treasurers faced difficulties in meeting this new disclosure requirement. To help the committees, the staff conducted outreach and training to inform them about the new reporting requirement. For Board discussion, the staff recommends giving a 50% reduction in late fees to any committee that failed to file a report disclosing their Hennepin County political activity in 2023 but doesn't have any prior waivers.
4	Southeast Metro Business PAC (40746)	\$538.23 LFFs	2022 Pre-Primary September Report	Report due 7/25/22 filed 8/5/22. Report due 9/27/22 filed 10/7/2022. Both reports were no-change statements. The committee ceased operations in March 2020 but River Heights Chamber of Commerce staff continued filing no-change reports through the end of 2022. Kelton Glewwe volunteered to help terminate the committee and sent CFB a check for \$111.77 (which applied to the LFF for the pre-primary report), representing the entire remaining balance of committee funds. Glewwe requests the remaining portion of the LFFs be waived as the committee no longer possesses assets, funds, or the ability to raise additional funds. Aside from the check to the CFB, the committee does not appear to have had any financial activity since 2019. The committee is now terminated.	Yes. \$50 LFF waived in 2012 due to difficulty using CFR, \$750 LFF waived in 2020 due to difficulty emailing the report, and \$25 LFF waived in 2020 due to COVID-19 issues	

5	<p>Draft Kendall Qualls for Governor Committee (41271)</p>	<p>\$150 LFF</p>	<p>2023 year-end</p>	<p>Report due 1/31/24 and filed 2/8/2024. Counsel for the committee, Nick Morgan, states that the committee intended to file a termination report with the year-end report. However, the information needed to process the termination was not provided to them in time because the banker working with them passed away suddenly, which caused the delay in filing the termination/year-end report. The committee filed a year-end report 2/8/2024 that was a no-change statement and listed an ending balance of \$9,081. The committee filed an amended year-end/termination report 2/21/2024 stating that all of the committee's funds were donated to a 501(c)(3) charity during the first half of 2023. Morgan states this is their first waiver request, but CFB records show it is their second. The committee was terminated retroactive to 12/31/23.</p>	<p>Yes. \$100 LFF waived in 2023 after treasurer mistakenly filed amended pre-general report rather than a year-end report.</p>	
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6	Residents for a Better Bloomington (41290)	\$1,000 LFF	2023 Oct Report	Report due 10/30/23 and never filed, but transactions were included in year-end report filed 1/28/24. Treasurer Nick Morgan states the committee received “inaccurate guidance” before the filing deadline from the City of Bloomington, which said that Independent Expenditure Political Committees file directly with the CFB and told them to contact the CFB with any questions about that. Morgan states that at the time, the committee was only engaged in activity within the City of Bloomington and it did not believe the guidance from the City of Bloomington applied. Morgan states they completed all filings required by the City of Bloomington, which can be accessed on the City’s website. Morgan accurately states they have never previously missed a filing deadline. Board staff interprets the email exchange between an individual named Kathy and the City of Bloomington differently as the email does not mention the committee, it accurately states that independent expenditure committees file with the CFB, and it does not say that ballot question committees do not have to file with the CFB. Mr. Morgan does not contest that the committee is a Chapter 10A political committee (which is sensible given their registration with the Board in April 2022).	No.	Reduce fee.
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B. Informational Items

- 1. Payment of late filing fee for 2023 EIS**
Gabriel Ulman, \$20
- 2. Payment of late filing fee for 2023 lobbyist principal report**
Crop Life America, \$25
- 3. Payment of late filing fee for lobbyist disbursement report due 1/16/2024**
Benjamin Dorr, \$150
- 4. Payment of late filing fee for lobbyist disbursement report due 1/15/2019**
Benjamin Dorr, \$25
- 5. Payment of late filing fee for lobbyist disbursement report due 6/15/2018**
Benjamin Dorr, \$150
- 6. Payment of late filing fee for lobbyist disbursement report due 1/16/2018**
Benjamin Dorr, \$25
- 7. Payment of late filing fee for 2023 year-end report**
MN State Building & Construction Trades Council Political Fund, \$25
Committee to Elect Haaris Pasha, \$800
Jay (Xiong) for House, \$75
- 8. Partial payment of late filing fee for 2022 pre-primary report**
Southeast Metro Business PAC, \$111.77
- 9. Payment of late filing fee for 2023 pre-general report**
60th Senate District DFL, \$1,000

From: [Luke Kyska](#)
To: [Engelhardt, Megan \(CFB\)](#)
Cc: [Carrie Berger](#); [Mark Patterson](#)
Subject: Lobbyist Principal Report_Written Request for Good Cause_Aldridge Electric
Date: Wednesday, April 03, 2024 9:14:22 AM
Attachments: [Minnesota Campaign Finance Board Late Fee.pdf](#)
[Aldridge Electric Mail - Annual Report of Lobbyist.pdf](#)
[MN Annual Report of Lobbyist Principal Aldridge Electric \(2\).pdf](#)

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Ms. Engelhardt,

RE: Lobbyist Principal Report due on 03/15/2024

Reg. No.: 8140

Written Request for Good Cause

The following is Aldridge Electric's ("Aldridge") request to the Minnesota Campaign Finance Board to waive the late filing fee of twenty-five dollars (\$25.00) related to the Aldridge Lobbyist Principal Report for 2023.

The authorized representative for Aldridge who was sent the principal report instructions and electronic username and password for filling the principal report was Tim Bradley, Executive Vice President for Aldridge.

Aldridge intended to file the Annual Report of the Lobbyist Principal for the 2023 period on 3/15/24. However, Mr. Bradley suffered the unexpected passing of a family member the week the report was due. This caused Mr. Bradley to be unavailable due to traveling and bereavement leave. Aldridge Electric was unable to have the Lobbyist Principal Report signed and returned timely.

Aldridge contacted Erika Ross, a programs analyst with the Minnesota Campaign Finance Board, on 3/18/24, and requested a substitution for the signing of the report, which was granted (evidenced by the attached email). Aldridge submitted the report with the substituted signature on 3/18/24.

Aldridge Electric is now requesting a waiver for good cause for the filing of the report after the deadline.

Sincerely,

Luke Kyska
Assistant Counsel
Mobile: 847-627-6823
844 E Rockland Rd • Libertyville, IL 60048

LeNell Enterprises LLC (6528)

From: [JIM RAU](#)
To: [Engelhardt, Megan \(CFB\)](#)
Subject: waiver request
Date: Monday, April 08, 2024 3:23:26 PM

You don't often get email from jimrau2@msn.com. [Learn why this is important](#)

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Magan,

As I have been in and out of Mayo and St. cloud hospital with a very serious cancer issue and have not been available through mail or email would you please wave the late fee for my annual Lobbyist Report?

Thank you,

Jim Rau

James "Jim" Rau
LeNell Enterprises Inc.
8889 Burton Pl NW
Rice, MN 56367

c) 612-735-9628

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Heat & Frost Insulators Local 34 PAC Fund (30691)

From: [William Meyer](#)
To: [Engelhardt, Megan \(CFB\)](#)
Subject: Official request for Waiver
Date: Thursday, April 18, 2024 2:16:23 PM

This message may be from an external email source.

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To whom it may concern,

My name is William Meyer I am the current treasurer of PAC account #30691 I was voted into this position late fall of 22' and officially into the role in 2023. During that time, I thought I understood the new rulings for reporting Hennepin county PAC contributions. On July 28th we made a contribution to a potential city council member of Brooklyn park at the time I was unaware Brooklyn park due to its population fall under that certain reporting, so I didn't report it until the September. I apologies for any inconvenience this has caused and have tried my best to watch all the training videos and call when I have a question to make sure our reporting has been done on time and correct. Thank you for this consideration.

William Meyer
Business Agent/ Financial Secretary
Heat & Frost Insulators Local 34
Office: (651)312-1245
Cell: (612)274-8858

From: kglewwe@concretemender.com
To: [Engelhardt, Megan \(CFB\)](#)
Subject: Termination Request/
Date: Tuesday, April 02, 2024 2:05:42 PM

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Megan Engelhardt <megan.engelhardt@state.mn.us>
Assistant Executive Director
Minnesota State Campaign Finance and Public Disclosure Board
190 Centennial Building
658 Cedar Street
St. Paul, MN 55155-1603
651-539-1182

Subject: SEMBPAC #40746 Termination

Dear Minnesota State Campaign Finance and Public Disclosure Board,

I am writing on behalf of SEMBPAC #40746 to request the termination of all PAC activities, effective April 2, 2024.

SEMBPAC #40746 ceased operations in March 2020 due to the resignation of the Administrative Director. An Interim President was appointed during the search for a permanent President. Unfortunately, the duties related to SEMBPAC administration were not clearly communicated to the River Heights Chamber of Commerce staff, resulting in reporting penalties that I discovered only in January 2024. I have volunteered to wrap up SEMBPAC's affairs and officially terminate the organization.

Enclosed, please find a check for \$111.77, representing the entire remaining balance of SEMBPAC funds. Kindly apply this amount to any outstanding fees. Considering the circumstances, I request that any remaining fees be waived. SEMBPAC no longer possesses assets, funds, or the ability to raise additional funds. It has been inactive since the 2020 election cycle, and its original administration has disbanded. I have assumed the role of acting administrator to facilitate the PAC's closure.

Thank you for your understanding.

Sincerely,

Kelton Glewwe
Acting Administrator
SEMBPAC #40746

Draft Kendall Qualls for Governor Committee (41271)

From: [Nick Morgan](#)
To: [Engelhardt, Megan \(CFB\)](#)
Subject: Waiver Request - Kendall Qualls for Governor (#41271)
Date: Thursday, April 04, 2024 3:37:06 PM

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Megan-

My name is Nick Morgan and I am an attorney writing on behalf of the Draft Kendall Qualls for Governor Committee (#41271). The Committee requests a waiver from the \$150 fine for a late year end filing. We intended for this filing to be both a year end and termination report. However, the information needed to process the termination was not provided to us in time because the banker working with us at Chain Bridge Bank in Virginia passed away suddenly. The year end and termination report is now filed and this is our first request for a waiver while the Committee has been in existence. The Committee appreciates your consideration and understanding of our unfortunate circumstances.

Best,
Nick Morgan

--

Nicholas Morgan
952-334-9941
nick.morgan73@gmail.com

Residents for a Better Bloomington (41290)

From: [Nick Morgan](#)
To: [Engelhardt, Megan \(CFB\)](#); greta.johnson@state.mn
Subject: Waiver Request - RFABB (#41290)
Date: Monday, April 08, 2024 12:49:14 PM

This message may be from an external email source.

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Megan-

My name is Nick Morgan and I am writing on behalf of Residents for a Better Bloomington ("RFABB") (#41290). We received a notice of a failure to file violation and currently face a \$1,000 fine. We request a waiver because of being provided inaccurate guidance prior to the filing deadline. As you can see in the below e-mail conversation we relied upon legal guidance from the City of Bloomington that considered us an Independent Expenditure Political Committee. At the time we had dual filings because when RFABB acted ONLY within the City of Bloomington we weren't a 10A IE Committee (which did not participate in separate local activity), we were a political committee under the definition of 211B.01 subd. 4, which at the time was not required to file with the CFB, and therefore we didn't think the guidance applied. We engaged in all filings required by the City of Bloomington. Our filing can be found on the City of Bloomington website and also accessible through the local website link on the MNCFB website.

<https://www.bloomingtonmn.gov/sites/default/files/2023-10/Residents%20for%20a%20Better%20Bloomington%20Action%20Committee%20-%20Received%20October%2027%2C%202023.pdf>

We have never missed a reporting deadline with the City of Bloomington, and now that we have received notice that our filings must go through the CFB we won't miss again. We apologize for our confusion surrounding the law change. Since this is our first offense we request that our fine be waived. We appreciate your consideration and are happy to answer any questions.

Best,
Nick

--

Nicholas Morgan
952-334-9941
nick.morgan73@gmail.com

On Aug 4, 2023, at 4:26 PM, Scipioni, Christina M <cmscipioni@bloomingtonmn.gov> wrote:

Hello Kathy,

The campaign filing deadlines for 2023 are listed in the Bloomington Candidate Packet: https://link.edgepilot.com/s/3c0af216/f6JVqH1hYUjO-AeS9mJnjw?u=https://www.bloomingtonmn.gov/sites/default/files/2023-07/filepack_0.pdf (page 16). The are also available on the Secretary of State's Website: https://link.edgepilot.com/s/c30e8b0d/IQOR-vFdtk6BYAZC_UtyA?u=https://www.sos.state.mn.us/election-administration-campaigns/campaigning/campaign-finance-filings/.

The law regarding the pre-primary report changed effective August 1, 2023. In future election years, a pre-primary report will be required for all candidates on the ballot in November, regardless of whether the city is holding a primary. Since the law changed effective Aug. 1 and this year's pre-primary report would have been due July 29, we have not sought pre-primary reports from candidates with open campaign finance filings.

Independent Expenditure Committees still file directing with the CFB. You would want to check directly with CFB to see if there have been any changes to the filing requirements or deadlines.

Thank you,

Christina

<image002.png>

Christina M. Scipioni

City Clerk's Office | City Clerk

PH: 952-563-4989 **EMAIL:** cmscipioni@bloomingtonmn.gov

1800 West Old Shakopee Road, Bloomington, MN 55431



MINNESOTA

CAMPAIGN FINANCE BOARD

Date: April 24, 2024

To: Interested Members of the Public

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Advisory Opinion 462

The requester is a business partnership that may wish to contribute to candidate committees, political party units, political committees and funds. Generally, the request asks for guidance on what steps the partnership must take to comply with Chapter 10A. The requestor does not wish to make the request public. Therefore, the draft opinion that is provided to the public does not identify the requestor. The Board will only discuss the public version of the draft opinion during regular session.

Attachments:

Public version of draft advisory opinion 462

**State of Minnesota
Campaign Finance & Public Disclosure Board
Suite 190, Centennial Building. 658 Cedar Street. St. Paul, MN 55155-1603**

**THE FOLLOWING PUBLICATION DOES NOT IDENTIFY THE
REQUESTER OF THE ADVISORY OPINION, WHICH IS NON PUBLIC DATA
under Minn. Stat. § 10A.02, subd. 12(b)**

ADVISORY OPINION 462

SUMMARY

A partnership consisting of individuals may make political contributions from the general treasury of the partnership subject to the limitations and disclosure requirements of Chapter 10A.

FACTS

On behalf of a business partnership you request an advisory opinion from the Campaign Finance and Public Disclosure Board based on the following facts, which were provided to the Board in a written request and in response to questions from Board staff.

1. A business partnership (the Partnership), composed solely of individuals, is considering various approaches to influence Minnesota elections.
2. The Partnership owns and operates the building used by the Partnership.
3. The Partnership may register a political committee or fund for the purpose of making contributions to candidates, political party units, and other political committees or funds.
4. If the Partnership forms a political committee or fund it may decide to pledge \$500,000 in collateral for a line of credit that would be available for use by the political committee or fund. The line of credit would be established with a bank or credit union. The political committee or fund would be responsible for any interest accrued for using the line of credit.
5. If a political committee or fund is formed, the Partnership may solicit contributions for the entity. Contributors would be directed to send any contribution to the political committee or fund for deposit.
6. If a political committee or fund is formed the Partnership may wish to provide administrative assistance to the committee or fund, similarly to how a corporation may provide limited administrative assistance under Minnesota Statutes section 211B.15, subdivision 17. If office space is needed the political committee or fund would be responsible for rent, and if the office space is acquired from the 501(c)2 organization, the rent will reflect fair market value.

7. The Partnership may forgo forming a political committee or fund, and instead use the Partnership's general treasury funds to make contributions to one or more registered candidate committees, political party units, or political committees or funds.

With this background in mind, you ask the following questions.

Issue One

Is the Partnership able to register a general-purpose political committee or fund, and contribute to the committee or fund from the Partnership's general treasury?

Opinion One

Yes, the Partnership may register a general-purpose political fund. Minnesota Statutes section 211B.15, subdivision 2, prohibits a "corporation" from offering or making a political contribution to a candidate committee, political party unit, general-purpose political committee, or general-purpose political fund.¹ For the purposes of this statute the word corporation is defined to include:

- (1) a corporation organized for profit that does business in this state;
- (2) a nonprofit corporation that carries out activities in this state;² or
- (3) a limited liability company formed under chapter 322C, or under similar laws of another state, that does business in this state.

In Minnesota, a business partnership formed under Chapters 321 or 323A, or similar law in another state, is not a corporation. Therefore, the prohibition on corporate contributions does not apply to a partnership that is made up of individuals. As provided in the facts of this opinion the Partnership consists of individuals, and therefore may contribute either to a political fund that is established by the Partnership, or directly to candidate committees, political party units, political committees, or political funds (registered entities).

The Board notes that under Minnesota law business partnerships are not limited to individuals; a partnership may also include one or more for-profit corporations. Minnesota Statutes section 211B.15 prohibits direct or indirect corporate political contributions, with limited exceptions made for contributions made to independent expenditure committees and funds, and ballot question committees and funds. A for-profit corporation may not circumvent the general prohibition on political contributions by making a contribution through a business partnership.

¹ The prohibition on receiving corporate contributions does not apply to independent expenditure committees and independent expenditure funds. [Minn. Stat. § 211B.15, subd. 3.](#)

² A nonprofit corporation that meets the criteria provided in Minnesota Statutes section 211B.15, subdivision 15, is exempted from the general prohibition on corporate contributions.

For the purposes of Chapter 10A, the Partnership is an “association”. Minnesota Statutes section 10A.01, subdivision 6, defines “association” to mean a group of two or more persons, who are not all members of an immediate family, acting in concert. Associations register with the Board as either a political committee, or a political fund, depending on the nature of the association.

A “political committee” is an association whose major purpose is to influence the nomination or election of a candidate, or to promote or defeat a ballot question (elections).³ A “political fund” is formed by an association that has a major purpose that is not to influence elections. A political fund is the reporting mechanism for the association to report money accumulated or spent to influence elections.⁴ This includes reporting the transfer of money from the general treasury of the association to the fund. The term “general treasury money” is defined to include income from the operation of a business, donations to the association for its general purposes, and membership dues and fees paid to the association.⁵ The Partnership was formed for business purposes, not to influence elections, and wishes to use general treasury money to support political activity. Therefore, the Partnership would register a political fund with the Board.

The facts of this opinion request state that the Partnership is considering whether to register a political fund, or to make contributions directly from the general treasury of the Partnership to registered entities. The Partnership may do either, but there are limitations if the Partnership does not register a political fund. Without a political fund, the Partnership is limited to no more than \$750 in direct contributions to registered entities, or more than \$750 in approved in-kind contributions on behalf of candidates. Registration of a political fund is required if the \$750 threshold is exceeded in a calendar year, and must occur no later than 14 days after the threshold is exceeded.^{6,7}

In addition, if the Partnership makes direct contributions, including approved in-kind contributions to registered committees, and the value of the contribution exceeds \$200, then the Partnership must provide a disclosure statement with the contribution, as required in Minnesota Statutes section 10A.27, subdivision 13.⁸ An unregistered association, or an officer of the association, is subject to a civil penalty for failure to provide the disclosure statement.

Issue Two

Is the Partnership able to provide collateral for a \$500,000 line of credit for use by the political fund?

³ [Minn. Stat. § 10A.01, subd. 27.](#)

⁴ [Minn. Stat. § 10A.01, subd. 28.](#)

⁵ [Minn. Stat. § 10A.01, subd. 17c.](#)

⁶ [Minn. Stat. § 10A.12, subd. 1.](#)

⁷ [Minn. Stat. § 10A.14, subd. 1.](#)

⁸ An unregistered association that makes a contribution to an independent expenditure committee or fund, or to a ballot question committee or fund, is required to provide the disclosure statement required in Minnesota Statutes section 10A.27, subdivision 15.

Opinion Two

Yes. As provided in opinion one, the Partnership is not a corporation, so it may provide both cash and in-kind contributions to its own political fund. There is no limit on the size of the contributions made to the political fund from the general treasury of the Partnership.

The Board's understanding of a business line of credit is that it allows the borrower to draw funds as needed. There is typically little or no cost for establishing a line of credit, and no interest payments if the line of credit is not used. Providing substantial collateral for a line of credit will lower the interest rate charged for the funds borrowed using the line of credit. If the collateral provided by the Partnership results in the political fund paying a lower interest rate than what would be charged without the collateral, then the difference between the two interest rates represents an in-kind contribution from the Partnership to the political fund.

Issue Three

Do the limits on administrative assistance to a political fund provided in Minnesota Statutes section 211B.15, subdivision 17, apply to the Partnership?

Opinion Three

No. Minnesota Statutes section 211B.15, subdivision 17, provides for limited administrative assistance to a political committee or fund by a nonprofit corporation. The Partnership is not a corporation, so the limitations in the statute do not apply. If the Partnership pays for office space or other operating costs for the political fund those costs are in-kind contributions to the political fund and are reported at the fair market value of the office space or operating cost.

The facts of this opinion provide that the Partnership may solicit contributions for the political fund. If the Partnership incurs costs soliciting contributions, then those costs must be reported as an in-kind contribution to the political fund.

Issued: May 1, 2024

David Asp, Chair
Campaign Finance and Public Disclosure Board



MINNESOTA CAMPAIGN FINANCE BOARD

Date: May 1, 2024

To: Board members
Nathan Hartshorn, counsel

From: Andrew Olson, Legal/Management Analyst **Telephone:** 651-539-1190

Subject: Rulemaking update

Board staff is making progress in drafting a Statement of Need and Reasonableness (SONAR) for the administrative rule language approved by the Board in March. The SONAR will be completed prior to the Board's meeting in June, and a copy of the SONAR will be provided to Board members prior to it being published.

Board staff is requesting that the Board authorize two things. First, a small number of the provisions included in the rule language approved by the Board are likely to be included within a law enacted by the Legislature within the next few weeks. Also, the Legislature may amend the definitions of "local candidate" and "ballot question" in a way that would eliminate the distinction between certain local candidates and ballot questions within Hennepin County and those in other parts of the state, in which case the rule subpart that would define the term "county office in Hennepin County" will become unnecessary.¹ In case that occurs, Board staff wants to ensure that it has clear authority to remove the provisions enacted by or made unnecessary by the Legislature from the Board's rule language and renumber the proposed rules as needed.

Second, after the SONAR is drafted Board staff will consult with the Governor's Office and Minnesota Management and Budget, and seek approval from the Office of the Revisor of Statutes as to the form of the proposed rules. After that is complete, a notice will be published in the State Register conveying the Board's intent to adopt rules. One option is to publish a notice of hearing, in which case a public hearing regarding the proposed rules will be conducted by an administrative law judge. Another option is to publish what is known as a dual notice, whereby a public hearing will be held only if at least 25 people request a hearing. Board staff recommends the second option as it possible that less than 25 people will request a hearing, the Board and its rulemaking committee have already received a substantial amount of public input prior to and while the rule language was being drafted, and proceeding without a hearing conducted by an administrative law judge would conserve both time and money. The Board may authorize the executive director to publish a dual notice or to publish a notice of hearing.

¹ See [H.F. 4772](#); [S.F. 4729](#).

**CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD
MAY 2024
ACTIVE FILES**

Candidate/Treasurer/ Lobbyist	Committee/Agency	Report Missing/ Violation	Late Fee/ Civil Penalty	Referred to AGO	Date S&C Personally Served	Default Hearing Date	Date Judgment Entered	Case Status
Mariani, Carlos	Neighbors for Mariani	2022 year-end report	\$1,000 LFF \$1,000 CP	11/22/23				Draft complaint forwarded to the Board.
		Late filing of 2018 year-end report	\$525 LFF					
		Late filing of 2020 pre-primary report	\$1,000 LFF \$1,000 CP					
		Late filing of 2018 pre-primary report	\$1,000 LFF \$100 CP					
		2018 pre-general report	\$1,000 LFF \$1,000 CP					
		2020 pre-general 24-hour large contribution notice	\$1,000 LFF					
		2022 annual statement of economic interest	\$1,000 LFF \$100 CP					
		Late filing of 2018 annual statement of economic interest	\$1,000 LFF \$100 CP					
Late filing of 2018 candidate statement of economic interest	\$95 LFF							