

Minnesota

Campaign Finance and Public Disclosure Board Meeting

Wednesday, December 1, 2021
10:00 A.M.

Conducted remotely via Webex due to COVID-19 pandemic

REGULAR SESSION AGENDA

1. Approval of November 3, 2021, minutes
2. Chair's report
 - a. 2022 meeting schedule
 - b. Resolution recognizing the service of Daniel Rosen
 - c. Appointment of nominating committee for 2022 officers
3. Executive director report
 - a. Intergration of political committees from Hennepin County
4. Enforcement report
5. Ratification of Work Place Violence Prevention Plan
6. Prima Facie Determination
7. Legal report
8. Other business

EXECUTIVE SESSION

Immediately following regular session

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

.....
November 3, 2021

Meeting conducted remotely though Webex due to COVID-19 pandemic

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MINUTES

The meeting was called to order by Chair Swanson.

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

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

MINUTES (October 6, 2021)

After discussion, the following motion was made:

Member Leppik's motion:

To approve the October 6, 2021, minutes as drafted.

Vote on motion:

A roll call vote was taken. All members voted in the affirmative.

CHAIR'S REPORT

A. 2021 and 2022 meeting schedules

The next Board meeting is scheduled for 10:00 a.m. on Wednesday, December 1, 2021.

EXECUTIVE DIRECTOR REPORT

Mr. Sigurdson presented members with a memorandum regarding this matter that is attached to and made a part of these minutes. Mr. Sigurdson told members that staff had conducted one evening compliance training in October for 30 attendees. Mr. Sigurdson said that the online evening training sessions were popular and that staff would offer more of these trainings in the upcoming months. Mr. Sigurdson then announced that the new online version of the Campaign Finance Reporter software had been released to a limited number of candidate committees and party units for beta testing. Mr. Sigurdson said that committees would be able to choose whether to use the new or the old software to file their 2021 year-end reports and that it was expected that the online application would be available for use by all committees during 2022.

Mr. Sigurdson next told members that Ms. Engelhardt had completed the Annual Report of Board Operations for Fiscal Year 2021. Mr. Sigurdson said that the Annual Report was one of the four reports required by the legislature. Ms. Engelhardt then summarized the information in the report. Ms. Engelhardt explained that the report was a high-level look at Board operations and that other reports,

such as the Campaign Finance Summary, had more detailed information about each program administered by the Board. Ms. Engelhardt directed members' attention to the section of the report describing use of the Board's website and noted that visits to the website had increased significantly in the fiscal year. Ms. Engelhardt said that the report also outlined the legislative changes made in each program during the 2021 legislative session.

After discussion, the following motion was made:

Member Rashid's motion: To authorize the issuance of the Annual Report of Board Operations for Fiscal Year 2021 with 1) additional language in the last paragraph of page 1 that explains that the Board did not meet during the specified months because it did not have a quorum of members; and 2) any additional information or changes submitted by members to update their biographies.

Vote on motion: A roll call vote was taken. All members voted in the affirmative.

ENFORCEMENT REPORT

A. Waiver requests

1. Campaign Fund for Husniyah Dent Bradley (18227) - 2020 Pre-primary 24-hour notice - \$100 LFF

24-hour large contribution notice due 8/1/2020 was filed 8/4/2020. The committee's treasurer had difficulty using the CFR software and her computer malfunctioned during the time when the notice was due, causing it to be filed late. The committee terminated its registration with the Board as of the end of 2020. RECOMMENDED ACTION: Waive.

Husniyah Dent Bradley then addressed the Board. Ms. Dent Bradley told members that her committee received a large contribution on a Friday and had software issues over the weekend that prevented the 24-hour notice from being timely filed. Ms. Dent Bradley said that the notice was filed as soon as possible after the computer problems were resolved. Ms. Dent Bradley then asked the Board to waive the late filing fees.

After discussion, the following motion was made:

Member Flynn's motion: To waive the \$100 in late filing fees.

Vote on motion: A roll call vote was taken. All members voted in the affirmative.

Name of Candidate or Committee	Late Fee/ Civil Penalty Amount	Reason for Fine	Factors for Waiver and Recommended Action	Board Member's Motion	Motion	Vote on Motion
2. Raines (Brian) for 34A (18503)	\$3,000 LFFs	2020 Year- end, Two 2020 Pre- general 24-hour notices	Year-end report due 2/1/2021 was filed 3/30/2021. New treasurer tried to file report via CFR on due date but was unable to do so because she had not updated software to list herself as treasurer. She contacted Board staff and Board staff responded, but treasurer stated she did not see emails from Board staff. Treasurer stated she tried to file year-end report on 2/4/2021 and software said report was uploaded, but Board's logs do not reflect any uploads between 2/1/2021 and 3/29/2021. Two 24-hour large contribution notices due 10/31/2020 were filed 2/1/2021. Notices were filed late due to miscommunication as to whether outgoing or incoming treasurer was responsible for entering contributions received immediately before general election. Board typically reduces 24-hour notice late fees for first-time violations to \$250. Committee reported cash balance of \$690 as of 12/31/2020. RECOMMENDED ACTION: Waive LFF for year-end report and reduce LFFs for 24-hour notices to a total of \$250	Member Soule	To approve the staff recommendation.	A roll call vote was taken. All members voted in the affirmative.

B. Informational Items

1. Payment of civil penalty for exceeding aggregate special source contribution limit

Benson (Michelle) for Senate, \$5,400 (stayed portion of civil penalty from conciliation agreement signed in 2019)

Benson (Michelle) for Senate, \$1,185

2. Partial payment of civil penalties for conversion to personal use and false certification

Tamara Jones, \$186

3. Payment of civil penalty for disclaimer violation

Veterans Party of Minnesota, \$100

4. Payment of civil penalty for exceeding individual contribution limit

Education Minnesota PAC, \$50

5. Payment of late filing fee for 2020 year-end report of receipts and expenditures

Committee to Elect Heidi Gunderson for House, \$125

6. Payment of late filing fee for 2020 pre-general 24-hour notice

Planned Parenthood of Minnesota Political Action Fund, \$3,400 (3 x \$1,000 + 1 x \$400)

7. Payment of late filing fee for 2020 pre-primary 24-hour notice

Duluth Building Trades Vol Party Fund, \$250

8. Payment of late filing fee for 2019 year-end report of receipts and expenditures

Committee to Elect Heidi Gunderson for House, \$125

9. Payment of late filing fee for lobbyist disbursement report due 6/15/2021

Robert Vanasek, \$100 (4 x \$25)

10. Partial payment of late filing fee for lobbyist disbursement report due 1/15/2020

Marcus Harcus, \$150

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 a default judgement had been obtained in the Swing Right matter and that summary or default judgment hearings had been scheduled in the Blaeser, Brown, and Hullermann matters. Mr. Hartshorn said that he now was drafting default judgment motions for the Laitinen and Tim Johnson matters.

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 chair had the following to report into regular session:

Probable cause determination in the matter of the Complaint of the Center for Media and Democracy and Common Cause Minnesota regarding the American Legislative Exchange Council, Senator Mary Kiffmeyer, and Representative Pat Garofalo

OTHER BUSINESS

Member Rosen told members that although a Board member whose term has expired may continue serving until a replacement has been appointed, he does not plan to serve past the December 31, 2021, expiration date of his term. Member Rosen said that he wanted the record to reflect his intent to ensure that any vacancy on the Board caused by his departure would be as short as possible. There was no other business to report.

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

Respectfully submitted,

Jeff Sigurdson
Executive Director

Attachments:

Executive director report

Annual Report of Board Operations – Fiscal Year 2021

Legal report

Probable cause determination in the matter of the Complaint of the Center for Media and Democracy and Common Cause Minnesota regarding the American Legislative Exchange Council, Senator Mary Kiffmeyer, and Representative Pat Garofalo



MINNESOTA

CAMPAIGN FINANCE BOARD

Board Meeting Dates for Calendar Year 2021

Meetings are at **10:00 A.M.** unless otherwise noted.

2022

Wednesday, January 5

Wednesday, February 2

Wednesday, March 2

Wednesday, April 6

Wednesday, May 4

Wednesday, June 1

Wednesday, July 6

Wednesday, August 3

Wednesday, September 7

Wednesday, October 5

Wednesday, November 2

Wednesday, December 7



**Certificate of the
Campaign Finance and Public Disclosure Board
Authorizing Resolution**

RESOLVED, that the Campaign Finance and Public Disclosure Board recognizes **Daniel N. Rosen** for his service from 2014 to 2021 as a member of the Board, and offers this resolution in appreciation for his investment of time and energy in support of the mission and objectives of the Minnesota Campaign Finance and Public Disclosure Board.

I, Stephen Swanson, do hereby certify that I am a member and Chair of the Campaign Finance and Public Disclosure Board, a board duly authorized under the laws of Minnesota, and that the above is a true, complete, and correct copy of a resolution adopted by unanimous vote at a meeting of the Campaign Finance and Public Disclosure Board duly and properly called and held on the 1st day of December, 2021.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 1st day of December, 2021.

Stephen Swanson, Chair

Carol Flynn, Member



MINNESOTA CAMPAIGN FINANCE BOARD

Date: November 23, 2021

To: Board Members

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Executive Director's Report

Hennepin County political committees, political funds, and party units

As of January 1, 2022, the provisions of Chapter 383B regulating the registration and reporting of political committees, political funds, and party units (committees) active in Hennepin County will be repealed. In place of Chapter 383B, Chapter 10A has been modified to include a registration and reporting requirement under the Board's jurisdiction for the committees that previously were required to register with Hennepin County.¹ The Chapter 10A registration requirement will apply to associations that raise or spend over the registration threshold amounts on a ballot question, or an office, that is voted on by all voters of Hennepin County, by voters of a city in Hennepin County with a population over 75,000², or by voters of Special School District 1 (the Minneapolis School District). Of note, candidate committees for offices in these jurisdictions will not register with or report to the Board.

Because scheduled elections for some of the covered entities in Hennepin County occur in odd-numbered years³, Chapter 10A also has been modified to require additional reports in odd-numbered years if a committee spends money, including making independent expenditures, to influence the election of a candidate for municipal office in one of the covered cities. Additional reporting will also be required for expenditures to influence the outcome of a ballot question voted on countywide, in a city of over 75,000, or in Special School District 1.

To help committees currently registered with Hennepin County understand their options going forward, staff will be contacting the 51 committees that are currently registered with Hennepin County. A list of the committees and their reported ending cash balance as of the 2021 pre-general report is attached for your reference. The following is a list of issues that these committees must consider.

Registration: Committee registrations with Hennepin County will not be automatically transferred to the Board. Instead, the new provisions in Chapter 10A create a registration requirement for associations that raise or spend over \$750 on certain local

¹ Laws of 2021, Chapter 31, Article 4 (HF 1952).

² Minneapolis, Bloomington, Brooklyn Park, Plymouth.

³ Minneapolis and Bloomington.

candidates, or \$1,500 on certain ballot questions, after January 1, 2022. The new language in Chapter 10A does not retroactively apply the registration or reporting requirements to committees that did not need to register with the Board prior to January 1, 2022. A Hennepin County committee that wishes to remain active after January 1, 2022, will need to submit a new registration to the Board and provide the information required of any new committee.

Beginning Cash Balance: Typically, new Board registrants have a beginning cash balance of zero, or, at most, the registration threshold amount of \$750 or \$1,500. Some of the committees currently registered with Hennepin County have reported significant cash balances. The actual balance may be much less than provided on the attached list because the reported balances do not include expenditures made in the two weeks prior to the 2021 general election. To transfer an existing cash balance to the new committee registered with the Board, the committee will need to treat that cash balance as the committee's first contribution received in 2022. If the "contribution" of the cash balance is over \$200, it must be accompanied by the underlying disclosure required for any such contribution by Minnesota Statutes section 10.27, subdivision 13.

The itemization threshold for reports required by Chapter 383B is any transaction over \$100, compared to over \$200 in Chapter 10A. Consequently, the underlying disclosure for the transferred cash balance may be in the form of the 2021 annual report required by Chapter 383B. The underlying disclosure also may be in the form of a report that meets the disclosure standards of Chapter 10A. Because of the unusual circumstances surrounding the Hennepin County committees, staff will request that the underlying disclosure for the transferred cash balance be provided at the time of registration. If the underlying disclosure is not provided with the registration, it must be provided with the first report of receipts and expenditures for 2022, which is due on April 14, 2022

Type of committee: Many of the committees currently registered with Hennepin County were organized to influence Minneapolis ballot questions. Ballot question committees may receive corporate contributions but general-purpose political committees and funds may not. Consequently, the registration options of those Hennepin County committees that received corporate contributions will be limited. Staff will work with the committees to ensure that those committees that received corporate contributions register as either ballot question committees or funds or independent expenditure committees or funds.

Year-end report: Due to the effective date of the new provisions, Hennepin County committees have no statutory obligation to register with the Board until after January 1, 2022. Therefore, a Hennepin County committee that registers with the Board after January 1, 2022, is not required to file a 2021 year-end report with the Board under Chapter 10A.

A possible complication is that under Chapter 383B the year-end report for 2021, an election year report, is not due to be filed with Hennepin County until January 31, 2022, which is a full month after the statutory requirement for the report has been repealed.

Hopefully committees will meet their obligations for public disclosure and file 2021 annual reports with Hennepin County as required by Chapter 383B. However, to be clear, the Board has no enforcement authority over the provisions of Chapter 383B. If a Hennepin County committee does not file a year-end report with Hennepin County, does not register with the Board, or registers with a beginning cash balance of zero, the Board has no authority to compel the filing of a 2021 year-end report for activity that occurred under the provisions of Chapter 383B.

Attachment

List of political committees, political funds, and party units currently registered with Hennepin County

Committee Name	Registrtrion Date	2021 Receipts	2021 Expenditures	October Ending Cash Balance
Brooklyn Park DFL	12/30/2020	\$537.00	\$1,295.71	\$742.46
Breakthrough Fund	10/31/2017	\$0.00	\$0.00	\$57.95
AllofMpls	5/21/2021	\$1,591,157.00	\$1,398,734.89	\$192,422.11
AFSCME Local 2822 Political	5/25/2004	\$0.00	\$0.00	\$2,318.22
ColorOfChange PAC	7/23/2020	\$170,853.82	\$170,853.82	\$0.00
City of Minneapolis Employees AFSCME Local 9	11/9/2011	\$0.00	\$0.00	\$4,503.17
Charter for Change	10/7/2021	\$130,200.00	\$130,200.00	\$0.00
Friends of the Warehouse District	10/16/2017	\$0.00	\$0.00	\$239.99
Fresh Start Minneapolis	8/31/2017	\$0.00	\$0.00	\$89.00
Faith in Minnesota	7/29/2021	\$428,078.06	\$428,078.06	\$0.00
Congressional Dist Three Veterans Leadership Council	11/25/2020	\$0.00	\$0.00	\$0.00
Committee for Better Schools	6/15/2000	\$1.16	\$0.00	\$17,553.29
Internation Union of Operating Engineers	8/4/2020	\$201,000.00	\$164,035.24	\$68,474.93
I.A.T.S.E. Local #13 PAC Fund	10/19/1999	\$0.00	\$0.00	\$122.71
Home to Stay Minneapolis	8/11/2021	\$350,765.00	\$238,889.17	\$111,875.83
Greater Than	9/9/2021	\$9,460.00	\$65,565.34	\$10,459.42
Great Governance for Kids	10/19/2020	\$0.00	\$0.00	\$0.06
Minneapolis for Community Control of Police	4/15/2021	\$1,959.98	\$1,408.35	\$551.63
Minneapolis City Republican Committee	6/23/1993	\$495.00	\$157.00	\$1,767.53
Minneapolis City Council DFL Caucus	12/30/2002	\$0.00	\$0.00	\$55.03
LSWV	6/14/2018	\$0.00	\$0.00	\$780.00
Justice Fund	11/1/2021	\$0.00	\$0.00	\$0.00
ISAIAH	7/15/2021	\$53,518.24	\$53,518.24	\$0.00
Involvante Political Action Comittee	4/23/2019	\$0.00	\$0.00	\$0.00
Mplstogether	10/4/2021	\$5,268.00	\$3,569.07	\$1,698.93
MoveOn.org Civic Action	5/3/2021	\$436,757.88	\$436,757.88	\$0.00
Movement Voter PAC	8/24/2021	\$250,000.00	\$250,000.00	\$0.00
MMRA City Elections Committee	11/8/1996	\$0.00	\$2,200.00	\$2,593.69
Minnesota Realtors Political Action Committee	10/25/2021	\$66,693.99	\$0.00	\$924,236.70
Minneapolis Works!	6/27/2017	\$0.00	\$0.00	\$96.56
Minneapolis Working Families	11/1/2021	\$0.00	\$0.00	\$0.00
Minneapolis United for Rent Control	9/9/2021	\$1,730.00	\$886.36	\$843.64
Residents for a Better Bloomington Action Committee	9/14/2021	\$1,199.98	\$290.00	\$909.98
Power by the People	12/6/2011	\$4,000.00	\$248.00	\$4,295.96
Peoples Action Power	5/4/2021	\$8,695.00	\$2,313.22	\$6,381.78
People Over Prosecution	7/7/2021	\$0.00	\$0.00	\$0.00
People Action	6/28/2021	\$7,314.16	\$6,587.56	\$726.60
Operation Safety Now	10/4/2021	\$3,800.00	\$3,800.00	\$0.00
NR Action Pac	10/20/2021	\$0.00	\$0.00	\$0.00
National American Civil Liberties Union Inc	4/5/2021	\$195,000.00	\$184,201.00	\$10,799.00
The Club for Taxpayer Justice and Not Carol	4/2/2019	\$1,185.00	\$2,822.00	\$4.69
TakeAction Minnesota Political Fund	8/4/2021	\$175,000.00	\$175,000.00	\$5,076.74
TakeAction Minnesota Education Fund	3/15/2021	\$750,000.00	\$750,000.00	\$0.00
Students for Education Reform (SFER) Action Network Fund	8/13/2014	\$0.00	\$0.00	\$6,814.74
Sensible Housing Ballot Committee	8/9/2021	\$4,370,693.50	\$4,310,374.77	\$60,318.73
SEIU Minn State Council Political Fund	10/29/2013	\$38,961.02	\$38,961.02	\$0.00
Yes 4 Minneapolis	10/1/2020	\$1,811,719.02	\$1,742,750.56	\$571,468.46
Women Winning State PAC	11/5/2018	\$28,436.18	\$4,716.08	\$56,448.41
Winthrop & Weinstine P.A. Political Fund	1/31/2017	\$57,150.00	\$19,950.00	\$45,914.47
We Love Minneapolis	8/27/2021	\$0.00	\$0.00	\$0.00
Unity Fund	7/23/2020	\$0.00	\$0.00	\$1,394.48



MINNESOTA

CAMPAIGN FINANCE BOARD

Date: November 24, 2021

To: Board members
Counsel Hartshorn

From: Andrew Olson, Legal/Management Analyst

Subject: Enforcement report for consideration at the December 1, 2021 Board meeting

A. Discussion Items

1. Balance adjustment request - Masin (Sandra) Campaign Committee (14857)

The Masin committee's actual cash balance at the end of 2017, including checks received late in the year and deposited in early 2018, was \$3,783.29. That amount is \$263.63 less than the ending cash balance of \$4,046.92 listed on the committee's 2017 year-end report. The committee's new treasurer does not have a copy of the committee's Campaign Finance Reporter data from 2017 and despite his efforts he is unable to determine the source of that discrepancy. The committee is therefore requesting a downward balance adjustment of \$263.63 to its 2017 ending cash balance.

B. Informational Items

1. Payment of civil penalty for exceeding aggregate special source contribution limit

Neighbors for Jim Davnie, \$200

2. Partial payment of civil penalties for conversion to personal use and false certification

Tamara Jones, \$186

3. Payment of civil penalty for exceeding individual contribution limit

Isaacson (Jason) for SD 42, \$50

4. Payment of late filing fee for 2020 pre-general report of receipts and expenditures

Isaacson (Jason) for SD 42, \$50

5. Payment of late filing fee for 2016 year-end report of receipts and expenditures

Isaacson (Jason) for SD 42, \$25

6. Payment of late filing fee for lobbyist disbursement report due 6/15/2021

David Anderson, \$100

7. Partial payment of late filing fee for lobbyist disbursement report due 1/15/2020

Marcus Harcus, \$150

8. Payment of late filing fee for lobbyist principal report due 3/15/2021

YWCA of Minneapolis, \$125

9. Payment of late filing fee for original EIS

Jaden Partlow, \$160 (partial payment)

Sen. Jason Isaacson, \$5

10. Return of public subsidy due to subsidy exceeding expenditures

Neighbors for Jim Davnie, \$499.34

From: [Jeff Lechner-Riehle](#)
To: [Olson, Andrew \(CFB\)](#)
Subject: Balance Adjustment Request
Date: Saturday, October 30, 2021 5:00:05 PM

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Andrew,

The Sandra Masin Campaign Committee, Registration No. 14857, is requesting a downward balance adjustment of \$263.63 to the 2017 ending cash balance, reducing that amount from \$4,046.92 to \$3,783.29.

I took over as committee treasurer this year in September. While preparing our 2021 report I noticed the beginning cash balance in our bank records did not match with last year's report. I corrected the 2020 report and found the beginning balance did not match the 2019 year-end balance. Subsequently I have made corrections to the 2019 and 2018 reports.

The committee does not have any backup copies of the 2017 report making further corrections impracticable. After making every effort, in good faith, to correct the records I am left with this adjustment request.

Thank you,

Jeffrey Lechner-Riehle
Treasurer



MINNESOTA CAMPAIGN FINANCE BOARD

Date: November 24, 2021

To: Board members

From: Jodi Pope, Legal/Management Analyst

Telephone: 651-539-1183

Re: Ratification of Workplace Violence Prevention and Response Plan

In March 2021, Minnesota Management and Budget (MMB) adopted a formal workplace violence prohibited policy, MMB HR/LR #1444. As part of the implementation of the policy, staff reviewed the Board's existing workplace violence prevention and response plan and revised it to incorporate new guidance provided by MMB in the areas of violence de-escalation and employee communication.

Mr. Sigurdson, as executive director, is responsible for approving the plan, which he did on November 23, 2021. The Board, however, is required to be aware of and to ratify the plan. The plan is attached for Board reference. A motion to ratify will be necessary.

Attachment:

Workplace Violence Prevention and Response Plan

WORKPLACE VIOLENCE PREVENTION and RESPONSE PLAN

Adopted November 23, 2021

Ratified December 1, 2021

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD
190 Centennial Building
658 Cedar Street
St. Paul, MN 55155-1603
(651) 539-1180, (800) 657-3889, or for
TTY/TDD communication contact us through the Minnesota Relay Service at (800) 627-3529.

This document is available in alternative formats to individuals with disabilities by calling (651) 539-1184; (800) 657-3889; or through the Minnesota Relay Service at (800) 627-3529.

Workplace violence prevention and response plan

The Campaign Finance and Public Disclosure Board has zero tolerance of workplace violence and works to create a safe workplace environment that is free from threats and incidents of violence.

Board policy

The Board adopts Minnesota Management and Budget (MMB) HR/LR Policy #1444 Workplace Violence Prohibited and incorporates the provisions of that policy into this plan. It is the policy of the Campaign Finance and Public Disclosure Board that no violence in the workplace will be tolerated. Any form of threatening behavior or violent behavior in the workplace or any threatening behavior or violent behavior that negatively affects the workplace is strictly prohibited.

The Board will work to provide an environment where employees, customers, and visitors to the workplace are at a low risk of involvement in workplace violence. This will be accomplished by encouraging mutual respect among all individuals, establishing open and honest communication, inviting all employees to provide input, responding promptly to customer complaints, and enforcing zero tolerance for any type of violent behavior.

Under the Minnesota Citizens' Protection Act of 2003, the Campaign Finance and Public Disclosure Board prohibits its employees from carrying or possessing firearms while working. This policy does not extend to parking facilities and parking areas. Employees are also prohibited from carrying or possessing other dangerous weapons.

Violence prevention plan

Purpose

This plan outlines methods and actions to be taken to prevent and plan for potential incidents of workplace violence at the Campaign Finance and Public Disclosure Board.

Threatening behavior is defined as follows: "Any verbal or physical conduct that would reasonably cause fear of physical harm to individuals or property."

Violent behavior is defined as follows: "The use of physical force that causes or is intended to cause physical harm to individuals or property."

Warning signs of violent behavior is defined as follows: "Observable behavior that leads to a reasonable belief that the individual may engage in violent behavior. Warning signs of violent behavior may include, but are not limited to, intensely angry demeanor, significant loss of temper, articulated plan to commit violence, oral or written remarks about violent behavior, discussing use of weapons of any kind in a harmful manner toward others or bringing weapons into the workplace without a work-related reason, or repeated aggressive movements such as pounding, banging, or slamming items."

Workplace is defined as follows: "A location where employees perform job duties. The location need not be a permanent location, physical building, or state owned/leased property."

Workplace violence generally falls into three categories:

1. A violent act or threat by a current or former employee; or someone who has some involvement with a current or former employee, such as an employee's spouse, significant other, relative, or another person who has had a dispute with an employee.
2. A violent act or threat by a customer or someone receiving service from the agency.
3. A violent act by someone totally unrelated to the work environment, with the intent to commit a criminal act such as robbery or an act of terrorism.

Goals and objectives

It is a Board goal to achieve a work environment that is free from threats and acts of violence. The Board's objectives are to:

- Develop awareness among employees, customers, and visitors about violence in the workplace, its prevention, and the agency violence prevention plan;
- Provide access to education and training opportunities for all employees that include the following information:
 - Agency violence prevention plan;
 - Prevention strategies;
 - Effects of workplace violence;
 - Supervisory/managerial responsibilities
 - Employee responsibilities; and
 - Incident response procedures
- Develop procedures to be used when incidents, as defined in the violence prevention plan, occur;
- Ensure facility security plans are communicated to appropriate staff;
- Communicate personal security procedures and avenues for assistance with violence issues to employees; and
- Develop procedures to continually monitor and evaluate the effectiveness of the violence prevention plan.

Reducing the potential for violence from external and internal sources and creating a low-risk environment

The Board will attempt to reduce the potential for workplace violence from external and internal sources by acting to create a low-risk environment for potential violence. Board managers are expected to promote positive behavior and to lead by example in the courteous and professional treatment of employees, customers, and visitors in the workplace. Emphasis will be placed on creating a workplace where established standards of non-violent conduct are clear, are communicated, and are consistently enforced, and where discipline is used fairly and appropriately.

To create a low-risk environment for potential violence, the Board will encourage behavior that:

- promotes an attitude of friendliness and helpfulness towards co-workers and members of the public;
- motivates employees to present a calm attitude and demeanor towards others;
- promotes a workplace that takes pride in customer service and customer satisfaction;
- motivates empathetic listening skills;
- treats employees, customers, and visitors with respect and dignity; and
- values and respects individual differences among people.

Customers will be free, and will be made aware of the opportunity, to provide feedback on the quality of services provided in whatever format is easiest for the customer to use, including email. Managers will deal promptly and courteously with these communications. Managers will communicate both positive and negative feedback to employees and will work with employees as necessary to improve customer service. Managers also will regularly reiterate the importance of the behaviors listed above. Staff will be asked to provide suggestions and ideas to keep office policies and procedures up-to-date and responsive to customer needs.

Because violence in the workplace may take various forms, several Board and state policies are related to this issue and provide complaint processes for employees and customers to use. The Board has adopted or is subject to the policies listed below:

- Campaign Finance Board Violence Prevention Policy
- Campaign Finance Board Affirmative Action Policy
- Campaign Finance Board Code of Conduct Policy
- Centennial Office Building Emergency Plan
- MMB HR/LR Policy #1329 Sexual Harassment Prohibited
- MMB HR/LR Policy #1418 Drug and Alcohol Use
- MMB HR/LR Policy #1432 Respectful Workplace
- MMB HR/LR Policy #1436 Harassment and Discrimination Prohibited
- MMB HR/LR Policy #1444 Workplace Violence Prohibited

Coordination with safety and wellness programs

The Occupational Safety and Health Act of 1970 mandates that all employers have “a general duty to provide their employees with a workplace free from recognized hazards likely to cause death or serious physical harm.” The main components to any effective safety and health program also apply to preventing workplace violence: a) management commitment and employee involvement, b) worksite analysis, c) hazard prevention and control, and d) safety and health training.

The Board will encourage use of counseling and assistance through the Employees Assistance Program (EAP) to deal with both workplace and non-workplace violence. While managers, union representatives, or family members may encourage employees to seek help from EAP, the decision to use the services must be a voluntary one.

Materials produced by EAP will be used to make employees familiar with the services offered by EAP and to tell them how to take advantage of those services. Small Agency Resource Team (SmART) human resources services also will be made available to employees.

Awareness

The Board will promote awareness of its violence prevention plan using the following methods:

- Working with the Board safety officer, EAP, SmART, MMB, and building security to obtain information for employees, such as publications and brochures, related to personal security, customer relations, and violence prevention topics;
- Providing managers and staff with information about how to deal with workplace-related threats and acts of violence;
- Allowing appropriate staff to attend workplace violence training offered by other state agencies;
- Providing a copy of the violence prevention plan, including the Centennial Office Building Emergency Plan, to each employee at the time of initial hire;
- Reviewing the violence prevention plan with staff, annually, at a staff meeting; and
- Making the violence prevention plan, as well as the Centennial Office Building Emergency Plan, available to all employees at all times on the Board's computer network.

Incident procedures and reporting

Employees are expected to report if they are subject to or witness threatening or violent behavior, or warning signs of violent behavior, in the workplace that affects the workplace, or that may affect the workplace. Non-employees are encouraged to make such reports.

Non-emergency situations

Non-emergency situations should be reported as soon as possible after the incident occurs. Individuals may report to any of the following:

- the Board safety officer;
- the executive director or assistant executive director; or
- the SmART human resources team.

If the report concerns the executive director, the individual may contact the office of the Deputy Commissioner for Enterprise Human Capital at MMB.

In addition, the executive director and the assistance executive director will be contacted by cellphone if they are out of the office at the time of the incident. The executive director or designee shall prepare a complete written report of the incident.

Emergency situations

In a situation involving direct threats of physical violence or another emergency, individuals should move to a safe place and immediately follow the procedures for contacting local

emergency services or 9-1-1. The individual should follow the internal reporting procedures in this policy during or after the incident, when it is safe to do so.

The Board is part of the Centennial Building Emergency Plan, which contains procedures for the following:

- How to report to security in the Centennial Building;
- When to call 911 or local law enforcement; and
- What actions can be taken to get away from a potentially violent situation.

The Centennial Building Emergency Plan will be made available to all staff.

After an incident, a debriefing will occur. Management will work with the SmART human resources team to determine who will conduct the debriefing and what information will be communicated. Other responses after the occurrence of an incident can include referral to EAP, temporary relocation of an employee(s), and providing approved leave. The Board will follow the procedures in its Continuation of Operations Plan if the workplace is unavailable after the incident.

Coordination with partners

The Board is part of the Centennial Office Building Emergency Plan. The Centennial Building Emergency Plan describes the roles of every agency in the Centennial Office Building during different critical situations, including violence in the workplace.

Plan implementation

A link to the electronic version of the violence prevention plan will be distributed to all Board employees. The plan also will be posted on the employee bulletin board and filed with the Legislative Reference Library. Managers and supervisors will be responsible for informing employees of this plan and for enforcing compliance.

Employees found to have violated the provisions of the plan will be subject to appropriate corrective action up to and including discharge.

Violence prevention responsibilities

The executive and assistant executive directors will have primary responsibility for implementing this policy. The executive and assistant executive directors are specifically empowered to take immediate action to resolve or stabilize violent situations in the workplace and to protect people from harm. The executive and assistant executive directors also will:

- Model the importance of proactive workplace violence prevention and response;
- Promote positive behavior and lead by example through modeling appropriate behavior, by treating employees, customers, and visitors with respect and dignity;
- Emphasize creating a workplace where established standards of conduct are clear, communicated, and consistently enforced, and where corrective action, including discipline, is used fairly and appropriately to deal with instances of unacceptable behavior;

- Treat all reports of violence or threats of violence seriously, regardless of the individual or behavior involved;
- Take immediate action to resolve or stabilize violent situations in the workplace and protect people from harm;
- Be familiar with and use the manager and supervisory violence prevention and response guidance tools available from appropriate state agencies including SmART and MMB;
- Offer training opportunities to employees to increase their awareness of violence-in-the-workplace issues including training that includes information on responding to and reporting violence-related incidents as well as assistance in maintaining a violence-free workplace; and
- Understand that knowingly participating in or tolerating workplace violence or retaliation against employees or customers making a report are subject to discipline up to and including discharge.

Employees will:

- Abide by and promote the Board policy of zero tolerance of violence in all contacts with co-workers, managers, customers, and visitors;
- Be familiar with and follow workplace violence procedures; and
- Be familiar with and adopt the workplace violence prevention practices outlined in this plan and any other guidance tools available from Board managers.

Approved:

November 23, 2021

/s/ Jeff Sigurdson
Executive Director
Campaign Finance and Public Disclosure Board

Employee Acknowledgment Form

I acknowledge that I have received and read a copy of the Campaign Finance and Public Disclosure Board's Workplace Violence Prevention and Response Plan.

Name: _____

Date: _____

Signature: _____

Please sign and return this form to the Campaign Finance & Public Disclosure Board executive director.



MINNESOTA

CAMPAIGN FINANCE BOARD

Date: November 24, 2021

To: Board members

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Prima facie determination finding no violation

Complaints filed with the Board are subject to a prima facie determination which is usually made by the Board chair in consultation with staff. If the Board chair determines that the complaint states a violation of Chapter 10A or the provisions of Chapter 211B under the Board's jurisdiction, the complaint moves forward to a probable cause determination by the full Board.

If the Board chair determines that the complaint does not state a prima facie violation, the prima facie determination must dismiss the complaint without prejudice. When a complaint is dismissed, the complaint and the prima facie determination become public data. The following complaint was dismissed by Chair Swanson and the prima facie determination is provided here as an informational item to the other Board members. No further action of the Board is required.

Complaint regarding Doug Wardlow, the Upper Midwest Law Center, and others

On October 21, 2021, the Board received a complaint submitted by Jon Erik Kingstad regarding Doug Wardlow, a candidate for attorney general; the Upper Midwest Law Center (UMLC) and its president, Douglas Seaton; Energy Policy Advocates (EPA) and one of its directors, Matthew Hardin; and Government Accountability and Oversight, P.C. (GAO) and one of its directors, Christopher Horner. The complaint alleged that the UMLC, EPA, and GAO are corporations and that one or more of those entities made approved expenditures and thereby gave contributions to Mr. Wardlow that were prohibited by Minnesota Statutes section 211B.15.

The complaint alleged that the respondent corporations filed two lawsuits against Attorney General Keith Ellison, in his official capacity, under the Minnesota Government Data Practices Act. The complaint alleged that the corporations' expenses and volunteer services for those lawsuits were approved expenditures because the UMLC participated in each lawsuit, Mr. Wardlow allegedly was a member of the UMLC's Advisory Legal Panel, and, as a member of that panel, Mr. Wardlow allegedly consented to or approved of the lawsuits. The complaint asserted that the purpose of the lawsuits was to support the candidacy of Mr. Wardlow or to defeat the candidacy of Attorney General Ellison.

The complaint also appeared to allege that one or more of the entities named in the complaint attempted to circumvent Chapter 10A in violation of Minnesota Statutes section 10A.29 and that the expenses and free services in question may have constituted an illegal bribe under Minnesota Statutes section 609.42.

Chair Swanson concluded that an investigation of the complaint would require the Board to inquire into the purpose with which the lawsuits identified in the complaint were pursued, that the power to inquire into such motives is reserved to the Minnesota Judicial Branch, and that the doctrine of separation of powers precluded the Board from engaging in such an inquiry. Chair Swanson thereby concluded that the complaint did not state a prima facie violation of Minnesota Statutes section 211B.15. Chair Swanson also concluded that the complaint did not state a prima facie violation of Minnesota Statutes chapter 10A.29 and that the Board did not have the authority to investigate an alleged violation of Minnesota Statutes section 609.42.

Attachments:

Prima facie determination

Complaint

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

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF JON ERIK KINGSTAD REGARDING DOUG WARDLOW, UPPER MIDWEST LAW CENTER, DOUGLAS SEATON, ENERGY POLICY ADVOCATES, MATTHEW HARDIN, GOVERNMENT ACCOUNTABILITY AND OVERSIGHT, P.C., AND CHRISTOPHER HORNER

On October 21, 2021, the Campaign Finance and Public Disclosure Board received a complaint submitted by Jon Erik Kingstad regarding Doug Wardlow, a candidate for attorney general, the Upper Midwest Law Center and its president, Douglas Seaton, Energy Policy Advocates and one of its directors, Matthew Hardin, and Government Accountability and Oversight, P.C. and one of its directors, Christopher Horner. The complaint also refers to Mr. Wardlow's principal campaign committee, Doug Wardlow for Attorney General, which registered with the Board in 2017.

The complaint alleges that the Upper Midwest Law Center (UMLC), Energy Policy Advocates (EPA), and Government Accountability and Oversight, P.C. (GAO) are corporations as defined by Minnesota Statutes section 211B.15, subdivision 1. The complaint alleges that Mr. Wardlow has been a member of the UMLC's Advisory Legal Panel, which according to materials provided with the complaint assesses potential lawsuits that may be filed by the UMLC. The complaint states that in 2019 the UMLC, GAO, EPA, Mr. Hardin, and Mr. Horner initiated a lawsuit against Minnesota Attorney General Keith Ellison under the Minnesota Government Data Practices Act.¹ The complaint states that in 2020 the UMLC and EPA initiated a second lawsuit against Attorney General Ellison under the Minnesota Government Data Practices Act.² The complaint alleges that Mr. Wardlow "consented to and approved or cooperated in the consent and approval of" expenditures allegedly made by the UMLC, EPA, and GAO in furtherance of those lawsuits.

The complaint alleges that the two lawsuits "were for the purpose of promoting the candidacy of Douglas Wardlow for Minnesota Attorney General in any 2022 primary election and the 2022 general election and to defeat Keith Ellison." In support of that allegation, the complaint asserts that the lawsuits sought documents to arouse suspicion that Attorney General Ellison hired attorneys, using funds ultimately provided by Bloomberg Philanthropies and Michael Bloomberg, "for the purpose of advancing lawsuits related to environmental and climate change litigation." The complaint states that the second lawsuit raised concerns regarding "the possible use of state power to advance private interests." The complaint asserts and provides evidence that the UMLC promotes itself as opposed to attorneys paid for by Michael Bloomberg working in the Office of the Minnesota Attorney General.

¹ Energy Policy Advocates v. Ellison, et al., case no. 62-CV-19-5899.

² Energy Policy Advocates v. Ellison, et al., case no. 62-CV-20-3985.

The complaint includes a copy of a press release issued by the UMLC in June 2021 heralding its success in obtaining a Minnesota Court of Appeals decision partially reversing an order dismissing the lawsuit they filed on behalf of EPA in 2019. The press release asserts that Attorney General Ellison “has allowed outside special interests to embed attorneys in the Minnesota Attorney General’s office to work on their agenda.”

The complaint alleges that Mr. Wardlow has and intends to continue to campaign on the message that Attorney General Ellison has politicized the Office of the Minnesota Attorney General, specifically regarding climate change issues. The complaint alleges and provides evidence that Mr. Seaton has similarly argued that Attorney General Ellison has politicized his office.

The complaint asserts that the UMLC, EPA, and GAO are corporations and are not exempt, under Minnesota Statutes section 211B.15, subdivision 15, from the general prohibition of corporate political contributions pursuant to Minnesota Statutes section 211B.15, subdivision 2. The complaint alleges that the UMLC, EPA, or GAO, or some combination of those organizations, incurred expenses made in furtherance of the two lawsuits referenced above, or offered the free services of their officers, employees, or members in support of those lawsuits. The complaint asserts that because Mr. Wardlow was a member of the UMLC’s Advisory Legal Panel and allegedly consented to or approved of the lawsuits, and the purpose of the lawsuits allegedly was to support the candidacy of Mr. Wardlow or to defeat the candidacy of Attorney General Ellison, any expenses incurred by the UMLC, EPA, or GAO in furtherance of the litigation were approved expenditures and therefore were prohibited corporate contributions made to Mr. Wardlow’s campaign.

The complaint appears to allege that one or more entities named in the complaint may have violated Minnesota Statutes section 10A.29, which prohibits attempts to circumvent Minnesota Statutes Chapter 10A.

Finally, the complaint appears to allege that expenses incurred by the UMLC, EPA, or GAO may have constituted a bribe prohibited by Minnesota Statutes section 609.42.

Determination

Minnesota Statutes section 10A.01, subdivision 9, defines the term expenditure, in relevant part, to mean “a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the nomination or election of a candidate or for the purpose of promoting or defeating a ballot question.” “An expenditure made for the purpose of defeating a candidate is considered made for the purpose of influencing the nomination or election of that candidate or any opponent of that candidate.” Minn. Stat. § 10A.01, subd. 9. Minnesota Statutes section 10A.01, subdivision 4, defines the term approved expenditure to mean “an expenditure made on behalf of a candidate by an entity other than the principal campaign committee of the candidate, if the expenditure is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or

suggestion of the candidate, the candidate's principal campaign committee, or the candidate's agent. An approved expenditure is a contribution to that candidate.”

Minnesota Statutes section 211B.15, subdivision 1, defines the term corporation to mean “(1) a corporation organized for profit that does business in this state; (2) a nonprofit corporation that carries out activities in this state; or (3) a limited liability company formed under chapter 322C, or under similar laws of another state, that does business in this state.” Minnesota Statutes section 211B.15, subdivision 2, provides that:

- (a) A corporation may not make a contribution or offer or agree to make a contribution directly or indirectly, of any money, property, free service of its officers, employees, or members, or thing of monetary value to a political party, organization, committee, or individual to promote or defeat the candidacy of an individual for nomination, election, or appointment to a political office.
- (b) A political party, organization, committee, or individual may not accept a contribution or an offer or agreement to make a contribution that a corporation is prohibited from making under paragraph (a).
- (c) For the purpose of this subdivision, "contribution" includes an expenditure to promote or defeat the election or nomination of a candidate to a political office that is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of, a candidate or committee established to support or oppose a candidate but does not include an independent expenditure authorized by subdivision 3.

A corporation that has violated the prohibition on corporate contributions “is subject to a civil penalty of up to ten times the amount of the violation, but in no case more than \$10,000, imposed by the Campaign Finance and Public Disclosure Board.” Minn. Stat. § 211B.15, subd. 7. An individual representative of a corporation who has violated the prohibition while acting on behalf of the corporation is likewise “subject to a civil penalty of up to ten times the amount of the violation, but in no case more than \$10,000, imposed by the Campaign Finance and Public Disclosure Board.” Minn. Stat. § 211B.15, subd. 6. An individual or other entity that has accepted a contribution or an offer or agreement to make a contribution prohibited by Minnesota Statutes section 211B.15 is subject to a civil penalty imposed by the Board of up to \$3,000. Minn. Stat. § 10A.34, subd. 4.

Article III, section 1 of the Minnesota Constitution provides that “[t]he powers of government shall be divided into three distinct departments: legislative, executive and judicial. No person or persons belonging to or constituting one of these departments shall exercise any of the powers properly belonging to either of the others except in the instances expressly provided in this constitution.” The Minnesota Judicial Branch provides remedies for litigants subjected to frivolous claims, including a court’s authority to impose sanctions against frivolous litigants.³ In order to investigate the allegations made in the complaint, the Board would need to inquire into

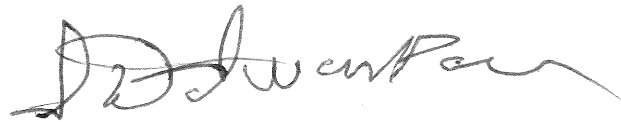
³ See, e.g., Minn. R. Civ. P. 11, Minn. R. Gen. Prac. 9.

the purpose with which the entities named in the complaint pursued two lawsuits filed against the Office of the Attorney General and Keith Ellison, in his official capacity as Attorney General. Organizations and individuals engage in litigation for a variety of purposes, and those purposes may include seeking to obtain information that may later be used by in a political campaign. However, the power to inquire into the motives with which litigation is pursued is reserved to the Minnesota Judicial Branch and the doctrine of separation of powers precludes the Board from acting as a de facto gatekeeper to the judicial system by entertaining complaints that seek to challenge the motives underlying a lawsuit.

Having determined that the litigation brought by the UMLC on behalf of EPA is not subject to Board review as a potential contribution to the Wardlow committee, the complaint fails to state a prima facie violation of Minnesota Statutes section 211B.15, subdivision 2. The complaint also fails to state a prima facie violation of Minnesota Statutes section 10A.29.

The Board does not have investigative authority with respect to Minnesota Statutes section 609.42.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, this prima facie determination is made by a single Board member and not by any vote of the entire Board. Based on the above analysis, the undersigned Board member concludes that the complaint does not state a prima facie violation of Chapter 10A or of those sections of Chapter 211B under the Board's jurisdiction. The complaint is dismissed without prejudice.



Stephen Swanson, Chair
Campaign Finance and Public Disclosure Board

Date: November 1, 2021

**BEFORE THE MINNESOTA CAMPAIGN FINANCE
AND
PUBLIC DISCLOSURE BOARD**

In the Matter of a Complaint against Doug Wardlow, candidate for the public office of Minnesota Attorney General in 2022 and as a member of its its “Advisory Legal Panel” of the Upper Midwest Law Center; the Upper Midwest Law Center; its president Douglas Seaton; Energy Policy Advocates; its Director, Matthew D. Hardin; Government Accountability and Oversight, P.C. and its Director, Christopher C. Horner, Respondents, for Violations of Minn. Stat. § 211B.15 prohibiting coordinated political contributions by corporations coordinated with candidates and circumvention of the Minnesota Campaign Finance Act, Minn. Stat. § 10A.29.

Jon Erik Kingstad, residing at 3684 Garden Court North, Oakdale, Washington County, Minnesota 55128, hereby makes this Complaint for a violation of Minn. Stat. § 211B.15, subd. 2 and Minn. Stat. § 10A.29 as follows:

1. The Respondents of this Complaint are Doug Wardlow, as candidate for the office of Minnesota Attorney General in 2022 and as a member of the Upper Midwest Law Center “Advisory Legal Panel” of the Upper Midwest Law Center, 8421 Wayzata Blvd, Suite 105, Golden Valley, Hennepin County, Minnesota; the Upper Midwest Law Center; its President, Douglas Seaton at the same place of doing business; Energy Policy Advocates (“EPA”), a non-profit corporation incorporated in the State of Washington with a business address at Hardin Law Office, 1725 I Street, Suite 300, Washington D.C. 20006; its Director, Matthew D. Hardin, who is also a Director of Government Accountability and Oversight, P.C. (“GAO”); GAO, a foreign professional corporation whose State of incorporation is unknown; and its President and Director, Christopher C. Horner. The pleadings in the litigation against the Minnesota Attorney General described below identify their address as 1489 Kinross Lane, Keswick, Virginia 22947 but on other pleadings, Attorney Christopher C. Horner lists his address as the same address as the Hardin Law Office, 1725 I Street, Suite 300, Washington D.C. 20006.

**COUNT I.
UNLAWFUL POLITICAL CONTRIBUTION BY A CORPORATION
CONTRARY TO MINN. STAT. § 211B.15.**

For a Complaint under Minn. Stat. § 211B.15, subd. 2 prohibiting political contributions by a corporation, your Complainant alleges as follows:

2. The Upper Midwest Law Center is a non-profit corporation incorporated under Minn. Stat. ch. 317A “exclusively for charitable or educational purposes.” Attached hereto as **Exhibit A** and incorporated herein are its Articles of Incorporation filed with the Minnesota Secretary of State on November 16, 2018.

3. The Upper Midwest Law Center is a non-profit corporation which is not exempt from the prohibition against corporate political contributions by Minn. Stat. § 211B.15, subd. 2 under subdivision 15 thereof for the following reasons:

a) The Upper Midwest Law Center was organized and incorporated without members or shareholders by a business corporation, Seaton, Peters & Revnew, P.A. now known as Peters, Revnew, Kappenman & Anderson, P.A. which upon information and belief has continuously been organized as a “professional firm” pursuant to Minn. Stat. ch. § 319B and a “business corporation” pursuant to Minn. Stat. ch. 302A. The Minnesota Secretary of State has listed the firm as a “business corporation” since its incorporation on December 27, 1996 and continues to list the firm as such.

b) The Upper Midwest Law Center has no policy not to accept significant contributions from business corporations or labor unions.

c) The Upper Midwest Law Center is engaged in the practice of law for profit to its attorneys according to its website, in actual court filings listed therein and its IRS Schedule 990 (attached hereto as **Exhibit B**) showing a substantial amounts of charitable contributions having been paid to lawyers as salary or legal fees.

d) the officers, directors, trustees and employees, the Board of Directors of the Upper Midwest Law Center are also “persons affiliated, so as to have a claim” on the Upper Midwest Law Center’s assets, particularly as trustees of a \$110,000.00 grant by the Center of the American Experiment in 2019. Douglas Seaton, who is also President of the Upper Midwest Law Center and a trustee and a member of its Board, also has a claim on the assets and earnings of the Upper Midwest Law Center, namely his annual salary as President which is \$99,000.00 per annum.

4. GAO is a professional corporation organized as a non-profit corporation whose State of incorporation is unknown and undisclosed. It was granted status as a “tax-exempt charitable organization” by the IRS on March 20, 2018. **Exhibit C**. Its Board of Directors are Christopher C. Horner, Matthew D. Hardin and J. Gregory Garrison. Its business address from pleadings filed in the litigation described herein is 1489 Kinross Lane, Keswick, Virginia 22947 but elsewhere Attorney Christopher C. Horner lists his address as the same address as the Hardin Law Office, 1725 I Street, Suite 300, Washington D.C. 20006.

5. EPA is a non-profit corporation incorporated in the State of Washington. Matthew D. Hardin is also a member of the Board of Directors of EPA whose other members are Mike Gardner,

William Rich and Rob Schilling. Upon information and belief, EPA's business address is with Attorney Christopher C. Horner and Attorney Matthew D. Hardin and Hardin Law Office, 1725 I Street, Suite 300, Washington D.C. 20006.

6. As not-for-profit corporations, GAO and EPA are not exempt from the prohibition against corporate political contributions by Minn. Stat. § 211B.15, subd. 2 under subdivision 15 for the following reasons:

a) neither EPA nor GAO has any policy against accepting significant contributions from business corporations or labor unions.

b) "persons affiliated" such as Matthew D. Hardin and Christopher C. Horner have a claim on their assets and earnings as subsidized payment for salary or fees for their litigation and the practice of law by the GAO on behalf of EPA.

c) GAO was incorporated in 2018 and was granted "tax-exempt status" by the IRS on March 18, 2018. That year, GAO received a grant from an undisclosed donor in the amount of \$1,386,226.00 of which it granted \$45,910.00 to Matthew D. Hardin and EPA "to help support their mission to seek to bring transparency to the realm of energy and environmental policy." Attached hereto as **Exhibit C** is GAO's 2018 IRS Schedule 990, p. 9, establishing the sole income and asset of GAO as the \$1,386,226.00 grant and the donation to EPA (GAO's 2018 IRS Schedule 990 **Schedule I**). This donation of \$45,910.00 to EPA was paid in turn to Matthew D. Hardin. (GAO's 2018 IRS Schedule 990 **Schedule L**, p. 2). Upon such information, I believe that EPA's and GAO's litigation against Minnesota Attorney General Keith Ellison described in this Complaint has been subsidized and funded at least in part by GAO's donations or grants of funds from GAO and Christopher C. Horner, who is co-counsel with the Upper Midwest Law Center, Douglas Seaton and James V.F. Dickey representing EPA. GAO filed its 2018 IRS Schedule 990 on November 8, 2019 and has not filed another IRS 990 Schedule since that time. According to the IRS, EPA's "tax-exempt, 501 (c)(3)" status was revoked automatically for failure to file any annual Schedule 990's for three years. Therefore, your Complainant concludes that the undisclosed funds which they have received to support their litigation has come from business corporations or related individuals who do not wish their political contributions to be known by the voting public.

7. The Board of Directors of the Upper Midwest Law Center are Douglas Seaton, John Hinderaker, Ron Eibensteiner and Robin N. Kelleher. Ron Eibensteiner and Robin N. Kelleher are also members of the Board of Center of the American Experiment, whose President and CEO is and John Hinderaker.

8. The Board of Directors of the Upper Midwest Law Center are also its "trustees" as defined in Minn. Stat. § 501B.35, subd. 4 because the Upper Midwest Law Center is also a "charitable trust" as defined in Minn. Stat. § 501B.35, subd. 3.

9. The Upper Midwest Law Center received a grant of \$110,000.00 from the Center of the American Experiment in 2019 which the Center of the American Experiment reported in its most recent IRS 990 Filing with the Internal Revenue Service, **Schedule I**, p. 43 thereof. (Attached hereto as **Exhibit D**). This grant represented nearly one-third of the Upper Midwest Law Center's 2019 revenues (\$353,031.00) as reported by its IRS 990 Filing with the Internal Revenue Service of which \$203,675.00 was spent on "Program Service Expenses". (Attached as **Exhibit B**. The IRS has deferred filing of Upper Midwest Law Center's 2020 IRS Schedule 990 until 2022.)

10. At all times material to this Complaint, Douglas Wardlow has been a member of the "Advisory Legal Panel" of the Upper Midwest Law Center. Attached as **Exhibit E** is the a copy of the Upper Midwest Law Center's website and the downloadable brochure from that site showing that the Upper Midwest Law Center's "lawsuits are vetted by our Lawyers Advisory Board with some of the best legal minds in Minnesota" and the members of the "Advisory Legal Panel" which means that any expenditure of money, including for the services of the officers or employees of the Upper Midwest Law Center or any other "thing of monetary value" including its website, use of its office space, and other property has been made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of, Douglas Wardlow, who at all material times to this Complaint, has also been a candidate for the public office of Minnesota Attorney General.

11. Douglas Wardlow was the Republican candidate for Minnesota Attorney General for the 2018 general election but was defeated by Keith Ellison for that Office. During the 2018 Campaign Wardlow was caught on tape declaring to an audience that "We're going to fire 42 Democratic attorneys right off the bat and get Republican attorneys in there."

12. Since the 2018 election, Douglas Wardlow has continuously maintained his principal campaign committee but continued it through the present. According to the Reports filed with the Campaign Finance and Disclosure Board, the "Doug Wardlow for Attorney General" Principal Committee has reported as follows:

a) for 2019: Beginning with a balance of \$11, 589.59 on January 1, 2019, the Committee reported additional contributions of \$4,3696.26. No disbursements were reported by non-campaign expenditures of \$11,019.85 was reported leaving an end-of-year balance at \$4,965.99 on December 31, 2019.

b) for 2020: Beginning with a balance of \$4,965.99 on January 1, 2020, the Committee reported additional contributions of \$85,383.24. The Committee reported campaign expenditures of \$50,517.71, with total disbursements and expenditures of \$56,190.10 reported, leaving an end-of-year balance at \$34,315.98 on December 31, 2020.

13. Douglas Wardlow is currently General Counsel for My Pillow, Inc. whose business offices are in Chaska, Minnesota. Douglas Wardlow publicly announced his candidacy for Minnesota Attorney General against Keith Ellison in 2022 on February 20, 2021. February 21, 2021

Minneapolis Star Tribune.

14. On or about August 14, 2019, the Upper Midwest Law Center, along with Virginia lawyers, Matthew Hardin and Chris Horner doing business as GAO initiated a lawsuit by EPA against Minnesota Attorney General Keith Ellison under the Minnesota Government Data Practices Act. ***Energy Policy Advocates v. Ellison***, Ramsey County District Court File No. File No. 62-CV-19-5899, commenced August 14, 2019, and dismissed October 1, 2020, aff'd in part, rev'd in part Minn. Ct. of Appeals File No. A20-1344 ((June 1, 2021). At the time of this Complaint, the Court of Appeals' decision in that lawsuit is being reviewed by the Minnesota Supreme Court, the Attorney General's petition for review having been accepted on August 10, 2021. Upon information and belief, Douglas Wardlow consented and approved or cooperated in the consent and approval of the expenditures of the Upper Midwest Law Center, EPA and GAO for this legal action.

15. On June 24, 2020, the State of Minnesota, represented by Minnesota Attorney General filed legal action against Exxon Mobile Corporation, Koch Industries, Inc., Flint Hills Resources, Inc., the American Petroleum Institute and others for "false advertising", fraud and deception in ***State of Minnesota by its Attorney General versus American Petroleum Institute, et al.***, Ramsey County District Court Case No. 62-CV-20-3837. ¹ According to the Complaint filed by the State of Minnesota, Attorney General Ellison was assisted by four assistant attorney generals who appear of record with him in that action.

16. On July 8, 2020, the Upper Midwest Law Center, representing EPA, filed a second a legal action against Minnesota Attorney General Keith Ellison under the Minnesota Government Data Practices Act in ***Energy Policy Advocates v. Ellison***, Ramsey County District Court File No. File No. 62-CV-20-3895. Upon information and belief, Douglas Wardlow consented to and approved or cooperated in the consent and approval of the expenditures of the Upper Midwest Law Center, EPA and GAO as a member of the Lawyers Advisory Panel of the Upper Midwest Law Center for this legal action.

17. Upon information and belief, the two legal actions brought by the Upper Midwest Law Center, Douglas Seaton, James V.F. Dickey, GAO, EPA, Christopher C. Horner and Matthew Hardin to which Douglas Wardlow gave his consent or approval or cooperated in giving consent or approval as a member of the Upper Midwest Law Center's "Advisory Legal Panel" were for the purpose of promoting the candidacy of Douglas Wardlow for Minnesota Attorney General in any 2022 primary election and the 2022 general election and to defeat Keith Ellison for re-election as Minnesota Attorney General in the 2022 general election as follows:

- a) the second legal action, like the first against Keith Ellison demanded documents alleged

¹That case has been delayed by the removal motion of the defendants to the U.S. District Court for the District of Minnesota. Judge John Tunheim granted the State's Motion to remand on March 31, 2021 but stayed the remand to state court pending an appeal of that decision to the 8th Circuit.

facts to arouse and color a suspicion that Keith Ellison had “planted” lawyers funded by “‘climate’ activist Michael Bloomberg” and Bloomberg Philanthropies to the New York University Law School State Energy & Environmental Impact Center “for the purpose of advancing lawsuits related to environmental and climate change litigation.” The Complaint in the second lawsuit in Ramsey County District Court File No. 62-CV-20-3895 alleged that two assistant attorney generals representing the State of Minnesota’s action in Ramsey County District Court File No. 62-CV-20-3837 had been “privately funded” and that there was “general public interest in transparency in the work of their elected, constitutional officers and offices . . . concerning the possible use of state power to advance private interests” and that “the public has a great interest in how public office, particularly law enforcement, is used in combination with private interests.”

b) the Upper Midwest Law Center’s website and brochure which advertises its lawyers are “working to oust Bloomberg climate change activist plants in Minnesota’s AG office” and that the purpose of the lawsuits is to expose Attorney General Ellison as having concealed “embedded” attorneys “hired, paid for and directed by Democrat activist, Michael Bloomberg, as climate change warriors.” **Exhibit E** and <https://www.umwlc.org/lawsuits>.

c) A recent press release issued by Upper Midwest Law Center and posted what amounts to “campaign material” as defined in Minn. Stat. § 211B.01, subd. 1 on its webpage on June 2, 2021 (Attached hereto as **Exhibit F**) stating:

“Importantly, the attorney general has been withholding documents related to his discussions with other states’ attorneys general in his war on traditional energy sources. In addition, Ellison has allowed outside special interests to embed attorneys in the Minnesota Attorney General’s office to work on their agenda. This lawsuit and others filed by Upper Midwest Law Center and Energy Policy Advocates seek to shine light on this dubious practice, which they believe violates state law and ethical requirements.

“Doug Seaton, President of Upper Midwest Law Center, stated as follows: “this major decision upholds transparency and requires Attorney General Ellison and his team to operate in the public view, and not behind a shroud of secrecy. We are confident that the attorney general will now be held accountable to the public for renting out the constitutional office of the attorney general to extremist climate change activists.”

“Chris Horner of Energy Policy Advocates also said: “Keith Ellison has been the most secretive and anti-transparency Attorney General that our group has sought documents from in the entire nation. We are grateful that the Court of Appeals has rejected his attempt to conceal his office’s activities, and we look forward to getting the documents we asked for more than two years ago. Hopefully after this decision, we won’t have to file lawsuits to get documents about which the public has a right

to know.”

d) that Douglas Wardlow, who was reported to have campaigned to supporters in 2018 that he planned to “fire 42 Democratic attorneys right off the bat and get Republican attorneys in there”, intends to use the same campaign message in his 2022 election campaign against Keith Ellison that the threat of “climate change” is a “hoax” and that Ellison has “politicized” the Office of the Minnesota Attorney General by promoting this “hoax” as a political agenda and that by “firing Democratic attorneys” he will only be “de-politicizing” the Office of the Minnesota Attorney General and ending the alleged “climate change hoax.”

e) Attorney Douglas Seaton has parroted Douglas Wardlow’s planned campaign message such as when he was quoted in Center of the American Experiment’s Fall, 2019 *Thinking Minnesota* accusing Keith Ellison of having “politicized the office” with Bloomberg subsidized “plants” for a “political agenda” involving “clean energy” and “climate change” just after filing the first action against Keith Ellison, almost a year before the Minnesota Attorney General filed the legal action in *State of Minnesota by its Attorney General versus American Petroleum Institute, et al.*, Ramsey County District Court Case No. 62-CV-20-3837 in June, 2020. Attached is article Katie Fulkerson, *Weeding Out the “Plants”*, Fall, 2019 *Thinking Minnesota*, p. 18. as **Exhibit G**.

18. Upon information and belief, the money, free services of the officers, employees or members of the Upper Midwest Law Center, GAO, and the costs of the two lawsuits by EPA against Keith Ellison were funded either by the grant of \$110,000.00 from the Center of the American Experiment to the Upper Midwest Law Center or other tax-deductible donations given to and accepted by the Upper Midwest Law Center or by funds donated to GAO and paid to EPA and Matthew Hardin, Douglas Seaton and James V.F. Dickey paid through EPA and billed to it as legal fees by the Upper Midwest Law Center, all of which were derived from known but undisclosed “charitable contributions” which are kept confidential to deceive the voting public about their true source.

19. That the authorization, approval or express or implied consent or cooperation in the authorization or approval of the expenditure by Douglas Wardlow of the expenditure of money for free services of the officers, employees or members, and other things of value by the Upper Midwest Law Center, GAO and EPA for the litigation against Keith Ellison constituted an “approved expenditure” by entities other than the Principal Campaign Committee of Douglas Wardlow for Minnesota Attorney General within the meaning of Minn. Stat. § 10A.01, subd. 4, and therefore as such constituted a “contribution” and within the meaning of Minn. Stat. §§ 10A.01, subd. 11 and 211B.15, subd. 7b (1) and not an “independent expenditure” within the meaning of Minn. Stat. §§ 10A.10, subd. 18 and 211B.15, subd. 3.

20. That Douglas Wardlow’s authorization, approval, express or implied consent or cooperation in the authorization or approval of the expenditure of money for free services of the officers, employees or members, and other things of value by the Upper Midwest Law Center, the

GAO and EPA for the litigation against Keith Ellison implies that Douglas Wardlow will dismiss the State's action in *State of Minnesota by its Attorney General versus American Petroleum Institute, et al.*, Ramsey County District Court Case No. 62-CV-20-3837 if elected Minnesota Attorney General, and also implies acceptance of a "benefit, reward or consideration upon an agreement or understanding, express or implied" that Douglas Wardlow accepted the money, free services of the officers, employees or members, and other things of value by the Upper Midwest Law Center, GAO and EPA and their undisclosed but known sources of donations that Douglas Wardlow as Minnesota Attorney General will refrain from giving information that may lead to the prosecution of Minn. Stat. § 211B.15, subd. 7a and Minn. Stat. § 609.42 subd. 1 (5) (acceptance of a bribe).

21. The appearance of corruption in Douglas Wardlow having accepted a bribe or *quid pro quo* for the money for free services of the officers, employees or members, and other things of value by the Upper Midwest Law Center, the Government Accountability & Oversight, P.C. and Energy Policy Advocates for the litigation against Keith Ellison is bolstered by the following additional false, deceptive and misleading communications by attorneys for the Upper Midwest Law Center, EPA and GAO and their association with and defense of business corporations in the fossil fuel industry:

a) that the Upper Midwest Law Center has no policy of refusing contributions from business corporations and refuses to disclose its known contributors in its Schedule 990 (**Exhibit B**); that its advertisement on its website and its brochure (**Exhibit E**) asserts that it is a "501 (c)(3) whose "lawyers work without charge to clients"; and that the Upper Midwest Law Center nevertheless claims to have billed and been paid by the EPA \$20,380.00 in attorneys fees for legal services at "standard hourly rates" of \$400.00 and \$300.00 per hour rendered by Attorney Seaton and Attorney Dickey in the first legal action against Attorney General Ellison according to their Motion and supporting Affidavit of James V.F. Dickey filed with the Minnesota Court of Appeals, attached hereto as **Exhibit H**.

b) that the GAO's sole source of known funding has been a single grant from an undisclosed source of \$1,386,226.00 of which it granted \$45,901.00 to Matthew D. Hardin and EPA "to help support their mission to seek to bring transparency to the realm of energy and environmental policy" and other facts and circumstances set forth in ¶ 6 (c) above.

c) that Attorney Matthew D. Hardin² is a member of the Board of Directors of EPA and GAO³ and also a director of Attorney Chris Horner's Virginia professional law firm, "who (or which) is Upper Midwest Law Center's "co-counsel" in these cases. See **Exhibit C**, Government Accountability & Oversight, P.C., 2018 IRS Schedule 990, p. 7.

² Attorney Hardin has petitioned for amicus status in the Minnesota Supreme Court proceeding.

³ See **Exhibit F** Government Accountability and Oversight, P.C. 2018 IRS Schedule 990, p. 7.

d) Attorney Chris Horner, co-counsel with Douglas Seaton in the two legal actions against Keith Ellison, is or has been a “senior fellow” at various right-wing “think tanks” such as the Competitive Enterprise Institute, the Energy & Environment Legal Institute and Heartland Institute all of which have taken part in a public relations and legal campaign attacking the scientific basis and validity of “human caused global warming”, “climate change” and “climate science.” / ⁴

e) Attorney Horner is also known as a “climate scientist harasser” of climate scientists, such as former NASA director James Hansen and Michael Mann, using legal actions for what amounts to “opposition research.” / ⁵ Attorney Horner’s advocacy for “transparency and accountability” obscures his own efforts to conceal his funding sources and who he actually represents. As one watchdog investigator of Mr. Horner’s activities stated:

“Never in the numerous FOIAs [Freedom of Information Act requests] to state AGs etc. does Horner or his associates reveal that their patron has a material interest in the outcome of the lawsuits (accountability for pollution) and ultimately the regulation of global warming pollution,” Kert Davies of Climate Investigations Center, a watchdog group tracking fossil fuel front groups and campaigns, said in an email. “/ ⁶

f) Another Director of the EPA is Mike Gardner, an attorney based in Cleveland, and who is a “former coal company lawyer” according to the website. / ⁷

g) Public records have documented that Attorney Christopher C. Horner and his groups have been funded by coal companies like Alpha Natural Resources, Arch Coal and Peabody Coal Co. / ⁸

⁴ https://www.sourcewatch.org/index.php/Chris_Horner

⁵ Mr. Horner’s association and association with Koch Industries, Inc. and its subversion of American political institutions was described and chronicled in Jane Mayer, *Dark Money* (New York, New York: Doubleday, 2016), pp. 219-220 in a chapter about right-wing opposition to climate science and his involvement in the attempt to discredit climate scientist Michael Mann.

⁶ (<https://www.desmog.com/2020/04/30/energy-policy-advocates-horner-exxon-legal-climate/>)

⁷ <http://epadvocates.org/about-2/>

⁸ This information became public in Peabody’s 2016 bankruptcy filing. (<https://www.prwatch.org/news/2016/06/13114/peabody-coal-bankruptcy-reveals-extensive-funding-climate-denial-network>)

g) Coal company executives have publicly defended Christopher C. Horner as their attorney to harass climate scientists.⁹

22. Minn. Stat. § 211B.15 has not been held unconstitutional under the U.S. Supreme Court's decision in *Citizen's United v. Federal Elections Comm'n*, 558 U.S. 310 (2010). *Minn. Citizens Concerned for Life, Inc. v. Swanson*, 692 F.3d 864, 877-880 (8th Cir. 2012). Preventing corruption or the appearance of corruption is a sufficiently strong and compelling state interest to override any corporation's First Amendment rights to political free speech. *Minn. Citizens Concerned for Life v. Kelley*, 427 F.3d 1106, 1116 (8th cir. 2005) citing *Federal Election Comm'n v. Nat'l Conservative Political Action Comm.*, 470 U.S. 480, 496-497 (1985). Moreover, the Eighth Circuit has upheld Minn. Stat. § 211B.15 as having met the "closely drawn" standard of the U.S. Supreme Court upholding the federal ban against corporate contributions by non-profit corporations. *Minn. Citizens Concerned for Life, Inc. v. Swanson*, 692 F.3d at 878-879 citing *Federal Elections Commission v. Beaumont*, 539 U.S. 146, 158-59 (2003).

23. Therefore, your Complainant requests that the Board investigate Douglas Wardlow, in his capacity as a member of its "Advisory Legal Panel" of the Upper Midwest Law Center, in his capacity as General Counsel for My Pillow, Inc. and as candidate for Minnesota Attorney General in 2022, the Upper Midwest Law Center, including its president Douglas Seaton; and GAO, EPA, Matthew D. Hardin and Christopher C. Horner to determine:

- a) whether the Upper Midwest Law Center, GAO, EPA have violated Minn. Stat. § 211B.15, subd. 2 and subd. 7 (a);
- b) whether the violation or violations were knowing contrary to Minn. Stat. § 211B.15, subd. 2 and subd. 7 (b);
- c) whether they or any of the Respondents or other persons knowingly coordinated, counseled, advised, aided or abetted the Upper Midwest Law Center, GAO and EPA or any of them knowing that the money, free services or other things of value to the campaign of Douglas Wardlow was prohibited by Minn. Stat. § 211B.15 or otherwise;
- d) whether any of the Respondents knew that the \$110,000.00 and other grants and funds paid to any lawyers representing EPA in legal actions against Keith Ellison as Minnesota Attorney General were also illegal corporate political contributions to promote Douglas Wardlow as candidate for Minnesota Attorney General in 2022 and defeat Keith Ellison for Minnesota Attorney General in 2022.
- e) whether the funds approved or authorized by Douglas Wardlow or with his cooperation

⁹<https://theintercept.com/2015/09/30/coal-mining-ceo-defends-financing-harassment-of-climate-scientists/>

as member of the “Advisory Legal Panel” of the Upper Midwest Law Center constituted a bribe (Minn. Stat. § 609.42) or other *quid pro quo* in violation of Minnesota law and statutes in consideration of his agreement to settle, dismiss or drop the action in *State of Minnesota by its Attorney General versus American Petroleum Institute, et al.*, Ramsey County District Court Case No. 62-CV-20-3837 or conceal an illegal political contribution by a corporation in violation of Minn. Stat. § 211B.15.

COUNT II.
UNLAWFUL CIRCUMVENTION
CONTRARY TO MINN. STAT. § 10A.29.

For a Complaint under Minn. Stat. § 10A.29 making a gross misdemeanor and a penalty for any individual or association to circumvent ch. 10A by redirecting a contribution through, or making a contribution on behalf of, another individual or association, imposing penalties and fines for unauthorized expenditures by any individuals or associations your Complainant alleges as follows:

24. The allegations of ¶¶ 1-23 are realleged and incorporated by reference herein.

25. Minn. Stat. § 10A.29 is a law prohibiting circumvention which is a “valid theory of corruption.” *Minn. Citizens Concerned for Life v. Kelley*, 427 F.3d at 1113. Preventing corruption or the appearance of corruption by regulating the circumvention of campaign laws is a sufficiently strong and compelling state interest to override any corporation’s First Amendment rights to political free speech. *Minn. Citizens Concerned for Life v. Kelley*, 427 F.3d at 1112-1113.

26. Your Complainant further requests the Board to investigate whether the actions and omissions alleged in ¶¶ 1-23 constituted “circumvention” in violation of Minn. Stat. § 10A.29.

Dated this 20th day of October, 2021.



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**CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD
December 2021**

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
Sandra (Sandi) Blaeser		2018 Public Official Statement of Economic Interest	\$100 LFF and \$1,000 CP	9/11/20	6/3/21	2/3/22 (summary judgment)		
		2019 Public Official Statement of Economic Interest	\$100 LFF and \$1,000 CP					
Chilah Brown Michele Berger	Brown (Chilah) for Senate	Unfiled 2016 Year- End Report of Receipts and Expenditures	\$1,000 LFF \$1,000 CP	3/6/18	8/10/18 1/8/21 2/18/21	11/15/21 (summary judgment)		Judge told Brown and Berger he would rule in 30- 90 days and urged them to contact Jodi to get report filed and fees paid and/or waiver request filed by mid-December
		Unpaid late filing fee on 10/31/16 Pre- General Election Report	\$50 LFF					

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
Marcus Harcus	MN Campaign for Full Legalization	Original Statement of Economic Interest, due 6/16/20 Lobbyist Disbursement Report due 6/15/20 Lobbyist Disbursement Report due 1/15/20 Late Filing of Lobbyist Disbursement Report due 1/15/19; filed on 6/16/19 Late Filing of Lobbyist Disbursement Report due 6/15/18, filed on 6/27/18 Annual Lobbyist Principal Report, due 3/16/20	\$100 LFF \$1,000 CP \$1,000 LFF \$1,000 CP \$1,000 LFF \$1,000 CP \$1,000 LFF \$200 LFF \$1,000 LFF \$1,000 CP	10/5/20	4/27/21			Harcus agreed to a proposed payment plan of \$150 per month with a final payment of \$250 in February and he has made his first two payments. Board requested hold until fees and penalties are paid.
Beau Hullerman		Candidate Statement of Economic Interest due 6/16/20	\$100 LFF \$1,000CP	9/23/20	6/18/21	12/28/21		
Steve Laitinen		2018 Public Official Statement of Economic Interest 2019 Public Official Statement of Economic Interest	\$100 LFF and \$1,000 CP \$100 LFF and \$1,000 CP	9/23/20	6/14/21			Board's motion for default judgment was filed on November 5

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
Jaden Partlow		Candidate Statement of Economic Interest due 6/15/20	\$100 LFF \$700CP	9/23/20	6/18/21			Jaden Partlow agreed to a payment plan of \$160 per month through February and he has made his first payment. Board requested hold until fees and penalties are paid.
Jenny Rhoades		Candidate Statement of Economic Interest due 6/15/20	\$100 LFF \$1,000CP	9/23/20	6/29/21			Payment plan being established. Board requested hold until fees and penalties are paid.
Jae Hyun Shim		Statement of Economic Interest due 1/25/2021	\$100 LFF \$1,000CP	9/7/21				

CLOSED 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
Tim Johnson		Candidate Statement of Economic Interest due 6/16/20	\$100 LFF \$1,000CP	9/11/20				Board requested AGO close file.