This Advisory Opinion, which relates to gifts of plaques from lobbyists or lobbyist principals to officials under Minnesota Statutes Section 10A.071, is obsolete.

The 2009 legislature changed the language of the exception so that most gifts of plaques are now permitted.

The statute is here:

https://www.revisor.mn.gov/statutes/?id=10A.071

The exception is found in subd. (3)(a)(4).
RE: Gifts to Officials

ADVISORY OPINION #218

SUMMARY

218. The presentation of a plaque or similar memento of more than insignificant value to a state legislator in recognition of his or her voting record is prohibited by Minn. Stat. § 10A.071.

FACTS

As a registered lobbyist for a lobbyist principal, you request an advisory opinion based on your statement of the following facts:

1. Every biennium the lobbyist principal rates state legislators on their voting records.
2. Legislators who receive a 100% voting record receive a recognition plaque from the lobbyist principal.
3. The cost of the plaque is approximately $40.00 to $85.00.

ISSUE

Is the award of the plaque under the stated facts prohibited by Minn. Stat. § 10A.071?

OPINION

Yes, the proposed plaque is a prohibited gift pursuant to Minn. Stat. §10A.071 because a plaque of value between $40.00 and $85.00 is not of insignificant value and thus does not fall within the exception for trinkets or mementos of insignificant value.¹

¹ Minn. Stat. § 10A.071, Subd 3(a)5
The plaque is a gift to an official\textsuperscript{2} by a registered lobbyist principal. Both the giving and the receiving of the gift are prohibited\textsuperscript{3} unless it falls within a statutory exception.

\textsuperscript{2} Minn. Stat. § 10A.071, Subd. 1
\textsuperscript{3} Minn. Stat. § 10A.071, Subd 2

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Douglas Siler, Chair
Ethical Practices Board