

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

THIS ADVISORY OPINION IS PUBLIC DATA  
pursuant to Consent for Release of Information signed by requester

Issued to:     Tanja Kozicky  
                  Legal Counsel to the Governor  
                  130 State Capitol  
                  St. Paul, MN 55155

RE:     Gift of greeting cards

**ADVISORY OPINION 283**

**SUMMARY**

A gift to the state, accepted by the Commissioner of Health under statutory authority, is not a prohibited gift to an official under Minn. Stat. § 10A.071 nor is it a contribution to an official's principal campaign committee. Where the gift is not for a lobbying purpose, its cost is not a lobbyist disbursement under Minnesota Statutes Chapter 10A.

**FACTS**

As the representative of a public official, you ask the Campaign Finance and Public Disclosure Board (Board) for an advisory opinion based on the following facts:

1. Hallmark Cards, Inc. ("Hallmark") has a national program called the Hallmark Immunization Greeting Card Program. Through the program Hallmark creates a specially designed congratulatory card to be given to parents of newborn babies reminding them of the importance of immunizations.
  
2. The cards will contain the following message: "Every Minnesota child is precious to us. Please remember that your baby needs his or her first shots by two months. We hope you will use the Minnesota Immunization Record to keep you up to date on all your child's shots." The first two sentences are standardized by Hallmark for all states using the program. The third sentence is tailored to Minnesota's immunization policy. The cards will be printed with the signatures of the Governor and the First Lady.

3. The cards will be given to the Minnesota Department of Health and will be included in the state's current health record folder which is already given to all new parents.
4. The Minnesota Department of Health has the authority to accept gifts from other sources pursuant to Minn. Stat. § 144.074. The gift of the cards will be accepted by the Commissioner of Health pursuant to this authority.

### ISSUE

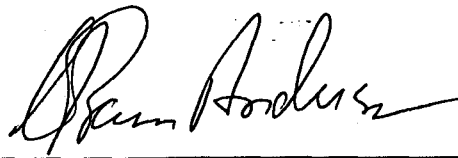
Does the gift from Hallmark Cards, Inc. to the Minnesota Department of Health of a greeting card which will be printed with the signature of the Governor and First Lady constitute a prohibited gift under Minn. Stat. § 10A.071, a campaign contribution to the Governor's principal campaign committee, or a lobbying disbursement by Hallmark?

### OPINION

The card is a gift to the State of Minnesota, accepted by the Commissioner of Health pursuant to statutory authority. As such, it is not a gift to an official within the meaning of Minn. Stat. § 10A.071. Neither is it a campaign contribution to a candidate's principal campaign committee. The gift is not for the purpose of influencing official action and, thus, its cost is not a lobbying disbursement reportable under Minnesota Statutes Chapter 10A.

Issued: \_\_\_\_\_

11/21/97



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G. Barry Anderson, Chair  
Campaign Finance and Public Disclosure Board

### CITED STATUTES

144.074 Funds received from other sources.

The state commissioner of health may receive and accept money, property, or services from any person, agency, or other source for any public health purpose within the scope of statutory authority. All money so received is annually appropriated for those purposes in the manner and subject to the provisions of law applicable to appropriations of state funds.