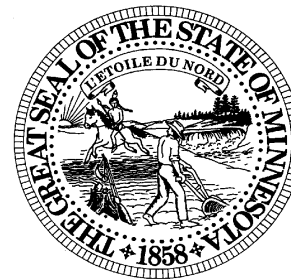


Minnesota

*Campaign Finance and
Public Disclosure Board*



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

SUMMARY

A presentation item that is in the form of a decorative axe is a plaque with a resale value of five dollars or less and, thus, is exempt from the gift prohibition of Minnesota Statutes Section 10A.071.

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. The Minnesota Fire Chiefs Association, a lobbyist principal, periodically presents public officials and others with a "Distinguished Service Award".
2. This award is memorialized by a plaque in the form of an engraved fire axe.
3. The axe has mounted on its face an engraved fire badge medallion. The badge medallion is engraved with the name of the recipient.
4. An engraved plate memorializing the reason for the award is attached to the handle of the axe with small nails.
5. The requester believes that the item is useless except as decoration and that it has value only to the recipient as a commendation.

RELEVANT STATUTES AND RULES

MINNESOTA STATUTES

10A.071 CERTAIN GIFTS BY LOBBYISTS AND PRINCIPALS PROHIBITED.

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment, that is given and received without the giver receiving consideration of equal or greater value in return.

(c) "Official" means a public official, an employee of the legislature, a judge, or a local official of a metropolitan governmental unit.

Subd. 2. **Prohibition.** A lobbyist or principal may not give a gift or request another to give a gift to an official. An official may not accept a gift from a lobbyist or principal.

Subd. 3. **Exceptions.** (a) The prohibitions in this section do not apply if the gift is:

. . .

(4) a plaque with a resale value of \$5 or less;

MINNESOTA RULES

4512.0100 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to this chapter and Minnesota Statutes, section 10A.071. The definitions in chapter 4501 and in Minnesota Statutes, chapter 10A, apply to this chapter.

. . .

Subp. 5. **Plaque or similar memento.** "Plaque or similar memento" means a decorative item with an inscription recognizing an individual for an accomplishment.