

Minnesota

Campaign Finance and Public Disclosure Board Meeting

Wednesday, March 7, 2018
10:00 AM

Blazing Star Room
Centennial Office Building
St Paul MN

REGULAR SESSION AGENDA

1. **Minutes**
Regular session, January 9, 2018
2. **Chair's report**
 - A. Meeting schedule
3. **Executive director report**
4. **Legislative Recommendations**
5. **Amended Affirmative Action Plan**
6. **Enforcement report**
7. **Legal report**
8. **Other business**

EXECUTIVE SESSION

Immediately following regular session

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

.....
**January 9, 2018
Room 220
Minnesota Judicial Center**
.....

MINUTES

The meeting was called to order by Chair Flynn.

Members present: Flynn, Haugen (arrived during executive director's report), Leppik, Moilanen, Rosen, Swanson

Others present: Sigurdson, Goldsmith, Pope, staff; Hartshorn, counsel

MINUTES (December 14, 2017)

After discussion, the following motion was made:

Member Moilanen's motion: To approve the December 14, 2017, minutes as drafted.

Vote on motion: Unanimously passed (Haugen absent).

CHAIR'S REPORT

A. Meeting schedule

The next Board meeting is scheduled for 10 a.m. on Wednesday, February 7, 2018.

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 January was a busy month for staff because reports were due in all three programs overseen by the Board. Mr. Sigurdson also said that candidate filing had opened for the special elections being held in House District 23B and Senate District 54. Mr. Sigurdson finally stated that the Board had received twenty five applications from qualified applicants for the vacant assistant executive director position and that the hiring process for this position was moving forward.

REPORT ON 2016 RECONCILIATION

Mr. Sigurdson presented members with a memorandum regarding this matter that is attached to and made a part of these minutes. Mr. Sigurdson explained the history of the reconciliation process and the issues that had arisen with this process in 2013. Mr. Sigurdson told members that the reconciliation for

2016 was essentially complete and that 99.94% of the reported transactions between registered committees reconciled.

ENFORCEMENT REPORT

A. Discussion items

1. Balance adjustment request – Joe McDonald for State Rep

Ms. Pope told members that the Joe McDonald for State Rep committee was the principal campaign committee of Rep. Joe McDonald. In 2017, Board staff had notified the McDonald committee that there was a discrepancy between the beginning cash balance on its 2016 report and the ending cash balance on its 2015 year-end report. Ms. Pope said that the committee's treasurer had explained that the discrepancy arose before she became treasurer at the end of 2014. The treasurer had stated that despite the previous treasurer's poor recordkeeping, she had been able to find and correct a large error in 2010 but had not been able to locate the source of the remaining \$587.56 discrepancy. Ms. Pope stated that the treasurer had told staff that the committee's 2015 and 2016 transactions were all accounted for on the committee's reports. Ms. Pope said that the treasurer had filed an amended 2015 report showing the committee's actual beginning and ending cash balances for that year. Ms. Pope stated that the committee was asking the Board to adjust its year-end balance for 2014 from \$6,149.69 to \$6,737.25 to match its actual cash balance at the beginning of 2015. Ms. Pope told members that the committee had registered with the Board on June 9, 2010, and had not received any other balance adjustments.

After discussion, the following motion was made:

Member Rosen's motion: To grant the Joe McDonald for State Rep's request to adjust its 2014 year-end balance from \$6,149.69 to \$6,737.25.

Vote on motion: Unanimously passed.

2. Balance adjustment request – Ryan Winkler Volunteer Committee

Ms. Pope told members that the Ryan Winkler Volunteer Committee was the house campaign committee of former Rep. Ryan Winkler. The committee had reported that its 2016 year-end balance was \$963.58. Ms. Pope said that the committee had stated that its actual bank balance at the end of 2016 was \$190.37, which was a discrepancy of \$773.21. Ms. Pope stated that the committee had examined its records and determined that the bulk of the discrepancy occurred before 2007. The committee could not find the exact source of the discrepancy because bank records for 2006 were no longer available. Ms. Pope said that the committee was asking to adjust its year-end 2016 balance to \$190.37. The committee then planned to file its 2017 report and terminate its registration. Ms. Pope told members that the committee registered with the Board on February 17, 2006, and had not received any other balance adjustments.

After discussion, the following motion was made:

Member Rosen's motion: To grant the Ryan Winkler Volunteer Committee's request to adjust its 2016 year-end balance from \$963.58 to \$190.37.

Vote on motion: Unanimously passed.

3. Reconsideration of waiver request – SEIU Local 26 Political Fund

Ms. Pope told members that SEIU Local 26 was a political fund and therefore was not required to file reports for periods with no activity. The fund's only receipts are transfers from its parent association. Ms. Pope said that in June 2017 as part of an effort to correct balance discrepancy issues, the fund had filed a 2016 year-end report showing all of the transfers as unitemized contributions. Because the transfers exceeded the itemization threshold, staff told the fund to amend its report to itemize the transfers. Ms. Pope stated that the amended report showed that based on the timing of the transactions, the fund should have filed a 24-hour notice report before the 2016 primary, a 10-day pre-general-election report, and a year-end report. The fund accrued the maximum \$1,000 late filing fee for all three reports. Ms. Pope said that at the November meeting, the Board made no motion on the fund's waiver request. Ms. Pope noted that the Board had consistently reduced a 24-hour notice late fee from \$1,000 to \$250 in other matters.

After discussion, no motion was made.

4. Request to refer matter to the Attorney General's Office – Brown (Chilah) for Senate

Ms. Pope told members that the Brown (Chilah) for Senate committee was the principal campaign committee of Chilah Brown. Ms. Pope said that Ms. Brown and her treasurer Michelle Berger had failed to file the committee's 2016 year-end report of receipts and expenditures. The committee last reported a cash balance of \$3,556.18 and received \$7,757 in public subsidy funds. Ms. Pope stated that the committee had accrued \$1,000 in late fees and \$1,000 in civil penalties for the year-end report. The committee also had an unpaid \$50 late fee for the 2016 pre-general-election report. Ms. Pope said that staff was asking the Board to refer the matter to the Attorney General's Office to seek an order compelling the filing of the report and a judgment for the accrued late filing fees and civil penalties.

After discussion, the following motion was made:

Member Leppik's motion: To refer the Brown (Chilah) for Senate committee to the Attorney General's Office.

Vote on motion: Unanimously passed.

5. Request to refer matter to the Attorney General’s Office – Duluth DFL

Ms. Pope told members that the Duluth DFL was a party unit that had failed to file its 2016 year-end report. On its pre-general-election report, the party unit reported a cash balance of \$6,957.09. Ms. Pope said that the Duluth DFL had accrued the maximum \$1,000 in late fees and \$1,000 in civil penalties for the year-end report. Ms. Pope said that staff was asking the Board to refer the matter to the Attorney General’s Office to seek an order compelling the filing of the report and a judgment for the accrued late filing fees and civil penalties.

Member Leppik’s motion: To refer the Duluth DFL party unit to the Attorney General’s Office.

Vote on motion: Unanimously passed.

B. Waiver request

<u>Name of Candidate or Committee</u>	<u>Late Fee & Civil Penalty Amount</u>	<u>Reason for Fine</u>	<u>Factors for waiver</u>	<u>Board Member’s Motion</u>	<u>Motion</u>	<u>Vote on Motion</u>
Kirsten Johnson (candidate)	\$100 LFF, \$1,000 CP	6/14/2016 Candidate EIS	Candidate was required to file economic interest statement because she filed to be on the ballot for state senate. Candidate’s employer then decided that running for office would be a conflict of interest. This decision was made after the last day that candidate could withdraw her name from the ballot but before she had spent any money. Candidate then immediately ended campaign activity. Candidate called Board in response to request for report and was told that she did not have to file campaign finance reports if she had not spent any money. Candidate believed that this direction also applied to EIS. Candidate was referred to attorney general’s office and submitted EIS after receiving complaint.	Member Rosen	To waive the late filing fee and civil penalty.	Passed unanimously.

Informational Items

A. Payment of a late filing fee for amended 2016 year-end report of receipts and expenditures

Neighbors for Ilhan Omar, \$150

B. Payment of a late filing fee for amended 2016 year-end report of receipts and expenditures

Citizens for Jane Montemayor, \$201.25 (Revenue Recapture)

C. Payment of a late filing fee for failure to file 2016 pre-primary-election report of receipts and expenditures

Lawrence Patwin (candidate did not register committee) \$83.72 from Revenue Recapture

D. Payment of a late filing fee for the June 15, 2017, lobbyist disbursement report

Sarah Janecek, Caribou MSP, \$225
Eric Reichwald, Down in the Valley, \$375
Matt Jeschke, Kennecott Eagle Minerals, \$50
Elizabeth King, Geronimo Energy, \$525

E. Payment of a late filing fee for a statement of economic interest for a public official

David Berglund, Cook County SWCD, \$200 (2016 and 2017)

F. Payment of a late filing fee and civil penalty for a statement of economic interest for a local candidate

Lisa Bender, City Council of Minneapolis, \$100 late fee, \$600 civil penalty

G. Payment of a late filing fee for March 15, 2016, annual report of lobbyist principal

Tavern League of Minn, \$25

H. Payment of a civil penalty for false certification

Branden Petersen, October, \$280; November, \$280; December, \$280

I. Payment of a civil penalty for excess special source contributions

Jim Nash for Minnesota, \$250

J. Payment of a civil penalty for acceptance of an earmarked contribution

Goodhue County RPM, \$1,000

ADVISORY OPINION REQUEST

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 the requester had agreed to make the matter public and that the request concerned the effect of the gift prohibition on the provision of books and informational materials to legislative and executive branch officials. Mr. Sigurdson told members that the draft opinion determined that the materials could be provided to the officials, but that they must be reported as permissible gifts on the requester's lobbyist disbursement reports.

After discussion, the following motion was made:

Member Rosen's motion: To approve the advisory opinion as drafted.

Vote on motion: Unanimously passed.

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 had nothing to add to the provided report.

OTHER BUSINESS

There was no other business to report.

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 regular session of the meeting was called back to order and the Chair reported the following matter into regular session:

Findings, conclusions, and order in the matter of the complaint of Wojtalewicz regarding Tim Miller, Citizens for Tim Miller, Southern Minn Beet Sugar Cooperative PAC, and Renville County RPM

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

Respectfully submitted,

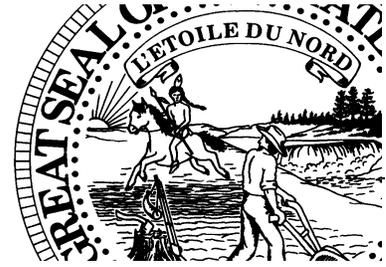
Jeff Sigurdson
Executive Director

Attachments:
Memorandum regarding executive director report
Memorandum regarding 2016 reconciliation
Memorandum regarding advisory opinion request 445
Draft Advisory Opinion 445
Legal report

Campaign Finance and Public Disclosure Board

190 Centennial Bldg, 658 Cedar St, St Paul, MN 55155

www.cfboard.state.mn.us



Board Meeting Dates for Calendar Year 2018

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

2018

Wednesday, April 4

Wednesday, May 2

Wednesday, June 6

Wednesday, July 11

Wednesday, August 1

Wednesday, September 5

Wednesday, October 3

Wednesday, November 7

Wednesday, December 5

Minnesota

Campaign Finance and Public Disclosure Board



Date: February 28, 2018

To: Board Members

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Executive Director's Report – Board Operations

Status of Year-end Reports

Lobbying Program. The lobbyist disbursement report covering the period of June 1 through December 31, 2017, was due on January 16, 2018. A total of 2,076 reports were due. Staff sent multiple e-mails to remind lobbyists of the reporting deadline, and phoned all lobbyists who had not filed by two days before the deadline. The extra effort paid off, as only 25 lobbyist reports (1.2%) were filed late. As of the date of this memo, there are two reports outstanding.

Campaign Finance Program. The year-end report of receipts and expenditures for 2017 was due on January 31, 2018. Reporting notices were mailed to 618 candidates, 318 political party units, 342 political committees and funds, and 46 independent expenditure committees and funds. Staff also sent multiple reminder e-mails, and again called all treasurers who had not reported prior to January 31st. In total 79 reports (5.9%) were not filed by the deadline. As of date of this memo, there are 17 candidate committees, 3 political party units, and 2 political committees with reports still outstanding.

Economic Interest Program. The 2017 annual recertification by public officials was due on January 29, 2018. There were 2,924 annual recertifications due. Unlike the campaign finance and lobbying programs, there is a 10-day grace period after the filing deadline before a late fee is applied. Staff sent multiple reminder e-mails and made phone calls before and after the deadline. From the number of bounced e-mails and phone numbers that were no longer in use it is clear that the Board database of contact information for public officials is not as good as the lobbying or campaign finance programs. Nonetheless, at the end of the grace period there were only 95 recertifications not completed (3.2%). As of the date of this memo, there are 46 public officials who need to recertify for 2017.

Personnel

Megan Engelhardt accepted the position of assistant executive director for the Board, and started in the position on February 14, 2018. For the past 10 years Ms. Engelhardt has worked for the Minnesota Office of Lawyers Professional Responsibility. While in that position, Ms. Engelhardt investigated allegations of attorney misconduct, and provided training and guidance to attorneys on the Minnesota Rules of Professional Conduct. Ms. Engelhardt is a graduate of the William Mitchell College of Law, and received her undergraduate degree at Michigan State University.

Gary Goldsmith, who currently holds the position of senior legal analyst on a part-time basis, is retiring. His last day as a member of Board staff will be May 1st. During his time with the Board Mr. Goldsmith also served as assistant director and executive director.

Joyce Larson, the campaign finance compliance officer, is also retiring effective May 1st. Ms. Larson is in her 23rd year as a member of Board staff.

The retirements of Mr. Goldsmith and Ms. Larson represent a major loss to the Board in terms of experience and institutional knowledge. Of even greater impact is the loss of their work ethic, the personal relationships and trust they have built with the regulated community, and their value as highly respected and well-liked co-workers.

The process to fill the compliance officer position will start immediately. The legal analyst position will be addressed somewhat later in the year.

Minnesota

*Campaign Finance and
Public Disclosure Board*



Date: February 28, 2018

To: Members of the Legislature

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Legislative Recommendations

As directed by the Board at the November 2017 meeting, I have met with members of the legislature to determine if there is bipartisan interest in hearing legislative recommendations from the Board. The recommendations discussed included some parts of the proposed administrative rules developed by the Board. When they have been available, Mr. Moilanen and Ms. Leppik have attended the meetings. I am continuing to request meetings with members of the Board's policy committees in the House and Senate.

At the meetings I provided legislators with the attached memo which reviews the Board's requirement that there must be bi-partisan support in order for the Board to formally submit the recommendations to the legislature. I will provide a more detailed description at the Board meeting; but the reaction of legislators has been generally positive. There are always specific concerns, but if the recommendations are submitted it appears that there will be authors from both parties.

Legal staff for the Senate requested that Board staff provide the recommendations related to a two-tiered reporting system for the economic interest statement, and disclosure of spousal holdings in the form of statutory language. That draft language is also provided with this memo.

If the Board is prepared to formally provide the recommendations to the legislature for consideration it would be appropriate to make a motion to that effect. I would then draft a letter for the Chair's signature that would accompany the recommendations.

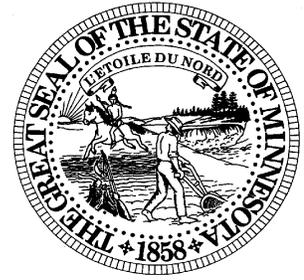
Attachments

Memo to Legislators – Dated January 31, 2018

Draft language for economic interest statement recommendations

Minnesota

Campaign Finance and Public Disclosure Board



Date: January 31, 2018

To: Members of the Legislature

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Legislative recommendations from the Campaign Finance and Public Disclosure Board

As provided in Minnesota Statutes section 10A.02, subdivision 8, the Board "...may indicate apparent abuses and offer legislative recommendations." The last time the Board submitted legislative recommendations was in 2015. At the November 1, 2017, meeting the Board directed me to meet with key legislators to determine if there was interest in addressing the policy issues identified by the Board at that meeting.

Additionally, the Board is in the process of adopting new and amended administrative rules. The Board is aware of legislative concern that some of the issues in the proposed rules should receive legislative review and input. To address that concern the Board is open to moving many of the proposed rules into statute if that will facilitate a more thorough legislative review of the issues identified by the Board.

At the November meeting, the Board also agreed that for the legislative recommendations to move forward the following conditions need to be in place:

- There must be bipartisan support for the recommendations. If authors and co-authors from both parties in both the Senate and the House will not sign on to the legislation prior to introduction, then the Board will withdraw the recommendations. The Board believes there is simply no productive result possible from recommendations that are supported by members of only one party.
- The Governor's office must also be in agreement with, or at least not in opposition to, the recommendations.

The following are the policy subjects identified by the Board at its November meeting that clearly would benefit from being addressed in statute.

The economic interest statement program

During the development of the draft administrative rules Board members and staff discussed the effectiveness of the economic interest statement (EIS) program. Generally it was agreed that the EIS program requires disclosure that in some cases is unnecessary, and in other cases is insufficient to alert the public of a possible conflict of interest. Recommendations to address these deficiencies could include the following:

- **Establish a two-tiered disclosure system.** Disclosure required for soil and water conservation district supervisors and members of watershed districts and watershed management organizations is excessive given their limited authority. In a two-tiered system, members of these boards and districts would disclose only non-homesteaded property owned in the state. A higher level of disclosure would remain for other public officials.
- **Raising the dollar-level threshold for disclosure.** Currently the disclosure of investments, non-homesteaded real estate, and compensation by principal business or professional activity category is required when the value is over \$2,500. That amount has not been adjusted for inflation in decades (set in 1974), and could be increased to \$10,000 without damaging the public's knowledge of possible conflicts of interest.
- **Raising the dollar-level threshold for disclosure of income derived from businesses.** Currently disclosure is required of each business from which the official receives more than \$50 per month. That amount could be raised to \$250 per month.
- **Disclosure for spouse.** Increase disclosure on the EIS to include the occupation and investments of the public official's spouse. This proposal has been offered before, and is admittedly an unpopular subject. Nonetheless, it has been recognized in almost every other state that the financial interests of the public official's spouse could in fact create a conflict of interest for the public official.

Notice to contributors

The issue of providing notice to consumers when goods or services are sold by a political committee has been addressed by the Board through advisory opinion. In Advisory Opinion 293, the Board provided guidance to a committee that was also raising funds through the sale of merchandise. The opinion provides in part:

The Board recommends that the Committee inform purchasers of more than \$20 worth of merchandise that their purchase is a contribution to the committee. Although this notice is not required by Minnesota Statutes Chapter 10A, it would be a natural disclosure to make when obtaining the purchaser's name and address or contact information. This notice would allow a potential purchaser to make an informed decision as to whether or not to make the purchase, understanding that it constitutes a political contribution.

The following statutory language would address this issue:

10A.XX

Subdivision 1. Notice to contributors. A political committee, political fund, political party unit, or principal campaign committee that raises funds through the sale of goods or services must disclose to potential customers that the proceeds from the purchase are a political contribution. The notice may be provided verbally at the time of purchase, or through the prominent display of a sign providing the notice at the location where the goods or services are retailed.

Subd. 2. Exception. This section does not apply to goods or services sold at fundraising events which require the purchase of a ticket to attend.

Subd. 3. Penalty. A political committee, political fund, political party unit, or principal campaign committee that knowingly violates this section is subject to a civil penalty imposed by the board of up to \$1,000.

Proposed administrative rules in statutory form

There would be advantages to the regulated community in moving some sections of the proposed administrative rules into statute. For example, if the proposed rules on campaign disclaimer provisions for independent expenditures is moved into Minn. Stat. § 211B.04 the language then could be used for independent expenditures made in municipal, county, and school district elections. In other cases the majority of the regulation provided on a given subject is already in statute, and it would be easier for the regulated community to add to an existing statute rather than to adopt or amend a separate administrative rule.

The following list of existing statutes have been modified to show how the provisions from the administrative rules could be incorporated into them. Underlined text is language taken from the proposed rules or language similar to that used in the proposed rules that better fits the proposed statutory location of the provision. The statutes have been grouped by subject area.

Disclaimers for independent expenditures; disclaimers for campaign material produced by multiple parties

10A.17 EXPENDITURES

* * *

Subd. 4. **Independent expenditures.** ~~(a) Except as provided in paragraphs (b) and (c),~~ an individual, political committee, political fund, principal campaign committee, or party unit that independently solicits or accepts contributions or makes independent expenditures on behalf of a candidate must publicly disclose that the expenditure is an independent expenditure. All written and broadcast communications with those from whom contributions are independently solicited or accepted or to whom independent expenditures are made on behalf of a candidate must contain a statement in conspicuous type in substantially the form provided in Minnesota Statutes section 211B.04, subdivision 2. ~~that the activity is an independent expenditure and is not approved by the candidate nor is the candidate responsible for it. Similar language must be included in all oral communications, in conspicuous type~~ The statement must be on the front page of all written communications literature and advertisements published or posted, and at the end of all broadcast communications advertisements made by that individual, political committee, political fund, principal campaign committee, or party unit on the candidate's behalf.

~~(b) Paragraph (a) does not apply to individuals or associations that are not required to register or report under this chapter.~~

~~(c) Paragraph (a) does not apply to the following:~~

~~(1) bumper stickers, pins, buttons, pens, or similar small items on which the independent expenditure statement cannot be conveniently printed;~~

~~(2) skywriting, wearing apparel, or other means of displaying an advertisement of such a nature that the inclusion of the independent expenditure statement would be impracticable; and~~

~~(3) online banner ads and similar electronic communications that link directly to an online page that includes the independent expenditure statement.~~

211B.04 CAMPAIGN LITERATURE MATERIAL MUST INCLUDE DISCLAIMER.

Subdivision 1. Campaign material. (a) A person who participates in the preparation or dissemination of campaign material other than as provided in section 211B.05, subdivision 1, that does not prominently include the name and address of the person or committee causing the material to be prepared or disseminated in a disclaimer substantially in the form provided in paragraph (b) or (c) is guilty of a misdemeanor.

(b) Except in cases covered by paragraph (c), the required form of disclaimer is: "Prepared and paid for by the committee,(address)" for material prepared and paid for by a principal campaign committee, or "Prepared and paid for by the committee,(address)" for material prepared and paid for by a person or committee other than a principal campaign committee. If the material is produced and disseminated without cost, the words "paid for" may be omitted from the disclaimer. If the material is produced and disseminated by more than one person or committee, the name and address of every participant must be included in the disclaimer

(c) In the case of broadcast media, the required form of disclaimer is: "Paid for by the committee." If the material is produced and broadcast without cost, the required form of the disclaimer is: "The committee is responsible for the content of this message." If the material is produced and disseminated by more than one person or committee, the name of every participant must be included in the disclaimer.

Subd. 2. Independent expenditures. Notwithstanding subdivision 1, when a campaign material is an independent expenditure, the following provisions apply:

(a) (1) The required form of the disclaimer on a written independent expenditure is:

This is an independent expenditure prepared and paid for by (insert name of entity participating in the expenditure),(insert address). It is not coordinated with or approved by any candidate nor is any candidate responsible for it.

(2) When a written independent expenditure is produced and disseminated without cost, the words "and paid for" may be omitted from the disclaimer.

(b) (1) The required form of the disclaimer on a broadcast independent expenditure is as follows:

This independent expenditure is paid for by (insert name of entity participating in the expenditure). It is not coordinated with or approved by any candidate nor is any candidate responsible for it.

(2) When a broadcast independent expenditure is produced and disseminated without cost, the following disclaimer may be used:

..... (insert name of entity participating in the expenditure) is responsible for the contents of this independent expenditure. It is not coordinated with or approved by any candidate nor is any candidate responsible for it.

(c) When more than one entity participates in the preparation and dissemination of a written or broadcast independent expenditure, the name of every participating entity must be included in the disclaimer.

Subd. 3. Material that does not need a disclaimer. ~~(d)~~ (a) This section does not apply to fund-raising tickets, business cards, personal letters, or similar items that are clearly being distributed by the candidate.

~~(e)~~ (b) This section does not apply to an individual or association that is not required to register or report under chapter 10A or 211A.

~~(f)~~ (c) This section does not apply to the following:

(1) bumper stickers, pins, buttons, pens, or similar small items on which the disclaimer cannot be conveniently printed;

(2) skywriting, wearing apparel, or other means of displaying an advertisement of such a nature that the inclusion of the disclaimer would be impracticable; and

(3) online banner ads and similar electronic communications that link directly to an online page that includes the disclaimer.

~~(g)~~ (d) This section does not modify or repeal section 211B.06.

Subd. 4. Websites. The requirements in this section are satisfied for an entire website or social media page when the disclaimer required in subdivision 1 or 2 appears once on the homepage of the site.

Noncampaign Disbursements

10A.01 DEFINITIONS

Subd. 26 **Noncampaign disbursement.** "Noncampaign disbursement" means a purchase or payment of money or anything of value made, or an advance of credit incurred, or a donation in kind received, by a principal campaign committee for any of the following purposes:

* * *

(24) a contribution to a fund established to support a candidate's participation in a recount of ballots affecting that candidate's election;

(25) costs paid by a candidate's principal campaign committee for a single reception given in honor of the candidate's retirement from public office after the filing period for affidavits of candidacy for that office has closed;

(26) a donation from a terminating principal campaign committee to the state general fund; and

(27) a donation from a terminating principal campaign committee to a county obligated to incur special election expenses due to that candidate's resignation from state office.

10A.175 NONCAMPAIGN DISBURSEMENTS

Subd. 1. Services for a constituent. (a) A candidate's committee may claim the expenses listed below as services for a constituent during the periods listed in Minnesota Statutes section 10A.01, subdivision 26, paragraph (6).

1. The cost of a charter bus to transport constituents to an educational day held at the state capitol during a legislative session;
2. The cost of hiring an intern that is directly attributable to the intern's provision of services for constituents;
3. The cost of congratulatory letters sent to the office holder's constituents that include information about government services available to the recipient or how the recipient can register to vote; and
4. The cost of printing and distributing a review of legislative action and issues to the office holder's constituents if the distribution occurs prior to the sine die adjournment of the legislature.

If the review of legislative action described in clause 4 is distributed after the legislature adjourns sine die, the printing and distribution costs must be prorated between noncampaign disbursements and campaign expenditures as described in Minnesota Statutes section 10A.01, subdivision 26, paragraph (6), even if the printing occurred prior to adjournment.

(b) A candidate's committee may not claim the expenses listed below as services for a constituent under Minnesota Statutes section 10A.01, subdivision 26, paragraph (6).

1. The cost of food or beverages consumed by a constituent during a meeting with the office holder; and
2. The cost of a communication to constituents that advocates for the re-election of the office holder, solicits campaign contributions to the candidate or a political party, or advocates for or against the election of candidates of a political party.

(c) A communication prepared as a service for a constituent under Minnesota Statutes section 10A.01, subdivision 26, paragraph (6), must include the disclaimer required by Minnesota Statutes section 211B.01 when the communication is disseminated after adjournment sine die of the legislature in the election year for the office held.

Subd. 2. Food and beverages while campaigning. A candidate's committee may not claim the expenses listed below as payments for food and beverages consumed by a candidate or volunteers while they are engaged in campaign activities under Minnesota Statutes section 10A.01, subdivision 26, paragraph (7).

(a) The cost of food and beverages consumed by the candidate or volunteers when the candidate or volunteers are distributing communications that qualify as services to a constituent under Minnesota Statutes section 10A.01, subdivision 26, paragraph (6); and

(b) The cost of food and beverages consumed by the candidate and volunteers when the candidate and volunteers are campaigning outside of the candidate's district.

Subd. 3. Food and beverages; legislative duties. A candidate's committee may not

claim the expense of food and beverages consumed by individuals other than the legislator at a reception or meeting as a noncampaign disbursement under Minnesota Statutes section 10A.01, subdivision 26, paragraph (8).

Subd. 4. Expenses for serving in public office. (a) A candidate's committee may claim the expenses listed below as expenses for serving in public office under Minnesota Statutes section 10A.01, subdivision 26, paragraph (10).

1. The cost of transportation, lodging, meals, and other expenses necessary to attend meetings and conferences when the reason that the candidate attends the event is to assist the candidate in performing the duties of the office held and the candidate would not attend the event if the candidate were not an office holder; and
2. The cost of traveling to the state capitol for scheduled legislative committee meetings and regular and special legislative sessions when those costs are not reimbursed by another source;

(b) A candidate's committee may not claim the expenses listed below as expenses for serving in public office under Minnesota Statutes section 10A.01, subdivision 26, paragraph (10).

1. The cost of meals for staff;
2. The cost of membership fees and dues necessary to belong to organizations located in the office holder's district;
3. Costs incurred for transportation, lodging, and other expenses for trips taken outside of the office holder's district for the purpose of relationship building; and
4. Costs incurred for transportation, lodging, and other expenses by an individual accompanying an office holder on a trip unless the office holder is a person with a disability, as defined in Minnesota Statutes, section 363A.03, subdivision 12, and the accompanying individual is providing services that are made necessary by the disability.

(c) Paragraph (b), clause 4, does not require a committee to allocate a travel expense between an office holder and an individual accompanying the office holder on a trip when the presence of the accompanying individual does not increase the amount of the expense.

Recordkeeping and reporting

10A.155 VALUE OF CONTRIBUTIONS REIMBURSEMENT OF AUTOMOBILE USE.

Automobile use provided to a committee by an individual who will be reimbursed may be valued at the ~~lowest rate used by the state to reimburse its employees for automobile use.~~ standard mileage rate set by the Internal Revenue Service for business miles. Alternatively, the value of the automobile may be calculated as the actual cost of fuel, maintenance, repairs, and insurance directly related to the use of the automobile. An automobile provided by an association must be valued at the fair market value for renting an equivalent automobile.

When a committee pays mileage expenses, it must obtain a mileage log documenting those expenses that shows the following information:

- (a) The date of each trip taken;
- (b) The purpose of each trip taken;

- (c) The distance traveled during the trip; and
- (d) If the mileage is not being paid at the standard mileage rate set by the Internal Revenue Service for business miles, the actual cost of fuel, maintenance, repairs, and insurance directly related to the use of the automobile.

10A.20 CAMPAIGN REPORTS

* * *

Subd. 3. **Contents of report.** (a) The report required by this section must include each of the items listed in paragraphs (b) to (q) that are applicable to the filer. The board shall prescribe forms based on filer type indicating which of those items must be included on the filer's report.

* * *

(h) The report must disclose the name, address, and registration number if registered with the board of each individual or association to whom aggregate expenditures, approved expenditures, independent expenditures, and ballot question expenditures have been made by or on behalf of the reporting entity within the year in excess of \$200, together with the amount, date, and purpose of each expenditure, including an explanation of how the expenditure was used, and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made, identification of the ballot question that the expenditure was intended to promote or defeat and an indication of whether the expenditure was to promote or to defeat the ballot question, and in the case of independent expenditures made in opposition to a candidate, the candidate's name, address, and office sought. A reporting entity making an expenditure on behalf of more than one candidate for state or legislative office must allocate the expenditure among the candidates on a reasonable cost basis and report the allocation for each candidate.

* * *

(m) The report must disclose the name, address, and registration number if registered with the board of each individual or association to whom noncampaign disbursements have been made that aggregate in excess of \$200 within the year by or on behalf of the reporting entity and the amount, date, and purpose of each noncampaign disbursement, including an explanation of how each noncampaign disbursement was used.

* * *

(q) Legislative, statewide, and judicial candidates, party units, political committees and funds, and committees to promote or defeat a ballot question must itemize expenditures and noncampaign disbursements that in aggregate exceed \$200 in a calendar year on reports submitted to the board. The itemization must include the date on which the committee made or became obligated to make the expenditure or disbursement, the name and address of the vendor that provided the service or item purchased, and a description of the service or item purchased, and an explanation of how the service or item was used. Expenditures and noncampaign disbursements must be listed on the report alphabetically by vendor.

Miscellaneous provisions

10A.15 CONTRIBUTIONS

* * *

Subd. 2a. **Time of receipt.** (a) A monetary contribution not made through electronic means is received for reporting and contribution limit purposes when the instrument conveying the contribution, such as cash, check, or money order, is physically received by the treasurer, the candidate, or a committee, fund, or party unit worker.

(b) A contribution delivered through the United States mail is received on the date the mail is gathered from the delivery point by the treasurer, the candidate, or a committee, fund, or party unit worker.

(c) A monetary contribution made through electronic means is received on the date that the contributor makes the contribution to the contribution processor for the following purposes:

(1) the registration requirements in section 10A.14;

(2) the reporting requirements in section 10A.20;

(3) the requirements related to contributions during the legislative session in section 10A.273; and

(4) the affidavit of contributions requirement in section 10A.323.

(d) A monetary contribution made through electronic means is received for purposes of the deposit requirements in subdivision 3 on the date that the treasurer, the candidate, or a committee, fund, or party unit worker has access to the funds under the terms of the agreement with the contribution processor.

REPEALER. Minnesota Rules, part 4503.0500, subpart 2, is repealed.

10A.25 SPENDING LIMITS

* * *

Subd. 3a. **Independent expenditures.** The principal campaign committee of a candidate must not make independent expenditures or contribute to an independent expenditure committee or fund.

10A.322 SPENDING LIMIT AGREEMENTS.

Subdivision 1. **Agreement by candidate.** (a) As a condition of receiving a public subsidy, a candidate must sign and file with the board a written agreement in which the candidate agrees that the candidate will comply with sections 10A.25; 10A.27, subdivision 10; 10A.324; and 10A.38.

(b) Before the first day of filing for office, the board must forward agreement forms to all filing officers. The board must also provide agreement forms to candidates on request at any time. The candidate must file the agreement with the board at least three weeks before the

candidate's state primary. An agreement may not be filed after that date. An agreement once filed may not be rescinded.

(c) The board must notify the commissioner of revenue of any agreement signed under this subdivision.

(d) Notwithstanding paragraph (b), if a vacancy occurs that will be filled by means of a special election and the filing period does not coincide with the filing period for the general election, a candidate may sign and submit a spending limit agreement not later than the day after the close of the filing period for the special election for which the candidate filed.

(e) Notwithstanding paragraphs (b) and (d), if a vacancy occurs that will be filled by means of a special election called under Minnesota Statutes section 204B.13, subdivision 2, paragraph (c), a candidate may sign and submit a spending limit agreement not later than eight calendar days after the general election.

10A.323 AFFIDAVIT OF CONTRIBUTIONS

* * *

(b) A candidate for a vacancy to be filled at a special election for which the filing period does not coincide with the filing period for the general election must accumulate the contributions specified in paragraph (a) and must submit the affidavit required by this section to the board within five days after the close of the filing period for the special election for which the candidate filed.

(c) Notwithstanding paragraphs (a) and (b), a candidate for a vacancy to be filled at a special election called under Minnesota Statutes section 204B.13, subdivision 2, paragraph (c), must accumulate the contributions specified in paragraph (a) and must submit the affidavit required by this section to the board within 12 calendar days after the general election.

~~(e)~~ (d) A candidate or the candidate's treasurer must be able to electronically file the affidavit required under this section in the same manner as other reports required by this chapter. The board must not require the candidate or candidate's treasurer to notarize the affidavit of contribution.

Economic interest statements

10A.01 DEFINITIONS

Subd. 35a. **Securities.** (a) "Securities" means any stock, share, bond, warrant, option, pledge, note, mortgage, annuity, debenture, lease, or commercial paper, in any corporation, partnership, trust, or other association.

(b) "Securities" does not include deposits in a savings account; certificates of deposit; money market certificates; treasury bills; treasury bonds; treasury notes; dividends from securities; shares in a mutual fund; shares in an exchange traded fund; or the underlying holdings owned by an annuity or in a defined benefit pension plan. For beneficiaries of a blind trust, "securities" does not include the underlying assets owned by the blind trust.

REPEALER. Minnesota Rules, part 4501.0200, subparts 1 and 2, are repealed.

Independent expenditure provisions

10A.173 COORDINATED AND NONCOORDINATED EXPENDITURES; DEFINITIONS.

Subdivision 1. Scope. The definitions in subdivisions 2 to 8 apply to sections 10A.173 to 10A.177.

Subd. 2. Agent. “Agent” means a person who served during the election segment as the candidate’s chairperson, deputy chairperson, treasurer, deputy treasurer, fundraiser, advisor, or business representative, or any other person authorized to act on the candidate’s behalf.

Subd. 3. Candidate. “Candidate” means a candidate as defined in Minnesota Statutes section 10A.01, subdivision 10; the candidate’s principal campaign committee; and the candidate’s agent.

Subd. 4. Consultant. “Consultant” means a person or an association that provides consulting services.

Subd. 5. Consulting services. (a). “Consulting services” means polling, communications planning and design, advertising, messaging, and any other service that involves campaign strategy.

(b). “Consulting services” does not mean printing or mailing campaign material, legal services that do not involve campaign strategy, accounting services, or costs for the use of a medium for communications purposes.

Subd. 6. Coordinated. “Coordinated” means 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. A coordinated expenditure is an approved expenditure under Minnesota Statutes section 10A.01, subdivision 4.

Subd. 7. Spender. “Spender” means an individual; an association; a political committee; a political fund; an independent expenditure political committee; an independent expenditure political fund; or a party unit.

10A.175. COORDINATED EXPENDITURES.

Subdivision 1. Scope. An expenditure described in subparts 2 to 7, when expressly advocating for the election of the candidate or the defeat of the candidate’s opponent, is a coordinated expenditure and is not independent under Minnesota Statutes section 10A.01, subdivision 18:

Subd. 2. Fundraising. (a) An expenditure is a coordinated expenditure if the expenditure is made during an election segment by a spender for which the candidate, during that same election segment, has engaged in fundraising of money that is not general treasury money of the spender.

(b) For purposes of this subdivision, candidate fundraising includes:

(1) Soliciting, collecting, or directing money for or to the spender that is not general treasury money;

(2) Providing to the spender names of potential donors of money that is not general treasury money; and

(3) Appearing for the spender as a speaker at an event raising money that is not general treasury money.

(c) This subdivision applies to fundraising for money that is not general treasury money of the spender by an individual before the individual meets the definition of a candidate in Minnesota Statutes section 10A.01, subdivision 10.

(d) This subdivision does not apply to a candidate's fundraising on behalf of a party unit.

Subd. 3. Consulting services. (a) An expenditure is a coordinated expenditure if the expenditure is made during an election segment for consulting services from a consultant who has also provided consulting services to the candidate or the candidate's opponent during that same election segment.

(b) This subdivision does not apply when the following conditions are met:

(1) The consultant assigns separate personnel to the spender and the candidate;

(2) The consultant has a written policy that describes the measures that the consultant has taken to prohibit the flow of information between the personnel providing services to the spender and the personnel providing services to the candidate;

(3) The written policy has been distributed to all personnel and clients covered by the policy including the candidate and the spender;

(4) The consultant has implemented the measures described in the written policy; and

(5) No information has been shared between the spender and the personnel provided services to the spender and the candidate and the personnel providing services to the candidate.

Subd. 4. Relationship with spender. An expenditure is a coordinated expenditure if the expenditure is made during an election cycle by a spender that:

(a) Is not a party unit; and

(b) Was established, directed, or managed during the same election cycle by any of the following:

1. The individual who is the candidate at the time of the expenditure regardless of whether that individual met the definition of a candidate under Minn. Stat. section 10A.01, subdivision 10, at the time of the establishment, direction, or management of the spender.

Subd. 5. Receiving information that is not publicly available. An expenditure is a coordinated expenditure if the expenditure is made after the spender receives from the candidate information that is not publicly available regarding the candidate's campaign plans, strategy, or needs.

Subd. 6. Spender-provided information. An expenditure is a coordinated expenditure if the expenditure is made when:

(a) The spender provides information to the candidate regarding the expenditure's contents, intended audience, timing, location or mode, volume, or frequency; and

(b) The information is provided to the candidate before the expenditure is communicated to the public.

Subd. 7. Candidate's participation. An expenditure is a coordinated expenditure if the expenditure is made with the candidate's participation in the following:

(a) Any of the processes required for the creation and development of the expenditure, including budgeting decisions, media design, acquisition of graphics and text, production, and distribution of the final product; or

(b) Any decision regarding the content, timing, location, intended audience, volume of distribution, or frequency of the expenditure.

10A.177 NON-COORDINATED EXPENDITURES.

An action listed in paragraphs (a) through (h), by itself, does not establish that an expenditure made by the spender is coordinated with the candidate:

- (a) A candidate asks a spender not to make any expenditure to support the candidate or oppose the candidate's opponent.
- (b) An expenditure uses a photograph obtained from a publicly available source or public event.
- (c) An expenditure uses information obtained from a biography, position paper, press release, or similar material about the candidate from a publicly available source or public event.
- (d) The spender contributes to the candidate or endorses the candidate.
- (e) An expenditure includes a hyperlink to the candidate's website or social media page.
- (f) An expenditure appears in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication.
- (g) The spender discusses the candidate's position on a legislative or policy matter with the candidate. This paragraph includes the sending, completion, and return of a survey conducted by the spender to determine whether to endorse the candidate.
- (h) The spender invites the candidate to appear before the spender's members, employees, or shareholders including the candidate's participation in the event, unless the event promotes the election of the candidate or the defeat of the candidate's opponent, or the candidate requests or accepts campaign contributions at the event.

2/21/2018

EIS Language

10A.01 DEFINITIONS

...

Subd. 5. **Associated business.** "Associated business" means an association, corporation, partnership, limited liability company, limited liability partnership, or other organized legal entity from which the individual, or the individual's spouse, receives compensation in excess of ~~\$50~~ \$250, except for actual and reasonable expenses, in any month as a director, officer, owner, member, partner, employer or employee, or whose securities the individual, or the individual's spouse, holds worth more than ~~\$2,500~~ \$10,000 at fair market value.

10A.09 STATEMENTS OF ECONOMIC INTEREST

...

Subd. 5. **Form; general requirements.** (a) A statement of economic interest required by this section must be on a form prescribed by the board. Except as provided in subdivision 5a, the individual filing must provide the following information:

(1) the individual's name, address, occupation, and principal place of business;

(2) a listing of the name of each associated business and the nature of that association;

(3) a listing of all real property within the state, excluding homestead property, in which the individual, or the individual's spouse, holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the interest is valued in excess of \$2,500; or (ii) an option to buy, if the property has a fair market value of more than \$50,000;

(4) a listing of all real property within the state in which a partnership of which the individual, or the individual's spouse, is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of the partnership interest is valued in excess of \$2,500; or (ii) an option to buy, if the property has a fair market value of more than \$50,000. A listing under this clause or clause (3) must indicate the street address and the municipality or the section, township, range and approximate acreage, whichever applies, and the county in which the property is located;

(5) a listing of any investments, ownership, or interests in property connected with pari-mutuel horse racing in the United States and Canada, including a racehorse, in which the individual directly or indirectly holds a partial or full interest or an immediate family member holds a partial or full interest;

(6) a listing of the principal business or professional activity category of each business from which the individual, or the individual's spouse, receives more than ~~\$50~~ \$250 in any month as an employee, if the individual, or the individual's spouse, has an ownership interest of 25 percent or more in the business;

(7) a listing of each principal business or professional activity category from which the individual, or the individual's spouse, received compensation of more than \$2,500 in the past 12 months as an independent contractor; and

(8) a listing of the full name of each security with a value of more than ~~\$2,500~~ \$10,000 owned in part or in full by the ~~public official~~ individual, or the individual's spouse, at any time during the reporting period.

2/21/2018

(b) The business or professional categories for purposes of paragraph (a), clauses (6) and (7), must be the general topic headings used by the federal Internal Revenue Service for purposes of reporting self-employment income on Schedule C. This paragraph does not require an individual to report any specific code number from that schedule. Any additional principal business or professional activity category may only be adopted if the category is enacted by law.

(c) For the purpose of an original statement of economic interest, "compensation in any month" includes only compensation received in the calendar month immediately preceding the date of appointment as a public official or filing as a candidate.

(d) For the purpose of calculating the amount of compensation received from any single source in a single month, the amount shall include the total amount received from the source during the month, whether or not the amount covers compensation for more than one month.

(e) The listings required in paragraph (a), clauses (2) through (8), must not identify whether the individual or the individual's spouse owns the listed asset.

Subd. 5a. Form; exception for certain officials. (a) This subdivision applies to the following individuals:

- (1) a supervisor of a soil and water conservation district;
- (2) a manager of a watershed district; and
- (3) a member of a watershed management organization as defined under section 103B.205, subdivision 13.

(b) Notwithstanding subdivision 5, paragraph (a), an individual listed in subdivision 5a, paragraph (a), must provide the following information on a statement of economic interest:

- (1) the individual's name, address, occupation, and principal place of business;
- (2) a listing of all real property within the state, excluding homestead property, in which the individual, or the individual's spouse, holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the interest is valued in excess of \$2,500; or (ii) an option to buy, if the property has a fair market value of more than \$50,000;
- (3) a listing of all real property within the state in which a partnership of which the individual, or the individual's spouse, is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if the individual's share of the partnership interest is valued in excess of \$2,500; or (ii) an option to buy, if the property has a fair market value of more than \$50,000. A listing under this clause or clause (2) must indicate the street address and the municipality or the section, township, range and approximate acreage, whichever applies, and the county in which the property is located;

(c) The listings required in paragraph (b), clauses (2) and (3), must not identify whether the individual or the individual's spouse owns the listed asset.

(d) The statement of economic interest required by this subdivision must be on a form prescribed by the board.

(e) If an individual listed in subdivision 5a, paragraph (a) also holds a public official position that is not listed in subdivision 5a, paragraph (a), the individual must file a statement of economic interest that includes the information specified in subdivision 5, paragraph (a).

Minnesota

*Campaign Finance and
Public Disclosure Board*



Date: February 28, 2018

To: Board Members

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Amended Affirmative Action Plan

Every two years, the Board and other state agencies must review and ratify their affirmative action plans. The Board's current plan was ratified on August 2, 2016, and is effective through July 31, 2018. The current plan includes the language from the Minnesota Department of Management and Budget's statewide policy prohibiting sexual harassment but does not expressly adopt that policy.

In December 2017, the Department of Management and Budget determined that agencies should expressly adopt the statewide sexual harassment prohibited policy. In response to this determination, language expressly adopting the statewide sexual harassment prohibited policy has been added to the Board's 2016-2018 Affirmative Action Plan. As required, the Board's executive director has signed the plan. The matter is before the Board for ratification of the amended plan.

In addition to adopting the statewide policy, all staff also has completed the sexual harassment prevention training developed by the Department of Management and Budget.

Attachment: Amended Affirmative Action Plan 2016-2018

STATE OF MINNESOTA
Campaign Finance and Public
Disclosure Board
Affirmative Action Plan

August 2016 – August 2018

190 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

This document can be made available upon request in alternative formats by contacting the Board at cf.board@state.mn.us or (651) 539-1180.

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I. STATEMENT OF COMMITMENT

This statement reaffirms that the Campaign Finance and Public Disclosure Board is committed to Minnesota's statewide affirmative action efforts and providing equal employment opportunity to all employees and applicants in accordance with equal opportunity and affirmative action laws.

I affirm my personal and official support of these policies which provide that:

- No individual shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, sexual orientation, disability, marital status, status with regard to public assistance, or membership or activity in a local human rights commission.
- This Board is committed to the implementation of the affirmative action policies, programs, and procedures included in this plan to ensure that employment practices are free from discrimination. Employment practices include, but are not limited to the following: hiring, promotion, demotion, transfer, recruitment or recruitment advertising, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. We will provide reasonable accommodation to employees and applicants with disabilities.
- This Board will continue to actively promote a program of affirmative action, wherever minorities, women, and individuals with disabilities are underrepresented in the workforce, and work to retain all qualified, talented employees, including protected group employees.
- This Board will evaluate its efforts, including those of its directors, managers, and supervisors, in promoting equal opportunity and achieving affirmative action objectives contained herein. In addition, this agency will expect all employees to perform their job duties in a manner that promotes equal opportunity for all.

It is the Board's policy to provide an employment environment free of any form of discriminatory harassment as prohibited by federal, state, and local human rights laws. I strongly encourage suggestions as to how we may improve. We strive to provide equal employment opportunities and the best possible service to all Minnesotans.

July 18, 2016

Amended January 12, 2018



Jeff Sigurdson
Executive Director

II. INDIVIDUALS RESPONSIBLE FOR DIRECTING/IMPLEMENTING THE AFFIRMATIVE ACTION PLAN

A. Executive Director

Jeff Sigurdson

The executive director is responsible for oversight of the policies contained in this Affirmative Action Plan and complying with all federal and state equal opportunity laws and regulations.

Accountability:

The executive director is accountable directly to Governor and indirectly to the Minnesota Management and Budget Commissioner on matters pertaining to equal opportunity and affirmative action.

B. Affirmative Action Officer/Americans with Disabilities Coordinator

Jodi Pope, Legal/Management Analyst

Responsibilities:

The Affirmative Action Officer is responsible for implementation of the policies contained in the Board's affirmative action plan, and oversight of the Board's compliance with equal opportunity and affirmative action laws.

The Americans with Disabilities Act Coordinator is responsible for the oversight of the Board's compliance with the Americans with Disabilities Act Title I – Employment and Title II – Public Services, in accordance with the Americans with Disabilities Act - as amended, the Minnesota Human Rights Act, and Executive Order 96-09.

C. All Employees

Responsibilities:

All employees are responsible for conducting themselves in accordance with the Board's equal opportunity and Affirmative Action Plan and policies.

III. CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD POLICY PROHIBITING DISCRIMINATION AND HARASSEMENT

The Board adopts HR/LR Policy #1329 Sexual Harassment Prohibited. As stated in HR/LR Policy #1329, sexual harassment in any form is strictly prohibited. Individuals who believe they have been subject to sexual harassment are encouraged to file a complaint with an appropriate authority. Any form of retaliation directed against an individual who complains about sexual harassment or who participates in any investigation

concerning sexual harassment is strictly prohibited and will not be tolerated. Violations of this policy by State employees will be subject to discipline, up to and including discharge. Violations of this policy by third parties will be subject to appropriate action.

This policy applies to all employees of, and third parties who have business interactions with, executive branch agencies and the Office of the Legislative Auditor, Minnesota State Retirement System, Public Employee Retirement System, and Teachers' Retirement System.

Definitions

Complainant: An individual who complains about sexual harassment or retaliation.

Public service environment: A location that is not the workplace where public service is being provided.

Sexual harassment: Unwelcome sexual advances, unwelcome requests for sexual favors, or other unwelcome verbal, written, or physical conduct or communication of a sexual nature.

Third party: Individuals who are not State employees but who have business interactions with State employees, including, but not limited to:

- Applicants for State employment
- Vendors
- Contractors
- Volunteers
- Customers
- Business partners

A. PROHIBITION OF SEXUAL HARASSMENT

Sexual harassment of any employee or third party in the workplace or public service environment, or which affects the workplace or public service environment, is strictly prohibited.

Sexual harassment under this policy is any conduct or communication of a sexual nature which is unwelcome. The victim, as well as the harasser, can be of any gender. The victim does not have to be of the opposite sex as the harasser. Sexual harassment includes, but is not limited to:

1. Unwelcome sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, degrading sexual remarks, threats;
2. Unwelcome sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures;
3. Unwelcome physical contact, such as rape, sexual assault, molestation, or attempts to commit these assaults; unwelcome touching, pinching, or brushing of or by the body;
4. Preferential treatment or promises of preferential treatment for submitting to sexual conduct, including soliciting or attempting to solicit an individual to submit to sexual activity for compensation or reward;
5. Negative treatment or threats of negative treatment for refusing to submit to sexual conduct.
6. Subjecting, or threatening to subject, an individual to unwelcome sexual attention or conduct.

B. EMPLOYEE AND THIRD PARTY RESPONSIBILITIES AND COMPLAINT PROCEDURE

Sexual harassment will not be tolerated. All employees and third parties are expected to comply with this policy.

Employees and third parties are encouraged to report all incidents of sexual harassment. Individuals are encouraged to report incidents of sexual harassment as soon as possible after the incident occurs. Individuals may make a complaint of sexual harassment with:

1. A Board supervisor;
2. The Board's affirmative action officer;
3. The Board's human resource office (SmART);
4. Board management, up to and including the executive director.

If the complaint concerns an agency head, the complainant may contact Minnesota Management & Budget, Enterprise Human Resources, Office of Equal Opportunity, Diversity, and Inclusion.

To ensure the prompt and thorough investigation of a complaint of sexual harassment, the complainant may be asked to provide information in writing, which may include, but is not limited to:

1. The name, department, and position of the person(s) allegedly causing the harassment;
2. A description of the incident(s), including the date(s), location(s), and the presence of any witnesses;
3. The name(s) of other individuals who may have been subject to similar harassment;
4. What, if any, steps have been taken to stop the harassment;
5. Any other information the complainant believes to be relevant.

Individuals are encouraged to use the Board's internal complaint procedure, but may also choose to file a complaint externally with the Equal Employment Opportunity Commission (EEOC) and/or the Minnesota Department of Human Rights or other legal channels.

C. SUPERVISOR RESPONSIBILITY

Supervisors are responsible for the following:

1. Modeling appropriate behavior;
2. Treating all complaints of sexual harassment seriously, regardless of the individuals or behaviors involved;
3. When a complaint of sexual harassment has been made to the supervisor, or when the supervisor is otherwise aware that a problem exists, the supervisor must appropriately respond to the complaint or problem;
4. Immediately report all allegations or incidents of sexual harassment to human resources or the Board Affirmative Action Officer so that prompt and appropriate action can be taken;
5. Complying with the Board's complaint and investigation procedures and/or Affirmative Action Plan to ensure prompt and appropriate action in response to complaints of sexual harassment.

Supervisors who knowingly participate in, allow, or tolerate sexual harassment or retaliation are in violation of this policy and are subject to discipline, up to and including discharge.

D. HUMAN RESOURCES RESPONSIBILITIES

Agency human resources offices are responsible for the following:

1. Modeling appropriate behavior;
2. Distributing the sexual harassment policy to all employees, through a method whereby receipt can be verified;
3. Treating all complaints of sexual harassment seriously, regardless of the individual(s) or behaviors involved;
4. Complying with the agency's complaint and investigation procedures and/or their Affirmative Action Plan to ensure prompt and appropriate action in response to complaints of sexual harassment.

E. AFFIRMATIVE ACTION OFFICER OR DESIGNEE RESPONSIBILITIES

Agency Affirmative Action Officer/designee is responsible for the following:

1. Modeling appropriate behavior;
2. Treating all complaints of sexual harassment seriously, regardless of the individual(s) or behaviors involved;
3. Complying with the Board's complaint and investigation procedures to ensure the prompt and appropriate action in response to complaints of sexual harassment;
4. Keeping the Board apprised of changes and developments in the law.

F. INVESTIGATION AND DISCIPLINE

All complaints of sexual harassment will be taken seriously, and prompt and appropriate action taken. When conducting an investigation, supervisors, human resources, and Affirmative Action Officers must follow their agency's investigation procedures. The agency's investigation procedures are described in section IV.

Timely and appropriate corrective action will be taken when there is a violation of this policy. Employees who are found to have engaged in sexual harassment in violation of this policy will be subject to disciplinary action, up to and including discharge.

Third parties who are found to have engaged in sexual harassment in violation of this policy will be subject to appropriate action. Appropriate action for policy violations by third parties will depend on the facts and circumstances, including the relationship between the third party and the agency. Agencies may contact MMB Enterprise Human Resources, Office of Equal Opportunity, Diversity, and Inclusion for assistance in determining appropriate action for third parties. MMB may refer agencies to the appropriate resources, which may include, for example, the Department of Administration with respect to policy violations by vendors or contractors.

Employees who knowingly file a false complaint of sexual harassment will be subject to disciplinary action, up to and including discharge.

G. NON-RETALIATION

Retaliation against any person who reports sexual harassment or participates in an investigation of such reports is strictly prohibited. Retaliation will not be tolerated. Any employee who is found to have engaged in retaliation

in violation of this policy will be subject to discipline, up to and including discharge. Third parties who are found to have engaged in retaliation in violation of this policy will be subject to appropriate action.

IV. COMPLAINT PROCEDURE FOR PROCESSING COMPLAINTS FOR ALLEGED DISCRIMINATION/HARASSMENT

The Board has established the following discrimination/harassment complaint procedure to be used by all employees and applicants. Coercion, reprisal, or intimidation against anyone filing a complaint or serving as a witness under this procedure is prohibited.

A. Responsibility of Employees:

All employees shall respond promptly to any and all requests by the Affirmative Action Officer or designee for information and for access to data and records for the purpose of enabling the Affirmative Action Officer or designee to carry out responsibilities under this complaint procedure. The failure of any employee to comply with the requests of the Affirmative Action Officer or designee shall be reported to the executive director.

B. Who May File:

Any employee or applicant who believes that he or she has been discriminated against or harassed by reason of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age may file a complaint. Employees who are terminated are encouraged to file their internal complaint prior to their actual separation; however, complaints will be taken for a reasonable period of time subsequent to the actual separation date.

C. Complaint Procedure:

The internal complaint procedure provides a method for resolving complaints involving violations of this Board's policy prohibiting discrimination and harassment within the agency. Employees and applicants are encouraged to use this internal complaint process. If the employee chooses, she/he may file a complaint externally with the Minnesota Department of Human Rights, the Equal Employment Opportunity Commission, or through other legal channels. Retaliation against a person who has filed a complaint either internally or through an outside enforcement agency or other legal channels is prohibited. The Affirmative Action Officer or designee may contact the Office of Diversity and Equal Opportunity if more information is needed about filing a complaint.

D. Filing Procedures:

1. The employee or applicant completes the "Complaint of Discrimination/Harassment Form" provided by the Affirmative Action Officer or designee. Employees are encouraged to file a complaint within a reasonable period of time after the individual becomes aware that a situation may involve discrimination or harassment. The Affirmative Action Officer or designee will, if requested, provide assistance in filling out the form.

Campaign Finance and Public Disclosure Board
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2. The Affirmative Action Officer or designee determines if the complaint falls under the purview of Equal Employment Opportunity law, i.e., the complainant is alleging discrimination or harassment on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age; or if the complaint is of a general personnel concern. The Affirmative Action Officer or designee shall also discuss other options for resolution, such as the workplace mediation.
 - If it is determined that the complaint is not related to discrimination but rather to general personnel concerns, the Affirmative Action Officer designee will inform the complainant, in writing, within ten (10) working days.
 - If the complaint is related to discrimination, the Affirmative Action Officer or designee will, within ten (10) working days, contact all parties named as respondents and outline the basic facts of the complaint. The respondents will be asked to provide a response to the allegations within a specific period of time.
3. The Affirmative Action Officer or designee shall then investigate the complaint. At the conclusion of the investigation, the Affirmative Action Officer or designee shall notify the complainants and respondents that the investigation is completed. The Affirmative Action Officer or designee shall then review the findings of the investigation.
 - If there is sufficient evidence to substantiate the complaint, appropriate action will be taken.
 - If insufficient evidence exists to support the complaint, a letter will be sent to the complainants and the respondents dismissing the complaint.
4. A written answer will be provided to the parties within sixty (60) days after the complaint is filed. The complainants will be notified should extenuating circumstances prevent completion of the investigation within sixty (60) days.
5. Disposition of the complaint will be filed with the Commissioner of the Minnesota Management and Budget within thirty (30) days after the final determination.
6. All documentation associated with a complaint shall be considered investigative data under the Minnesota Government Data Practices Act. The status of the complaint will be shared with the complainants and respondents. After an investigation is completed and all appeals are exhausted, all documentation is subject to the provisions of the Minnesota Government Data Practices Act.
7. All data collected may at some point become evidence in civil or criminal legal proceedings pursuant to state or federal statutes. An investigation may include, but is not limited to, the following types of data:
 - Interviews or written interrogatories with all parties involved in the complaint, i.e., complainants, respondents, and their respective witnesses; officials having pertinent records or files, etc.; and
 - All records pertaining to the case i.e., written, recorded, filmed, or in any other form.
8. The Affirmative Action Officer or designee shall maintain records of all complaints and any pertinent information or data for three (3) years after the case is closed.

V. REASONABLE ACCOMMODATION POLICY

The State of Minnesota and the Campaign Finance and Public Disclosure Board are committed to the fair and equal employment of individuals with disabilities. The State of Minnesota has adopted HR/LR Policy #1433 regarding ADA reasonable accommodation. This policy applies to the Board and is incorporated into the Board's Affirmative Action Plan. The policy is included in the Plan's Appendix.

Under HR/LR Policy #1433, agency management is ultimately responsible for ensuring compliance with the ADA and the policy. The policy designates the ADA Coordinator as the person responsible for making decisions on reasonable accommodation requests but allows agencies to delegate decisions on some types of requests to supervisors and managers. The Board has not delegated any decision-making authority under this provision to supervisors or managers because the Board has only nine employees who all are directly supervised by either the executive director or the assistant executive director.

HR/LR Policy #1433 requires agencies to specify how they will pay for reasonable accommodations. Funding for reasonable accommodations will be sought from the State of Minnesota Accommodation Fund. To the extent that funds are not available from the Accommodation Fund, they will be paid from the Board's general operating appropriation.

Employees or applicants who are dissatisfied with the decisions pertaining to an accommodation request may file an appeal with the Executive Director or Board Chair, within a reasonable period of time, for a final decision. If the individual believes the decision is based on discriminatory reasons, she/he may file a complaint internally through the Board's complaint procedure as outlined in this plan.

Supported Work:

Based on the size of the Board staff, there is no opportunity at this time to participate in the Supported Worker Program. Staff will work with the Department of Employee Relations if an opportunity arises in the future to use this program.

VI. WEATHER EMERGENCIES

Notices of weather-related threats are initiated by the national Weather Service (NWS). NWS and local broadcasts are monitored by Capitol Complex Security who in the event of an emergency will inform employees and issue relocation orders. Relocation will take place according to the Emergency Evacuation Plan for the Centennial Office Building.

All present employees who are deaf/hard of hearing will receive notification, by the supervisor or designated backup staff in the case of an emergency.

In the case of winter storms, all employees are asked to monitor local radio and television stations for the closure of state offices.

All employees who are deaf/hard of hearing or speech impaired that use TTY's and are not at work when an emergency is called, will be informed of the emergency by their supervisor through the Minnesota Relay Service (800) 627-3529.

VII. BUILDING EVACUATION

Board staff follows the emergency evacuation plan for the Centennial Office Building created by the Department of Public Safety Capitol Security and Department of Employee Relations, revised June 26, 2014.

Each employee is provided with a copy of the emergency evacuation procedures upon employment. The emergency plan is reviewed with staff, annually, at a staff meeting.

Employees who are mobility or sensory impaired are assigned an assistant to assist them in the evacuation.

VIII. APPENDIX

A. Complaint of Discrimination/Harassment Form

Campaign Finance and Public Disclosure Board
 190 Centennial Office Building
 658 Cedar St.
 St. Paul, MN 55155-1603
 (651) 539-1180

Compliant of Discrimination/Harassment Form

Please Read Before Completion of Form

Any complaint of discrimination/harassment is considered confidential data under Minnesota Statutes section 13.39, subdivision 1 and 2. This information is being collected for the purpose of determining whether discrimination/harassment has occurred. You are not legally required to provide this information, but without it, an investigation cannot be conducted. This information may only be released to the Executive Director, Affirmative Action Officer or designee, the complainant, the respondent, and appropriate personnel.

Complainant (You)		
Name	Job Title	
Work Address	City, State, Zip Code	Telephone
Agency	Division	Manager/Supervisor's Name

Respondent (Individual Who Discriminated Against/Harassed You)		
Name	Job Title	
Work Address	City, State, Zip Code	Telephone
Agency	Division	Manager/Supervisor's Name

The Complaint Basis of Complaint (Place an "X" in the box for all that apply):		
<input type="checkbox"/> Race	<input type="checkbox"/> Disability	<input type="checkbox"/> Sexual Orientation
<input type="checkbox"/> Sex (Gender)	<input type="checkbox"/> Marital Status	<input type="checkbox"/> Status with Regard to Public Assistance
<input type="checkbox"/> Age	<input type="checkbox"/> National Origin	<input type="checkbox"/> Membership or Activity in a Local Human Rights Commission
<input type="checkbox"/> Color	<input type="checkbox"/> Creed	<input type="checkbox"/> Religion

Date most recent act of discrimination or harassment took place:

If you filed this complaint with another agency, give the name of that agency:

Describe how you believe that you have been discriminated or harassed against (names, dates, places, etc.). Use a separate sheet of paper if needed and attach to this form.

Information on Witnesses Who Can Support Your Case		
Name	Work Address	Work Telephone
1.		
2.		
3.		

Additional witnesses may be listed in "Additional Information" or on a separate sheet attached to this form.

This complaint is being filed on my honest believe that the State of Minnesota has discriminated against or harassed me. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.

Signatures	
Complainant Signature	Date
Affirmative Action Officer Signature	Date



B. HR/LR Policy #1433 ADA Reasonable Accommodation

HR/LR Policy #1433 ADA Reasonable Accommodation	Issued	03/09/1999
	Revised	07/26/2002 10/01/2015 (supersedes <i>Policy 3.2</i>)
	Authority	Equal Opportunity, Diversity, and Inclusion

OVERVIEW	
Objective	<p>The goals of this policy are:</p> <ul style="list-style-type: none"> • To ensure compliance with all applicable state and federal laws; • To establish a written and readily accessible procedure regarding reasonable accommodation, including providing notice of this policy on all job announcements; • To provide guidance and resources about reasonable accommodations; • To provide a respectful interactive process to explore reasonable accommodations; and • To provide a timely and thorough review process for requests for reasonable accommodation.
Policy Statement	<p>State agencies must comply with all state and federal laws that prohibit discrimination against qualified individuals with disabilities in all employment practices. All state agencies must provide reasonable accommodations to qualified applicants and employees with disabilities unless to do so would cause an undue hardship or pose a direct threat. Agencies must provide reasonable accommodation when:</p> <ul style="list-style-type: none"> • A qualified applicant with a disability needs an accommodation to have an equal opportunity to compete for a job; • A qualified employee with a disability needs an accommodation to perform the essential functions of the employee’s job; and • A qualified employee with a disability needs an accommodation to enjoy equal access to benefits and privileges of employment (e.g., trainings, office sponsored events).
Scope	<p>This policy applies to all employees of the Executive Branch and classified employees in the Office of Legislative Auditor, Minnesota State Retirement System, Public Employee Retirement System, and Teachers’ Retirement System.</p>
Definitions	<p>Applicant A person who expresses interest in employment and satisfies the minimum requirements for application established by the job posting and job description.</p> <p>Americans with Disabilities Act (ADA) Coordinator Each agency is required to appoint an ADA coordinator or designee, depending on agency size, to direct and coordinate agency compliance with Title I of the ADA.</p>

OVERVIEW

Direct Threat

A significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation.

The determination that an individual poses a direct threat shall be based on an individualized assessment of the individual's present ability to safely perform the essential functions of the job.

Essential Functions

Duties so fundamental that the individual cannot do the job without being able to perform them. A function can be essential if:

- The job exists specifically to perform the function(s); or
- There are a limited number of other employees who could perform the function(s); or
- The function(s) is/are specialized and the individual is hired based on the employee's expertise.

Interactive Process

A discussion between the employer and the individual with a disability to determine an effective reasonable accommodation for the individual with a disability. To be interactive, both sides must communicate and exchange information.

Individual with a Disability

An individual who:

- Has a physical, sensory, or mental impairment that substantially limits one or more major life activities; or
- Has a record or history of such impairment; or
- Is regarded as having such impairment.

Qualified Individual with a Disability

An individual who:

- Satisfies the requisite skill, experience, education, and other job-related requirements of the job that the individual holds or desires; and
- Can perform the essential functions of the position with or without reasonable accommodation.

Major Life Activities

May include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

Major life activities also include the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Medical Documentation

Information from the requestor's treating provider which is sufficient to enable the employer to determine whether an individual has a disability and whether and what type of reasonable accommodation is needed when the disability or the need for

OVERVIEW

accommodation is not obvious. Medical documentation can be requested using the standardized [Letter Requesting Documentation for Determining ADA Eligibility from a Medical Provider](#).

Reasonable Accommodation

An adjustment or alteration that enables a qualified individual with a disability to apply for a job, perform job duties, or enjoy the benefits and privileges of employment.

Reasonable accommodations may include:

- Modifications or adjustments to a job application process to permit a qualified individual with a disability to be considered for a job; or
- Modifications or adjustments to enable a qualified individual with a disability to perform the essential functions of the job; or
- Modifications or adjustments that enable qualified employees with disabilities to enjoy equal benefits and privileges of employment.

Modifications or adjustments may include, but are not limited to:

- Providing materials in alternative formats like large print or Braille;
- Providing assistive technology, including information technology and communications equipment, or specially designed furniture;
- Modifying work schedules or supervisory methods;
- Granting breaks or providing leave;
- Altering how or when job duties are performed;
- Removing and/or substituting a marginal function;
- Moving to a different office space;
- Providing telework;
- Making changes in workplace policies;
- Providing a reader or other staff assistant to enable employees to perform their job functions, where a reasonable accommodation cannot be provided by current staff;
- Removing an architectural barrier, including reconfiguring work spaces;
- Providing accessible parking; or
- Providing a reassignment to a vacant position.

Reassignment

Reassignment to a vacant position for which an employee is qualified is a “last resort” form of a reasonable accommodation. This type of accommodation must be provided to an employee, who, because of a disability, can no longer perform the essential functions of the position, with or without reasonable accommodation, unless the employer can show that it will be an undue hardship.

Support Person

Any person an individual with a disability identifies to help during the reasonable accommodation process in terms of filling out paperwork, attending meetings during the interactive process to take notes or ask clarifying questions, or to provide emotional support.

Undue Hardship

A specific reasonable accommodation would require significant difficulty or expense. Undue hardship is always determined on a case-by-case basis considering factors that

OVERVIEW	
	include the nature and cost of the accommodation requested and the impact of the accommodation on the operations of the agency. A state agency is not required to provide accommodations that would impose an undue hardship on the operation of the agency.
Exclusions	N/A
Statutory References	Rehabilitation Act of 1973, Title 29 USC 701 Americans with Disabilities Act (1990) 29 C.F.R. 1630, Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act

GENERAL STANDARDS AND EXPECTATIONS

Individuals who may request a reasonable accommodation include

- Any qualified applicant with a disability who needs assistance with the job application procedure or the interview or selection process; or
- Any qualified agency employee with a disability who needs a reasonable accommodation to perform the essential functions of the position; or
- A third party, such as a family member, friend, health professional or other representative, on behalf of a qualified applicant or employee with a disability, when the applicant or employee is unable to make the request for reasonable accommodation. When possible, the agency must contact the applicant or employee to confirm that the accommodation is wanted. The applicant or employee has the discretion to accept or reject the proposed accommodation.

The agency must abide by the [Minnesota Government Data Practices Act, Chapter 13](#), in obtaining or sharing information related to accommodation requests.

How to request a reasonable accommodation

An agency applicant or employee may make a reasonable accommodation request to any or all of the following:

- Immediate supervisor or manager in the employee's chain of command;
- Agency Affirmative Action Officer/Designee;
- Agency ADA Coordinator;
- Agency Human Resources Office;
- Any agency official with whom the applicant has contact during the application, interview and/or selection process.

Timing of the request

An applicant or employee may request a reasonable accommodation at any time, even if the individual has not previously disclosed the existence of a disability or the need for an accommodation. A request is any communication in which an individual asks or states that he or she needs the agency to provide or change something because of a medical condition.

The reasonable accommodation process begins as soon as possible after the request for accommodation is made.

GENERAL STANDARDS AND EXPECTATIONS

Form of the request

The applicant or employee is responsible for requesting a reasonable accommodation or providing sufficient notice to the agency that an accommodation is needed.

An initial request for accommodation may be made in any manner (e.g., writing, electronically, in person or orally).

The individual requesting an accommodation does not have to use any special words and does not have to mention the ADA or use the phrase "reasonable accommodation" or "disability."

Oral requests must be documented in writing to ensure efficient processing of requests.

Agency request forms can be found at: "[Employee/Applicant Request for Reasonable Accommodation Form](#)".

When a supervisor or manager observes or receives information indicating that an employee is experiencing difficulty performing the job due to a medical condition or disability, further inquiry may be required. Supervisors or managers should consult with the agency ADA Coordinator for advice on how to proceed.

When an employee needs the same reasonable accommodation on a repeated basis (e.g., the assistance of a sign language interpreter), a written request for accommodation is required the first time only. However, the employee requesting an accommodation must give appropriate advance notice each subsequent time the accommodation is needed. If the accommodation is needed on a regular basis (e.g., a weekly staff meeting), the agency must make appropriate arrangements without requiring a request in advance of each occasion.

The interactive process entails

Communication is a priority and encouraged throughout the entire reasonable accommodation process. The interactive process is a collaborative process between the employee and/or applicant and the agency to explore and identify specific reasonable accommodation(s). (For information on the Interactive Process see the U.S. Department of Labor, Job Accommodation Network at <http://askjan.org/topics/interactive.htm>). This process is required when:

- The need for a reasonable accommodation is not obvious;
- The specific limitation, problem or barrier is unclear;
- An effective reasonable accommodation is not obvious;
- The parties are considering different forms of reasonable accommodation;
- The medical condition changes or fluctuates; or,
- There are questions about the reasonableness of the requested accommodation.

The interactive process should begin as soon as possible after a request for reasonable accommodation is made or the need for accommodation becomes known.

The process should ensure a full exchange of relevant information and communication between the individual and the agency. An individual may request that the agency ADA Coordinator, a union representative, or support person be present.

The agency ADA Coordinator shall be consulted when:

- Issues, conflicts or questions arise in the interactive process; and
- Prior to denying a request for accommodation.

GENERAL STANDARDS AND EXPECTATIONS

Agency responsibilities for processing the request

As the first step in processing a request for reasonable accommodation, the person who receives the request must promptly forward the request to the appropriate decision maker. At the same time, the recipient will notify the requestor who the decision maker is.

Commissioner

The commissioner of the agency or agency head has the ultimate responsibility to ensure compliance with the ADA and this policy and appoint an ADA Coordinator.

ADA Coordinator

The agency ADA Coordinator is the agency's decision maker for reasonable accommodation requests for all types of requests outside of the supervisors' and managers' authority. The agency ADA Coordinator will work with the supervisor and manager, and where necessary, with agency Human Resources, to implement the approved reasonable accommodation.

Supervisors and Managers

Agencies have the authority to designate the level of management approval needed for reasonable accommodation requests for low-cost purchases. For example:

- Requests for standard office equipment that is needed as a reasonable accommodation and adaptive items costing less than \$100. [Agencies can adjust the dollar amount based on their needs]; and
- Requests for a change in a condition of employment such as modified duties, or a change in schedule, or the location and size of an employee's workspace. [Agencies can choose to delegate specific requests to supervisors or managers or require these types of requests to work through the agency ADA Coordinator].

Analysis for processing requests

Before approving or denying a request for accommodation, the agency decision maker with assistance from the agency ADA Coordinator will:

1. Determine if the requestor is a qualified individual with a disability;
2. Determine if the accommodation is needed to:
 - Enable a qualified applicant with a disability to be considered for the position the individual desires;
 - Enable a qualified employee with a disability to perform the essential functions of the position; or
 - Enable a qualified employee with a disability to enjoy equal benefits or privileges of employment as similarly situated employees without disabilities;
3. Determine whether the requested accommodation is reasonable;
4. Determine whether there is a reasonable accommodation that will be effective for the requestor and the agency; and
5. Determine whether the reasonable accommodation will impose an undue hardship on the agency's operations.

An employee's accommodation preference is always seriously considered, but the agency is not obligated to provide the requestor's accommodation of choice, so long as it offers an effective accommodation, or determines that accommodation would cause an undue hardship.

Obtaining medical documentation in connection with a request for reasonable accommodation

GENERAL STANDARDS AND EXPECTATIONS

In some cases, the disability and need for accommodation will be reasonably evident or already known, for example, where an employee is blind. In these cases, the agency will not seek further medical documentation. If a requestor's disability and/or need for reasonable accommodation are not obvious or already known, the agency ADA Coordinator may require medical information showing that the requestor has a covered disability that requires accommodation. The agency ADA Coordinator may request medical information in certain other circumstances. For example when:

- The information submitted by the requestor is insufficient to document the disability or the need for the accommodation;
- A question exists as to whether an individual is able to perform the essential functions of the position, with or without reasonable accommodation; or
- A question exists as to whether the employee will pose a direct threat to himself/herself or others.

Where medical documentation is necessary, the agency ADA Coordinator must make the request and use the [Letter Requesting Documentation for Determining ADA Eligibility from a Medical Provider](#). The agency ADA Coordinator must also obtain the requestor's completed and signed [Authorization for Release of Medical Information](#).

Only medical documentation specifically related to the employee's request for accommodation and ability to perform the essential functions of the position will be requested. When medical documentation or information is appropriately requested, an employee must provide it in a timely manner, or the agency may deny the reasonable accommodation request. Agencies must not request medical records; medical records are not appropriate documentation and cannot be accepted. **Supervisors and managers *must not* request medical information or documentation from an applicant or employee seeking an accommodation.** Such a request will be made by the agency ADA Coordinator, if appropriate.

Confidentiality requirements

Medical Information

Medical information obtained in connection with the reasonable accommodation process must be kept confidential. All medical information obtained in connection with such requests must be collected and maintained on separate forms and in separate physical or electronic files from non-medical personnel files and records. Electronic copies of medical information obtained in connection with the reasonable accommodation process must be stored so that access is limited to only the agency ADA Coordinator. Physical copies of such medical information must be stored in a locked cabinet or office when not in use or unattended. Generally, medical documentation obtained in connection with the reasonable accommodation process should only be reviewed by the agency ADA Coordinator.

The agency ADA Coordinator may disclose medical information obtained in connection with the reasonable accommodation process to the following:

- Supervisors, managers or agency HR staff who have a need to know may be told about the necessary work restrictions and about the accommodations necessary to perform the employee's duties. However, information about the employee's medical condition should only be disclosed if strictly necessary, such as for safety reasons;
- First aid and safety personnel may be informed, when appropriate, if the employee may require emergency treatment or assistance in an emergency evacuation;
- To consult with the State ADA Coordinator or Employment Law Counsel at MMB, or the Attorney General's Office about accommodation requests, denial of accommodation requests or purchasing of specific assistive technology or other resources; or

GENERAL STANDARDS AND EXPECTATIONS

- Government officials assigned to investigate agency compliance with the ADA.

Whenever medical information is appropriately disclosed as described above, the recipients of the information must comply with all confidentiality requirements.

Accommodation Information

The fact that an individual is receiving an accommodation because of a disability is confidential and may only be shared with those individuals who have a need to know for purposes of implementing the accommodation, such as the requestor's supervisor and the agency ADA Coordinator.

General Information

General summary information regarding an employee's or applicant's status as an individual with a disability may be collected by agency equal opportunity officials to maintain records and evaluate and report on the agency's performance in hiring, retention, and processing reasonable accommodation requests.

Approval of requests for reasonable accommodation

As soon as the decision maker determines that a reasonable accommodation will be provided, the agency ADA Coordinator will process the request and provide the reasonable accommodation in as short of a timeframe as possible. The time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information. If an approved accommodation cannot be provided within a reasonable time, the decision maker will inform the requestor of the status of the request before the end of 30 days. Where feasible, if there is a delay in providing the request, temporary measures will be taken to provide assistance.

Once approved, the reasonable accommodation should be documented for record keeping purposes and the records maintained by the agency ADA Coordinator.

Funding for reasonable accommodations

The agency must specify how the agency will pay for reasonable accommodations.

Procedures for reassignment as a reasonable accommodation

Reassignment to a vacant position is an accommodation that must be considered if there are no effective reasonable accommodations that would enable the employee to perform the essential functions of his/her current job, or if all other reasonable accommodations would impose an undue hardship.

The agency ADA Coordinator will work with agency Human Resources staff and the requestor to identify appropriate vacant positions within the agency for which the employee may be qualified and can perform the essential functions of the vacant position, with or without reasonable accommodation. Vacant positions which are equivalent to the employee's current job in terms of pay, status, and other relevant factors will be considered first. If there are none, the agency will consider vacant lower level positions for which the individual is qualified. The EEOC recommends that the agency consider positions that are currently vacant or will be coming open within at least the next 60 days.

Denial of requests for reasonable accommodation

GENERAL STANDARDS AND EXPECTATIONS

The agency ADA Coordinator must be contacted for assistance and guidance prior to denying any request for reasonable accommodation. The agency may deny a request for reasonable accommodation where:

- The individual is not a qualified individual with a disability;
- The reasonable accommodation results in undue hardship or the individual poses a direct threat to the individual or others. Undue hardship and direct threat are determined on a case-by-case basis with guidance from the agency ADA Coordinator; or
- Where no reasonable accommodation, including reassignment to a vacant position, will enable the employee to perform all the essential functions of the job.

The explanation for denial must be provided to the requestor in writing. The explanation should be written in plain language and clearly state the specific reasons for denial. Where the decision maker has denied a specific requested accommodation, but has offered a different accommodation in its place, the decision letter should explain both the reasons for denying the accommodation requested and the reasons that the accommodation being offered will be effective.

Consideration of undue hardship

An interactive process must occur prior to the agency making a determination of undue hardship. Determination of undue hardship is made on a case-by-case basis and only after consultation with the agency's ADA Coordinator. In determining whether granting a reasonable accommodation will cause an undue hardship, the agency considers factors such as the nature and cost of the accommodation in relationship to the size and resources of the agency and the impact the accommodation will have on the operations of the agency.

Agencies may deny reasonable accommodations based upon an undue hardship. Prior to denying reasonable accommodation requests due to lack of financial resources, the agency will consult with the State ADA Coordinator at MMB.

Determining direct threat

The determination that an individual poses a "direct threat," (i.e., a significant risk of substantial harm to the health or safety of the individual or others) which cannot be eliminated or reduced by a reasonable accommodation, must be based on an individualized assessment of the individual's present ability to safely perform the essential functions of the job with or without reasonable accommodation. A determination that an individual poses a direct threat cannot be based on fears, misconceptions, or stereotypes about the individual's disability. Instead, the agency must make a reasonable medical judgment, relying on the most current medical knowledge and the best available objective evidence.

In determining whether an individual poses a direct threat, the factors to be considered include:

- Duration of the risk;
- Nature and severity of the potential harm;
- Likelihood that the potential harm will occur; and
- Imminence of the potential harm.

Appeals process in the event of denial

In addition to providing the requestor with the reasons for denial of a request for reasonable accommodation, agencies must designate a process for review when an applicant or employee chooses to appeal the denial of a reasonable accommodation request. This process:

GENERAL STANDARDS AND EXPECTATIONS

- Must include review by an agency official;
- May include review by the State ADA Coordinator; and/or
- Must inform the requestor of the statutory right to file a charge with the Equal Employment Opportunity Commission or the Minnesota Department of Human Rights.

Information tracking and records retention

Agencies must track reasonable accommodations requested and report once a year by September 1st to MMB the number and types of accommodations requested, approved, denied and other relevant information.

Agencies must retain reasonable accommodation documentation according to the agency's document retention schedule, but in all cases for at least one year from the date the record is made or the personnel action involved is taken, whichever occurs later. 29 C.F.R. § 1602.14.

RESPONSIBILITIES

Agencies are responsible for:	Adoption and implementation of this policy and development of reasonable accommodation procedures consistent with the guidance in this document.
MMB is responsible for:	Provide advice and assistance to state agencies and maintain this policy.

FORMS AND INSTRUCTIONS

Please review the following forms:

- [Employee/Applicant Request for ADA Reasonable Accommodation](#)
- [Authorization of Release of Medical Information for ADA Reasonable Accommodations](#)
- [Letter Requesting Documentation for Determining ADA Eligibility from a Medical Provider](#)

Contacts	Equal Opportunity, Diversity, and Inclusion Office, Minnesota Management and Budget.
References	<p>U.S. Equal Employment Opportunity Commission, Enforcement Guidance</p> <ul style="list-style-type: none"> • Pre-employment Disability-Related Questions and Medical Examinations at 5, 6-8, 20, 21-22, 8 FEP Manual (BNA) 405:7191, 7192-94, 7201 (1995). • Workers' Compensation and the ADA at 15-20, 8 FEP Manual (BNA) 405:7391, 7398-7401 (1996). • The Americans with Disabilities Act and Psychiatric Disabilities at 19-28, 8 FEP Manual (BNA) 405:7461, 7470-76 (1997). • Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act (October 17, 2002), (clarifies the rights and responsibilities of employers and individuals with disabilities regarding reasonable accommodation and undue hardship). • Disability-Related Inquiries and Medical Examinations of Employees (explains when it is permissible for employers to make disability-related inquiries or require medical examinations of employees). • Fact Sheet on the Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964 at 6-9, 8 FEP Manual (BNA) 4055:7371.

FORMS AND INSTRUCTIONS

The [Genetic Information Nondiscrimination Act \(GINA\) of 2008](#) and [M.S. 181.974](#) prohibit employers from using genetic information when making decisions regarding employment.

[Minnesota Human Rights Act \(MHRA\)](#) prohibits employers from treating people differently in employment because of their race, color, creed, religion, national origin, sex, marital status, familial status, disability, public assistance, age, sexual orientation, or local human rights commission activity. The MHRA requires an employer to provide reasonable accommodation to qualified individuals with disabilities who are employees or applicants for employment, except when such accommodation would cause undue hardship or where the individual poses a direct threat to the health or safety of the individual or others. The MHRA prohibits requesting or requiring information about an individual's disability prior to a conditional offer of employment.

The [Family and Medical Leave Act](#) is a federal law requiring covered employers to provide eligible employees twelve weeks of job-protected, unpaid leave for qualified medical and family reasons.

[Executive Order 14-14, Providing for Increased Participation of Individuals with Disabilities in State Employment](#), directs agencies to make efforts to hire more individuals with disabilities and report on progress.

C. Employee/Applicant Request for ADA Reasonable Accommodation Form



State of Minnesota – Campaign Finance and Public Disclosure Board Employee/Applicant Request for Americans with Disabilities Act (“ADA”) Reasonable Accommodation Form

The State of Minnesota is committed to complying with the Americans with Disabilities Act (“ADA”) and the Minnesota Human Rights Act (“MHRA”). To be eligible for an ADA accommodation, you must be 1) qualified to perform the essential functions of your position and 2) have a disability that limits a major life activity or function. The ADA Coordinator/Designee will review each request on an individualized case-by-case basis to determine whether or not an accommodation can be made.

Employee/Applicant Name:	Job Title:
Work Location:	Phone Number:

Data Privacy Statement: This information may be used by your agency human resources representative, ADA Coordinator or designee, your agency legal counsel, or any other individual who is authorized by your agency to receive medical information for purposes of providing reasonable accommodations under the ADA and MHRA. This information is necessary to determine whether you have a disability as defined by the ADA or MHRA, and to determine whether any reasonable accommodation can be made. The provision of this information is strictly voluntary; however, if you refuse to provide it, your agency may refuse to provide a reasonable accommodation.

A. Questions to clarify accommodation requested.

1. What specific accommodation are you requesting?
2. If you are not sure what accommodation is needed, do you have any suggestions about what options we can explore?

YES NO

- a. If yes, please explain.

B. Questions to document the reason for the accommodation request *(please attach additional pages if necessary)*.

1. What, if any, job function are you having difficulty performing?

Reasonable Accommodation Request Form, Page 2

- 2. What, if any, employment benefits are you having difficulty accessing?**

- 3. What limitation, as result of your physical or mental impairment, is interfering with your ability to perform your job or access an employment benefit?**

- 4. If you are requesting a specific accommodation, how will that accommodation be effective in allowing you to perform the functions of your job?**

Information Pertaining to Medical Documentation: In the context of assessing an accommodation request, medical documentation may be needed to determine if the employee has a disability covered by the ADA and to assist in identifying an effective accommodation. The ADA Coordinator or designee in each agency is tasked with collecting necessary medical documentation. In the event that medical documentation is needed, the employee will be provided with the appropriate forms to submit to their medical provider. The employee has the responsibility to ensure that the medical provider follows through on requests for medical information.

This authorization does not cover, and the information to be disclosed should not contain, genetic information. "Genetic Information" includes: Information about an individual's genetic tests; information about genetic tests of an individual's family members; information about the manifestation of a disease or disorder in an individual's family members (family medical history); an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; and genetic information of a fetus carried by an individual or by a pregnant woman who is a family member of the individual and the genetic information of any embryo legally held by the individual or family member using an assisted reproductive technology.

Employee/Applicant Signature: _____

Date: _____

Campaign Finance and Public Disclosure Board

190 Centennial Building . 658 Cedar Street . St. Paul, MN 55155-1603 FAX: 651-539-1196 or 800-357-4114

DATE: February 28, 2018

TO: Board Members
Counsel Hartshorn

FROM: Jodi Pope, Legal/Management Analyst

SUBJECT: Enforcement report for consideration at the March 7, 2018, Board meeting

A. Consent items

1. Confirmation of lobbyist termination – Sarah Janecek

After Board staff learned that Ms. Janecek had passed away on January 12, 2018, staff administratively terminated her lobbyist registration for Caribou MSP Airport effective December 31, 2017. Staff is asking the Board to confirm this administrative termination and to not require filing of the lobbyist disbursement report that was due on January 16, 2018.

2. Confirmation of lobbyist termination – Tom Liebe

Mr. Liebe's principal association, the Cooperative Network, notified Board staff that Mr. Liebe had left his position with the organization on August 1, 2017. Staff then administratively terminated Mr. Liebe's lobbyist registration as of that date. Staff is asking the Board to confirm this administrative termination. Mr. Liebe's lobbyist disbursements for 2017 were reported by the association's reporting lobbyist.

3. Confirmation of lobbyist termination – Jenna Duwenhoegger

Ms. Duwenhoegger's principal association, the Nurse-Family Partnership, notified Board staff that Ms. Duwenhoegger had left her position with the association on October 2, 2017, due to a departmental reorganization. The principal also stated that Ms. Duwenhoegger did not have any lobbyist disbursements during the last reporting period. Staff then administratively terminated Ms. Duwenhoegger's lobbyist registration as of October 2, 2017. Staff is asking the Board to confirm this administrative termination and to not require filing of the lobbyist disbursement report that was due on January 16, 2018.

4. Request to accept an unsigned lobbyist disbursement report and termination statement – Frank Forsberg and Greater Twin Cities United Way

The Greater Twin Cities United Way (GTCUW) is asking the Board to accept an unsigned lobbyist disbursement report and a termination statement from its former employee Frank Forsberg. GTCUW explains that Mr. Forsberg reviewed these documents before he retired on December 31, 2017, but left the state before the final versions were ready for signature.

B. Discussion items

1. Request to withdraw lobbyist registration – Sarah Walker

On February 8, 2018, Ms. Walker registered as a lobbyist on behalf of the Veterans Resiliency Project. Within a week of registering, Ms. Walker discovered an unexpected conflict of interest

that will prevent her from lobbying for this principal. Ms. Walker therefore is asking the Board to allow her to withdraw this lobbyist registration.

2. **Request to withdraw candidate committee registration – Wharton (Jeffrey) for Minnesota**
Mr. Wharton registered a committee for governor on March 20, 2017. In response to requests for a 2017 year-end report, Mr. Wharton told staff that he no longer was running for governor and that he had not raised or spent any money during his campaign. Mr. Wharton is asking the Board to allow him to withdraw his committee’s registration. Approval of Mr. Wharton’s request would eliminate the need for the committee to file a 2017 year-end report.
3. **Request to withdraw candidate committee registration. – Balaski (Donavon) for House**
Mr. Balaski registered a committee for a house seat on August 10, 2017. In response to requests for a 2017 year-end report, Mr. Balaski told staff that he no longer was running for office and that he had raised and spent only \$50 during his campaign. Mr. Balaski is asking the Board to allow him to withdraw his committee’s registration. Approval of Mr. Balaski’s request would eliminate the need for the committee to file a 2017-year-end report.
4. **Request for administrative termination of candidate committee – Sharon Anderson**
Sharon Anderson registered a committee for attorney general on January 1, 1982. At the Board’s direction, staff has not attempted to secure a report from the committee for approximately ten years. Ms. Anderson recently told staff that although she plans to run again for attorney general, she has never received any contributions from anyone other than herself and has never spent more than the \$300 filing fee for the office. Ms. Anderson also told staff that she believes that she does not have a committee. Because Ms. Anderson’s committee has never met the financial threshold necessary for registration of a committee and because Ms. Anderson does not believe that she has a committee, staff is asking the Board to administratively terminate Ms. Anderson’s committee registration.

C. Waiver Requests

	Committee/ Entity	Late Fee or Civil Penalty	Report Due	Factors	Most Recent Balance	Previous Waivers Granted
1	Jeffrey Weber, Attorney General’s Office	\$10 LFF	Annual EIS	Official did not timely receive notices sent to work address because he left that job at the end of 2017. Official filed statement as soon as he received notices forwarded by his former employer.	NA	No
2	Jane Youngkrantz, Kandiyohi SWCD	\$40 LFF	Annual EIS	Official encountered problems trying to file online but eventually created an account and believed that she had filed statement. Official had created account but never actually recertified statement. Official filed as soon as she learned that statement had not been recertified. Official had no changes to report.	NA	No
3	Eric Klindt, Wilkin County Commissioner	\$45	Annual EIS	Official encountered problems trying to file online but eventually created an account and believed that he had filed statement. Official had created account but never actually recertified statement. Official contacted staff several times during process for help and filed as soon as he learned that the statement had not been recertified.	NA	No
4	Citizens for Denny McNamara	\$50 LFF	Pre- general special election report	Treasurer tried to file report before due date because she was leaving town, but the software did not have the pre-general special election report option available yet. Treasurer called for assistance on 1/31/18. Staff was unable to make the report option available that	\$24,554	No

				day because 1/31/18 was also the due date for 2017 year-end reports. Treasurer filed report as soon as she returned home when report option was available.		
5	Maiv PAC	\$350	2017 year-end report	Treasurer had personal difficulties that prevented her from filing report on time.	\$5,100	No
6	Kanne (James) for House 16B	\$300 LFF	2017 year-end report	Treasurer filed report on due date but did not realize that she had re-filed the 2016 year-end report. Because treasurer believed she had filed report, she put it out of her mind. Treasurer filed correct report as soon as she understood what had happened. Treasurer also asks for consideration of her personal circumstances.	\$1,978	No
7	Fillmore County DFL	\$275 LFF	2017 year-end report	Treasurer was new and did not know reporting requirements. Treasurer also thought that due date for her economic interest statement also applied to campaign finance reports. Treasurer could not consult previous treasurer because she had moved away and chair also was new.	\$523	No
8	Neighbors for Geoff Dittberner	\$25 LFF	2017 year-end report	Treasurer emailed report on due date but omitted a dot from the Board's email address. Treasurer received message saying that the original email was undeliverable. Treasurer sent report the next day.	\$2,579	No
9	Neighbors for Ilhan (Omar)	\$50 LFF	2017 year-end report	Treasurer tried to upload report one day after due date but could not because software said that she was not treasurer of record no matter what version of her name she used. Treasurer tried to upload again the next morning and was successful even though she had not changed any information in the software.	\$8,072	No
10	Gilbert (Randy) for Auditor	\$50 LFF	2017 year-end report	Candidate tried to file report by email but outgoing email was stuck in his outbox.	\$155	No

Informational Items

A. Payment of a late filing fee for 2017 year-end report of receipts and expenditures

Ricky Englund Run for Senate, \$75
 Quinn Nystrom for MN, \$50
 Keep Judge Andrew Pearson, \$50
 Tom Saxhaug for State Senate, \$25

Minneapolis Regional Labor Federation, \$50
 Minn Thoroughbred Assn PAC, \$25
 Minn Young DFL, \$25
 Waste Management PAC of Minn, \$150

B. Payment of a late filing fee for 2017 special election report:

Committee to Elect James Brunsgaard, \$50
 Melissa Wagner for House, \$50

C. Payment of a late filing fees for 2016 pre-general election and year-end report of receipts and expenditures

SEIU Local 26, \$2,000

D. Payment of a late filing fee for failure to file 2016 pre-primary-election report of receipts and expenditures

Lawrence Patwin (candidate did not register committee) \$83.80 from Revenue Recapture

E. Payment of a late filing fee for June 15, 2016, lobbyist disbursement report

John Lenczewski, MN Trout Unlimited, \$25

F. Payment of a late filing fee for January 16, 2018, lobbyist disbursement report

Kelsey Johnson, Iron Mining Assn of Minn, \$25
Thomas Keliher, MN School Bus Operators, \$25

G. Payment of a late filing fee for 24-hour notice of 2016 large pre-election contribution

SEIU Local 26, \$1,000

H. Payment of a civil penalty for false certification

Branden Petersen, \$280

I. Deposit to the General Fund

33rd Senate District DFL, \$5
Crow Wing County RPM, \$50
Paul Thissen for Governor, \$89.11



1 South Pinckney Street, Suite 810, Madison, WI 53703-2869
608.258.4400 fax 608.258.4407
145 University Avenue West, Suite 450, St. Paul, MN 55103-2044
651.228.0213 fax 651.228.1184
www.cooperativenetwork.coop

1 FEB 20 11:23
CAMPAIGN FINANCE &
PUBLIC DISCLOSURE BOARD

February 20, 2018

Campaign Finance & Public Disclosure Board
190 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155-1603

Dear Board Members,

We are writing to you to request the administrative termination of Tom Liebe as a registered lobbyist for Cooperative Network. His registration number is 3567.

Tom Liebe's employment with Cooperative Network ended on August 1, 2017. Therefore, we request the date of the administrative termination to be August 1, 2017.

Thank you very much.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gary Weber", followed by a horizontal line.

Gary Weber
Interim President & CEO

A handwritten signature in cursive script, appearing to read "Matt Hughes", followed by a horizontal line.

Matt Hughes
Vice President and MN Managing Director



13 FEB -6 PM 2:56
CAMPAIGN FINANCE &
PUBLIC DISCLOSURE BOARD

January 31, 2018

Minnesota Campaign Finance & Public Disclosure Board

Dear Board Members:

I am writing about a Lobbyist Disbursement Report Past Due Notice that we received via email on January 18, 2018 from Marcia Wallace. This notice concerned our former registered lobbyist Jenna Duwenhoegger, whose employment was terminated on October 2nd, 2017 due to a departmental reorganization.

We would like to respectfully request that her lobbying status be administratively terminated and any associated fees waived. A June 1-December 31, 2017 report was not filed by her as she was no longer lobbying on our behalf and there are no expenses to report for this time period.

Sincerely,

Kelly Headrick
National Director of State Government Relations



13 JAN 16 PM 1:57

CAMPAIGN FINANCE &
PUBLIC DISCLOSURE BOARD

January 11, 2018

Minnesota Campaign Finance and Public Disclosure Board
Suite 190
Centennial Office Building
658 Cedar Street
St. Paul, MN 55155-1603

Dear Minnesota Campaign Finance and Public Disclosure Board:

This letter is meant to explain why Frank Forsberg's signature is not on his Lobbyist Disbursement Report and Lobbyist Termination Statement, both dated 1/11/2018.

Frank left Greater Twin Cities United Way (GTCUW) effective 12/31/17. He worked part-time during December and his last day in the office was 12/29/2017. The final copies of the two documents were not completed until January, at which point Frank was out of the state. Frank reviewed his Lobbyist Disbursement Report and stated his intent to terminate being the principal lobbyist for GTCUW before his departure (see his attached email).

If you have any questions or concerns, please contact Roxie Alexander, Controller (612-340-7604, Roxie.Alexander@gtcuw.org).

Sincerely,

A handwritten signature in cursive script that reads "Jacki Latvala".

Jacki Latvala, Interim Senior Accountant
Greater Twin Cities United Way

To: Board

Walker

Waller, Marcia (CFB)

From: Sarah C. Walker <sarah@mzacompany.com>
Sent: Thursday, February 15, 2018 9:02 AM
To: Waller, Marcia (CFB)
Subject: Request for Registration Withdraw

Hello Marcia,

I am writing to request that the MN Campaign Finance Board Withdraw my registration for the Veterans Resiliency Project. I had registered last week but, we discovered an unexpected conflict of interest. Thank you for the consideration. I appreciate your time. My lobbyist number is 2712.

7398

Sincerely,

Registered
2-8-18

Sarah

--



Sarah Walker
MZA+Co
525 Park Street, Suite 210
St. Paul, MN 55103
Mobile: (612) 220-2070
Email: sarah@mzacompany.com
@sarahwalkermn

Larson, Joyce (CFB)

From: Jeff Wharton <jeffreyw57@gmail.com>
Sent: Thursday, February 15, 2018 10:42 AM
To: Larson, Joyce (CFB)
Subject: Re: 2017 Campaign report

I have raised zero dollars at all and have spent zero dollars since the beginning of my campaign

On Thursday, February 15, 2018, Larson, Joyce (CFB) <joyce.larson@state.mn.us> wrote:

Can you answer whether you have raised money or spent money on the governor's campaign?

Joyce Larson

Campaign Finance & Public Disclosure Board

651-539-1188

From: Jeff Wharton [mailto:jeffreyw57@gmail.com]
Sent: Thursday, February 15, 2018 10:07 AM
To: Larson, Joyce (CFB) <joyce.larson@state.mn.us>
Subject: Re: 2017 Campaign report

To whom it may concern

I Jeff Wharton here by am withdrawing my campaign from the race for governor of Minnesota. I have decided to enter the race on a local political to begin my political career at a smaller outlet. To everyone that has supported me on this journey I thank you.

God bless you all

Jeff Wharton

18 FEB 27 AM 8:23

2/22/18

Joyce,

CAMPAIGN FINANCE &
PUBLIC DISCLOSURE BOARD

I'm Donavon Balaski and the reason I am writing you and the campaign finance board today is to withdraw my registration for candidacy for district 35A.

My campaign treasure abandoned the committee late last year and it has cause catastrophic strain. With that being said my campaign only raised \$50 in cash \$20 as a donation from a neighbor and \$30 as a donation from myself as the candidate.

Of that \$50 I spent \$20 on business cards, and the remaining 30 on hosting a website.

The website has been unpublished. I am closing the bank account with Wells Fargo. Any other information that you may need please feel free to reach out to me. I didn't finish the 2017 finance report because I did only raise \$50 throughout the duration of my campaign that never really took off. I am hoping that this will be a process that can move swiftly as I cannot afford to pay anymore out-of-pocket expenses for late fees or any other fees that the campaign finance board would need me to pay because I'm going through a very gruesome custody battle.

Please feel free to reach out to me if you have any questions.



Donavon Balaski

Pope, Jodi (CFB)

From: Weber, Jeff (DEED)
Sent: Thursday, February 15, 2018 4:40 PM
To: Lochner, Kevin (CFB); Pope, Jodi (CFB)
Subject: Campaign Finance Statement of Economic Interest Certification for Jeff Weber

Hi Jodi and Kevin,

I'm writing with respect to the public official's annual statement of economic interest recertification. I was an assistant attorney general through December of 2017. I recently received a letter, dated February 5, 2018, that was forwarded to my home address from the Minnesota Attorney General's Office. In it, it indicates that my annual recertification was due January 29, 2018 and that a late fee will begin accruing on February 13, 2018. This was the first notice that reached me—I did not receive earlier notices about the recertification.

Upon receiving this letter yesterday, I logged on and completed the annual recertification, so it should be filed as of yesterday. My question is this: given my change of position and that no notice of the annual recertification reached me until yesterday, would it be possible to waive the late fee that "began accruing" on February 13?

If it is not possible to waive the late fee, could you please ensure that it is sent to my new work address (listed in my below signature) or to this email address?

Thank you for your time and attention to this,

Jeff

Jeffrey Weber | Contracts Administrator
Minnesota Department of Employment and Economic Development
1st National Bank Building, 332 Minnesota St., Suite E200, St. Paul MN 55101
Direct: 651-259-7076
[Web](#) | [Twitter](#) | [Facebook](#)



Pope, Jodi (CFB)

From: Jane Youngkrantz <jdyoungkrantz@frontiernet.net>
Sent: Friday, February 23, 2018 5:23 PM
To: Pope, Jodi (CFB)
Subject: RE: CFPDB

Jodi,
Thank you for the email, I was able to get back in and recertify the report and actually submit it. I appreciate your assistance...I am slow and so is my computer....as people want to experience 10 up and 25 down, we are making due with .99, yes, the decimal comes before the number...
Again thank you for the phone call AND the email!!!
I sure hope a fine is waived as the W2 for this position came in around \$ 800.00...is it worth being a public official at the local level? Only if one believes in the purpose, not the purse☺
Sincerely,
Jane

From: Pope, Jodi (CFB) [mailto:jodi.pope@state.mn.us]
Sent: Friday, February 23, 2018 1:03 PM
To: jdyoungkrantz@frontiernet.net
Subject: FW: CFPDB
Importance: High

Ms. Youngkrantz,

Jon Peterson forwarded your email to me for a response. You created an account but you did not continue on and review or recertify your information.

You have two options for filing. You could review the information on the attached form. This is the information that you filed in 2016. You can make changes on the form and sign it and then return it to me by email or to the office by fax at 651-539-1196 or 800-357-4114. You also could mail it to us at 190 Centennial Office Bldg, 658 Cedar St, St Paul, MN 55155.

The second option would be to log in again to the website and file online. If you would like to do this, go to this website:

<https://logon.cfb.mn.gov/sso/login?returnTo=https://eis.cfb.mn.gov/reporting/>

Then enter this username: youngkrantzjane12522

Enter the password that you created when you set up the account.

You then should be able to choose yourself and report online.

Please let me know if you have other questions.

Jodi Pope
651-539-1183

From: Jane Youngkrantz [mailto:jdyoungkrantz@frontiernet.net]
Sent: Thursday, February 22, 2018 9:18 PM

To: Peterson, Jon (CFB) <jon.c.peterson@state.mn.us>

Subject: FW: CFPDB

From: Jane Youngkrantz [<mailto:jdyoungkrantz@frontiernet.net>]

Sent: Thursday, February 22, 2018 9:07 PM

To: 'jon.c.peterson@state.mn.us.'

Subject: CFPDB

Dear Jon,

I just received the voice mail left on my home phone 320-664-4519 reminding me to recertify the statement of economic interest. I experienced some difficulty, however, I completed the Requirement on February 6th after resetting my password.

There were no changes to report and I thought it was successfully submitted.

Please send me further information on what I should do with this matter.

Sincerely,

Jane Youngkrantz

From: [Eric Klindt](#)
To: [Pope, Jodi \(CFB\)](#)
Subject: Late fee?
Date: Monday, February 26, 2018 1:19:26 PM

Hi Jodi

Thank you for the email report. I just printed it out and faxed it in. As for the late fee? Don't know how much it is, but as you can see I tried several times to do this online which I thought was done. I would ask for a waiver and a better way to log in and complete the form. I may not be the most tech savvy person, but I have sent an email before. Thanks for the consideration.

Sincerely, Eric Klindt

Sent from my iPad

Pope, Jodi (CFB)

From: Sigurdson, Jeff (CFB)
Sent: Wednesday, February 07, 2018 1:02 PM
To: Pope, Jodi (CFB)
Subject: Waiver request - the special election pre-general report was one day late

From: Lynne McNamara [mailto:lmcnamara1976@gmail.com]
Sent: Tuesday, February 06, 2018 8:52 AM
To: Sigurdson, Jeff (CFB) <jeff.sigurdson@state.mn.us>
Subject: Pre-General Report

Jeff,

Regarding our phone call this morning. I have filed the Pre-General Report for Denny McNamara but it is a few hours late. I do want to explain again that I tried to file it last week but the Campaign Finance Report computer program did not have the "Pre-General Report" option available. I called Gary Bauer on Wednesday, Jan. 31st but he said that they were very busy and would get to it later. I wanted to file it that day because I was going out of town. When I got back to town, I saw that the Pre-General Report option in CFR was available so I filed it.

Lynne McNamara, Treasurer
651-214-7225

Pope, Jodi (CFB)

From: Linda Rieke <linkancowz@hotmail.com>
Sent: Sunday, February 18, 2018 4:02 PM
To: Larson, Joyce (CFB)
Subject: Re: 2017 Report of receipts and expenditures

Request for waiver for Kanne (James) for House 16B by Linda Rieke
Step taken to file report:

1. Opened Campaign Finance Board reporting software
2. Created new Board Reports
3. No changes since last report
4. Uploaded the report to the campaign Fiance Board.

I'm apologize, I didn't realize it was the wrong year, I thought I had taken care of it and put it out of my mind. I am very busy right now working two jobs and I have two small children plus I am 39 weeks pregnant. It didn't even occur to me to double check the year I was submitting.

Thank you,
Linda Rieke

From: Larson, Joyce (CFB) <joyce.larson@state.mn.us>
Sent: Friday, February 16, 2018 12:16 PM
To: Linda Rieke
Subject: RE: 2017 Report of receipts and expenditures

You can send a letter or email explaining the steps you took to file the report and why it was late.

Joyce Larson
Campaign Finance & Public Disclosure Board
651-539-1188

From: Linda Rieke [mailto:linkancowz@hotmail.com]
Sent: Friday, February 16, 2018 12:12 PM
To: Larson, Joyce (CFB) <joyce.larson@state.mn.us>
Subject: Re: 2017 Report of receipts and expenditures

Ok how do I request a waiver?

On Feb 16, 2018, at 11:32 AM, Larson, Joyce (CFB) <joyce.larson@state.mn.us> wrote:

Received. Because it was not received until today, there is a late fee of \$300. A letter will be sent regarding the late fee. If you want to request a waiver in writing, you would need to state the reason the report was filed late. The Board members review the requests and make a decision at the next board meeting.

Joyce Larson
Campaign Finance & Public Disclosure Board
651-539-1188

From: Linda Rieke [<mailto:linkancowz@hotmail.com>]
Sent: Friday, February 16, 2018 10:32 AM
To: Larson, Joyce (CFB) <joyce.larson@state.mn.us>
Subject: Re: 2017 Report of receipts and expenditures

Ok, I think I sent it properly now. No changes.
-Linda

On Feb 15, 2018, at 8:56 AM, Larson, Joyce (CFB) <joyce.larson@state.mn.us> wrote:

See below. The 2017 report has not been received.
Joyce Larson
Campaign Finance & Public Disclosure Board
651-539-1188

From: Larson, Joyce (CFB)
Sent: Friday, February 09, 2018 12:18 PM
To: 'Linda Rieke' <linkancowz@hotmail.com>
Subject: RE: 2017 Report of receipts and expenditures
Importance: High

We received an amended 2016 report, but not the 2017 report. In the software you need to initialize a new year from the 2016 file to set up the 2017 record. Then you can create the Board report to upload.

Joyce Larson
Campaign Finance & Public Disclosure Board
651-539-1188

From: Linda Rieke [<mailto:linkancowz@hotmail.com>]
Sent: Friday, February 09, 2018 9:37 AM
To: Larson, Joyce (CFB) <joyce.larson@state.mn.us>
Subject: Re: 2017 Report of receipts and expenditures

I sent this in on January 31st!!!

On Feb 2, 2018, at 3:24 PM, Larson, Joyce (CFB) <joyce.larson@state.mn.us> wrote:

To: Linda Rieke, Kanne (James) for House 16B
Re: 2017 Year-end Report of Receipts and Expenditures
Reminder
February 2, 2018

The Campaign Finance Board has not received your 2017 Year-end Report of Receipts and Expenditures due January 31, 2018,

2/15/18

TO: Minnesota Campaign Finance Board
190 Centennial Office Bldg
658 Cedar Street
St. Paul MN 55155

18 FEB 16 AM 11:33
CAMPAIGN FINANCE &
PUBLIC DISCLOSURE BOARD

FROM: Fillmore County DFL
LuAnn Wilcox, Treasurer
PO Box 107
Lanesboro MN 55949

RE: Late filing explanation and request for fee waiver

As this is my first year-end report as treasurer, I did not know when or how to file. I was given very little information when I took over the position and my predecessor is living out of the country, so I had no way of contacting her. The unit is also on its third person in the chair position since I became treasurer, so there was no help available there, either.

Complicating matters, I serve on a state commission and received a communication that my annual statement of economic interest must be filed by February 13. I mistakenly thought that was in reference to the deadline for this report and that fees would begin to be assessed after that date.

Once I received the filing forms, finding the necessary information was somewhat challenging as well, since I hadn't been instructed as to what information to keep along the way.

When I went to the DFL state central meeting and was involved in electing the state party treasurer, I was assured that I would be contacted and receive help from that person. All I received was a survey, to which I responded that I received no orientation to speak of, knew nothing about the duties or responsibilities of a party unit treasurer, and needed help. Yet, I received nothing except a suggestion that I take a class or get web-based instruction from the Campaign Finance Board. I most certainly will do that now!

I kept good records of income and expenditures, and thankfully there weren't that many. I am grateful for the help I received from the CFB office and for going through the process on paper, because that helped me understand it all better.

I do not have the personal funds it would take to cover the expense of late fees and they would be devastating to our party unit, so with abundant apologies and mea culpas, I humbly ask the late fees be waived. The report was submitted along with this letter.

LuAnn Wilcox
612-750-1821

Pope, Jodi (CFB)

From: Elisabeth Johnston <lizjohnston91@gmail.com>
Sent: Saturday, February 10, 2018 2:30 PM
To: Pope, Jodi (CFB)
Subject: Fwd: Undeliverable: Neighbors for geoff dittberner

----- Forwarded message -----

From: <postmaster@ead.state.mn.us>
Date: Wed, Jan 31, 2018 at 5:26 PM
Subject: Undeliverable: Neighbors for geoff dittberner
To: lizjohnston91@gmail.com

Delivery has failed to these recipients or distribution lists:

cfbreports@state.mn.us

The recipient's e-mail address was not found in the recipient's e-mail system. Microsoft Exchange will not try to redeliver this message for you. Please check the e-mail address and try resending this message, or provide the following diagnostic text to your system administrator.

jodi,
i believe that because of this email which confirms that i had originally sent the report and expenditures that was due on Jan.31 2018,i tried multiple times to resend abd i got the error message that the delivery had failed. and for that reason alone the late fee of 25.00 dollars should be waived.
liz johnston
neighbors fro geoff dittberner
campaign treasurer

Diagnostic information for administrators:

Generating server: ead.state.mn.us

cfbreports@state.mn.us

#550 5.1.1 RESOLVER.ADR.RecipNotFound; not found ##

Original message headers:

Received: from srcedge02.ead.state.mn.us (156.99.119.41) by
SRCHUB02.ead.state.mn.us (156.98.199.38) with Microsoft SMTP Server (TLS) id
8.3.499.0; Wed, 31 Jan 2018 17:26:30 -0600
Received: from gcc01-CY1-obe.outbound.protection.outlook.com (23.103.198.22)
by srcedge02.ead.state.mn.us (156.99.119.41) with Microsoft SMTP Server (TLS)
id 8.3.499.0; Wed, 31 Jan 2018 17:26:30 -0600
Received: from CY4PR09CA0047.namprd09.prod.outlook.com (10.173.196.33) by
BY2PR09MB0246.namprd09.prod.outlook.com (10.160.122.24) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id

Cc:
Bcc:
Date: Wed, 31 Jan 2018 17:26:25 -0600
Subject: Neighbors for geoff dittberner
Here is the paperwork copy of the finances for neighbors for geoff dittberner campaign. Not sure if I did it right.but if you have any questions please email me.all of the information given is accurate to my knowlege.

 [lizjohnston91@gmail.com.ical \(1\).zip](#)

Larson, Joyce (CFB)

From: Claudia (Kelly) Anderson, CPA (inactive) <clacpa@tds.net>
Sent: Friday, February 02, 2018 9:20 AM
To: Larson, Joyce (CFB)
Subject: treasurer's name

I just uploaded the report that I tried to upload last evening. Last night I kept getting the message that I wasn't the treasurer of record. I tried without my middle initial, with my middle initial, with my middle initial followed by a period. Nothing worked, same message every time.

After talking to you this morning, I checked the committee information and my entity file, both were the same and I made no changes. When I tried to create and upload the reports, it went through just fine. I am very puzzled by this, I made no changes this morning. It didn't work last night but worked this morning.

Claudia L. Anderson
Treasurer for Ilhan Omar, District 60B

Larson, Joyce (CFB)

From: Randy Gilbert <rgilby52@gmail.com>
Sent: Thursday, February 08, 2018 8:12 AM
To: Larson, Joyce (CFB)
Subject: Re: 2017 Campaign finance report

Good Morning Joyce,

Please just use the emails.

Thank you.

Randy Gilbert

On Thu, Feb 8, 2018 at 8:00 AM, Larson, Joyce (CFB) <joyce.larson@state.mn.us> wrote:

Will you be submitting a separate waiver request or do you want the emails you have sent to be the request?

Joyce Larson

Campaign Finance & Public Disclosure Board

651-539-1188

From: Randy Gilbert [mailto:rgilby52@gmail.com]
Sent: Wednesday, February 07, 2018 4:59 PM

To: Larson, Joyce (CFB) <joyce.larson@state.mn.us>
Subject: Re: 2017 Campaign finance report

Honestly - I am not certain how I can prove that the email was hung up in my outbox.

I hate wasting \$50 - but I should have closed it down six months ago - it honestly slipped my mind to do that, but filing did not.

Thanks

RG

On Wed, Feb 7, 2018 at 4:06 PM, Larson, Joyce (CFB) <joyce.larson@state.mn.us> wrote:

You might want to wait until the Board members make a decision on your waiver request.

Joyce Larson

Campaign Finance & Public Disclosure Board

651-539-1188

From: Randy Gilbert [mailto:rgilby52@gmail.com]

Sent: Wednesday, February 07, 2018 4:03 PM

To: Larson, Joyce (CFB) <joyce.larson@state.mn.us>

Subject: Re: 2017 Campaign finance report

Thank you. I assume I may terminate at any time.

Since I loaned the campaign money, I can pay this amount to myself have an ending balance of zero and terminate all in the same report

On Wed, Feb 7, 2018 at 4:01 PM, Larson, Joyce (CFB) <joyce.larson@state.mn.us> wrote:

Yes, either later this week or next week. The late fee is \$50. Committee funds can be used to pay the late fee. You terminate with a report of receipts and expenditures that shows a balance of \$100 or less marked termination.

Joyce Larson

Campaign Finance & Public Disclosure Board

651-539-1188

From: Randy Gilbert [mailto:rgilby52@gmail.com]

Sent: Wednesday, February 07, 2018 3:56 PM

To: Larson, Joyce (CFB) <joyce.larson@state.mn.us>
Subject: Re: 2017 Campaign finance report

Thanks,

Did I understand you correctly that you will be sending me a letter/bill for this amount?

Second - it is my desire to shut down this account, I should have done this prior to year end. Is there a special form to complete that task?

Thanks

RG

On Wed, Feb 7, 2018 at 3:50 PM, Larson, Joyce (CFB) <joyce.larson@state.mn.us> wrote:

You can send a written request for a waiver of the late filing fee with an explanation of the reason it was late. You may need to provide a copy of the email that was hung up in your outbox to verify it had the correct email address. Board members may grant waivers for good cause.

Joyce Larson

Campaign Finance & Public Disclosure Board

651-539-1188

From: Randy Gilbert [<mailto:rgilby52@gmail.com>]
Sent: Wednesday, February 07, 2018 3:44 PM
To: Larson, Joyce (CFB) <joyce.larson@state.mn.us>
Subject: Re: 2017 Campaign finance report

Who do I need to speak with?

On Wed, Feb 7, 2018 at 11:36 AM, Randy Gilbert <rgilby52@gmail.com> wrote:

My report was hung up in my outbox not certain why

Have a great day!
Randy Gilbert

On Feb 7, 2018 11:28 AM, "Larson, Joyce (CFB)" <joyce.larson@state.mn.us> wrote:

Staff cannot waive a late fee.

Joyce Larson

Campaign Finance & Public Disclosure Board

651-539-1188

From: Randy Gilbert [<mailto:rgilby52@gmail.com>]
Sent: Wednesday, February 07, 2018 11:24 AM
To: Larson, Joyce (CFB) <joyce.larson@state.mn.us>
Subject: RE: 2017 Campaign finance report

Can you waive the fee?

Have a great day!
Randy Gilbert

On Feb 7, 2018 10:49 AM, "Larson, Joyce (CFB)" <joyce.larson@state.mn.us> wrote:

I will be sending a letter regarding the late fee for the 2017 report, it's \$50.

From: Randy Gilbert [<mailto:rgilby52@gmail.com>]
Sent: Sunday, February 04, 2018 10:43 AM
To: CFBEmail <cfb.reports@state.mn.us>
Subject: 2017 Campaign finance report

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD
March, 2018

ACTIVE 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
Roxana Bruins	Roxana Bruins for Senate	Unfiled 2016 Year- End Report of Receipts and Expenditures	\$1,000 LF \$1,000 CP	7/28/17	9/6/17			Personal Service obtained. Drafting default documents
Brenden Ellingboe	Ellingboe (Brenden) for House	Unfiled 2015 Year- End Report of Receipts and Expenditures	\$1,000 LF \$1,000 CP	11/29/16	5/26/17			Hold by Board
Kirsten Johnson		Unfiled Economic Interest Statement due June 14, 2016	\$100 LF \$1,000 CP	1/17/17	5/26/17			Hold by Board
Tim Johnson		Unfiled Economic Interest Statement due June 14, 2016	\$100 LF \$1,000 CP	1/17/17	5/26/17			Board is reviewing first set of default judgment documents.
Christopher John Meyer	Meyer for Minnesota	2016 Year-End Report of Receipts and Expenditures	\$1,000 LF \$1,000 CP	7/28/17	9/6/17			Placed on hold by Board

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
David Berglund	Cook Soil and Water Conservation District	Unfiled Economic Interest Statement due January 25, 2016 Untimely Filing of 2015 Economic Interest Statement Untimely Filing 2011 Economic Interest Statement	\$100 LF \$1,000 CP \$80 LF \$100 LF \$100 CP	7/7/16	12/30/16 8/18/17			Matter settled. Closed