

Minnesota

Campaign Finance and Public Disclosure Board Meeting

Wednesday, April 4, 2018
10:00 AM

St Croix Room
Centennial Office Building
St Paul MN

REGULAR SESSION AGENDA

Please Note - One or more Board Members may listen to the meeting, and participate in the discussion of agenda items, by phone. Members of the public may also listen and participate by phone by calling toll free (888) 742-5095 and entering conference code 6329792015.

- 1. Minutes**
Regular session, March 7, 2018
- 2. Chair's report**
 - A. Meeting schedule
- 3. Executive director report**
- 4. Legislative update**
- 5. Prima facie determinations**
- 6. Enforcement report**
- 7. Legal report**
- 8. Other business**

EXECUTIVE SESSION

Immediately following regular session

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

.....
March 7, 2018
Blazing Star Room
Centennial Office Building
.....

MINUTES

The meeting was called to order by Chair Flynn.

Members present: Flynn, Haugen, Leppik, Moilanen, Rosen, Swanson

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

The meeting did not strictly follow the order of business set forth in the agenda.

MINUTES (January 9, 2018)

After discussion, the following motion was made:

Member Leppik's motion: To approve the January 9, 2018, minutes as drafted.

Vote on motion: Unanimously passed.

CHAIR'S REPORT

A. Meeting schedule

The next Board meeting is scheduled for 10 a.m. on Wednesday, April 4, 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 a few more committees and individuals had filed their 2017 reports since he prepared his memorandum. Mr. Sigurdson said that staff would begin tracking the percentage of timely filers for each program and would use those figures to determine which outreach methods were the most effective. Mr. Sigurdson stated that the lobbyist program currently had the highest rate of timely compliance.

Mr. Sigurdson then introduced the new assistant executive director, Megan Engelhardt. Ms. Engelhardt told members that she had come to the Board from the Office of Lawyers Professional Responsibility where, among her other duties, she conducted investigations and prepared advisory opinions. Members welcomed Ms. Engelhardt to her new position.

Mr. Sigurdson next told members that Gary Goldsmith and Joyce Larson would be retiring on May 1, 2018. Members reported the numerous compliments that they had received regarding the work of Mr. Goldsmith and Ms. Larson and discussed the fact that both Mr. Goldsmith and Ms. Larson would be greatly missed.

SUPPLEMENTAL ENFORCEMENT REPORT

D. Waiver request – Citizens for Justice Anne McKeig

Ms. Pope told members that the Citizens for Justice Anne McKeig committee was asking the Board to waive a \$1,000 late filing fee incurred for an untimely registration. In the waiver request, the committee’s treasurer, Eric Day, stated that when he was preparing the committee’s 2017 year-end report, he realized that the committee had never actually registered with the Board when the committee was formed in October 2017. By the time that the committee actually filed its registration, it had accrued the maximum late filing fee. Ms. Pope said that the Board had not granted any prior waiver requests for the committee.

Committee treasurer Eric Day then addressed the Board. Mr. Day said that the committee had prepared a registration form when it initially organized and that he believed that he had filed that form with the Board. Mr. Day stated, however, that he never actually filed the registration form. Mr. Day said that he believes that he failed to file the registration, and mistakenly believed that he had done so, because he was under a great deal of stress at the time due to his father’s terminal cancer diagnosis. Mr. Day said that he filed the registration form as soon as he discovered the error.

After discussion, the following motion was made:

Member Rosen’s motion: To waive the \$1,000 late filing fee incurred by the Citizens for Justice Anne McKeig committee for an untimely registration.

Vote on motion: Unanimously passed.

During the discussion of the regular enforcement report, the following motion was made:

Member Rosen’s motion: To consider the waiver request submitted by the Citizens for Justice Anne McKeig committee even though this matter was not placed on the agenda at least seven days in advance of the meeting.

Vote on motion: Unanimously passed.

LEGISLATIVE RECOMMENDATIONS

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 as directed at the November meeting, he had met with legislators and legislative staff to determine whether there was bipartisan interest in legislative recommendations from the Board. Members Leppik and Moilanen had attended some of these meetings. Mr. Sigurdson said that the reaction of the legislators generally had been positive and

that it appeared that members of both parties would be willing to authorize the legislation. Members then discussed the legislative proposals and the administrative rule proceeding.

After discussion, the following motion was made:

Member Leppik's motion: That the Board adopt the following resolution:

Resolved, that the Campaign Finance and Public Disclosure Board affirms the legislative policy proposals outlined in the executive director's January 31, 2018, legislative recommendations memorandum and directs the Board chair to forward the recommendations to the appropriate legislative chairs.

Vote on motion: Motion passed (four ayes, two nays).

AMENDED AFFIRMATIVE ACTION PLAN

Mr. Sigurdson presented members with a memorandum regarding this matter that is attached to and made a part of these minutes. Ms. Pope told members that the Board's 2016-2018 Affirmative Action Plan incorporated the language of the statewide sexual harassment prohibited policy but did not expressly adopt that policy. Ms. Pope said that in response to a directive from the Department of Management and Budget, the plan had been amended to expressly adopt the statewide sexual harassment prohibited policy. Ms. Pope stated that the plan also had been updated to name Mr. Sigurdson as executive director.

After discussion, the following motion was made:

Member Leppik's motion: To ratify the amended 2016-2018 Affirmative Action Plan.

Vote on motion: Unanimously passed.

ENFORCEMENT REPORT

A. Consent items

1. Confirmation of lobbyist termination – Sarah Janecek

Ms. Pope told members that after Board staff learned that Ms. Janecek had passed away on January 12, 2018, staff administratively terminated Ms. Janecek's lobbyist registration for Caribou MSP Airport effective December 31, 2017. Ms. Pope said that staff was 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

Ms. Pope told members Mr. Liebe's principal association, the Cooperative Network, had 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. Ms. Pope said that staff was asking the Board to confirm this administrative termination. Ms. Pope said that Mr. Liebe's lobbyist disbursements for 2017 were reported by the association's reporting lobbyist.

3. Confirmation of lobbyist termination – Jenna Duwenhoegger

Ms. Pope told members that Ms. Duwenhoegger's principal association, the Nurse-Family Partnership, had 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. Ms. Pope said that staff was 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

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

After discussion, the following motion was made:

Member Swanson's motion: To grant all requests on the consent agenda.

Vote on motion: Unanimously passed.

B. Discussion items

1. Request to withdraw lobbyist registration – Sarah Walker

Ms. Pope told members that on February 8, 2018, Ms. Walker had registered as a lobbyist on behalf of the Veterans Resiliency Project. Within a week of registering, however, Ms. Walker had discovered an unexpected conflict of interest that would prevent her from lobbying for this principal. Ms. Pope said that Ms. Walker therefore was asking the Board to allow her to withdraw this lobbyist registration.

2. Request to withdraw candidate committee registration – Wharton (Jeffrey) for Minnesota

Ms. Pope told members that Mr. Wharton had registered a committee for governor on March 20, 2017. In response to requests for a 2017 year-end report, Mr. Wharton had told staff that he no longer was running for governor and that he had not raised or spent any money during his campaign. Ms. Pope said that Mr. Wharton was asking the Board to allow him to withdraw his committee's registration. Mr.

Pope stated that 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

Ms. Pope told members that Mr. Balaski had registered a committee for a house seat on August 10, 2017. In response to requests for a 2017 year-end report, Mr. Balaski had told staff that he no longer was running for office and that he had raised and spent only \$50 during his campaign. Ms. Pope said that Mr. Balaski was asking the Board to allow him to withdraw his committee’s registration. Ms. Pope stated that 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

Ms. Pope told members that Sharon Anderson had registered a committee for attorney general on January 1, 1982. Ms. Pope said that at the Board’s direction, staff has not attempted to secure a report from the committee for approximately ten years. Ms. Pope stated that Ms. Anderson recently had 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. Ms. Pope said that because Ms. Anderson’s committee had never met the financial threshold necessary for registration of a committee and because Ms. Anderson does not believe that she has a committee, staff was asking the Board to administratively terminate Ms. Anderson’s committee registration.

After discussion, the following motion was made:

Member Rosen’s motion: To grant all requests on the discussion items agenda.

Vote on motion: Unanimously passed.

C. Waiver requests

<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>
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.	Member Swanson	To waive the late filing fee	Passed unanimously
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	Member Swanson	To waive the late filing fee	Passed unanimously

			not been recertified. Official had no changes to report.			
Eric Klindt, Wilkin County Commissioner	\$45 LFF	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.	Member Swanson	To waive the late filing fee	Passed unanimously
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 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.	Member Swanson	To waive the late filing fee	Passed unanimously
Maiv PAC	\$350 LFF	2017 year- end report	Treasurer had personal difficulties that prevented her from filing report on time.	Member Rosen	To waive the late filing fee	Passed unanimously
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.	Member Rosen	To waive the late filing fee	Passed unanimously
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.	Member Moilanen	To waive the late filing fee	Passed unanimously
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.	Member Rosen	To waive the late filing fee	Passed unanimously
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.	No motion		
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.	No motion		

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

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:

Probable cause determination in the matter of the complaint of Taylor regarding Scott Sanders for Representative Committee

Probable cause determination in the matter of the complaint of Qualy regarding the Libertarian Party of Minnesota and Emily Mellinger

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 legislative recommendations

Memorandum regarding amended Affirmative Action Plan

Probable cause determination in the matter of the complaint of Taylor regarding Scott Sanders for Representative Committee

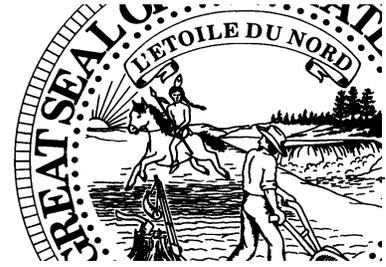
Probable cause determination in the matter of the complaint of Qualy regarding the Libertarian Party of Minnesota and Emily Mellinger

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, 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: March 28, 2018

To: Board Members

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Executive Director's Report – Board Operations

Program Updates

Lobbying Program.

The legislative session is always a busy time for lobbyist registrations. To date the Board has received 341 new registrations in 2018.

The annual lobbyist principal report of expenditures made in 2017 was due on March 15, 2018. As of March 27, 2018, reports had been received from 1,422 of the 1,427 principals required to file. An updated chart of reported expenditures and a chart showing trend lines for lobbyist expenditures are found below. There is always media interest in the principal reports, including coverage from the Star Tribune <http://www.startribune.com/groups-spend-74m-to-lobby-policymakers-and-the-public-utilities-commission/477455423/> and Minnesota Public Radio <https://www.mprnews.org/story/2018/03/20/enbridge-spends-over-5-million-lobbying>

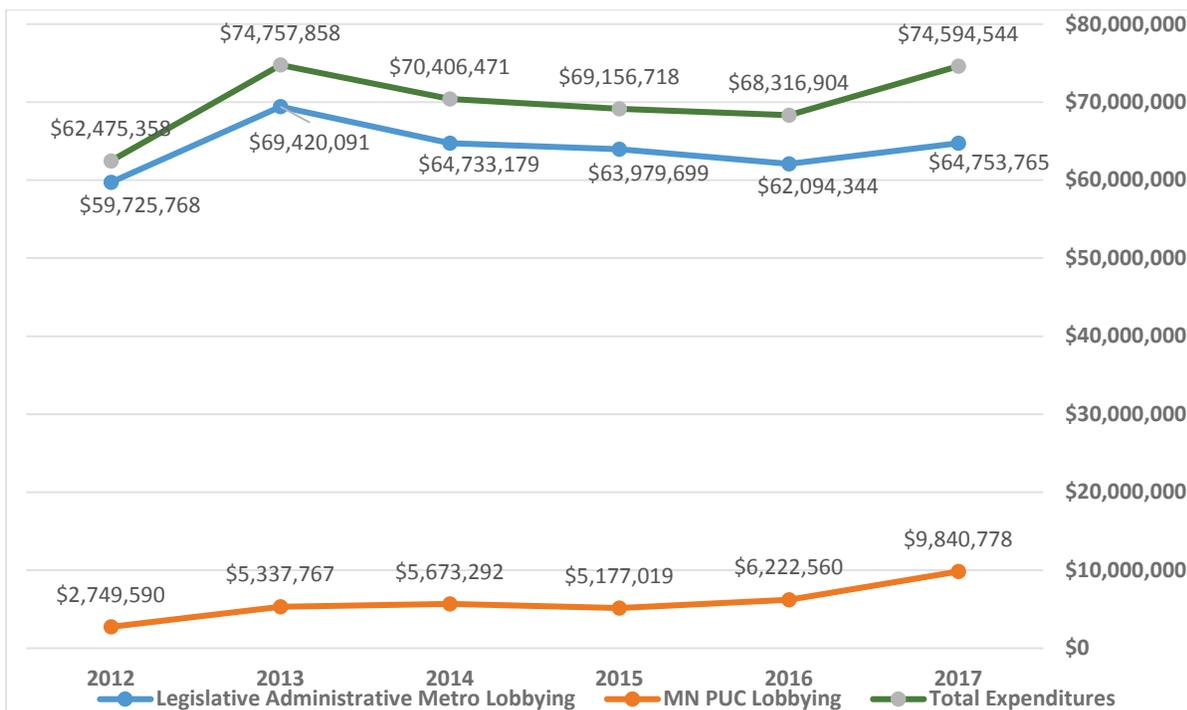
The reports filed so far disclose that **\$64,753,765** was spent in 2017 to influence the official actions of the legislature, administrative agencies, and metropolitan governmental units.

The amount spent to influence administrative action by the Minnesota Public Utilities Commission in cases of rate setting, power plant and power line siting, and granting of certificates of need is reported separately. In 2017, principals reported spending **\$9,840,778** to influence administrative actions of the Minnesota Public Utilities Commission. This amount is the highest amount ever reported to the Board for lobbying the Minnesota Public Utilities Commission.

Total lobbying expenditures reported for 2017 amount to **\$74,594,544**. This amount is the second only to 2013 for the highest reported amount. Below is a table showing the total spending reported on the Annual Principal Reports for the last six years. A principal is permitted to round the amount reported to the nearest \$20,000.

Year	Amount Spent to Influence Legislative Actions, Administrative Actions, and Actions of Metropolitan Governmental Units	Amount Spent to Influence the Actions of the MN Public Utilities Commission	Total Amount of Spending Reported by Principals
2017	\$64,753,765	\$9,840,778	\$74,594,544
2016	\$62,094,344	\$6,222,560	\$68,316,904
2015	\$63,979,699	\$5,177,019	\$69,156,718
2014	\$64,733,179	\$5,673,292	\$70,406,471
2013	\$69,420,091	\$5,337,767	\$74,757,858
2012	\$59,725,768	\$2,749,590	\$62,475,358

From 2012 to 2017 the amount spend on legislative, administrative, and metro lobbying increased by 8.4%, but spending in that category has been almost static over the last four years. Spending on lobbying the Public Utilities Commission has increased by over 250% from 2012 to 2017. However, lobbying expenditures on the Public Utilities Commission can fluctuate significantly in response to a single energy project. For example, in 2017, Enbridge Energy Partners LP alone spent \$5,080,000 seeking authorization of the Line 3 project.



Campaign Finance Program.

The Board has registered 63 candidate committees and 9 new political committees and political funds so far this year. The first report of receipts and expenditures for constitutional candidates, appellate court candidates, political committees and funds, political party state central committees and legislative caucuses is due April 16, 2018. Approximately 450 reports are expected. House candidates, district court judges, and all other party units file their first report on July 30, 2018.

Economic Interest Program.

The Board has received notification of 107 new appointments of public officials. Staff works with all new appointments to secure economic interest statements.

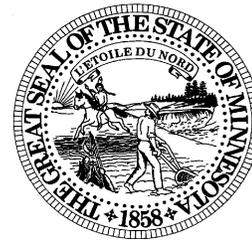
Personnel

An open house celebrating the careers of Gary Goldsmith and Joyce Larson will be held in the Board's office on Thursday, April 26, 2018, from 1:00 to 3:30 p.m.

The compliance officer position currently held by Ms. Larson has been posted on the state employment website. The posting closes on April 2, 2018.

Minnesota

Campaign Finance and Public Disclosure Board



Date: March 28, 2018

To: Board Members

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Legislative Update

The Board's policy recommendations and the codification of the draft administrative rules are found in SF 3306 (Kiffmeyer, Carlson) and HF 3837 (O'Driscoll, Nelson). In the Senate, SF 3306 was heard in the Committee on State Government Finance and Policy and Elections on March 15th, where it passed unanimously and then sent to the Judiciary and Public Safety Policy Committee. The bill was heard in Judiciary on March 21st, and passed without opposition, the bill has now had its second reading.

HF 3837 was heard in Government Operations and Election Policy on March 22nd. The bill passed on a voice vote, I believe the vote was 17 to 1. The bill has been sent to the Committee on Civil Law and Data Practices Policy, where it will be heard on March 29th.

The most recent engrossment of the bills are available on the legislative website at: <https://www.leg.state.mn.us/> click on either the search house bills, or search senate bills to access text and current status of the bill.

As anticipated there are differences between the recommendations suggested by the Board and the provisions of the bill. The following are the significant differences by subject area.

Board Investigations

As discussed at the March Board meeting both the Senate and House bills include language that specifies the investigative authority of the Board, in particular when the investigation of a complaint discovers evidence of a potential violation not included in the complaint. The amended language specifies that the Board has authority to expand the scope of an investigation to include potential violations not alleged in the complaint. Before the scope of an investigation may be expanded the Board must hold a probable cause hearing on the new allegation, and the party under investigation has the right to appear at the determination. The proposed amendment to Minnesota Statutes, section 10A.022, subdivision 3, is underlined.

Subd. 3. Investigation authority; complaint process. (a) The board may investigate any alleged or potential violation of this chapter. The board may also investigate an alleged or potential violation of section 211B.04, 211B.12, or 211B.15 by or related to a candidate, treasurer, principal campaign committee, political committee, political fund, or party unit, as those terms are defined in this chapter. The board may only investigate an alleged violation if the board:

- (1) receives a written complaint alleging a violation;
- (2) discovers a potential violation as a result of an audit conducted by the board; or
- (3) discovers a potential violation as a result of a staff review.

(b) When the board investigates the allegations made in a written complaint and the investigation reveals other potential violations that were not included in the complaint, the

board may investigate the potential violations not alleged in the complaint only after making a determination under paragraph (d) that probable cause exists to believe a violation that warrants a formal investigation has occurred.

(d) If a determination is made that the complaint alleges a prima facie violation, the board shall, within 45 days of the prima facie determination, make findings and conclusions as to whether probable cause exists to believe the alleged violation that warrants a formal investigation has occurred. Any party filing a complaint and any party against whom a complaint is filed must be given an opportunity to be heard by the board prior to the board's determination as to whether probable cause exists to believe a violation that warrants a formal investigation has occurred.

Economic Interest Program

The Board's policy recommendations on expanding economic interest disclosure to include the occupation and investments of the public official's spouse was not included in the legislation. The recommendation to establish a lower level of disclosure for soil and water district supervisors and water management organization members was also not included in the bill. The recommendation to raise the threshold for disclosure of investments and associated business from \$2,500 to \$10,000, and increase the income from businesses threshold from \$50 a month to \$250 a month were included. As were the draft administrative rule provisions.

Notice to Contributors

The suggested statutory language that will require a political committee, political fund, political party unit, or principal campaign committee that raises funds through the sale of goods or services to disclose to potential customers that the proceeds from the purchase are a political contribution was included.

Codification of the proposed administrative rules

The provisions of the draft rules are in the bills with the following exceptions:

- The two year period during which a candidate may not fundraise for a political committee that subsequently makes an independent expenditure provided in the rules is reduced to a one year period.
- A provision that specified that any expenditure made by a political committee in which the spouse or domestic partner of the candidate serves as an officer is a coordinated expenditure was not included.
- A provision was added that, taken by itself, the fact that a candidate's committee provided a party unit or political committee with its donor list is not an act of coordination that defeats the independence of expenditures. This provision was amended in the HF 3837 to clarify that a political committee could not inform the candidate that the list would be used for independent expenditures.

These changes have created opposition. Attached is a letter from the League of Women Voters to the Senate stating that the organization is in favor of the bill, but would prefer amendments on these three issues. My understanding is that Common Cause has similar concerns.

Attachment

Letter from the League of Women Voters.

Summary

Issue: **Campaign finance laws, Campaign Finance & Public Disclosure Board**
Related Bills: **HF3306**
LWV Minnesota: **Supports, preferably amended**

Include Definition of Election Segment

- “Election segment” is added to the subdivision defining “Agent,” and the section on “Consulting Services.”
- However, “election segment” is not definition in the bill or current law. We would like the definition that the Board drafted to be included in the statute as well.

Include “Election Segment” for All Subdivisions Rather Than Calendar Year

- This bill is different from the draft Board rules in that it limits some coordinated expenditures definitions to “on or after January 1 of the year the office will appear on the ballot.”
- This is different from the rules that the Board drafted that included the entire election segment, a 2 year period. Thus, this change shortens the applicable period by 14 months to just 10 months.
- Could be abused by candidates with early and long campaigns.

Include Expenditures Directed by Spouse or Domestic Partner

- The Board’s draft rules included an expenditure made during the election cycle by a spender established, directed, or managed during the same election cycle by the candidate’s spouse or domestic partner.
- The rationale behind that rule was that it was unreasonable to believe that a candidate and their spouse would not discuss nonpublic details of the campaign, which would otherwise be a coordinated expenditure.

Include Lists of Potential Donors from Candidates to Spenders

- The Board’s draft rules also did not include one noncoordinated expenditure that was added during the drafting of this bill.
- Page 20, line 1 of the bill adds a new category of noncoordinated expenditure for when a candidate provides to a spender names of potential donors.
- This is still coordinating spending. A candidate’s committee would be able to compile a list of individuals and PACs that have donated to the candidate.

Minnesota

Campaign Finance and Public Disclosure Board



Date: March 28, 2018

To: Board members

From: Megan Engelhardt, Assistant Executive Director

Telephone: 651-539-1182

Re: Prima facie determination finding no violation

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

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

Complaint regarding Michael Northbird

On March 8, 2018, the Campaign Finance and Public Disclosure Board received a complaint submitted by Soren Sorensen regarding Michael Northbird, the candidate. The complaint alleged that the candidate had sent a mailing to the delegates of the DFL's SD2 endorsing convention seeking support at the endorsing convention without the required disclaimer language. While the mailing did not include the required disclaimer language, at the time the mailing had been sent the candidate was not a registered candidate with the Board. Minnesota Statutes section 211B.04 does not apply "to an individual or association that is not required to register or report under Chapter 10A." Minnesota Statutes section 10A.14 requires "[t]he treasurer of a . . . principal campaign . . . to register with the board by filing a registration statement." Registration with the Board is required "no later than 14 days after the committee . . . has made a contribution, received contributions, or made expenditures in excess of \$750." It was unlikely that the mailing exceeded \$750, and therefore, the Board Chair made a determination on March 14, 2018, that the complaint did not state a prima facie violation.

Attachments:

Prima Facie Determination

Complaint

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

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF SOREN SORENSEN REGARDING MICHAEL NORTHBIRD:

On March 8, 2018, the Campaign Finance and Public Disclosure Board received a complaint submitted by Soren Sorensen regarding Michael Northbird.

The complaint states that Mr. Sorensen, a delegate to the DFL's SD2 endorsing convention, received a campaign mailing sent by candidate, Michael Northbird, seeking support at the DFL's SD2 endorsing convention for District 2A. The complaint alleges that Mr. Northbird's mailing did not have the required disclaimer language.

Determination:

Minnesota Statutes section 211B.04 requires candidates to include a disclaimer on all campaign materials that states "Prepared and paid for by the . . . committee, . . . (address)." The materials mailed by Mr. Northbird are campaign materials under the meaning of section 211B.04, as they were seeking the "endorsement and support for State Representative 2A." However, section 211B.04 also provides that "[the] section does not apply to an individual or association that is not required to register or report under chapter 10A."

In this matter, the candidate who is the subject of the complaint has not registered or reported to the Board. Minnesota Statutes section 10A.14 requires "[t]he treasurer of a . . . principal campaign . . . to register with the board by filing a registration statement." Registration with the Board is required "no later than 14 days after the committee . . . has made a contribution, received contributions, or made expenditures in excess of \$750."

The complaint provided a copy of the campaign materials and it appears that Mr. Northbird has made some expenditures in sending this mailing to approximately 100 delegates to the endorsing convention. However, it is not likely that Mr. Northbird made expenditures in an amount over \$750 in this mailing. Thus, there is no basis to conclude that the disclaimer requirements of Minnesota Statutes section 211B.04 apply to the campaign material provided with the complaint. The allegations in the complaint therefore do not support a finding of a prima facie violation regarding the disclaimer requirements.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, paragraph (1), this prima facie determination is made by a single Board member and not by any vote of the entire Board. Based on the above analysis, the Chair concludes that the complaint does not state a prima facie violation of Chapter 10A or of those sections of Chapter 211B under the Board's jurisdiction. The complaint is dismissed without prejudice.



Carolyn Flynn, Chair
Campaign Finance and Public Disclosure Board

Date: March 14, 2018

From: [Vote Pray Love](#)
To: [Larson, Joyce \(CFB\); CFBEmail](#)
Subject: Northbird For District 2A / Michael Northbird campaign mailer lacks required disclaimers
Date: Thursday, March 08, 2018 9:16:39 PM
Attachments: [NorthbirdLetter.png](#)
[NorthbirdLetters01-envelopes.png](#)
[NorthbirdLetters02-envelopes.png](#)

Hello,

I am writing to submit a complaint about a campaign mailing I and two of my family members have received. The three of us are all delegates to the DFL's SD2 endorsing convention.

The one page, 2 color letter was contained in white envelopes with a first class postage stamps affixed. The envelopes each had three stickers two (2) black-and-white stickers with address and return address, and a full color sticker (photo quality) with a picture of the candidate (Northbird) that said "Support Northbird for MN DFL House of Representatives District 2A" with no disclaimer on the sticker - despite room.

The letter also contains no disclaimer.

The letter asks for "endorsement and support for State Representative 2A". The letter also declares an aim of defeating incumbent Matt Grossell. It's clearly a campaign expenditure and a type of communication that requires a disclaimer, if not a disclaimer in all three places (envelope, sticker, and letter). I believe the letter was mailed to each of the 99 or so delegates to the SD2 DFL convention on the House District 2A side.

Scans of the envelopes and letter are attached.

Thank you for your prompt attention to this campaign finance violation.

Sincerely,
Soren Sorensen
Candidate for House District 2A (filed)

Soren Sorensen
13179 Birchview Dr NE
Bemidji, MN 56601

Megan Engelhardt
Assistant Executive Director
Minnesota State Campaign Finance and Public Disclosure Board
190 Centennial Building
658 Cedar Street
St. Paul, MN 55155-1603

Dear Ms. Engelhardt,

I am writing to submit a complaint about a campaign mailing I and two of my family members have received. The three of us are all delegates to the DFL's SD2 endorsing convention.

The one page, 2-color letter was contained in white envelopes with a first class postage stamps affixed. The envelopes each had three stickers two (2) black-and-white stickers with address and return address, and a full color sticker (photo quality) with a picture of the candidate (Northbird) that said "Support Northbird for MN DFL House of Representatives District 2A" with no disclaimer on the sticker - the sticker is used as a seal on the back of the envelope, the envelope is full size letter, so there is no reason to fail to print a sticker lрге enough to include the disclaimer or to have printed one on the envelope itself (exemptions for small objects, e.g. pins and pens should not apply).

The letter also contains no disclaimer.

The letter asks for "endorsement and support for State Representative 2A". The letter also declares an aim of defeating incumbent Matt Grossell. It's clearly a campaign expenditure and a type of communication that requires a disclaimer, if not a disclaimer in all three places (envelope, sticker, and letter). I believe the letter was mailed to each of the 99 or so delegates to the SD2 DFL convention on the House District 2A side.

Scans of the envelopes and letter are attached.

Thank you for your prompt attention to this campaign finance violation. My concern is that the failure to disclose the expenditure and attribute authorship to Michael Northbird's campaign committee may be a sign that another individual or campaign committee has contributed materials, labor, postage or other assistance in this campaign mailing.

Respectfully submitted,



Soren Sorensen
Candidate for House District 2A (filed)

Boozhoo/Hello, my name is Michael Northbird.

I write to respectfully ask for your endorsement and support for State Representative District 2A. As a delegate/alternate to the Senate District 2 DFL Endorsing convention, you will vote for the person you want to run against the Republican incumbent in 2A, Matt Grossell, in the November General Election.

Allow me to introduce myself. Having been born and raised in Cass Lake, my roots are inherently rural Minnesotan. I have a wife of nine years who is stepmother to my only child, a junior at Cass Lake-Bena High School. My grandfather Gerald Northbird, Sr., of the Red Lake Nation, raised me. I'm the great-grandson of Adella Stillday (Red Lake) and Louis Northbird, Sr. (Leech Lake). My great-grandmother is sister to my great-great-uncle Thomas J. Stillday Jr., a well-known Red Lake spiritual leader, both of whom were very influential in my life.

For the past three years I have been the Environmental Program Manager for the Minnesota Chippewa Tribe, a Union of six Ojibwe Bands totaling 41,000 members. Prior to that, I was Environmental Program Manager for the Leech Lake Band for six years. I am Leech Lake Band member, enrolled in the Minnesota Chippewa Tribe and direct descendent of the Red Lake Nation.

My position requires that I deal directly with the Office of Tribal and International Affairs of the USEPA Region 5 (MN, WI, MI), and regular consultation with other Federal Agencies such as the US Army Corp of Engineers, HUD, Department of Agriculture, Forest Service and the Department of Energy and more. I have experience co-regulating alongside MN State Agencies e.g. Pollution Control Agency and Department of Natural Resources.

Aside from my background in environmental protection and advocate for 41,000 members of my Tribe, I have a background in civil engineering prior to my environmental career. I am a strong supporter of the STEM initiative (Science, Technology, Engineering, Math). I support local agriculture and community gardening. I support opportunities for Minnesota families to have jobs with supportable wages. I'm a firm believer in renewable energy and reducing energy costs while promoting cleaner air, water, and protecting our natural resources. We need sensible development and infrastructure investment in order to boost and sustain our economy both locally and statewide. These are just a few issues I feel are important to our area and State.

I've been encouraged by peers, co-workers, and family to seek this position to represent the people of District 2A. I support progressive ideas to carry Minnesota into the next decade. Our future depends on cohesiveness and the ability to stand strong together as a State. Fighting for local communities and the people of District 2A is my utmost priority. To ensure we are not forgotten, I will work diligently alongside my fellow legislators to solidify these ideals and protect the people of the district from being left behind in the decades to come.

The Senate District 2 DFL Endorsing Convention is at Mahnomen High School on Saturday, March 17th. (209 South 1st St., Mahnomen) Registration begins at 9:30 a.m. the convention begins at 10:30. Lunch and desserts will be served as a fundraiser to help defray convention costs.

I'm encouraged by the support I've received so far. Now I seek yours. I look forward to meeting you and hearing your concerns and ideas. Should I have the honor of receiving your support, and you are unable to make it to the convention, I'm only an email or phone call away, as I hit the campaign trail to defeat Matt Grossell. Please contact me with questions or concerns at NorthbirdForMN2A@gmail.com or 218-259-6575.

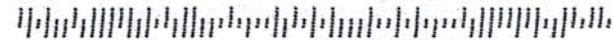


MICHAEL NORTHBIRD
51507 WILDWOOD RD NW
UNIT 4
CASS LAKE, MN 56633



SOREN SORENSEN
13179 BIRCHVIEW DR NE
BEMIDJI, MN 56601

5660186853 R005



Support Northbird for
MN DFL House of
Representatives
District 2A



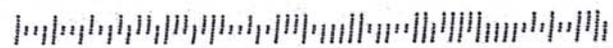
Support Northbird for
MN DFL House of
Representatives
District 2A

MICHAEL NORTHBIRD
51507 WILDWOOD RD NW
UNIT 4
CASS LAKE, MN 56633



ABBEY BAKKER
13179 BIRCHVIEW DR NE
BEMIDJI, MN 56601

5660186853 R005



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: March 28, 2018

TO: Board Members
Counsel Hartshorn

FROM: Jodi Pope, Legal/Management Analyst

SUBJECT: Enforcement report for consideration at the April 4, 2018, Board meeting

A. Discussion items

1. Request to amend lobbyist termination statement – Dustin Brighton

In January 2018, Mr. Brighton terminated his registration as a lobbyist for the Internet Association because he left his position with that organization. Because Mr. Brighton used the January 2018 date as his termination date, he must file a lobbyist disbursement report by June 15, 2018, for the short time that he worked during this year. The Internet Association is asking the Board to amend Mr. Brighton's termination statement to be effective on December 31, 2017. Approval of this request would eliminate the need for Mr. Brighton to file the June 2018 lobbyist disbursement report. The Internet Association states that Mr. Brighton did not conduct any lobbying in 2018 and had no lobbying disbursements.

2. Request to suspend efforts to obtain economic interest statement and accrual of late fees and civil penalties – Rolf Hagen

Mr. Hagen is a public official with the Office of Administrative Hearings. Due to health issues, Mr. Hagen is not able to file his annual statement of economic interest statement himself or direct someone else to complete it for him. Mr. Hagen's family is in the process of obtaining the authority necessary to act for him. After that authority is obtained, Mr. Hagen's representative will file the statement and submit a waiver request for the accrued late fees. Mr. Hagen's family is asking the Board to suspend its efforts to obtain the statement and the accrual of the late fees until that time.

3. Confirmation of lobbyist termination and cessation of efforts to collect lobbyist report – Jim du Bois

Mr. du Bois was the executive director of the Minnesota Broadcaster's Association and also was registered as a lobbyist for the Association. The Association notified Board staff that Mr. du Bois had resigned as executive director in December 2017 after the discovery of irregularities in the Association's management. Staff then administratively terminated the lobbyist registration of Mr. du Bois. Staff is asking the Board to confirm this termination.

In addition, Mr. du Bois has not filed the lobbyist disbursement report that was due on January 15, 2018. The Association has examined its records and concluded that Mr. du Bois did not make any lobbyist disbursements during the time covered by the missing report. The Association's other two lobbyists have filed their reports and the Association has filed its 2017 principal report. Staff therefore is asking the Board to confirm the cessation of staff efforts to obtain the January 2018 lobbyist report from Mr. du Bois.

B. Waiver Requests

	Committee/ Entity	Late Fee or Civil Penalty	Report Due	Factors	Most Recent Balance	Previous Waivers Granted
1	Gerald Johnson, Browns Creek WD	\$100 LFF	Annual EIS	Official was out of state during the due date time period due to his father-in-law's serious health issues.	NA	No
2	Roger Stenhoff, Root River SWCD	\$100 LFF	Annual EIS	Official has health issues that prevented him from completing the statement on his own. Official's spouse eventually was able to help but statement was delayed due to misplacement of form and spouse's work issues.	NA	No
3	Leigh Lenzmeier, Stearns County commissioner & PERA Board	\$100 LFF	Annual EIS	Official has had health issues and has relied on county staff to help him with tasks during this time. Official prepared statement and asked county staff to submit it. Official submitted statement as soon as he learned that Board had never received first statement.	NA	No
4	Kurt Rogness, Minnehaha Creek WD	\$100 LFF	Annual EIS	Official attempted to file online three times but encountered problems. Official's travel outside the country also hindered his efforts to file online and to get help filing from Board staff.	NA	No
5	Kevin Ha, Attorney General's Office	\$75 LFF	Annual EIS	Official tried to log in to complete statement but never received email verifications. Official then contacted Board staff and filed paper statement.	NA	No
6	Barb Johnson, PERA Board	\$70 LFF	Annual EIS	Official did not timely receive notices sent to city council address because she had left office in January 2018. Official filed statement as soon as she received notices forwarded by the city.	NA	No
7	Kristine DeMay, 9 th Judicial District	\$20 LFF	Annual EIS	Official did not timely receive notices sent to main judicial district office. Official filed statement as soon as she received forwarded notices.	NA	No
8	Thomas Ryan, Greater MN Regional Parks & Trails Comm	\$95 LFF	Annual EIS	Official did not timely receive email notices sent to work address because he retired in May 2017. Official forgot about annual reporting requirement until he returned home from an extended time away and opened notice sent to his home. Official then promptly filed statement.	NA	No
9	Dave Esselink, Rock SWCD	\$5 LFF	Annual EIS	Official called staff on first day of late fee accrual to obtain paper statement and believed that he was told that there would be no late fee if he returned the statement that day. Official then completed and returned statement that day.	NA	No

10	Scott Moen, lobbyist	\$375 LFF (3 X \$125)	1/15/2018 lobbyist report	Lobbyist represents three entities: Intl Council of Shopping Centers; Public Employee Pension Service Assn; and Fish & Wildlife Legislative Alliance. During the last part of 2017 and early 2018, he was away from home caring for his terminally ill mother and then dealing with the issues created by her death. Lobbyist filed reports as soon as he returned home.	NA	No
11	MN Broadcaster's Assn	\$1,000 LFF \$1,000 CP	3/15/2017 lobbyist principal report	Principal's executive director left organization in December 2017 after discovery of management irregularities. Principal did not know that its 3/15/2017 report required amendment or that the executive director had not filed this amendment. Principal filed amendment immediately after receiving notice from Board staff. Principal also asked for termination of executive director's lobbyist registration.	NA	No
12	Stonewall DFL	\$350 LFF	2017 year-end report	Committee mailed report before due date but it was returned for lack of adequate postage. Committee resent report shortly after due date but it was never received by Board. Committee then hand-delivered a report to the Board. Committee has terminated.	\$156	No
13	John Magedanz, Sauk River WD	\$25 LFF	Annual EIS	Official stated on his annual statement that he objected to late fees. Official later explained to Board staff that he believes that level of disclosure required for watershed district (WD) managers is excessive given their duties.	NA	No
14	Rob Rafferty, Vadnais Lake Area WMO	\$5 LFF	Annual EIS	Official volunteers for watershed management organization (WMO) and several other boards. Official feels there should not be a late fee for volunteer positions. Official also told Board staff that he believes that level of disclosure required for WMO members is excessive given their duties.		Yes, \$5 for 2016 annual
15	Lon Moen, Big Stone SWCD	\$20 LFF, Paid \$5	Annual EIS	Official called staff on due date to report that his computer was down. Official believes that he was told that there would be no late fee because he called. Official later explained to Board staff that he believed that a \$5 late fee was fair, but that he would like the remaining \$15 to be waived.	NA	No
16	Bois Forte Political Education Fund	\$375 LFF	2017 year-end report	Long-term employee responsible for filing report retired in December 2017 and was not replaced until March 2018. There was additional significant turnover and major illnesses in the accounting department during December and January. The employees out for medical reasons returned in February 2017. The fund then was able to file its report.	\$4,663	Yes, \$100 for 2012 pre-primary report
17	Jennifer Breitingner, lobbyist	\$75 LFF	1/15/2018 lobbyist report	Lobbyist represents ten principals and believed that all ten reports had been timely filed. The report for the Film Board, however, was never actually filed. Lobbyist does not know why this error occurred, but believes it may have been due to failure to push the send button for that report. Lobbyist immediately submitted report after receiving notice that it had not been filed.	NA	No

18	Mary for Minnesota House Committee	\$1,000 LFF \$1,000 CP	2016 year-end report	Committee did not amend report after being notified of reconciliation errors. Committee states that treasurer incorrectly told candidate that all required reports had been submitted. Committee terminated effective 12/31/2017. Candidate registered a new committee on 3/2/2018.	\$52	No
19	Brad Gerten for MN House	\$750 LFF	2017 year-end report	Committee treasurer moved out of the district and candidate had personal/legal issues that prevented him from filing the report on time. Committee plans to contribute balance to local party unit and then terminate.	\$2,530	No
20	Int'l Union of Operating Engineers Local 49	\$150 LFF	3/15/2018 lobbyist principal report	Principal's contact person also lobbies for principal. When contact person received notices for principal report, he believed they were for lobbyist report, which he had already filed. Contact person tried to log in to system but failed because he used wrong credentials. Contact person also looked at delinquent lobbyist list, didn't see his name, and thought that all reports had been filed. Contact person filed principal report as soon as staff explained which report was missing.		
21	Tim Walz for Governor	\$25 LFF	2017 year-end report	Committee filed report on due date using commercial software and received "transmission successful" report from that software. The software, however, had used the wrong registration number for the committee and the report therefore had not been filed. When treasurer learned of error, she immediately asked software company to change registration number and she then filed report.	\$488,194	No

Informational Items

A. Security information requests

During the annual economic interest statement recertification, the executive director received three requests to reclassify information as security information. Two requests were from judges who had personal safety concerns about disclosing the description of real property that they owned. The third request involved securities owned by an individual who had been a recent victim of identity theft. This individual had retired in 2017 and was no longer serving as a public official. In all three cases, the executive director determined that the request met the statutory requirements and granted the request.

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

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

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

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

- F. Payment of a late filing fee for June 15, 2016, lobbyist disbursement report**

- G. Payment of a late filing fee for January 16, 2018, lobbyist disbursement report**

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

- I. Payment of a civil penalty for false certification**
Branden Petersen, \$280

- J. Deposit to the General Fund**

CFBEmail

From: Kayleigh C. Dulaney <KDulaney@wlj.com>
Sent: Tuesday, March 13, 2018 4:48 PM
To: CFBEmail
Subject: Internet Association Termination

To Whom it May Concern:

We represent the Internet Association, and we are seeking permission to amend the lobbyist termination for Mr. Dustin Brighton filed in your office at the beginning of this year. Mr. Brighton is no longer employed with the Internet Association, and he conducted no lobbying on its behalf in 2018 in Minnesota. Mr. Brighton terminated his registration with your offices in 2018, and we were later informed that this 2018 termination would require the Internet Association to complete 2018 reports on his behalf even though he did not lobby in the state in 2018. We request the amendment of his termination to be effective as of December 31, 2017.

We have just received an email that a report is due on Thursday of this week. As Mr. Brighton is no longer employed with the Internet Association, we did not receive a new username and password to log onto your site in order to complete this form. We wish to correct the termination with the accurate date so that this upcoming form is no longer required.

Please let me know the appropriate person to contact regarding this request.

Thanks,



Kayleigh C. Dulaney
ATTORNEY
501.212.1221 | KDulaney@wlj.com

Wright, Lindsey & Jennings LLP
200 West Capitol Avenue, Suite 2300 | Little Rock, AR 72201
Main 501.371.0808 | Fax 501.376.9442 | wlj.com

From: [Hagen, Brock \(MDOR\)](#)
To: [Pope, Jodi \(CFB\)](#)
Subject: EIS for Rolf Hagen
Date: Wednesday, March 21, 2018 1:31:49 PM
Attachments: [image007.png](#)

Good afternoon Jodi,

I am writing to follow up on our conversation earlier. We have begun the process to obtain a conservatorship and guardianship for my dad. At this time, he is not capable of directing me to complete this statement on his behalf. I am respectfully requesting that efforts to obtain the statement be suspended since he is incapable of completing the form due to his current medical status. I am also respectfully requesting the suspension of the late fee accrual. I hope this covers what we spoke about earlier. If there is anything else I can do at this time, please let me know.

Thank you

Brock Hagen, Revenue Tax Specialist
Income Tax and Withholding Division

Minnesota Department of Revenue

Office: 651-556-4035

Fax: 651-556-5152

www.revenue.state.mn.us

Working together to fund Minnesota's future.



This message and any attachments are solely for the intended recipient and may contain nonpublic/private data. If you are not the intended recipient, any disclosure, copying, use, or distribution of the information included in this message and any attachments is prohibited. If you have received this communication in error, please notify me by reply email and immediately and permanently delete this message and any attachments. Thank you.



March 20, 2018

Tammera R. Diehm
Direct Dial: (612) 604-6658
Direct Fax: (612) 604-6958
tdiehm@winthrop.com

VIA E-MAIL
marcia.j.waller.state.mn.us

Ms. Marcia Waller
Minnesota Campaign Finance and Public
Disclosure Board
190 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155

Re: Lobbyist Termination - Jim du Bois (Lobbyist Registration No. 1006)

Dear Ms. Waller:

Our office represents the Minnesota Broadcaster's Association (the "Association") in certain operational matters.

Please accept this letter as a formal request to terminate the Lobbyist Registration of Mr. Jim du Bois (Lobbyist Registration No. 1006). Mr. du Bois resigned from his position with the Association in December 2017 and no longer represents the Association.

Please let me know if there is any additional information that you need from me or the Association, in order to process this request for termination.

Thank you for your assistance.

Very truly yours,

WINTHROP & WEINSTINE, P.A.

Tammera R. Diehm

15161330v1



March 22, 2018

Tammera R. Diehm
Direct Dial: (612) 604-6658
Direct Fax: (612) 604-6958
tdiehm@winthrop.com

Ms. Jodi Pope
Minnesota Campaign Finance and Public
Disclosure Board
190 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155

VIA E-MAIL
Jodi.pope@state.mn.us

Re: Lobbyist Termination - Jim du Bois (Lobbyist Registration No. 1006)

Dear Jodi:

This letter is intended to supplement the request of the Minnesota Broadcaster's Association (the "Association") to terminate the Lobbyist Registration of Mr. Jim du Bois that was requested on March 20, 2018. It is also intended to provide a response to the letter received from Ms. Waller dated March 21, 2018.

Until yesterday, the Association was not aware of the Campaign Finance and Public Disclosure Board's ("Board") concern regarding the Association's 2016 Lobbyist Principal Report. Upon receipt of Ms. Waller's letter, the Association immediately took steps to amend its 2016 report to address the concerns raised by the Board. It is our understanding that the amended report now clears up any questions related to lobbyist activities conducted by the Association in 2016.

As you know, since Mr. du Bois' resignation in December 2017, the Association has been working hard to address organizational and operational issues including significant outstanding debt, unpaid bills and financial deficiencies. Accordingly, we respectfully request that the Board waive the late filing fee. In support of this request, we ask the Board to consider the fact that (a) the Association took immediate action upon learning of the problem; and (b) the Association faces extreme financial hardship and is working to determine if it will be able remain viable.

Finally, in working with the certified public accountant who has been hired to reconstruct the Association's financial records, and also in speaking with the contract lobbyists who previously represented the Association in advocacy matters, it is our understanding and belief that Mr. du Bois had no lobbyist disbursements to report in his missing lobbyist disbursement report. Based on this, we ask the Board to grant our request for the administrative termination of Mr. du Bois' lobbyist registration.

March 22, 2018
Page 2

Should you have any questions or if there is additional information that I can provide to assist the Board in its evaluation of this matter, please let me know.

Very truly yours,

WINTHROP & WEINSTINE, P.A.

A handwritten signature in black ink, appearing to read "Tam & Diehm", with a long horizontal flourish extending to the right.

Tammera R. Diehm

cc: Marcia Waller (marcia.j.waller@state.mn.us)
cc: David Harbert (dharbert@kaaltv.com)

15175546v1
21555.2

CFBEmail

From: momclp hotmailcom <momclp@hotmail.com>
Sent: Monday, March 19, 2018 11:07 AM
To: Lochner, Kevin (CFB); CFBEmail
Cc: jerry johnson
Subject: Re: CAMPAIGN FINANCE PUBLIC BOARD DISCLOSURE BOARD
Attachments: finance board.pdf

Kevin and to whom it may concern:

Please find finance board paperwork you requested. Please let me know if any questions, otherwise, I will consider this completed.

I am requesting a waiver request of fees for late filing as we have had a serious health issue with my father in law and I was out of the state during the due date time period. My apologies and I appreciate your review of my waiver request of any incurred penalties.

Gerald Johnson

From: Johnson, Jerry (AOC) <Jerry.Johnson@AndersenCorp.com>
Sent: Monday, March 19, 2018 10:04 AM
To: momclp hotmailcom
Subject: FW: CAMPAIGN FINANCE PUBLIC BOARD DISCLOSURE BOARD

The password did not take.

From: Lochner, Kevin (CFB) [mailto:kevin.lochner@state.mn.us]
Sent: Monday, March 19, 2018 9:56 AM
To: Johnson, Jerry (AOC)
Subject: RE: CAMPAIGN FINANCE PUBLIC BOARD DISCLOSURE BOARD

Hello,

Below/attached are some instructions for filing online. I also attached a copy of what we have on file for you—you can note any changes, sign it, and send it back, if that method is easier.

If you'd prefer to file online, start by following [this link to our website](#), which should take you directly to a log on screen. You can log in with these credentials—I'd recommend using copy and paste:

JohnsonGerald8093
AuqWKy+6

Note that there is a "Show password" button to compare the passwords.

That will let out system know that you're a public official who needs to file a statement and take you to a page where you can create a permanent account on the site. I've attached instructions that can take you from there. If you like, a video walkthrough of the account creation process is [available here](#) and a video on how to file is [here](#).

Upon filing, you can submit a waiver request for the fine, which the Board will consider at their April meeting. You can just do that in response to this email. Any waiver request should explain why you had good cause for not filing the statement on time.

Give me a call at 651-539-1184 if you run into any trouble.

Thanks,

From: Johnson, Jerry (AOC) <Jerry.Johnson@AndersenCorp.com>
Sent: Monday, March 19, 2018 9:48 AM
To: Lochner, Kevin (CFB) <kevin.lochner@state.mn.us>
Subject: CAMPAIGN FINANCE PUBLIC BOARD DISCLOSURE BOARD

Please reply with web information to complete the required information.

Thank you!

Gerald (Jerry) Johnson

Jerry Johnson



Lochner, Kevin (CFB)

From: Stenhoffs <5stens@springgrove.coop>
Sent: Thursday, March 22, 2018 8:35 AM
To: Lochner, Kevin (CFB)
Subject: Re: Economic interest statement

REQUEST FOR WAIVER

On behalf of Roger Stenhoff, I would like to request a waiver for the \$100.00 late filing fee he did not file on Jan. 29, 2018.

Roger is a Houston County Supervisor for Soil and Water Conservation. He is 74 years old and has been struggling with increasingly debilitating dementia the past few years. He is currently receiving care with the VA and Memory Care Unit at Gunderson Lutheran in LaCrosse. Part of Roger's disability is reduced processing skills. He has problems following written and oral directions. He also cannot remember how to use the computer and has trouble with using his cellphone. He might have been able to complete a paper/pen form with assistance, but wouldn't have been able to file an electronic form.

The form was near the telephone for a few weeks and then it inadvertently was lost in a tax folder. I was busy subbing for a teacher at SGPS who had emergency surgery for a brain tumor the month of February and was not available to help him. He will probably be resigning from the Board this year. His only other income is Social Security,

Thank you for your consideration of this matter. Karen Stenhoff

From: Lochner, Kevin (CFB)
Sent: Wednesday, March 21, 2018 1:52 PM
To: Stenhoffs
Subject: RE: Economic interest statement

Unfortunately, yes, the fine is for filing late, rather than not filing at all.

You can request a waiver of the fine if you think there's good cause for filing late. The Board reviews these at the meeting following the request—the next is April 4th. If you want to request a waiver, I can take it as a response to this email. Just a paragraph or so saying you request a waiver of the fine and explaining why there's good cause for filing late.

I was happy to hear how well they did in Knowledge Bowl—especially considering how much the basketball team struggled over the weekend.

Thanks,

From: Stenhoffs <5stens@springgrove.coop>
Sent: Tuesday, March 20, 2018 5:43 PM
To: Lochner, Kevin (CFB) <kevin.lochner@state.mn.us>
Subject: Re: Economic interest statement

Hello again, Kevin – I just have a question for you. Do I still need to send the \$100.00 late filing fee?

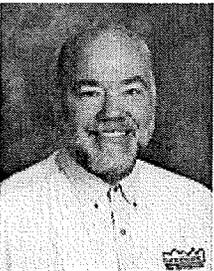
Lochner, Kevin (CFB)

From: Lenzmeier, Leigh <Leigh.Lenzmeier@co.stearns.mn.us>
Sent: Monday, March 19, 2018 1:19 PM
To: Lochner, Kevin (CFB)
Subject: RE: Statement of economic interest, Fee Waiver Request

Thank you Kevin.

Leigh Lenzmeier
320-255-9736
Leigh.Lenzmeier@co.stearns.mn.us

CONNECT WITH ME:



From: Lochner, Kevin (CFB) [mailto:kevin.lochner@state.mn.us]
Sent: Monday, March 19, 2018 1:11 PM
To: Lenzmeier, Leigh <Leigh.Lenzmeier@co.stearns.mn.us>
Subject: RE: Statement of economic interest, Fee Waiver Request

Thanks. The waiver request will be considered at the Board's next meeting in early April.

From: Lenzmeier, Leigh <Leigh.Lenzmeier@co.stearns.mn.us>
Sent: Monday, March 19, 2018 10:59 AM
To: Lochner, Kevin (CFB) <kevin.lochner@state.mn.us>
Subject: FW: Statement of economic interest, Fee Waiver Request

To Whom It May Concern, Campaign Finance and Public Disclosure Board – I am following Kevin Lochner's suggestion as stated below. Stearns County staff has been helpful assisting with my duties during my recovery from heart surgery (9/29/17) but apparently some requirements have been overlooked. I signed an annual Statement of Economic Interest that stated no changes from the prior year and asked staff send it in. Kevin contacted me indicating it was not received. On the medical front, I am now preparing for a knee replacement on 4/13. Doctors will not schedule procedures less than 6 months apart. I have moved my office to my home and am getting up to speed but I'm not there yet. Kevin has been helpful through the process and suggested I prepare and submit this waiver request. If you need any more information please let me know. Thank you for your consideration.

Leigh Lenzmeier
320-255-9736
Leigh.Lenzmeier@co.stearns.mn.us

Manager / Minnehaha Creek WD (2150)

Assets disclosed on your previous statements appear below. If there are any changes to be reported for the period covered, make the changes directly on this statement. Attach additional pages, if necessary, to complete these schedules. See enclosed sheet for definitions and instructions on required disclosure.

Sources of compensation

Report the name of any associated business from which you received compensation for labor or personal services in excess of \$50 in any month during the reporting period.

.....Check each applicable category.....

Name of source Director Officer Owner Member Partner Employer Employee Honorarium

Business or professional activity categories

Report any business or professional activity category of each business from which you received more than \$50 in any month as an employee if you also own 25% or more of that business and any business or profession activity category in which you received compensation of more than \$2,500 in the past 12 months as an independent contractor.

Business or professional activity Employee Contractor

Securities

Report all securities in any associated business held in any month during the reporting period in which your share had a market value of \$2,500 or more. Do NOT include number of shares or value of shares. For mutual funds and deferred compensation, alphabetically list the fund provider and fund name. For stocks, list the name of the stock - do not list the symbol.

Name of securities

Riverbridge Financial - Mgr of my retirement finances including stock, bonds, & IRA instruments.

Real property

Report all non-homestead property held individually or in partnership within the state of Minnesota which meets the definition of real property as shown on the enclosed sheet.

Waiver granted for disclosure of secondary residence

.....Check each applicable category.....

County Street address and municipality or section, township, and range Own Mortgage Contract for deed Option to buy: Value > \$2,500 Option to buy: Value > \$50,000 Acreage

Pari-mutuel horse racing interests

Choose one:

official direct interest

official indirect interest

family interest

Partial

interest

Full

interest

Description of investment

NO INTEREST

LADIES & GENTLEMEN:

I MUST APOLOGIZE FOR MY INATTENTIVENESS TO RESPOND TO THIS DISCLOSURE DOCUMENT. I HAVE ATTEMPTED TO RESPOND ON LINE ON THREE OCCASIONS BUT HAVE HAD DIFFICULTY MANAGING THE TASK & DUE TO MY SCHEDULE, I HAVE BEEN OUT OF THE COUNTRY SEVERAL TIMES THE PAST TWO MONTHS. MY ADVANCED AGE & LACK OF COMPUTER SKILLS HAVE COMPLICATED THIS TASK. I HAVE NOTHING AT ALL TO HIDE & SHOULD HAVE FOUND A WAY TO HAVE REPONDED TO YOUR INQUIRY. HUMBLY

Kurt Rogness

Lochner, Kevin (CFB)

From: Kevin J. Ha <kha@minncle.org>
Sent: Wednesday, March 07, 2018 2:37 PM
To: Lochner, Kevin (CFB)
Subject: RE: Statement of economic interest
Attachments: Scannable Document on Mar 7, 2018 at 2-32-49 PM.pdf

Dear Mr. Lochner:

Attached is the signed Statement of Economic Interest. No changes to it.

I do ask for a waiver request on the late fee. I attempted to log into the website to update my statement in February, but was unable to do so. Every time I tried to get the password, it never came to my email. I meant to call to ask about this, but then I must have misplaced the letter. If you would be willing to waive the fee it would be greatly appreciated. Thank you.

Kevin

From: Lochner, Kevin (CFB) [mailto:kevin.lochner@state.mn.us]
Sent: Wednesday, March 07, 2018 11:22 AM
To: Kevin J. Ha
Subject: Statement of economic interest

Mr. Ha,

Per our conversation, I'm sending you a copy of your statement of economic interest. Please print the statement, note any changes, and email it back to me or send it via mail to:

MN Campaign Finance and Public Disclosure Board
190 Centennial Office Building
658 Cedar St
St Paul, MN 55155

A scanned copy or cell phone photo will work as long as the text is clear.

As the statement was due on January 29th and the grace period ended on February 12th, you are currently accruing a late filing fee of \$5 per business day (\$100 max will be reached on Tuesday, 3/13). You may submit a waiver request for this fee along with the statement, if you like.

Please respond to let me know you've received this and let me know if you have any questions.

Thanks,

March 16, 2018

Jodi Pope
Campaign Finance Public Disclosure Board
190 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Dear Jodi,

Please accept this letter as a request for a waiver of the fine imposed for late filing of my Statement of Economic Interest for my service on the PERA Board in 2017.

I did not receive the letter from the board until March. The previous communications were not forwarded to me after I left office in January. I am sending a copy of the postmarks of the letters sent to me after it was opened at city hall. Your letter was postmarked February 6th and the letter from city hall to me at my home was postmarked February 27th. I received it in March and never received your previous communications.

Please request that the board waive the \$70 fee which accrued in this time. I have filed a current report and changed my address. Thank you for your assistance.

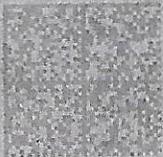
Sincerely,

Barb Johnson
4318 Xerxes Avenue North
Minneapolis, MN 55412
612-875-6461

Office of City Clerk
350 South 5th Street - Room 304
Minneapolis, MN 55415

Barbara Johnson
4318 Xerxes Ave No
Minneapolis, MN 55412

5541281029 0012

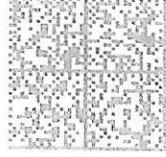


U.S. POSTAGE PERMIT NO. 100
MINNEAPOLIS, MN 55415
ZIP 55412 \$0.01470
0001401568753 17 2018



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

UNSORTED
FIRST CLASS



U.S. POSTAGE PINEY BOWES
ZIP 55155 \$ 000.37
02 1W
0001401447 FEB 06 2018

012 A40E4EB 5B415



From: [DeMay, Kristine](#)
To: [Pope, Jodi \(CFB\)](#)
Subject: campaign finance filing
Date: Monday, March 05, 2018 10:49:23 AM

Jodi:

This morning I received a letter dated February 22, 2018, indicating that A \$20.00 penalty was being charged for late filing of the Economic Interest Statement . The notices appear to be sent to the main District Office in Bemidji and then are forwarded to judges. After receiving this notice I located my letter that I noted my filing response since the submission is done online. The letter is dated February 5, 2018, and I handwrote that I responded on February 16, 2018. That notice too had first been sent to the District Office and most likely received by me about ten to twelve days later. While I do not dispute that notices were previously sent as indicated in the February 5, 2018, I do not have copies of that correspondence. As such, I would ask that the assessment be waived. Thank you.

Thank you.

KRD

Lochner, Kevin (CFB)

From: Thomas Ryan <btr6293@icloud.com>
Sent: Monday, March 12, 2018 11:40 AM
To: Lochner, Kevin (CFB)
Cc: Renee Mattson
Subject: Re: Statement of economic interest

Kevin,

My thanks for our conversation last week. I believe I have now correctly sent my report. Please consider the following information related to the circumstances of my tardiness:

I retired from Olmsted County in May of 2017. At that time, all of my professional correspondence via email was terminated. It is my understanding that this electronic form would have been sent to my official address with Olmsted County, which of course had been removed from the County's System at the time of my retirement, and was not forwarded to me.

Without an official prompter, I must say that this annual reporting requirement entirely slipped my mind. I apologize for that. It was not until I received a mailed request from the State seeking my report that I recalled it's necessity. It was only upon return from an extended time away, and upon opening my mail did I see that I was tardy.

Given the extenuating circumstances associated with this report, I respectfully request that the penalties associated with this delay be waived, and I am able to continue my volunteer status as a member of the Greater Minnesota Regional Parks and Trails Commission.

Sincerely,

Thomas Ryan
Byron, Mn. 55920
507-273-0071

On Mar 8, 2018, at 9:02 AM, Lochner, Kevin (CFB) <kevin.lochner@state.mn.us> wrote:

Mr. Ryan,

Per my recent voicemail, I'm sending you a copy of your statement of economic interest. Please print the statement, note any changes, and email it back to me or send it via mail to:

MN Campaign Finance and Public Disclosure Board
190 Centennial Office Building
658 Cedar St
St Paul, MN 55155

A scanned copy or cell phone photo will work as long as the text is clear.

I've also included instructions for filing online, should you prefer it. The temporary username and password mentioned in the instructions are:

Pope, Jodi (CFB)

From: Dave Esselink <esslink@alliancecom.net>
Sent: Wednesday, February 28, 2018 1:57 PM
To: Pope, Jodi (CFB)
Subject: Economic Interest Statement

Jodi,
I am writing this email to you in response to our phone conversation. I spoke with Kevin on the morning of the 13th, and at that time he emailed me the disclosure form that needed to be returned to your office. At that time, he assured me that if I faxed it back to him immediately, there would be no penalty. Therefore, as soon as I received his email, I filled out the forms and faxed them back to your office.

Thank you for taking care of this matter.

Dave Esselink



Lon Moen

Campaign Finance and Public Disclosure Board

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

<https://cfb.mn.gov/>



February 22, 2018

Lon Moen
414 2nd St E
Odessa, MN 56276

RE: Economic Interest Statement due on January 29, 2018
Reg. No.: 8255

Dear Lon Moen,

Late filing fees for a(n) Economic Interest Statement begins the day after the filing deadline. Your Economic Interest Statement due on January 29, 2018 was filed with the Campaign Finance and Public Disclosure Board on Friday, February 16, 2018. Because your report was not filed on time, a late filing fee of \$20.00 has accrued.

Please mail or deliver a check for \$20.00 payable to the State of Minnesota, to the Board at the address listed above. Under Minnesota Statute, all fees are deposited in the general fund of the state.

The Board may reduce or waive late filing fees upon written request for good cause. A waiver request should explain in detail the reasons why the Board should waive or reduce the late filings fees. You may mail or email the request to our office using the contact information in this letter. The waiver request will be public information, and will be reviewed by the Board at the next scheduled meeting after the request is received.

If you have any questions about this letter or the assessment of late filing fees please contact our office at 651-539-1183 or toll free at 800-657-3889, or via email at jodi.pope@state.mn.us.

Sincerely,

A handwritten signature in cursive script that reads "Jodi Pope".

Jodi Pope
Legal Analyst

I called on the 29th and advised
my computer was down I was told
no late fee would be charged because
I called
Lon Moen

Larson, Joyce (CFB)

From: Del D. Jenkins <deldjenkins@yahoo.com>
Sent: Monday, March 05, 2018 3:08 PM
To: Larson, Joyce (CFB)
Subject: Stonewall DFL late fee waiver request

Dear Campaign Finance Review Board,

Stonewall DFL was late in filing its 2017 Year-end report. The original report was mailed by the deputy Treasurer prior to the end of January, however, we did not have enough postage on it so it was returned to sender on February 4. We mailed it in again on February 5th, but then it was never received in St Paul. We kept waiting for the report to arrive and checked in regularly via phone and email with CFRB staff, but it never did, so on Feb 21, a paper copy was dropped off. In hindsight, of course, we should have just dropped off the report sooner and not waited for the mail for so long, or faxed it in. The holiday break was also not helpful to this mailing timeline. I hold out hope it will eventually arrive there, but at this point, it seems better to resolve the issue and move forward.

The Stonewall DFL political fund has shut down. It is no longer collecting or spending money since January 10. We would have terminated it at the end of 2017, but the balance was not below \$100 by the end of year filing date.

I would like to ask for a fee waiver since the fund is now closed. The termination paperwork was sent over, today, March 5. If that is not possible, a fee-reduction would be welcome also as the payment would be out of my personal funds since the fund itself has been terminated.

Please let me know what is decided. For what it is worth, I certainly do apologize for the late report. It was never an intentional act to be late. If I had to do things over, I would have delivered it myself after it was returned for lack of postage.

Thank you for your time and understanding on this issue. I await your decision and will timely abide by whatever is decided.

Respectfully,

-D

Del Jenkins
7201 York Ave S #1211
Edina, MN 55435
deldjenkins@yahoo.com



Campaign Finance and Public Disclosure Board

190 Centennial Bldg, 658 Cedar St, St Paul, MN 55155-1603

www.cfboard.state.mn.us

3 FEB 22 11:17 AM '17
PUBLIC DISCLOSURE BOARD

Annual Statement of Economic Interest for Public Officials

under Minn. Stat. 10A.09

Public official information

Manager / Sauk River WD (2162)

John Magedanz
39726 617th Ave
Eden Valley MN 55329

Occupation: Farmer

Employer name: Self-employed

Business address: 39726 617th Ave

Phone: 320-453-8232

Email: No email

Eden Valley MN 55329

Filing instructions

- ~~Late fees will accrue for a statement not received by the due date.~~ *I will NOT pay LATER FEES JM*
- This form may be filed by mail to the address above, by email to cfb.eis@state.mn.us, or by fax to 651-539-1196 or 800-357-4114. Fax filers: Keep the original and a fax confirmation notice as proof of timely filing.
- All information on this statement is public information and may be published on the Board's website.
- It is unlawful to use this information for commercial purposes.
- Board staff may be reached by telephone at 651-539-1184 or 800-657-3889, or by email at cfb.eis@state.mn.us

Period covered

This statement covers the time served as a public official in 2017 and the 30 days prior to appointment if the official was appointed in 2017

Certification

I, John Magedanz, certify that the information contained in this statement is complete, true, and correct.
Print or type name

John Magedanz
Signature

Date

Any person who signs and certifies to be true a statement which the person knows contains false information, or who knowingly omits required information, is guilty of a gross misdemeanor and is subject to a civil penalty of up to \$3,000.

My only intrest for being on the SRWD 2162 is clean water. I will quit as soon as they find a replacement for me! I do NOT NEED ANY MORE WORK

Rob Rafferty

From: [Rob Rafferty](#)
To: [Pope, Jodi \(CFB\)](#)
Subject: Re: waiver request
Date: Friday, March 23, 2018 1:47:37 PM

To whom it may concern:

My name is Rob Rafferty and I am a volunteer on the VLAWMO Board of Directors. I had recently been reminded several different times to file the proper financial disclosure paper work with the State by Jodi Pope of the Financial Disclosure Board. Anyhow, even with Jodi's help and the reminders, I still filed my paper work late and received a late fine of \$5.

All that said, as a volunteer I'm required to contribute time and attend meetings - yet receive no fee. Because I receive no fee for contributing time and attend meetings - there will be no fine for my being tardy.

It's time for your rules to be reviewed. I do not believe it is appropriate to assume one rule or idea, fits all situations (those that get an income - verses - those that do not). Fact is, there is a world of difference between the two.

Anyhow, I do appreciate your consideration for correcting the books and reviewing the wording within this ruling.

Sincerely Rob Rafferty

On Fri, Mar 23, 2018 at 9:18 AM, Pope, Jodi (CFB) <jodi.pope@state.mn.us> wrote:

Mr. Rafferty,

As we discussed, you can ask the Board to waive the late fee that accrued for your annual economic interest recertification. Your request can be by email and it should explain why you had good cause for filing your statement after the deadline. Your request can also include your concerns about the level of disclosure required for WMO officials.

Please let me know if you have any questions.

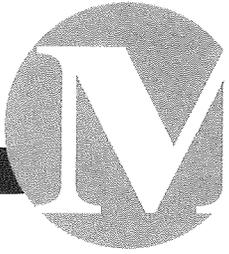
Thank you.

Jodi Pope

Legal/Management Analyst

Minnesota Campaign Finance and Public Disclosure Board

[651-539-1183](tel:651-539-1183)



MOEN ASSOCIATES
MINNESOTA GOVERNMENT RELATIONS

SCOTT H. MOEN 612.669.9662 • 507 Sheridan Ave. No. Minneapolis MN 55405 • shmoen@aol.com

18 MAR -9 AM 11:03
CAMPAIGN FINANCE &
PUBLIC DISCLOSURE BOARD

Scott Moen

3-5-2018

Dear Board,

I am writing you to address the current fines I received due to late filing of my lobbyist disbursement reports.

My hope is that my situation at the time before the reports were due on 1-16-2018 may change your decision.

I am born and raised in Lac qui Parle county, just south of Appleton MN. 150 miles west of Minneapolis. My family farm is still active. This past year my father's Alzheimer's became progressive enough that we had to put him in a memory care unit during May 2017. My mother continued to live at the farm.

In late November 2017 she was diagnosed with pancreatic cancer.

The first week of December I began spending most of my time out at the farm with her, along with my 2 sisters, so that we could hospice her at our home. She passed away on January first.

I continued to stay at the farm as we began the process of planning her funeral and attending to all that comes with the legal and business aspects of dealing with a parent's death. The funeral was January 20th. I came back to Minneapolis 2 days later to attend to my own business.

As you can imagine I was not thinking much of my disbursement report during this period of time but finished it as soon I was back home in Minneapolis.

This session will be my 20th as a registered lobbyist. I have made my best effort to be timely with the reports through the years, and accept responsibility for my tardy filing this past period. My hope is that in this case you are willing to grant me some leeway.

Thank you.

Sincerely,

Scott Moen
(lobbyist #4082)



Bois Forte
T R I B A L G O V E R N M E N T

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

March 16, 2018

RE: Late Filing Fees

Dear Jodi:

I am requesting a waiver of the late fees for the Bois Forte Report, Registration Number 30563 for the 2017. The amount of the late fee is \$375.00

Bois Forte has had significant turnover and major illness of its Accounting Departments employees since December 1, 2017. The employees out for medical reasons have returned to work at the beginning of February.

The individual who had previously been responsible for filing the report retired in December of 2017 after 46 years of service in the Accounting Department at Bois Forte. The individual who replaced her started on March 5, 2018.

Thank you for your consideration.

Sincerely,


Kimberly A Greiner
Chief Financial Officer

5344 Lakeshore Drive | Nett Lake, MN 55772 | 218-757-3261 | 800-221-8129 | FAX 218-757-3312

Cathy Chavers
Chairwoman

David C. Morrison, Sr.
Secretary/Treasurer

Brandon Benner
District I Representative

Travis Morrison
District I Representative

Ray Toutloff
District II Representative

From: [Jennifer Wirick Breitinger](#)
To: [Pope, Jodi \(CFB\)](#)
Subject: Letter of February 2, 2018
Date: Monday, March 05, 2018 9:13:01 AM

Jodi - thanks for your correspondence. I had also received a phone call about my tardiness on the Film Board report. I am not sure what happened but since my other 9 reports were filed timely this past period - I believe it was a case of me not pushing the send button and making sure it was received. For contract lobbyists that have multiple report especially without an office support structure the on line and new system can be challenging.

From now on I will make sure the report is sent and I take notes or do a printout of all reports after submitted (although that sort of defeats the desire to reduce paper). Perhaps intent should not be considered but I would really prefer to not pay a fine for what was just a stroke key mistake or inadvertent move. Immediately after I received a call from CPB (a couple days after the due date) - I went back to my office and laptop and submitted the Film Board report.

Jennifer Breitinger
JWB Associates
1725 Emerson Avenue South
Minneapolis, MN 55403-2907

612.850.3306
jwbreitinger@yahoo.com

Pope, Jodi (CFB)

From: Brad Tabke <btabke@grepolimn.com>
Sent: Wednesday, March 07, 2018 5:44 PM
To: Pope, Jodi (CFB)
Cc: Mary Hernandez
Subject: Hernandez campaign fine waiver

Good afternoon -

Request

I am writing on behalf of Mary Hernandez to request that the Campaign Finance Board waives the \$1,000 fine and \$1,000 civil penalty for the Mary for Minnesota House Campaign, committee number 17998.

The committee has now been terminated.

Reason

In an unfortunate series of missteps, the treasurer had indicated to the candidate that all finance reports had been submitted. That, in fact, was in error resulting in the delayed finance reports and fines. We sincerely apologize for this oversight.

Please let me know what further information you would like for this request and what the next steps would be. Thank you very much for the consideration of the Campaign Finance Board.

--
Brad

Brad Tabke, Founder
[Grepoli LLC](#)

952.380.6328

From: [Engelhardt, Megan \(CFB\)](#)
To: [Pope, Jodi \(CFB\)](#)
Subject: FW: Fine Waiver Request
Date: Thursday, March 22, 2018 1:07:46 PM

From: Brad Gerten <brad.gerten@gmail.com>
Sent: Thursday, March 22, 2018 1:06 PM
To: Larson, Joyce (CFB) <joyce.larson@state.mn.us>; Engelhardt, Megan (CFB) <megan.engelhardt@state.mn.us>
Subject: Fine Waiver Request

Dear Campaign Finance Board,

I am asking for late filing waiver for the "Brad Gerten for MN House" campaign committee (Reg # 18064).

Because of a change of treasurer (she moved away from our district) and because of some personal/legal issues, I was late in filing my 2017 year end report.

It was my intention to terminate this campaign quite some time ago, but just plain did not get to it due to the above issues. I would like to disburse the cash back to our local Senate District 51 and close down the campaign.

There were no changes year over year to my last filing. I just humbly ask for a waiver of the fine.

Thank you for your consideration

Brad Gerten
Former candidate for HD 51A

From: [Engelhardt, Megan \(CFB\)](#)
To: [Pope, Jodi \(CFB\)](#)
Subject: FW: waiver of late filing fee
Date: Friday, March 23, 2018 11:43:49 AM

From: Jason George <jgeorge@local49.org>
Sent: Friday, March 23, 2018 11:40 AM
To: Engelhardt, Megan (CFB) <megan.engelhardt@state.mn.us>
Subject: waiver of late filing fee

Hi Megan,

Thanks for following up with me regarding our organizations late filing of our lobbyist report. I looked for a waiver of the fine form but could not find so just emailing you. If there is a form please send. Here is what happened. I filed my individual lobbyist report and thought I was good. When contacted by the board saying I hadn't on the day of filing, I tried to log in to file but was logging in to my cfb board website with the principle organization password information so it was coming up as no good. I thought it was a mistake or something like an old registration and didn't think anything of it since I knew I filed my report.

I also searched to see who was listed as delinquent and didn't see my name so again thought was good – I wasn't looking in the right spot there either should have been looking at organizations. So this is entirely my fault, I was busy and not paying enough attention here. Your staff has been great and super helpful trying to save me from myself. But this was also a very innocent mistake, I have filed the report now after you walked me through the errors of my ways – and certainly never intended to not file.

If there is a way that the Board could see fit to waive the fine that would be great. If not, I get it, will take responsibility here for the mishap and pay myself. If I am required to pay the fine, please let me know where to send the check.

Thanks again for all your help, you folks are great.

Jason

Jason George
Legislative and Special Projects Director
International Union of Operating Engineers, Local 49
Cell: 612-791-2585

Confidentiality Notice

This e-mail and any attachments hereto contain confidential information. This information is intended solely for use by the individual or entity named as the recipient hereof. Access to this e-mail by anyone else is unauthorized. If you are not the intended recipient, please be aware that any

review, disclosure, copying, distribution or use of the contents of this transmission is prohibited. If you have received this communication in error, please notify us immediately by e-mailing us via return e-mail. Please permanently delete the e-mail and any attachments that you received. Thank you.

Tim Walz for Governor

110 E. Liberty Street
Mankato, MN 56001

March 23, 2018

Jodi Pope
Campaign Finance and Public Disclosure Board
190 Centennial Office Building
658 Cedar St.
St. Paul, MN 55155

RE: Report of Receipts and Expenditures due January 31, 2018
Reg No. 18135

Dear Ms. Pope:

This is in response to your letter dated March 19, 2018 concerning the year-end report of Receipts and Expenditures due January 31, 2018.

I am requesting that the Board waive the late filing fee. I filed the report on January 31, 2018. I received a "Transmission success" message in our software (see attached screen shot). However, due to an error in the software set-up, the report had an incorrect Registration Number. I discovered the error on February 1st. I immediately asked the software company to correct the number and I promptly filed the report again.

Thank you for your consideration. If you need any further information, please do not hesitate to contact the me at 763-458-8263.

Very truly yours,



Shelli Hesselroth
Treasurer

Disclosure Center

[Dashboard](#) [File](#) [History](#)

Designation: Tim Walz for Governor > Report: MN State Candidate Campaign Finance Report

Report Of Receipts And Expenditures For Principal Campaign Committee: TWG Annual

Status: In Progress 1 Set Parameters 2 Prepare & Review 3 **File & Print**

[Passed Validation](#)
 • 820816767_20171231.xml

Your report was generated without errors.

File & Print

Form was last generated on : 2/1/2018 9:53:05 AM by Shelli Hesselroth.
 To include transactional changes made after the above time, please regenerate.

Before you can proceed with the filing process, you must confirm that you have reviewed your form.

Report of Receipts and Expenditures for Principal Campaign Committee: TWG Annual
 Covering Dates: 1/1/2017 - 12/31/2017

This form was marked as reviewed by: Shelli Hesselroth on 02/01/2018 08:53:59 AM

Note: If you go back to a previous step, you will be asked to acknowledge this form again before you can proceed to file this form.

Agency Filing Information & Requirements

1. Filing Instructions

We recommend that you familiarize yourself with your filing requirements before continuing. For more information, visit the [Campaign Finance and Public Disclosure Board](#).

2. File by Option(s)

Paper Format

Click on the "Print Form" button below to generate a PDF version of this form that can be printed out and mailed.

This report may be emailed to cfb.reports@state.mn.us or faxed to: (651) 296-1722 or (800) 357-4114.
 All information on this report is public information and may be published on the [Board's website](#).
 Please remember to sign each form before sending it to the Board.
 Do not use pencil or red ink.
 Board staff may also be reached by phone at (651) 296-5615 or (800) 657-3889 or by email at cf.board@state.mn.us.

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

Electronically

To download, right-click (PC) or option+click (MAC) on the link(s) and select "Save target as" or "Save link as" to a location on your computer. Remember where you saved these files(s) to complete your electronic filing.

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If you wish to file this form from the system, please complete and "File Form."

User Name:

Password:

Please enter the password supplied to your committee by the State Board of Elections.

Transmitted On	Transmission Response Message
01/31/2018 10:41 PM	Transmission success

5 Page 1 of 1 Displaying 1 to 1 of 1 electronic filing transmission messages

Print out a PDF version of form to mail or keep for your records. You can also save this PDF to your computer or you can always access a copy of this form under History after it has been marked as filed.

3. Mark as Filed

A form will remain "In Progress" until it has been marked as filed. Once a form has been marked as filed, you will need to file an amendment to make corrections or modifications to this form.

Yes, mark as filed and restrict any further modifications.

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD
April, 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
Chilah Brown Michele Berger	Brown (Chilah) for Senate	Unfiled 2016 Year- End Report of Receipts and Expenditures Unpaid late filing fee on 10/31/16 Pre- General Election Report	\$1,000 LF \$1,000 CP \$50 LF	3/6/18				
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
Katy Humphrey, Kelli Latuska	Duluth DFL	Unfiled 2016 Year- End Report of Receipts and Expenditures	\$1,000 LF \$1,000 CP	3/6/18				
Kirsten Johnson		Unfiled Economic Interest Statement due June 14, 2016	\$100 LF \$1,000 CP	1/17/17	5/26/17			Hold by Board

