

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

.....
December 2, 2020

Meeting conducted remotely though Webex due to COVID-19 pandemic

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MINUTES

The meeting was called to order by Chair Haugen.

Members present: Flynn, Haugen, Leppik, Rashid, Swanson

Members absent: Rosen

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

MINUTES (November 6, 2020)

After discussion, the following motion was made:

Member Flynn's motion:	To approve the November 6, 2020, minutes as drafted.
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Vote on motion:	A roll call vote was taken. All members voted in the affirmative.
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CHAIR'S REPORT

A. 2021 meeting schedule

The next Board meeting is scheduled for 10:00 a.m. on Friday, January 8, 2020.

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 Erika Ross had been hired to fill the vacant programs administrator position and that she would start on December 14, 2020. Mr. Sigurdson also said that based on the recent financial forecast, it did not appear that any reductions to the Board's budget would be required for the current biennium. However, it did appear that reductions would be necessary for the next biennium. Mr. Sigurdson then described the preliminary steps in the budget process for the upcoming biennium including the preparation of the Board's agency profile.

4. Lobbyist 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 Jon Peterson of the Board's IT staff

had created a prototype reporting system that members, lobbyists, and the public could use to see what the proposed lobbyist reporting requirements would look like in practice. Mr. Sigurdson then walked through the steps necessary to file a lobbyist report in the prototype system. Members discussed the prototype and whether to require lobbyists to report bill and rule tracking numbers. Members asked Mr. Sigurdson to develop draft language requiring these numbers to be reported and to present that language to them at the January meeting.

After additional discussion, the following motion was made:

Member Leppik's motion:

To authorize the executive director to contact legislators about potential changes to the lobbyist program and to prepare a final version of the language for the lobbyist legislative recommendations for consideration at the January meeting.

Vote on motion:

A roll call vote was taken. All members voted in the affirmative.

ENFORCEMENT REPORT

A. Discussion items

1. Balance adjustment request – Winona County DFL (20023)

Mr. Olson told members that a request for a cash balance adjustment of over \$200 had to be brought to the Board for approval. Mr. Olson said that this party unit had reported a 2018 ending cash balance of \$5,038.62, but that the balance in its bank account at the end of 2018 was actually \$5,326.78, which was the amount reported as the 2019 beginning cash balance. Mr. Olson stated that the discrepancy appeared to be have caused by small amounts of funds that went unaccounted for in 2016 and 2017, as well as a \$640.61 balance adjustment granted in 2016 that had never been entered into the Campaign Finance Reporter software by a previous treasurer. Mr. Olson said that the current treasurer had reviewed the party unit's bank statements but had been unable to reconcile the 2016 and 2017 year-end reports. Mr. Olson stated that the party unit was asking that its 2018 ending cash balance be adjusted upward by \$288.16, from \$5,038.62 to \$5,326.78. Mr. Olson said that the party unit had provided data documenting the ending balances in its bank account for each year from 2015 onward.

After discussion, the following motion was made:

Member Flynn's motion:

To approve the requested balance adjustment.

Vote on motion:

A roll call vote was taken. All members voted in the affirmative.

2. Balance adjustment requests – Mower County DFL (20172)

Mr. Olson told members that this party unit had reported a 2017 ending cash balance of \$2,427.84, but that the balance in its bank account at the end of 2017 was actually \$3,098.92, which was the amount reported as the 2018 beginning cash balance. Mr. Olson said that the party unit had reported a 2019 ending cash balance of \$3,319.61, but the balance in its bank account at the end of 2019 was actually \$3,833.28. \$150 of that difference was accounted for by a payment to a vendor that was reported in 2019 but not deposited until 2020. Mr. Olson said that the treasurer had reviewed the party unit’s bank statements and other financial records but had been unable to reconcile the 2017 and 2019 year-end reports. Mr. Olson stated that the party unit was asking that its 2017 ending cash balance be adjusted upward by \$671.08, from \$2,427.84 to \$3,098.92, and that its 2019 ending cash balance be adjusted upward by \$363.67, from \$3,319.61 to \$3,683.28. The treasurer provided data documenting the balances in the party unit’s bank account at the end of 2017, 2018, and 2019. Mr. Olson said that the party unit had been granted a \$108 adjustment to its 2015 ending cash balance in February 2016.

After discussion, the following motion was made:

Member Leppik’s motion: To approve the requested balance adjustments.

Vote on motion: A roll call vote was taken. All members voted in the affirmative.

B. Waiver requests

Name of Candidate or Committee	Late Fee & Civil Penalty Amount	Reason for Fine	Factors for waiver and recommended action	Board Member's Motion	Motion	Vote on Motion
Wright County RPM (20574)	\$400 LFF	2020 Pre-general	Treasurer mistakenly filed amended pre-primary report via CFR software on due date, 10/26/2020, rather than pre-general report. After realizing error correct report was filed 11/5/2020. Party unit reported cash balance of \$10,797 on 10/19/20. RECOMMENDED ACTION: Waive	Member Leppik	To approve the staff recommendation.	A roll call vote was taken. All members voted in the affirmative.
Vote Wright (Robert) in 2020 (18493)	\$1,000 LFF \$1,000 CP	2020 Pre-primary	Candidate believes he emailed paper report to Board in late July. Other emails candidate sent to Board were identified as spam and put in quarantine folder where items are automatically deleted after 15 days. Report was due 7/27/2020, is dated 7/29/2020, and was filed 11/11/2020. Recommendation is based on fact that reported receipts and expenditures show committee registration was not required. Committee reported cash balance of \$49 as of 7/20/2020. RECOMMENDED ACTION: Waive	Member Leppik	To approve the staff recommendation.	A roll call vote was taken. All members voted in the affirmative.

Rep. Aisha Gomez (House candidate)	\$70	Original EIS	Candidate filed affidavit of candidacy 5/22/2020, making EIS due 6/5/2020. Candidate lives in Minneapolis and EIS was due during ongoing civil unrest, during which candidate was busy trying to defend her neighborhood against fires and other attacks. EIS was filed 7/12/2020. RECOMMENDED ACTION: Waive	Member Leppik	To approve the staff recommendation.	A roll call vote was taken. All members voted in the affirmative.
Omar Fateh Senate Committee (18488)	\$550 LFF	2020 Pre-general	Committee changed treasurers but did not update treasurer name in CFR software, which is needed to complete treasurer certification and upload report. Committee believed report was filed by due date, 10/26/2020, but report cannot be uploaded and software will not show filing was successful unless treasurer certification is completed. Treasurer and chair contacted Board staff 11/4/2020 and after some troubleshooting report was filed 11/10/2020. Committee reported cash balance of \$757 as of 10/19/2020. RECOMMENDED ACTION: Reduce LFF to \$350	Member Haugen	To approve the staff recommendation.	A roll call vote was taken. Motion passed (Four ayes, Flynn abstained).
Robyn Smith (Senate candidate)	\$45 LFF	Original EIS	First-time candidate filed affidavit of candidacy 6/2/2020, making EIS due 6/16/2020. Candidate states that she filed EIS in timely manner but envelope containing paper EIS was postmarked 7/14/2020. Candidate states that process of running for office was overwhelming and she does not intend to run again. RECOMMENDED ACTION: No action	No motion		
Ashley Martinez-Perez for MN House (18612)	\$100 LFF	2020 Pre-general	First-time candidate had difficulty using CFR software. Report was due 10/26/2020 and was filed two days late. Committee reported cash balance of \$3,300 as of 10/19/2020. RECOMMENDED ACTION: No action	No motion		

C. Informational items

1. Payment of civil penalty for corporate contribution

LaValley Industries, LLC, \$200

2. Payment of civil penalty for contribution from unregistered association without required disclosure

Minnesota DFL State Central Committee, \$100

3. Payment of civil penalty for prohibited contribution during legislative session

Dr. Maureen Hackett, \$100

4. Payment of late filing fee for 2020 pre-general 24-hour notice

Lindsey Port for MN, \$50

5. Payment of late filing fee for 2020 pre-general report of receipts and expenditures

Roxana (Bruins) for Senate, \$50
Roger Steinkamp MN Senate, \$50
Alarm PAC, \$50
Minnesota AFL-CIO, \$50
48th Senate District RPM, \$50

6. Payment of late filing fee for September 2020 report of receipts and expenditures

BAILPAC, \$25

7. Payment of late filing fee for 2019 year-end report of receipts and expenditures

Michael Howard for Minnesota House, \$350

8. Payment of late filing fee for lobbyist disbursement report due 6/15/2020

Jacob Grassel, \$100

9. Forwarded anonymous contributions

Draheim (Rich) for Senate, \$50

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 told members that although there were no dates to add to the grid on the legal report, he had finished drafting the pleadings in the Brown and NARAL Pro Choice matters. He now was working on the pleadings for the Swing Right matter.

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 chair had nothing to report into regular session.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeff Sigurdson". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Jeff Sigurdson
Executive Director

Attachments:
Executive director's report
Memorandum regarding lobbyist legislative recommendations
Legal report



MINNESOTA CAMPAIGN FINANCE BOARD

Date: November 25, 2020

To: Board Members

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Executive Director's Report

Board Operations

Staffing: The position of program administrator left vacant by the retirement of Marcia Waller has been filled. Erika Ross will be joining the Board's staff on December 14th. Ms. Ross previously worked for Ramsey County and the city of Minneapolis in election administration; in particular voter registration and election judge recruitment. Ms. Ross is currently working for the city attorney's office in Minneapolis as a project specialist. The position Ms. Ross will be filling is responsible for processing all registrations for lobbyists, candidates, and political committees. In addition, the position is responsible for administering the lobbyist and lobbyist principal reporting periods. It was extremely important to fill the position before the lobbyist disbursement reports are due in January and before the expected rush of lobbyist registrations that occurs at the beginning of a legislative session.

Budget Development: When the legislature convenes on January 5, 2021, it will focus on the state budget for fiscal years 2022 and 2023 (July 1, 2021 – June 30, 2023). As part of the budget process each state agency, board, or commission works with Minnesota Management and Budget (MMB) to provide an agency background narrative. The narrative provides a summary of each agency's mission, services, and performance information as well as a snapshot of how the agency is funded. The narrative for the Board is attached to this document for your information. The background narratives for all agencies will be incorporated into agency biennial budget books for the base submission, which will be published on November 30, and the Governor's biennial budget submission, which is scheduled to be released on January 26, 2021.

Attachments

Campaign Finance Board Agency Profile



MINNESOTA CAMPAIGN FINANCE BOARD

Date: November 25, 2020

To: Board Members

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Legislative recommendations for the lobbyist program

This memo will try to review the proposed legislative recommendations to the lobbyist program in a different way; namely what will the new reporting requirements look like in practice, and how does that compare with the information now being collected. To best illustrate the new reporting requirements in the legislative recommendations staff has developed a prototype online reporting application based on those requirements. The reporting application is available to try at https://lobbyist.cfb.mn.gov/reporting_test/login To sign on to the application use the username and password provided on the login page. The test application was done in record time by Jon Peterson, who manages web applications for the Board. However, it is a test application for demonstration and therefore is a little rough around the edges and contains some typos and awkward transitions. The test application is based on the existing reporting application for lobbyist disbursements, and will look familiar to any lobbyist who has previously reported online. The default for the test application is a self-reporting lobbyist who is also the designated lobbyist for the association.

Lobbyist Information Screen: The first screen provides the lobbyist with an opportunity to review and correct contact information on file with the Board. This is an existing screen in the current reporting application. Click on the “Continue” button on the upper right-hand corner of the screen.

LobLastName, LobFirstName (10000) / AssocName (10000)
Period Covered: January 1 through May 31, 2020
 Due Date: 06/15/2020

Filing Instructions

The lobbyist disbursement report contains a Lobbyist Information section, a Lobbyist Disbursement Status section, and Schedules for providing detailed information. Each section and schedule is displayed on a separate screen. At the top of each screen are two buttons, one to display the next section of the report and one to return to the previous screen.

After you have completed all sections and schedules, the system will display a completed report. **At this point, you may save the report and return to it later to certify and submit.** After verifying the information you are going to submit, check the Certification box at the bottom of the screen. You then click the "OK" button to complete submission of the report.

You may print off a copy of the completed report for your own records from the certification page.

All information on the lobbyist report is public information.

Address questions to Board staff at 651-539-1187 or 800-657-3889.

Lobbyist Information

Please verify the lobbyist information below is correct.
 Lobbyist name: LobLastName, LobFirstName Registration number: 10000
 Association: AssocName (10000)

Address:

City: State: Zip:

Daytime Telephone:

E-mail Address: (E-mail Required)

Association Website: (Website Address Required)

The next screen, Lobbyist Comments, is also an existing screen in the current reporting application. Please select the “Continue” button.

The next screen allows the lobbyist to identify which schedules will be needed for the report. The lobbyist selects the types of lobbying provided for the entity represented, and indicates if there were advertisements that must be reported. The point of this screen is to reduce the time it takes for the lobbyist to complete the report by eliminating irrelevant schedules. For demonstration purposes, I will select all lobbying types and the advertisements schedule, then select the “Begin Schedules” button.

Lobbyist Disbursement Report
LobLastName, LobFirstName (10000) / AssocName (10000)
Period Covered: January 1 through May 31, 2020
Due Date: 06/15/2020

[Log Out](#)

[Previous](#)[Save report now and certify later](#)[Begin Schedules](#)

Check appropriate box(es) below

- Legislative Lobbying** I, and/or the lobbyists I am reporting for, lobbied the legislature of behalf of this entity during this reporting period (If legislative lobbying occurred, complete Schedule A).

- Public Utilities Commission Lobbying** I, and/or the lobbyists I am reporting for, lobbied the Public Utilities Commission on behalf of this entity during this reporting period (If lobbying of the Public Utilities Commission occurred, complete Schedule B).

- Administrative Lobbying** I, and/or the lobbyists I am reporting for, lobbied administrative rule making of behalf of this entity during this reporting period (If lobbying of administrative rule making occurred, complete Schedule C).

- Metropolitan Governmental Unit Lobbying** I, and/or the lobbyists I am reporting for, lobbied Metropolitan Governmental Units of behalf of this entity during this reporting period (If lobbying of administrative rule making occurred, complete Schedule D).

- Advertisements** The entity I represent spent over \$2,000 on one or more paid advertisements in support of lobbying efforts during the reporting period. (If advertisements were purchased complete Schedule E)

- I am terminating my lobbyist registration and will send to the Campaign Finance and Public Disclosure Board a Lobbyist Termination Statement. Termination Date
(MM/DD/YYYY)

Legislative lobbying: Schedule A is used to report the specific subjects of interest that accounted for at least 25% of the lobbying effort on behalf of the entity. If the legislative lobbying effort for the specific subject is contained in a bill passed by at least one body of the legislature the lobbyist also lists the appropriate bill number. At a maximum the lobbyist will report four specific subjects, and in practice, the lobbyist probably will report less than four. Currently, a lobbyist does not report lobbying efforts for specific subjects of interest, or the bill number of successful legislation that contained the lobbying effort.

Adding the bill number was suggested by Board members at the November meeting. If the Board wants to incorporate that change it will be added to the reporting requirements in the draft legislation. Board members also suggested that staff look at including the legislative committee name for lobbying reporting efforts that met the reporting threshold. In practice, that was difficult to do because most legislation passes through multiple committees, sometimes more than once

if significant amendments occur, and a lobbyist could find it difficult to accurately report the primary committee for a lobbying effort.

Lobbyist Disbursement Report (Schedule A)
LobLastName, LobFirstName (10000) / AssocName (10000)
Period Covered: January 1 through May 31, 2020
Due Date: 06/15/2020

[Log Out](#)

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Legislative Lobbying

Report each specific subject of interest that accounted for 25% of more of the legislative lobbying effort on behalf of the entity during the reporting period. If your lobbying effort for a specific subject of interest meets the reporting threshold was contained in a bill that passed at least one body of the legislature identify the bill number. If your lobbying effort on a specific subject meets the reporting threshold but that specific subject was not contained in a bill that passed at least 1 body of the legislature, you may leave the bill number field empty.

[Delete Selected Rows](#)

	Specific subject of Interest	Bill number
<input type="checkbox"/>	Charter school teacher certification	HF2020
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		

Public Utilities Commission Lobbying: Schedule B is used to report the project names of the lobbying efforts before the Public Utilities Commission that accounted for at least 25% of the lobbying effort for the represented entity. Initially the reporting requirement was going to be the docket number for the rate setting, power plant and powerline siting, or granting of certificate of need before the Public Utilities Commission. But thankfully the Public Utilities Commission assigns an official project name to each docket number, which will be easier for the public to review than a docket number. Currently, lobbyist do not report any information on the projects of interest before the Public Utilities Commission.

Lobbyist Disbursement Report (Schedule B)
LobLastName, LobFirstName (10000) / AssocName (10000)
Period Covered: January 1 through May 31, 2020
Due Date: 06/15/2020

[Log Out](#)

[Previous Schedule](#) [Save report now and certify later](#) [Next Schedule](#)

Public Utilities Commission Lobbying

Report the official Public Utility Commission project name of the rate setting, power plant and powerline siting, or granting of certificate of need that accounted for 25% or more of the total lobbying effort before the Public Utilities Commission during the reporting period. If more than one project is reported, the projects should be listed in descending order of importance.

[Delete Selected Rows](#)

	Project name
<input type="checkbox"/>	Winona Wind Energy
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	

Administrative Lobbying: Schedule C is used to report any agency rulemaking effort that was lobbied on behalf of the represented entity. The lobbyist identifies the agency from the drop-down list of agencies, boards, and commissions that have rulemaking authority. Under the current statutory definition, an administrative rulemaking begins when the request for comments is published by the agency. At this point in the process, a revisor number has been attached to the rulemaking effort and that number must be reported by the lobbyist. If there is a specific subject of interest in the rulemaking that accounts for 25% or more of the lobbying effort on the rules, the lobbyist must identify that subject. Currently, lobbyists do not identify any agency that is lobbied, or any information about the rulemaking that is the subject of the lobbying effort.

Lobbyist Disbursement Report (Schedule C) Log Out

LobLastName, LobFirstName (10000) / AssocName (10000)

Period Covered: January 1 through May 31, 2020
Due Date: 06/15/2020

Previous Schedule
Save report now and certify later
Next Schedule

Administrative Lobbying

Report each state agency, board, or commission administrative rulemaking on which you lobbied on behalf of the entity during the reporting period. If the rulemaking has a revisor number, report that number. List any specific subject of interest within a rulemaking effort that accounted for 25% or more of the administrative lobbying effort on behalf of the entity during the reporting period. You may leave the subject of interest field empty if your lobbying on any specific subject of interest before a listed agency, board or commission did not meet the 25% threshold.

Delete Selected Rows

	State Agency, Board, or Commission	Revisor Number	Specific Subject of Interest
<input type="checkbox"/>	<input style="width: 95%;" type="text" value="Agriculture, Dept. of"/>	<input style="width: 95%;" type="text" value="22222"/>	<input style="width: 95%;" type="text" value="Meat processing plant water treatment standards"/>
<input type="checkbox"/>	<input style="width: 95%;" type="text" value="Select State Agency, Board, or Commission"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
<input type="checkbox"/>	<input style="width: 95%;" type="text" value="Select State Agency, Board, or Commission"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
<input type="checkbox"/>	<input style="width: 95%;" type="text" value="Select State Agency, Board, or Commission"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

Metropolitan Governmental Unit Lobbying: Schedule D is used to identify each metropolitan governmental agency lobbied during the reporting period. The screen provides a drop-down list of the cities, counties, and other governmental units covered by the lobbying provisions in Chapter 10A. If a specific subject of interest represented 25% or more of the lobbying effort before the metropolitan governmental unit the subject must also be reported. Currently, there is no information provided on what cities, counties, or other governmental units are lobbied, or what subjects before these bodies are of interest to the represented entity.

Lobbyist Disbursement Report (Schedule D)
LobLastName, LobFirstName (10000) / AssocName (10000)
 Period Covered: January 1 through May 31, 2020
 Due Date: 06/15/2020

Log Out

Previous Schedule

Save report now and certify later

Next Schedule

Metropolitan Governmental Unit Lobbying

Report each Metropolitan Governmental Unit in which you lobbied on behalf of the entity during the reporting period. List the specific subject of interest within each Metropolitan Governmental Unit lobbied that accounted for 25% or more of the lobbying effort on behalf of the entity during the reporting period. You may leave the subject of interest field empty if your lobbying on any specific subject of interest before a listed Metropolitan Governmental Unit did not meet the 25% threshold.

Delete Selected Rows	
Metropolitan Governmental Unit	Specific Subject of Interest
<input type="checkbox"/> Apple Valley	Liquor license
<input type="checkbox"/> Minneapolis	Liquor license
<input type="checkbox"/> Minneapolis	Plastic Bag surtax
<input type="checkbox"/> Select Metropolitan Governmental Unit	

Advertisements in Support of Lobbying: Schedule E is used only by the designated lobbyist for the represented entity. Under current administrative rule the designated lobbyist reports the lobbying disbursements made directly by the entity in broad categories, including total disbursements for media advertising. However, there is no identification of specific advertising bought to support the lobbying effort. Under the legislative proposal the designated lobbyist no longer reports lobbying expenditures made directly by the represented entity except for advertising with a value of over \$2,000 during the reporting period that urges members of the public to contact public and local officials and influence official actions. The reporting required is roughly equivalent to the reporting required for candidates, party units, and political committees (although at a much higher expenditure threshold).

Previous Schedule

Save report now and certify later

Next Schedule

Advertisements in Support of Lobbying

Report for the entity represented any disbursements made or obligations incurred that exceed \$2,000 during the reporting period for advertising that urges members of the public to contact public or local officials to influence official actions. Advertising includes the cost to boost the distribution of an advertisement on social media.

Delete Selected Rows			Add Rows	Select All Rows	Unselect All Rows
Date of Purchase	Vendor Name	Vendor Address			
<input type="checkbox"/> 05/01/2020	ABC Printing	2000 Main Street, St. Paul, MN 55555			
Lobbying Subject(s) in Advertisement	Cost	Item Purchased			
Spending for mass transit	\$6,900.00	Billboard signs			
<input type="checkbox"/>					
Date of Purchase	Vendor Name	Vendor Address			
Lobbying Subject(s) in Advertisement	Cost	Item Purchased			
<input type="checkbox"/>					
Date of Purchase	Vendor Name	Vendor Address			
Lobbying Subject(s) in Advertisement	Cost	Item Purchased			

After completing Schedule E the lobbyist is given a chance to review the information entered before certifying the report to the Board. I encourage Board members and interested members of the public to try the test reporting application. Also attached is the draft version of the legislative proposal for the lobbying program.

Attachments

Draft statutory language

10A.01 DEFINITIONS

Minnesota Statutes 2018, section 10A.01, subdivision 21, is amended to read:

Subd. 21. **Lobbyist.** (a) "Lobbyist" means an individual:

(1) engaged for pay or other consideration of more than \$3,000 from all sources in any year for the purpose of attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit, (a) by communicating or urging others to communicate with public or local officials; or (b) by facilitating access to public or local officials;
or

(2) who spends more than \$3,000 ~~250~~ of the individual's personal funds, not including the individual's own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit, by communicating or urging others to communicate with public or local officials.

* * * *

Minnesota Statutes 2018, section 10A.01, is amended by adding subdivisions to read:

Designated lobbyist. "Designated lobbyist" means the lobbyist responsible for reporting the lobbying disbursements and activity of the entity the lobbyist represents. An entity that is represented by lobbyists may have only one designated lobbyist at any given time.

General lobbying category. "General lobbying category" means an area of interest for lobbying for an entity that is on a list of categories specified by the board.

Specific subject of interest. "Specific subject of interest" means a particular topic or area of lobbying interest within a general lobbying category. The specific subjects of interest for an entity during a reporting period are disclosed by a reporting lobbyist on the report submitted to the Board for that period. The specific subject of interest must be described with enough information to show the particular issue of importance to the entity represented.

Official action of metropolitan governmental units. "Official action of metropolitan governmental units" means any action that requires a vote or approval by one or more elected local officials while acting in their official capacity; or an action by an appointed or employed local official to make, to recommend, or to vote on as a member of the governing body, major decisions regarding the expenditure or investment of public money.

Legislative action. "Legislative action" means the development of prospective legislation; or the review, modification, adoption, or rejection of any bill, amendment, resolution, nomination, administrative rule, or report by a member of the legislature or employee of the legislature. "Legislative action" also means the development of prospective legislation, or a request for support or opposition to introduced legislation, with a constitutional officer. Legislative action includes the action of the governor in approving or vetoing any bill or portion of a bill.

10A.03 LOBBYIST REGISTRATION

Minnesota Statutes 2018, section 10A.03, subdivision 2, is amended to read:

Subd. 2. **Form.** The board must prescribe a registration form, which must include:

(1) the name, address, and e-mail address of the lobbyist;

(2) the principal place of business of the lobbyist;

(3) the name and address of each individual, association, political subdivision, or public higher education system, if any, by whom the lobbyist is retained or employed or on whose behalf the lobbyist appears;

(4) the website address of each association, political subdivision, or public higher education system identified under clause (3), if the entity maintains a website; ~~and~~

(5) the general lobbying categories, description of the subject or subjects on which the lobbyist expects to lobby for the entity represented; and

~~(6) if the lobbyist lobbies on behalf of an association, the registration form must include the name and address of the chief officers and directors of the association.~~

Minnesota Statutes 2018, section 10A.03, is amended by adding subdivision 6 to read:

Subd. 6. **General lobbying categories.** A list of general lobbying categories must be specified by the board and updated periodically based on public comment. The board must publish on its website the current list of general lobbying categories. Chapter 14 does not apply to the specification, publication, or periodic updates of the list of general lobbying categories.

10A.04 LOBBYIST REPORTS

Minnesota Statutes 2018, section 10A.04, subdivision 3, is amended to read:

Subd. 3. **Information to lobbyist.** An entity, or employee lobbyist ~~about~~ whose activities are reported to the Board by another a lobbyist is required to report ~~must~~ provide the information required by subdivision 4 to the designated reporting lobbyist no later than five days before the prescribed filing date.

Minnesota Statutes 2018, section 10A.04, subdivision 4, is amended to read:

Subd. 4. **Content.** (a) A report under this section must include information the board requires from the registration form and the information required by this subdivision for the reporting period. The determination of whether a legislative, administrative, or metropolitan governmental unit action or a Public Utilities Commission project met the 25% reporting threshold must be based on the lobbyist's reasonable, good faith estimate of the lobbyist's total efforts on behalf of the entity.

~~(b) A lobbyist must report the lobbyist's total disbursements on lobbying, separately listing lobbying disbursements to influence legislative action, lobbying to influence administrative action, and lobbying to influence the official actions of a metropolitan governmental units and a breakdown of disbursements for each of those kinds of lobbying into categories specified by the board, including but not limited to the cost of publication and distribution of each publication used in lobbying; other printing; media, including the cost of production; postage; travel; fees, including allowances; entertainment; telephone and telegraph; and other expenses.~~

(b) A lobbyist must report every state agency that had administrative action that the represented entity sought to influence during the reporting period. If an administrative action accounted for 25% or more of the lobbyist's effort on behalf of the represented entity during the reporting period, the lobbyist must report the specific subjects of interest for that action. The specific subjects of interest reported must be listed in the order of importance to the entity represented

(c) A lobbyist must report every metropolitan governmental unit that considered official action that the entity represented sought to influence during the reporting period. If an official action by a metropolitan governmental unit accounted for 25% or more of that lobbyist's effort on behalf of the represented entity during the reporting period, the lobbyist must report the specific subjects of interest for that action. The specific subjects of interest reported must be listed in the order of importance to the entity represented.

(d) If a legislative action accounted for 25% or more of that lobbyist's efforts on behalf of the entity represented during the reporting period, the lobbyist must report the specific subjects of interest for that action. The specific subjects of interest reported must be listed in the order of importance to the entity represented.

(e) If a rate setting, power plant and powerline siting, or granting of certificate of need accounted for 25% or more of that lobbyist's effort on behalf of the principal or employer during the reporting period, the lobbyist must report the Public Utilities Commission project name for that action.

(f) A lobbyist must report the amount and nature of each gift, item, or benefit, excluding contributions to a candidate, equal in value to \$5 or more, given or paid to any official, as defined in section 10A.071, subdivision 1, by the lobbyist or an employer or employee of the lobbyist. The list must include the name and address of each official to whom the gift, item, or benefit was given or paid and the date it was given or paid.

(g) A lobbyist must report each original source of money in excess of \$500 in any year used for the purpose of lobbying to influence legislative action, administrative action, or the official action of a metropolitan governmental unit. The list must include the name, address, and employer, or, if self-employed, the occupation and principal place of business, of each payer of money in excess of \$500.

(h) The designated lobbyist must report disbursements made, and obligations incurred, that exceed \$2,000 for paid advertising used for the purpose of urging members of the public to contact public or local officials to influence official actions during the reporting period. Paid advertising includes the cost to boost the distribution of an advertisement on social media. The report must provide the date that the advertising was purchased, the name and address of the vendor, a description of the advertising purchased, and any specific subject(s) of interest addressed by the advertisement.

(i) On the report due June 15, the lobbyist must ~~provide update or confirm a~~ provide update or confirm a the general lobbying categories for the entity represented that were lobbied on in the previous 12 months.

Minnesota Statutes 2018, section 10A.04, subdivision 6, is amended to read:

Subd. 6. Principal reports. (a) A principal must report to the board as required in this subdivision by March 15 for the preceding calendar year.

~~(b) Except as provided in paragraph (d),~~ The principal must report the total amount, rounded to the nearest \$2_10,000, spent by the principal during the preceding calendar year to influence legislative action, administrative action, and the official action of metropolitan governmental units. on each type of lobbying listed below:

(1) lobbying to influence legislative action;

(2) lobbying to influence administrative action, other than lobbying described in clause (3);

(3) lobbying to influence administrative action in cases of rate setting, power plant and powerline siting, and granting of certificates of need under section 216B.243; and

(4) lobbying to influence official action of metropolitan governmental units.

~~(c) Except as provided in paragraph (d),~~ For each type of lobbying listed in paragraph (b), the principal must report under this subdivision a total amount that includes:

(1) the portion of all direct payments for compensation and benefits paid by the principal to lobbyists in this state for that type of lobbying;

(2) the portion of all expenditures for advertising, mailing, research, consulting, surveys, expert testimony, studies, reports, analysis, compilation and dissemination of information, social media and public relations campaigns, and legal counsel, used to support that type of lobbying related to legislative action, administrative action, or the official action of metropolitan governmental units in this state; and

(3) a reasonable good faith estimate of the portion of all salaries and administrative overhead expenses attributable to activities of the principal for that type of lobbying relating to efforts to influence legislative action, administrative action, or the official action of metropolitan governmental units in this state; and

(4) the portion of all lobbying disbursements not listed in clause (2) that were made or incurred on behalf of the principal by all lobbyists for the principal in this state for that type of lobbying.

~~(d) A principal that must report spending to influence administrative action in cases of rate setting, power plant and powerline siting, and granting of certificates of need under section 216B.243 must report these amounts as provided in this subdivision, except that they must be reported separately and not included in the totals required under paragraphs (b) and (c).~~

4511.0600 REPORTING DISBURSEMENTS

Minnesota Rules, part 4511.0600, subpart 5, is repealed.

4511.0800 ADMINISTRATIVE ACTION

Minnesota Rules part 4511.0800 is repealed.

**CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD
December 2020**

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
Sandra (Sandi) Blaeser		2018 Public Official Statement of Economic Interest	\$100 LFF and \$1,000 CP	9/11/20				
		2019 Public Official Statement of Economic Interest	\$100 LFF and \$1,000 CP					
Chilah Brown Michele Berger	Brown (Chilah) for Senate	Unfiled 2016 Year- End Report of Receipts and Expenditures	\$1,000 LFF \$1,000 CP	3/6/18	8/10/18			Removed from hold 9/14 at Board's request.
		Unpaid late filing fee on 10/31/16 Pre- General Election Report	\$50 LFF					
Alyssa Eichman	Swing Right PAC	Unfiled 2018 Year- End Report of Receipts and Expenditures	\$1,000 LFF \$1,000 CP	10/5/20				
		Late Filing of 2018 Pre-General Report due 10/29/18; filed on 10/30/18	\$50 LFF					
Kelly Gunderson		Candidate Statement of Economic Interest due 6/16/20	\$100 LFF \$1,000CP	9/23/20				

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
Marcus Harcus	MN Campaign for Full Legalization	Original Statement of Economic Interest, due 6/16/20	\$100 LFF \$1,000 CP	10/5/20				
		Lobbyist Disbursement Report due 6/15/20	\$1,000 LFF \$1,000 CP					
		Lobbyist Disbursement Report due 1/15/20	\$1,000 LFF \$1,000 CP					
		Late Filing of Lobbyist Disbursement Report due 1/15/19; filed on 6/16/19	\$1,000 LFF					
		Late Filing of Lobbyist Disbursement Report due 6/15/18, filed on 6/27/18	\$200 LFF					
		Annual Lobbyist Principal Report, due 3/16/20	\$1,000 LFF \$1,000 CP					
Beau Hullerman		Candidate Statement of Economic Interest due 6/16/20	\$100 LFF \$1,000CP	9/23/20				
Tim Johnson		Candidate Statement of Economic Interest due 6/16/20	\$100 LFF \$1,000CP	9/11/20				

