

Minnesota

Campaign Finance and Public Disclosure Board Meeting

Wednesday, February 8, 2023

9:30 A.M.

Blazing Star Room
Centennial Office Building

REGULAR SESSION AGENDA

1. Approval of minutes

A. January 4, 2023

2. Chair's report

A. Meeting schedule

3. Executive director report

A. Update - Legislative recommendations

4. Memo - Anonymous contribution threshold

5. Enforcement report

6. Prima facie determinations

A. Complaint of Steven Timmer regarding Neel Kashkari

7. Legal report

8. Other business

EXECUTIVE SESSION

Immediately following regular session

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

.....
**January 4, 2023
Blazing Star Room
Centennial Office Building**
.....

MINUTES

The meeting was called to order by Chair Rashid.

Members present: Asp, Flynn (by Webex), Leppik (by Webex), Rashid, Soule, Swanson (by Webex)

Others present: Sigurdson (arrived during discussion of legislative recommendations), Engelhardt (arrived during discussion of legislative recommendations), Hager, Olson, staff; Hartshorn, counsel (by Webex)

MINUTES (December 15, 2022)

The following motion was made:

Member Leppik's motion: To approve the December 15, 2022, minutes as drafted.

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

ELECTION OF BOARD CHAIR AND VICE CHAIR

Member Rashid reported that the nomination committee discussed the nomination of Member Soule and Member Asp to be Chair and Vice Chair, respectively, for 2023.

The following motion was made:

Member Rashid's motion: To elect Member Soule as Chair, and Member Asp as Vice Chair, for 2023.

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

CHAIR'S REPORT

2023 meeting schedule

The next Board meeting is scheduled for 9:30 a.m. on Wednesday, February 8, 2023.

2023 LEGISLATIVE RECOMMENDATIONS

Mr. Sigurdson provided members with a memorandum that is attached to and made a part of these minutes. Chair Soule recapped the Board's review of legislative proposals during its December 2022 meeting. Mr. Olson stated that Board staff has provided updated language for the definition of expressly advocating that is more detailed than the language considered by the Board in December 2022 and during past years. Mr. Olson explained the 2019 proposal of former Board member Robert Moilanen, which would increase the maximum refund available through the political contribution refund program to \$200 per individual or \$400 per married couple. Mr. Olson said that the Board has been provided a summary of the legislation authored by Representative Greenman in 2021 that would, among other things, replace the public subsidy program, including the political contribution refund program, with a matching contribution program and a Democracy Dollar program whereby individuals could assign vouchers to candidates of their choice and thereby help fund those candidates without having to contribute any of their own money.

In response to a question from Member Swanson, Mr. Sigurdson stated that the term domestic partner is not defined elsewhere within Minnesota Statutes. Member Swanson suggested changing "follow" to "comply with" within the proposed change to section 10A.38, which would add a paragraph (d). Member Swanson suggested adding the word "or" before "county" within the proposed change to section 10A.275, which would add a new paragraph (4).

The following motion was made:

Member Rashid's motion: To approve the legislative recommendations considered by the Board in December 2022, with the exception of the recommendation concerning the definition of expressly advocating, with the two changes suggested by Member Swanson.

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

Mr. Sigurdson said that the updated language for the definition of expressly advocating is intended to provide more information make it easier to identify express advocacy. Member Rashid asked about the inclusion of the phrase "or encourages some other kind of action." Chair Soule said that that language appears to be in contrast to the language "encourages actions to elect or defeat a candidate or local candidate" that immediately precedes that phrase. After discussion it was suggested that the phrase "or encourages some other kind of action" be deleted. Members discussed the difference between the use of phrases of express advocacy and communications that, based on the reasonable minds standard, clearly encourages actions to elect or defeat a candidate or local candidate. In response to a question from Member Asp, Mr. Sigurdson said that expanding the definition of expressly advocating will increase the amount of disclosure required and will require some organizations that are currently not registered to register with the Board.

The following motion was made:

Member Rashid's motion: To approve the revised recommended language for the definition of expressly advocating with the deletion of the phrase "or encourages some other kind of action."

Vote on motion: A roll call vote was taken. Members Flynn, Leppik, Rashid, Soule, and Swanson voted in the affirmative. Member Asp voted in the negative.

The following motion was made:

Member Swanson's motion: To approve the recommendation to increase the maximum political contribution refund amount to \$200 for individuals and \$400 for married couples.

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

Member Flynn spoke about Representative Greenman's bill from 2021 that would impact the Board. Member Flynn also suggested that the Board consider recommending increasing the threshold within Minnesota Statutes section 10A.13, requiring treasurers to record the name and address of any contributor who has given more than \$20, and possibly indexing that threshold to inflation. Mr. Hager explained that the \$20 accounting threshold has not changed since 1974 and if adjusted for inflation, the amount would be approximately \$115-\$120 in today's dollars. In response to a question from Chair Soule, Mr. Sigurdson stated that staff can examine the issue and provide more information to the Board at a future meeting.

Mr. Sigurdson said that he spoke with legal counsel for the Legislature and a problem with deleting the newly effective language expanding the definition of a lobbyist in Minnesota Statutes section 10A.01, subdivision 21, is that there is now a cross-reference to that definition within Minnesota Statutes Chapter 3. Mr. Sigurdson explained that as a result, the definition may need to be modified to avoid undermining the related provision within Chapter 3, rather than simply deleting the new language.

ENFORCEMENT REPORT

A. Discussion Items

1. Balance adjustment request – Maresh (William) for House (18312)

Mr. Hager stated that the Maresh committee's 2020 year-end report of receipts and expenditures listed an ending cash balance of \$9,626.19 while its bank account had a balance of \$9,615.20 at the end of that year, a difference of \$10.99. Mr. Hager said that the committee's 2021 year-end report listed an ending cash balance of \$10,961.44 while its bank account had a balance of \$10,677.68 at the end of

that year, a difference of \$283.76. Mr. Hager explained that the candidate and the committee's treasurer have reviewed the committee's financial records but are unable to reconcile the discrepancy. Mr. Hager stated that the committee has entered its 2022 transactions within Campaign Finance Reporter and the difference between the ending cash balance in the software and the committee's actual cash balance is \$281.06, which is almost the same as the balance discrepancy that carried over from 2021. Mr. Hager said that the committee is thereby asking that its 2021 ending cash balance be adjusted downward by \$281.06, from \$10,961.44 to \$10,680.38, and the committee intends for its 2022 year-end report to be a termination report.

Member Asp's motion: To approve the requested balance adjustment.

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

B. Waiver Requests

Russell Starksen, treasurer of the 50th Senate District RPM (Old), appeared before the Board by Webex regarding request number 1 listed below. Mr. Starksen stated that the party unit is a small group and this was a learning experience.

David Zoll, counsel for the Neighbors for Zaynab Mohamed committee, appeared before the Board by Webex regarding request number 5 listed below. Mr. Zoll sought a reduction of the late filing fees incurred for 24-hour large contribution notices. Mr. Zoll stated that the candidate was involved in a major car accident, the committee's treasurer at the time was inactive, and the candidate's campaign manager was terminated the same day as the car accident. Mr. Zoll stated that the committee's treasurer was replaced and he requested a reduction of the amount owed to a total of \$450.

Entity	Late Fee/ Civil Penalty	Report Due	Factors and Recommended Action	Board Member's Motion	Motion	Vote on Motion
1. Old 50th Senate District RPM (20863)	\$450 LFF	2022 Pre- Primary	Report due July 25, 2022, and received by the Board August 5, 2022. Report was late due to computer issues and health issues of treasurer's mother during this time. Worked with Board staff to resolve issues. Cash balance as of October 24, 2022 was \$517. RECOMMENDED ACTION: Waive	Flynn	Approve staff recommendation	All members voted in the affirmative

<p>2. Hornstein (Frank) Volunteer Committee (15671)</p>	<p>\$100 LFF</p>	<p>2022 Pre- General</p>	<p>Report due October 31, 2022, and received November 2, 2022. Treasurer thought it had been received by the Board timely as there were two messages on the screen, one saying it was uploaded successfully and one saying it failed. When realized it did not go through worked with Board staff to submit. Cash balance as of October 24, 2022, was \$6,030. RECOMMENDED ACTION: Waive</p>	<p>Flynn</p>	<p>Approve staff recommendation</p>	<p>All members voted in the affirmative</p>
<p>3. Justin Emmerich (Senate candidate)</p>	<p>\$5 LFF</p>	<p>Original EIS</p>	<p>Was due June 24, 2022, and filed July 15, 2022. Sent in mail on June 16, 2022 but was lost. As soon as learned of the issue worked with Board staff to file. RECOMMENDED ACTION: Waive</p>	<p>Flynn</p>	<p>Approve staff recommendation</p>	<p>All members voted in the affirmative</p>
<p>4. 60th Senate District DFL (Old) (20473)</p>	<p>\$1,000 LFF \$1,000 CP</p>	<p>2022 Pre- General</p>	<p>Report due October 31, 2022, and filed December 19, 2022, by the treasurer of the 60th Senate District DFL (New). The old party unit is in the process of terminating due to redistricting. The treasurer for the new party unit attempted to work with the treasurer of the old party unit but she did not file the report and ceased communicating so he filed the report himself based on the information he was provided. Balance as of October 24, 2022, was \$1,766, following transfer of \$12,660 to the new party unit. RECOMMENDED ACTION: Waive</p>	<p>Flynn</p>	<p>Approve staff recommendation</p>	<p>All members voted in the affirmative</p>

<p>5. Neighbors for Zaynab (18730)</p>	<p>\$9,000 LFFs</p>	<p>9x Pre-Primary 24 Notices</p>	<p>Notices due 4x on July 29, 2022, one on August 5, 2022, one on August 6, 2022, and 3x on August 7, 2022, were never filed. The committee's treasurer was inactive during this time and the Chair was removed on July 28, 2022. The request is based upon the candidate being in a car accident and having a serious concussion preventing her from looking at screens. Cash balance as of October 24, 2022, was \$43,231. RECOMMENDED ACTION: Reduce to \$1,000 total</p>	<p>Flynn</p>	<p>Approve staff recommendation</p>	<p>Asp abstained. All other members voted in the affirmative</p>
<p>6. Ashley Burg (2542), Affidavit Only Candidate</p>	<p>\$100 LFF \$1,000 CP</p>	<p>Original EIS</p>	<p>EIS due June 14, 2022, and filed December 10, 2022. Numerous attempts were made to contact Ms. Burg, including a certified letter sent October 14, 2022. The matter was previously referred to the AG at the November 2022 Board meeting. Was an affidavit only first-time candidate who overlooked the requirement. RECOMMENDED ACTION: Waive CP only</p>	<p>Asp</p>	<p>Approve staff recommendation</p>	<p>All members voted in the affirmative</p>

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 stated that a default judgment motion is currently being drafted for the Martinez-Perez matter.

EXECUTIVE SESSION

Chair Soule recessed the regular session of the meeting and called to order the executive session. Upon recess of the executive session, the chair reported the following matters into regular session:

Dismissal:

- In the Matter of the Complaint of 3B House District Republican Party of Minnesota regarding the Mary Murphy Volunteer Committee

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

Respectfully submitted,

Jeff Sigurdson
Executive Director

Attachments:
Memorandum regarding legislative proposals
Statutory language for legislative recommendations
Legal report

DRAFT



MINNESOTA

CAMPAIGN FINANCE BOARD

Board Meeting Dates for Calendar Year 2023

Meetings are at **9:30 A.M.** unless otherwise noted.

Wednesday, March 1

Wednesday, April 5

Wednesday, May 3

Wednesday, June 7

Wednesday, July 5

Wednesday, August 2

Wednesday, September 6

Wednesday, October 4

Wednesday, November 1

Wednesday, December 6



MINNESOTA

CAMPAIGN FINANCE BOARD

Date: February 1, 2023

To: Board Members

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Executive Director's Report – Board Operations

Year-end Reports

All three major program areas; campaign finance, lobbying, and economic interest statements have year-end filing requirements in January. A brief update for each program follows:

Lobbying Program. The lobbyist disbursement report covering the period of June 1 through December 31, 2022, was due on January 17, 2023. Of the 2,232 reports due, 2,219 (99%) were filed by the deadline. The use of the online reporting system remains high with 93% of lobbyist disbursement reports filed electronically. Late lobbyist reports are assessed a late filing fee of \$25 a day to a maximum of \$1,000. A \$1,000 civil penalty may also be imposed after a certified letter is sent.

Campaign Finance Program. The year-end report of receipts and expenditures for 2022 was due on January 31, 2023. Of the 1,515 reports due from candidate committees, political party units, and political committees and funds, 1,367 (98%) were filed by the deadline. Late year-end reports are assessed a late filing fee of \$25 a day to a maximum of \$1,000. A \$1,000 civil penalty may also be imposed after a certified letter is sent.

Economic Interest Statement. The annual certification by public officials for 2022 was due on January 30, 2023. Of the 3,184 public officials required to file, 2,926 (92%) were filed by the deadline. There is a grace period for the late filing of an economic interest statement, late fees will not begin until February 14th, and will accumulate at a rate of \$5 a day to a \$100 maximum. A \$1,000 civil penalty may also be imposed after a certified letter is sent.

Update on Legislation and Budget

The two budget change items for the Board, \$50,000 a year to pay for moving the Board's databases and applications to the Azure cloud, and \$110,000 a year needed to fund the current staff complement, were both included in the Governor's budget request.

The Revisor's office is dealing with an unprecedented backlog of drafting requests for bills. That has impacted the Board, and as of the date of this memo I have not received the Board's legislative recommendations in bill form. I have been informed that I will have most if not all of the bills by the Board meeting, and will provide an update at that time. I have been meeting with legislators on the recommendations, and I believe there is interest in introducing many of the recommendations.

Below is a list of the bills heard, or scheduled to be heard, related to Chapter 10A or Chapter 211B.

Bill Number	Author	Topic	Status
<u>SF 66</u>	Port	A lobbyist would not be able to contribute to a principal campaign committee, legislative caucus, or a political committee in exchange for access to a meeting space. The effect of this bill would be to nullify Advisory Opinion 454.	Heard in the Senate Election Committee on January 26, passed as amended, sent to the floor.
<u>HF 496</u>	Klevorn	A lobbyist would not be able to contribute to a principal campaign committee, legislative caucus, or a political committee in exchange for access to a meeting space. This is the companion to SF 66	Heard in the House Elections Finance and Policy Committee on January 27, passed as amended, sent to the floor.
<u>HF 117</u>	Stephenson	Political activities by foreign-influenced for profit corporations prohibited including contributions to independent expenditure committees, certification of compliance required by corporations that do donate to independent expenditure committees.	Heard in the House Elections Finance and Policy Committee on January 23, passed as amended, sent to the floor.



MINNESOTA CAMPAIGN FINANCE BOARD

Date: February 1, 2023

To: Board members

From: William Hager, Legal Analyst

Telephone: 651-539-1183

Re: Proposed Changes to Minnesota Statutes section 10A.13, Accounts That Must Be Kept

At the January Board meeting members discussed a legislative recommendation that would increase the anonymous contribution threshold. The Board directed staff to review the various reporting requirements in Chapter 10A and report back what complications may arise if the anonymous contribution limit was increased. This memo provides that review, and also provides a proposal submitted by Tim Bonham, a former party unit treasurer, on how the anonymous contribution threshold could be indexed to inflation.

Currently, the statute requires the treasurer of a campaign committee or party unit to collect the donor name, address, date of contribution, and contribution amount for all contributions over \$20. Mr. Bonham proposal would do one of three things: change the amount to \$65 and adjust it annually and automatically based upon the federal consumer price index; by majority vote allow the Board to change the amount based upon the federal consumer price index, limited to changes within 10% of the previous year's amount; or by a 2/3 vote allow the Board to change the amount at its discretion.

Minnesota Statutes section 10A.13 was signed into law in 1974 and included the \$20 requirement. This amount has not been adjusted since that time. Per the U.S. Bureau of Labor Statistics, \$20 in January 1974 would equal approximately \$127.38 as of December 2022.

Beyond \$20 appearing in section 10A.13, subdivision (1) (2) as noted above, this amount appears six more times throughout Minnesota Statutes Chapter 10A. It appears three times in section 10A.13, once as noted above, and in section 10A.13, subdivision (1) (1), allowing for records not to be kept for in-kind contributions of \$20 or less, and subdivision (1) (5), which requires recording of the name and address of each entity to which a contribution in excess of \$20 has been made. The \$20 amount appears in section 10A.15, subdivisions 1 and 2, related to anonymous contributions over \$20 being sent to the Board and requiring individuals who receive contributions in excess of \$20 to provide the name and address of the contributor. Finally, section 10A.17, subdivisions 2 and 3 require written authorization for approved expenditures in excess of \$20 and allow treasurers to sign vouchers for up to \$20 in petty cash, per week, for legislative elections. All of these items except section 10A.13, subdivision 1 (5), appear in the 1974 legislation and have not been adjusted since.

Some sections of the law have been updated with higher dollar amounts since they were enacted, including some enacted in 1974. This includes but is not limited to the registration threshold in section 10A.14, which required registration when a committee or fund received contributions or made expenditures in excess of \$100 (now at \$750 for most filers); spending limits under section 10A.25 for constitutional and legislative offices, which limited election-year spending to \$600,000 for candidates for governor, for example (now totals over \$4 million during the two-year segment leading up to an election); and designation of income tax payment amounts under section 10A.31 to help fund the public subsidy program, which was \$1 per taxpayer (now \$5). This is also true with itemization on reports, which could be impacted by the proposed change. Initially, reports were required by section 10A.20 to disclose the name, address, and employer for contributions in excess of \$50 for legislative candidates and \$100 for statewide candidates (the amount is now \$200 for both legislative and statewide candidates).

The only section within Chapter 10A that specifically references the consumer price index is section 10A.255, Adjustment by Consumer Price Index, which states:

Subdivision 1. Method of calculation. The dollar amounts in section 10A.25, subdivision 2, must be adjusted for general election years as provided in this section. Each general election year, the executive director of the board must determine the percentage increase in the Consumer Price Index from December of the year preceding the last general election year to December of the year preceding the year in which the determination is made. The dollar amounts used for the preceding general election year must be multiplied by that percentage. The product of the calculation must be added to each dollar amount to produce the dollar limitations to be in effect for the next general election. The product must be rounded up to the next highest \$100 increment. The index used must be the revised Consumer Price Index for all urban consumers for the St. Paul-Minneapolis metropolitan area prepared by the United States Department of Labor.

The aggregate special source contribution limit, which limits the total amount of contributions candidates may accept from political committees and funds, lobbyists, and associations not registered with the Board, is calculated as a percentage of the spending limit for each office, so indirectly, that limit is also adjusted for inflation.

The proposed change may cause issues with other reporting requirements and cause confusion among treasurers. For example, for the 2021-2022 election segment the contribution limit for an individual contributing to a Senate candidate was \$1,000. If the accounting threshold were to change, it may make it less likely that candidates will track and attribute contributions to each individual who makes contributions under the proposed threshold, making it easier for individuals to exceed the contribution limit by giving multiple contributions below the threshold. This would also require treasurers to change reporting processes every two years and may also require additional training and resources to update Board exception reports. Further, this may impact anonymous contributions and that language may need to be adjusted as well. This may also have an impact on candidates who file an affidavit of contributions as they would still be required to collect this information until they meet the required threshold for the affidavit. Finally, this may increase the likelihood of committees accepting corporate contributions disguised as anonymous contributions or using fictitious names.

There would also be benefits to committees. For example, this may make it easier for committees to sell items at a booth without taking the additional time to record the required information, streamlining transactions under the threshold amount.

Attachment

Suggested changes from Tim Bonham

An Act

increasing the transparency of Campaign Finance Reporting, reducing the amount of distracting detail on small contributions while retaining itemization of large contributions, and indexing this itemization minimum to the consumer price index.

Explanation: *Current law requires the Treasurer of each campaign or party unit to collect and report the Name, Address, Employer or Occupation, and contribution amount of each contribution over \$20.*

This \$20 amount was set when this legislation was passed, back in 1982. Back then, 50 years ago, \$20 meant a lot more than it does now. Adjusted for inflation, a \$20 contribution then would be equivalent to \$63.14 now.*

Because this amount has remained unchanged since the law was first passed, while inflation has continued, Treasurers are burdened with collecting and reporting a mass of data on quite small contributions. Then, reporting all this detail on minor contributions obscures the reports of large campaign contributions.

This bill would reset the amount based on inflation, and would allow the Campaign Finance Board to adjust it yearly.

* Per Bureau of Labor Statistics, CPI Inflation (https://www.bls.gov/data/inflation_calculator.htm)

Minnesota Statute 10A.15 CONTRIBUTIONS, subdivision 2 is changed as follows:

from “An individual who receives a contribution in excess of \$20”

to “An individual who receives a contribution in excess of the itemized reporting amount.”

Add subdivision 2e and 2f as follows:

2e. The itemized reporting amount in subdivision 2 shall be \$65, effective January 1, 2023.

2f. Each year, by January 31st, the Campaign Finance Board shall publish the itemized reporting amount for that year, based on the previous years’ amount adjusted by the change in the Federal Consumer Price Index, rounded to the nearest whole dollar.

2nd choice alternative version for 2f:

2f. Each year, by January 31st, the Campaign Finance Board shall set, by majority vote, the itemized reporting amount for that year, which shall be within 10% plus or minus the previous years’ amount adjusted by the change in the Federal Consumer Price Index, rounded to the nearest whole dollar.

3rd choice alternative version:

2f. Each year, by January 31st, the Campaign Finance Board shall set, by 2/3rds majority vote, the itemized reporting amount for that year.



MINNESOTA

CAMPAIGN FINANCE BOARD

Date: February 1, 2023

To: Board members
Counsel Hartshorn

From: William Hager, Legal/Management Analyst

Subject: Enforcement report for consideration at the February 8, 2023 Board meeting

A. Discussion Items

1. Administrative termination of lobbyist Joan Miltenberger (8013)

The Joint Religious Legislative Coalition (JRLC) requested that the lobbyist registration of Ms. Miltenberger be terminated as she ceased lobbying on behalf of that principal as of April 30, 2022. The principal attempted to contact Ms. Miltenberger asking her to file a termination statement, but she has not done so. JRLC is the only principal represented by Ms. Miltenberger. There are no outstanding reports and Ms. Miltenberger's disbursements are reported by the principal's designated lobbyist.

2. Administrative termination of lobbyist Mary Baumgartner (4787)

The Joint Religious Legislative Coalition (JRLC) requested that the lobbyist registration of Ms. Baumgartner be terminated as she ceased lobbying on behalf of that principal as of October 2021. The principal attempted to contact Ms. Baumgartner asking her to file a termination statement, but she has not done so. JRLC is the only principal represented by Ms. Baumgartner. There are no outstanding reports and Ms. Baumgartner's disbursements are reported by the principal's designated lobbyist.

3. Administrative termination of lobbyist Kathryn Powell (4374)

The Joint Religious Legislative Coalition (JRLC) requested that the lobbyist registration of Ms. Powell be terminated as she ceased lobbying on behalf of that principal as of June 2019. The principal attempted to contact Ms. Powell asking her to file a termination statement, but she has not done so. JRLC is the only principal represented by Ms. Powell. There are no outstanding reports and Ms. Powell's disbursements are reported by the principal's designated lobbyist.

4. Administrative termination of lobbyist Adrianna Jereb (5018)

MN350 Action requested that the lobbyist registration of Ms. Jereb be terminated as she ceased lobbying on behalf of that principal as of September 16, 2022. The principal attempted to contact Ms. Jereb asking her to file a termination statement, but she has not done so. MN350 Action is the only

principal represented by Ms. Jereb. There are no outstanding reports and Ms. Jereb's disbursements are reported by the principal's designated lobbyist.

5. Administrative termination of lobbyist Madison Johnson (4939)

MN350 Action requested that the lobbyist registration of Ms. Johnson be terminated as she ceased lobbying on behalf of that principal as of September 7, 2022. The principal attempted to contact Ms. Johnson asking her to file a termination statement, but she has not done so. MN350 Action is the only principal represented by Ms. Johnson. There are no outstanding reports and Ms. Johnson's disbursements are reported by the principal's designated lobbyist.

6. Administrative termination of lobbyist Muluk Eltag (5167)

Beacon Interfaith Housing Collaborative (BIHC) requested that the lobbyist registration of lobbyist Eltag be terminated as they ceased to be employed by that principal as of November 4, 2022. The principal attempted to contact lobbyist Eltag asking them to file a termination statement, but the lobbyist has not done so. BIHC is the only principal represented by lobbyist Eltag. There are no outstanding reports and lobbyist Eltag's disbursements are reported by the principal's designated lobbyist.

7. Administrative termination of lobbyist Debra Rodgers (4208)

Beacon Interfaith Housing Collaborative (BIHC) requested that the lobbyist registration of lobbyist Rodgers be terminated as they ceased to be employed by that principal as of December 3, 2022. The principal attempted to contact lobbyist Rodgers asking them to file a termination statement, but the lobbyist has not done so. BIHC is the only principal represented by lobbyist Rodgers. There are no outstanding reports and lobbyist Rodgers' disbursements are reported by the principal's designated lobbyist.

8. Security Waiver Request of Munazza Humayun (Public Official)

Official Humayun is an unemployment law judge through the Department of Employment and Economic Development. As such, Official Humayun is required to complete an annual statement of economic interest which requires disclosure of any properties owned by the official that is not classified as homestead. Due to the position and the potential for unfavorable decisions and retaliation, Official Humayun would like a waiver regarding the reporting of the address of a non-homestead property under Minnesota Statutes section 10A.09, subdivision 9. That provision provides that "Upon written request and for good cause shown, the board may waive the requirement that an official disclose the address of real property that constitutes a secondary residence of the official."

9. Balance adjustment request – Shelly (Christensen) for house (18148)

Ms. Christensen was a candidate for state representative in 2018 and 2020. In late 2021 the committee's treasurer, David Waldschmidt, discovered a cash balance discrepancy and contacted Board staff. Since then, Mr. Waldschmidt has exhaustively reviewed the committee's financial records and filed amended 2018 and 2021 year-end reports. However, the committee is unable to find the source of the discrepancy. Currently there is a discrepancy of \$100 between the committee's 2020 and 2021 year-end reports, a discrepancy of \$150 between the committee's 2021 and 2022 year-end

reports, and a discrepancy of \$1,586.05 between the committee's reported 2022 ending cash balance and the balance in the committee's bank account. The \$100 and \$150 discrepancies may be resolved via amendment, which will reduce the remaining cash balance discrepancy to \$1,336.05. The Christensen committee is thereby requesting a downward adjustment of \$1,336.05 to the committee's reported 2022 ending cash balance, changing the balance from \$2,865.78 to \$1,529.73.

10. Balance adjustment request – Sokup (Davin) for Senate (18451)

Mr. Sokup was a candidate for state senator in 2020. While trying to dissolve his campaign committee in July 2022, Mr. Sokup discovered a cash balance discrepancy and contacted Board staff. Since then, Mr. Sokup and Board staff have reviewed the committee's financial records, including bank statements and contribution data from ActBlue. Those records indicate that the committee's 2019 and 2020 year-end reports collectively omitted \$636.58 in receipts, and \$1,351.13 in disbursements, almost all of which occurred in 2020. \$550 of the missing receipts was determined to consist of two contributions that are now included within an amended 2019 year-end report. Because the committee's bank statements are not sufficiently detailed and the candidate no longer has access to the committee's Campaign Finance Reporter data due to a computer malfunction, Mr. Sokup is unable to determine the source of the remaining cash balance discrepancy, which is \$1,264.55. Mr. Sokup is thereby requesting a downward adjustment of \$1,264.55 to his committee's reported 2020 ending cash balance, changing the balance from \$5,739.96 to \$4,475.41. Mr. Sokup intends to file a termination report in 2023.

11. Request to refer matter to the Attorney General's Office – John Thompson and John (Thompson) for 67A

Mr. Thompson is a former state representative. On December 15, 2022, the Board issued findings and conclusions regarding a staff review involving Mr. Thompson and the John (Thompson) for 67A committee. The Board imposed a civil penalty of \$500 against Mr. Thompson for violating the individual contribution limit and required that payment be made within 30 days. The Board ordered the Thompson committee to either refund \$500 to a contributor who exceeded the individual contribution limit and provide documentation of the refund, or forward the \$500 excess amount to the Board, within 60 days. The Board ordered Mr. Thompson to either disclose the employment information of two contributors within its 2022 year-end report, refund the contributions made by those individuals to the extent that they exceeded \$200 per contributor and provide documentation of those refunds by March 2, 2023, or forward the amount of \$1,200 to the Board by March 2, 2023. Also, the Thompson committee owes an outstanding late filing fee of \$50 for its 2022 pre-primary report of receipts and expenditures.

The February 8, 2023, Board meeting will be held 55 days after the Board issued its findings and conclusions in this matter. Mr. Thompson has not paid the civil penalty imposed, paid the late filing fee owed, or responded in any way. As of the date of this memorandum, Mr. Thompson has not filed his committee's 2022 year-end report. Staff is asking the Board to refer the matter to the Attorney General's Office to seek an order compelling compliance with the Board's orders and any other remedies available under Minnesota Statutes section 10A.34.

B. Waiver Requests

#	Committee / Entity	Late Fee/ Civil Penalty	Report Due	Factors	Prior Waivers	Recommended Action
1	MN For All (41190)	\$200 LFF	September	Report due September 27, 2022 and received October 7, 2022. This was a no change statement. Treasurer attempted to file the report timely but the attempt failed in the software. Attempt was from ER waiting room after an emergency. Balance as of October 24, 2022 was \$39.68.	None	Waive
2	DFL SD47 (20878)	\$200 LFF	Pre-General Report	Report due October 31, 2022 and received by the Board November 4, 2022. The treasurer submitted the report timely but it did not go through. Treasurer did other reports that weekend, and thought it had gone through. When this was brought to her attention she promptly filed the report. Balance as of October 24, 2022 was \$697.	None	Waive
3	Buckmeier (Sonja) for MN (18934)	\$200 LFF	Pre-General Report	Report due October 31, 2022 and received by the Board November 4, 2022. The treasurer submitted the report timely but it did not go through. This is the committee's first campaign. When this was brought to her attention she promptly filed the report. Balance as of October 24, 2022 was \$1,552.	None	Waive
4	Team Froelich (18959)	\$1000 LFF \$1000 CP	Pre-Primary Notice	Pre-Primary report due July 25, 2022 and received September 6, 2022. This is a first-time candidate who, based upon reporting requirements, was not required to form a committee. The only contribution to the committee reported was \$100 from the candidate. The candidate stated when he got the election packet it did not contain information regarding the pre-primary report. The balance as of December 31, 2022 was \$0.	None	Waive
5	Foung for Senate 67 Committee (17481)	\$1000 LFF	Pre-General 24 Hour Notice	Notice due November 1, 2022 and provided January 25, 2022. Treasurer informed Board staff upon the discovery of the notice not being provided. This was an oversight due to the passing of the treasurer's sister in law and the candidate's spouse. Balance as of December 31, 2022 was \$25,950.	None	Waive
6	Safer Hennepin (30709)	\$1000 LFF	Pre-Primary 24 Hour Notice	Notice was due July 28, 2022 and not provided until September report filed. This is an IE fund which has had difficulty with the transition from local reporting to state reporting. The issue was due to a miscommunication between the chair and treasurer as to when the contribution was received. Balance as of October 24, 2022 was \$19,530.	None	Reduce to \$250

C. Informational Items

1. Payment of late filing fee for 2022 pre-general report of receipts and expenditures

Forward Party of Minnesota, \$50
Working America Minnesota PAC, \$150

2. Payment of late filing fee for 2022 September report of receipts and expenditures

Forward Party of Minnesota, \$75

3. Payment of late filing fee for 2022 pre-primary report of receipts and expenditures

Forward Party of Minnesota, \$150
Hornstein Volunteer Committee, \$50
NRA Political Victory Fund, \$400

4. Payment of late filing fee for 2022 pre-primary notice of large contribution

Neighbors for Zaynab Mohamed, \$1000
Planned Parenthood MN PAC, \$1250
Joint Council 32 Drive, \$3000

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

Hornstein Volunteer Committee, \$50

6. Payment of late filing fee for original EIS

Ashley Burg, \$100
Jeffrey Entsminger, \$25
Samantha Sencer-Mura, \$55

7. Payment of late filing fee for 2021 annual EIS

Machelle Frisbie, \$100

8. Payment of late filing fee for lobbyist disbursement report due 6/15/2022

Sara Wolff, \$25

9. Payment civil penalty for exceeding contribution limits

Tim Walz for Governor, \$700

10. Payment of civil penalty for disclaimer violation

Minnesotans for Julie Blaha, \$100

Neighbors for Liz Boldon, \$250

Miltenberger (8013)

Baumgartner (4787)

Powell (4374)

From: [anne krisnik](#)
To: [Ross, Erika \(CFB\)](#)
Cc: [Leah Patton](#)
Subject: Request for Administrative Termination of Lobbyist Registrations
Date: Sunday, January 15, 2023 10:35:44 PM

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Greetings-

I am the recently retired Executive Director/principal lobbyist for the Joint Religious Legislative Coalition (JRLC), Organization Registration Number 317.

I completed my lobbying with the JRLC in May of 2022. I have submitted a termination of lobbying form, effective May 20th. It was sent by mail and should be received soon.

On behalf of the JRLC, I am requesting the termination of the following registered lobbyists. I have contacted each of them several times asking them to complete a lobbyist termination form. They have not done so. Here are their names and the last dates for any lobbying activities:

- Joan Miltenberger, completed April 30, 2022
- Mary Baumgartner, completed October 2021
- Katie Powell, completed work June 2019

The JRLC did no lobbying from May 20, 2022 through the end of 2022.

Thank you for your consideration of this request. Special thanks to Erika Ross for her help in determining how to remove lobbyists who did not take action to terminate their registration. If you have any questions, please contact me at akrisnik@gmail.com or by phone at 651.276,8148.

I'm including Leah Patton, the new JRLC Executive Director, on this email. She will be submitting her registration soon.

Respectfully,

Anne Krisnik

Jereb (5018)

Johnson (4939)

MN350

MN350
ACTION

4407 E. Lake St., Minneapolis, MN 55406

January 9, 2023

Erika Ross

erika.t.ross@state.mn.us

Program Administrator

Campaign Finance and Public Disclosure Board

(651) 539-1187

Subject: Administrative Termination

Ms. Ross,

It being difficult to reach and procure individual lobbyist termination statements from former employees, MN350 Action would like to move forward with an administrative termination for the following:

Jereb, Adrianna, registration #5018...Last represented MN350 Action on 9/16/2022

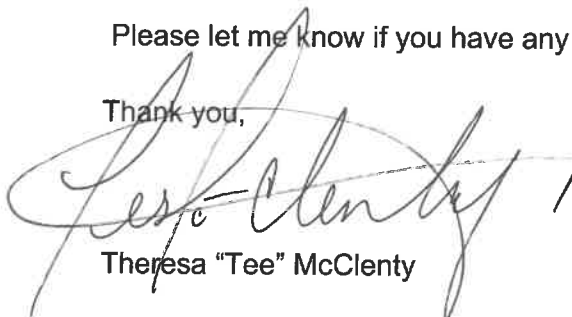
Johnson, Madison, registration #4939...Last represented MN350 Action on 9/7/2022

Also, one of our board co-chairs has been replaced. On our last report we indicated both Sheila Lamb and Mahyar Sorour. Mahyar Sorour should be removed and replaced with Toya Lopez.

We request that your Board approve their administrative termination, backdated to when they last lobbied for the MN350 Action.

Please let me know if you have any questions.

Thank you,

 1.9.2023

Theresa "Tee" McClenty

Executive Director

MN350 Action

Eltag (5167)
Rodgers (4208)



2610 University Avenue West Suite 100, St. Paul, MN 55114 | p. 651-789-6260

January 19, 2023

Minnesota Campaign Finance Board
658 Cedar St.
St. Paul, MN 55155

Dear MN Campaign Finance Board,

Beacon Interfaith Collaborative (registration #4750) is requesting an administrative termination from the Board for the following lobbyists:

- Muluk Eltag: registration #5167 terminated on 11/4/2022.
- Debra Rodgers: registration #6697 terminated on 12/3/2022.

The lobbyists have terminated from Beacon on the above-mentioned dates and will no longer lobby on our behalf. All their disbursements have been reported and they are no longer active.

Kind regards,

A handwritten signature in black ink, appearing to read "Mindy Mader", with a horizontal line extending to the right.

Mindy Mader
Human Resources Associate

From: [Humayun, Munazza \(DEED\)](#)
To: [Ross, Erika \(CFB\)](#)
Subject: RE: Economic interest statement
Date: Monday, January 23, 2023 4:22:53 PM
Attachments: [image001.png](#)

Thank you. Below is my request for the Campaign Finance Board to consider:

1/23/23

Security Waiver Request

Attn: Campaign Finance Board

I am required to file an Economic Interest Report for 2022. I am requesting a waiver from the requirement to disclose the location of real property I own that is not my primary residence. I own one such property that is the primary residence of a relative of mine. I do not wish to disclose the location of that property in a public record for security reasons. The work I do involves applying the law to determine unemployed individuals' eligibility to receive unemployment benefits. As part of my job, I issue decisions that are unfavorable to one party or another. The likelihood that any party angered by an unfavorable decision I issued would seek to find my residence is small, but the possibility certainly exists. I would like to minimize the amount of information made public about the property (that is owned by me but used by my relative) for that reason. Thank you for considering this request.

Munazza Humayun

Munazza Humayun / Unemployment Law Judge (*she, her*)
Minnesota Department of Employment and Economic Development
180 Fifth Street E., Saint Paul, MN 55101
Direct: 651-259-7143
[Web](#) | [Twitter](#) | [Facebook](#)

Title: MN DEED logo



From: Ross, Erika (CFB) <Erika.T.Ross@state.mn.us>
Sent: Monday, January 23, 2023 1:30 PM
To: Humayun, Munazza (DEED) <munazza.humayun@state.mn.us>
Subject: RE: Economic interest statement

Greetings,

I apologize for the delay in my response. If you want to request the second residence waiver, you should submit a written request to the Campaign Finance Board. The request should describe why you have good cause for not wanting to disclose the address of the second residence. The request should not include the address of or specific details about the property because the request is public

and the Board will consider it during the portion of its meeting that is open to the public. You can appear at the meeting to address the Board (either remotely or in person), but an appearance is not required. The Board has the authority to consider your request based solely on the written submission.

In place of the actual property address, please write something along the lines of “security waiver request”.

You can send the request by email to me at the address above or you can mail it to the Board at this address:

Campaign Finance Board
Suite 190 Centennial Office Building
658 Cedar St
St Paul, MN 55155

The next meeting is scheduled for Wednesday, February 8th, and the deadline for submissions for that meeting is January 27th.

Please let me know if you have any other questions.

Thank you,

Erika Ross
Programs Analyst
Campaign Finance and Public Disclosure Board
(651) 539-1187

2b-logo-horizontal copy



From: Humayun, Munazza (DEED)
Sent: Thursday, January 19, 2023 3:45 PM
To: Ross, Erika (CFB) <Erika.T.Ross@state.mn.us>
Subject: Economic interest statement

Hello Ms. Ross,

I just filed my Economic Interest Report for 2022. In past years, I have not listed a condo I own that is not my primary residence but that is the primary residence of a family member of mine. I was told by staff at your office in past years that I could fill out a form of some sort that would allow me to

not list that condo's address (for safety reasons) on the public report. Is that something I'll have to fill out for 2022 as well? Thank you for your help.

Munazza Humayun / Unemployment Law Judge *(she, her)*

Minnesota Department of Employment and Economic Development

180 Fifth Street E., Saint Paul, MN 55101

Direct: 651-259-7143

[Web](#) | [Twitter](#) | [Facebook](#)

Title: MN DEED logo



Shelly for House
P.O. Box 804
Stillwater, MN 55082

January 25, 2023

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

Re: Request for Committee Balance Adjustment

Dear Sirs/Madams of the Board of Directors:

The purpose of this letter is to request a downward adjustment of the CFR (Campaign Finance Reporter software system) reported Cash Balance for the *Shelly for House Committee* (hereinafter Committee) such that the adjusted balance may match the Committee's bank balance as reported in our Lake Elmo Bank account. Based on the Committee's year-end report for 2022, the CFR Cash Balance is reported to be \$3,115.78. The Committee's bank account with Lake Elmo Bank currently has an ending balance of \$1,529.73. The Committee requests a downward adjustment such that the approved and recognized final balance for the Committee matches the bank account.

The Committee notes that it is our intent to terminate the Committee and disburse the final amount in the bank account in accordance with Campaign Finance rules and regulations. We wish to terminate the Committee in 2023 and as soon as reasonably possible after Campaign Finance Board approval.

Background

The *Shelly for House Committee* was formed in 2017 to support the candidacy of Shelly (Michelle) Christensen in House District 39B. The Committee has been active through 2022, however, Mrs. Christensen chose not to run for reelection in 2022 so, although active, the Committee had very few transactions (receipts or expenses) to account for in 2022.

In 2017, the Treasurer for the Committee was Mrs. Denise Seck who maintained the financial records for the Committee through 2019. At the end of 2019, Mrs. Seck moved out of the district. Mrs. Christensen asked me to assume the responsibility of Treasurer. While I accepted the role and attended the CFB training course, and learned how to use the CFR system, I did not recognize that the CFR cash balance and bank balance were not aligned prior to 2020.

When I completed my initial year in 2020, I then realized the balances did not align. With the help of Andrew Olson, we reviewed 2020 and determined that there were a couple of minor entry errors in 2020 that needed to be corrected and once done, 2020 was deemed to be accurately reported in CFR.

Request for Committee Balance Adjustment
Page Two

Audit and Review

Now recognizing the existing discrepancy, this Treasurer undertook a comprehensive audit to try and find its cause. The audit included the following reviews:

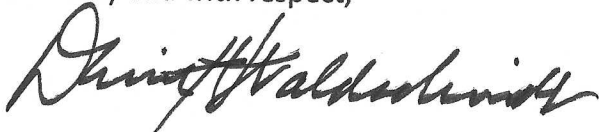
- Taking every monthly bank statement from 2017 through 2022 and ensuring that each receipt accounted for on the bank statement accurately corresponded to a recorded receipt in CFR.
- Similarly, each monthly bank statement for said years was reviewed on the withdrawal side to ensure that each withdrawal could be accounted for in CFR.
- And finally, the audit was performed in reverse to ensure that all receipts and expenses recorded in CFR were accounted for in the LEB bank statements. This was done by running receipt and expense detail reports for each year in CFR and then matching each transaction to the bank statement.

While the audit did find some minor entry errors in 2018 and 2019 (which were subsequently corrected), the review was not conclusive in resolving the cause of the existing discrepancy.

Conclusion

This Treasurer concludes with a reasonable degree of certainty that the LEB bank balance is the correct cash balance for the Committee. This Treasurer is, therefore, led to surmise that although the previous Treasurer maintained very good records and was very diligent and responsible, there was likely some underlying error in the way in which some transactions were reported in CFR that created a cash imbalance. Despite the exceptional help of CFB staff, I have concluded this review without solving the precise cause for the imbalance and hereby make this request for the adjustment.

Sincerely and with respect,



David H. Waldschmidt
Treasurer, Shelly for House Committee's

cc: Shelly Christensen
Megan Engelhardt
Andrew Olson

From: Davin Sokup <davinsokup@gmail.com>

Sent: Friday, July 08, 2022 1:41 PM

To: Engelhardt, Megan (CFB) <megan.engelhardt@state.mn.us>; Stevens, Melissa (CFB) <melissa.stevens@state.mn.us>

Subject: Balance adjustment needed to terminate committee

Hi Megan,

I just spoke with Melissa and she let me know I should email the two of you with some information about my senate committee and account. I ran in the 2020 cycle (I am not currently running) and am trying to shut down my bank account.

When I began the process of wanting to terminate my account, it became known to me that I have a balance discrepancy of about \$719. Melissa told me that I should go through my bank statements and my CFB reports to try and find the error. My brother was my treasurer for 2019 and 2020, and has since lost access to the reporting software because his computer crashed, so I went through the reports and each month's bank statement since I opened the account in August of 2019. I unfortunately couldn't find anything. I know this is really unfortunate, and I feel really bad about not being able to comb through the software and find what happened, but if possible I would like a balance adjustment to fix this so I can donate the remaining funds I have and terminate my account.

I have all my bank statements to share with you if that's helpful to anyone in this process. Thank you so much for your help, and to Melissa for all of her assistance so far, Im very grateful!

Best,
Davin

507-350-7144
davinsokup.com

Steven Kranz, Treasurer
Minnesota for All
2378 Como Ave.
St. Paul, MN 55108

Minnesota Campaign Finance Board
658 Cedar St. – Suite 190
St. Paul, MN 55155-1603

Re: Minnesota for All (41190) – Request for Fine Waiver/Reduction

Dear Campaign Finance Board:

I am writing to request a waiver (or a reduction) of the \$200 fine I incurred as the result of my failure to timely file the report due on September 27, 2022, for Minnesota for All. While I understand the importance of filing these reports on time (and recognize they are required even if there is no activity), Minnesota for All has had no financial activity (receipts or expenditures) since at least 2018, and I have been filing “no change” reports each time they are due. My intention is to close down Minnesota for All as soon as I can sit down and verify the records (and correct procedure to follow).

If you are unable to waive the fine, I’d like to request that the fine be reduced due to the extraordinary circumstances under which I attempted to file it. I understand you have a record of my failed attempt to upload the report on September 29, 2022. At that time, I had attempted to upload the report *literally* from a hospital emergency room hallway, where I was at my wife’s side after she had been assaulted and suffered a traumatic brain injury while at her job as an elementary school principal (and which she is still recovering from). I thought I had successfully uploaded the report, but given the urgency of the situation, I failed to realize it had not uploaded.

I appreciate the work your office does in managing an important aspect of our democracy, and understand that you may be limited in your discretion to waive the fine. In any event, I would appreciate whatever consideration you can give to the circumstances above.

Best regards,



Steven Kranz
Treasurer
Minnesota for All
(651) 399-3601
steve@kranz.us

From: [Tamara Polzin](#)
To: [Engelhardt, Megan \(CFB\)](#)
Subject: Re: Letter - Fine SD47
Date: Sunday, January 22, 2023 1:34:54 PM

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Sorry -

I realize I forgot to info the reg no - 20878.

Thank you -
Tamara Polzin
612-245-1065

On Sun, Jan 22, 2023 at 1:35 PM Tamara Polzin <sd48chair@swmetrodeems.org> wrote:

Good Morning -

I left you a voicemail but also thought I would follow up with an email. Sorry - I have laryngitis, and may have been difficult to hear.

I received a letter with a fine for missing the filing on Oct 31st. I recall speaking to you shortly after this date, as I did not realize I missed the filing. Actually, I thought I had filed it as I worked with someone online to complete this filing. At no time did I receive an error message when completing the filing so I was not aware it did not go through. I completed 2 other reports that same wkd. As I mentioned, I worked through questions w a CFB employee to help answer questions related to this filing and completed the report while I was online.

I am requesting the fine be dismissed. As stated, I assumed the report was complete. This wkd, I also completed the reports for 3 diff entities. I am hoping they are complete. I have not received a confirmation yet. This is the same thing that happened in Oct.

Please let me know if there is anything further I can do or answers I can provide in making this request.

Thank you -
Tamara

From: [Sonja Buckmeier](#)
To: [Engelhardt, Megan \(CFB\)](#)
Subject: Late filing fee for Report of Receipts- Waiver request
Date: Tuesday, January 24, 2023 9:41:36 PM

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RE: Report of Receipts and Expenditures due on October 31, 2022
Reg No: 18935- Buckmeier (Sonja) for MN

Ms. Megan Engelhardt,

I am writing to follow up on the voicemail I left you today. Upon reviewing the letter dated Jan. 18, 2023, I am requesting consideration for review of the \$200 late fee.

This is the first year for the committee and it was our first year using the campaign software. Mr. Jayme Lyke thought the report was uploaded Monday, Oct. 31 around 6:30 PM. However, we found out via your email on Nov. 4th that the report was not received. I promptly contacted you that day to find out what we needed to do. Between your emails and also in talking with Gary Bauer the report was submitted on Nov. 4th. I am not sure where the disconnect was on our end and it not going through. We did take the necessary steps to resolve this in a timely fashion. Please consider waiving the fee for our committee.

Thank you,

--

Sonja Buckmeier
612-840-2973
Buckmeier4mn.com

TEAM FROELICH - LATE FEE WAIVER APPLICATION

JAN 31, 2023

(320) 232-3144
hunt7856@aol.com

9765 Oak Ct Ne
Rice, Minnesota
56367

January 31, 2023

Hunter Froelich, Team Froelich Treasurer and Candidate
9765 Oak Ct Ne
Rice, Minnesota
56367

Dear State Campaign Finance and Public Disclosure Board,

I owe a \$1,000 late filing fee and a \$1,000 civil penalty for my late pre-primary report. I feel I have good reasoning as to why the report was late and good cause as to why the \$2,000 dollar fee may be waived.

Foremost, I unfortunately lacked the essential resources for filing purposes. Specifically, a connection to the internet and a device to file from. Whilst I had a phone and a cellular connection to connect with the people of Minnesota, I had no device capable of editing a pdf. My phone was: "an actual phone" and not a tablet.

Furthermore, I ran for office to be a civil servant to serve the people of Minnesota, I did not run to be a businessman or for personal gain. The convoluted report took much of my time to research what goes where, file correctly, ensure transparency and triple check the forms for 100% completion and correctness. I have never filed such a report in my life, and this was the only report that was late. In other-words, I figured the first report out and was never late again, nor will I be.

Finally, the State Campaign Finance and Public Disclosure Board packet candidates receive upon filing for office (at the government center) did not include a copy of the pre-primary report, though I was told upon filing that: "Everything you need to run is in this packet". Everything does not constitute, "Most-Of-Everything". I define everything as: "Every" and, "Thing".

Please let me know as soon as possible if you need any additional information from me to implement this waiver application. Lastly, I ask that you send me confirmation that you have received this request and your decision on this request.

Best Regards,

Hunter Froelich

Foung for Senate 67 Committee
1229 Clarence Street.
Saint Paul, MN 55106
January 26, 2023

Minnesota Campaign Finance & Public Disclosure Board
658 Cedar Street
Saint Paul, MN 55155

Subject: Request fee waiver for late filing fee for 24-hour report of large contribution.

Dear Board Members:

I am writing this letter to request your consideration to waive \$750.00 of the \$1000.00 late filing fee of the 24-hour report of large contribution.

On October 31, 2022, I did report within 24 hours of a large contribution from a contributor, Sean Meng Lee for \$501.00 dollars (attachment); meanwhile, I did not report the contribution from Precinct 12 political committee (reg. 20811) for \$1000.00 dollars which was deposited on Monday, October 31, 2022, but was discovered as an error on Thursday, January 25, 2023, as I was working on the financial report which is due on January 31, 2023 and I informed Megan Engelhardt immediately by email.

I believe the cause of this late filing is due to the fact that my sister in law, Anna Tseng, who is the spouse of MN Senator Foung Hawj district 67 had passed away from her illness at Region Hospital on Sunday, October 30, 2022 (see attachments). I inadvertently missed the 24-hour report filing from Precinct 12 during this time of painful bereavement and funeral preparation responsibilities of our beloved family member in addition to other campaign duties for the re-election of Senator Foung on Tuesday, November 8, 2022.

Thank you for service to the board and I look forward to your decision.

Sincerely,



Fue Heu
Treasurer
Foung for Senate 67 Committee

From: [Corey Day](#)
To: [Hager, William \(CFB\)](#)
Cc: mrlaw.msp@gmail.com
Subject: Safer Hennepin [REDACTED] Follow Up
Date: Monday, January 16, 2023 2:33:59 PM
Attachments: [REDACTED]

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[REDACTED]

Campaign Finance Board
658 Cedar Street, Suite 190
St Paul, MN 55155

Dear Mr. Hager and Campaign Finance Board,

Regarding the \$1,000 late filing fee for failing to report a contribution of \$5000 from Brenda Laux within 24 hours. I respectfully request that the board waive the late fee. My treasurer and I miscommunicated the contribution's timing and date, which led to us misreporting the donation. In the past, we were accustomed to reporting to the county or the city of Minneapolis. We are now aware of the reporting rules and understand the importance of communication between the treasurer and the Chair. I appreciate your consideration, and please let me know if you have any questions or concerns.

Sincerely,
Corey Day
Safer Hennepin

COREY DAY

Bio • [LinkedIn](#)

Corey@blueoxstrategies.com

C 612-275-7752



730 Washington Ave North Ste 427
Minneapolis, MN 55401

From: Hager, William (CFB) <William.Hager@state.mn.us>

Date: Tuesday, January 10, 2023 at 8:23 AM

To: Corey Day <corey@blueoxstrategies.com>, mrlaw.msp@gmail.com
<mrlaw.msp@gmail.com>

Subject: Probable Cause Follow Up

Good morning,

Attached and in today's mail please find a letter from myself along with two additional documents (the probable cause determination and a notice of late filing). Please contact me with any questions.

Thank you,

William Hager
Legal/Management Analyst
Campaign Finance and Public Disclosure Board
(651) 539-1183





MINNESOTA CAMPAIGN FINANCE BOARD

Date: February 1, 2023

To: Board members

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Prima facie determination finding no violation

Complaints filed with the Board are subject to a prima facie determination which is made by the Board chair or the Board chair's designee in consultation with staff. If the determination finds 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 the determination finds that the complaint does not state a prima facie violation, the prima facie determination 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 Chair Soule 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 Neel Kashkari

On January 9, 2023, the Board received a complaint submitted by Steven J. Timmer regarding Neel Kashkari.¹ The complaint alleges that Mr. Kashkari violated Minnesota Statutes sections 10A.03 and 10A.04, when he failed to register and file lobbyist reports with the Board for his actions advocating for a proposed amendment to the state constitution. Mr. Kashkari is the president of the Ninth Federal Reserve District headquartered in Minneapolis. The complaint alleges that Mr. Kashkari has caused the Federal Reserve Bank of Minneapolis to spend over \$250 on lobbying, and accordingly, Mr. Kashkari is a lobbyist by virtue of spending more than \$250.

On January 24, 2023, Chair Soule concluded that the complaint did not state a prima facie violation of Minnesota Statutes sections 10A.03 and 10A.04. The determination concluded that while an individual must register as a lobbyist if they spend more than \$250 in personal funds on lobbying (not including traveling expenses or membership dues) the complaint does not allege

¹ https://cfb.mn.gov/pdf/bdactions/1619_Complaint.pdf

that Mr. Kashkari spent any of his own money on lobbying. Therefore, the complaint was dismissed. The prima facie determination is attached to this memo.

Attachments:

Kashkari prima facie determination

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

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF STEVEN J. TIMMER REGARDING NEEL KASHKARI

On January 9 2023, the Campaign Finance and Public Disclosure Board received a complaint submitted by Steven J. Timmer regarding Neel Kashkari.

The complaint alleges that Mr. Kashkari violated Minnesota Statutes sections 10A.03 and 10A.04, when he failed to register and file lobbyist reports with the Board. The complaint alleges that Mr. Kashkari moved to Minnesota in 2016 and subsequently attempted to influence legislative action, specifically by advocating for the “Page Amendment” to be added to the general election ballot as a proposed amendment to the Minnesota Constitution. The complaint states that Mr. Kashkari is the president of the Ninth Federal Reserve District headquartered in Minneapolis, Minnesota. The complaint alleges, and Board records reflect, that as of the date of the complaint Mr. Kashkari was not a lobbyist registered with the Board.

The complaint asserts that “[p]roponents of the Page Amendment, and certainly including Mr. Kashkari, have lobbied for the passage of the constitutional amendment the last three sessions, and they give every indication of doing so again this session. But no lobbying reports were made by Mr. Kashkari in 2022, 2021, 2020, 2019, or any other year, explaining the Fed’s money he has spent.” The complaint argues that “[i]t is more than merely probable that Mr. Kashkari has engaged in lobbying, and it is also more than merely probable that he has spent more than \$250 doing it each year.”

The complaint alleges that Mr. Kashkari used his position, and resources available due to his position, “to persuade legislators to pass Page Amendment bills, and he has worked to persuade others to try to persuade legislators as well.” The complaint alleges that “Mr. Kashkari spent the Bank’s resources and personnel freely, resulting in the expenditure of tens of thousands of dollars a year, or more, lobbying for the Page Amendment, since at least 2019.” The complaint includes a letter from John Yanish, Vice President and Deputy General Counsel of the Federal Reserve Bank of Minneapolis, labeled as Exhibit A. The letter includes hyperlinks to various materials regarding the Page Amendment and refers to a letter Mr. Page sent to members of the legislature in February 2021 explaining the purpose of his and Mr. Kashkari’s efforts to amend “Article XIII, Section 1, of the Minnesota Constitution to make a quality public education a civil right for all children.”¹

The complaint includes a chart, labeled Exhibit E, listing specific Federal Reserve Bank of Minneapolis staff members, and specific calls or meetings in which they allegedly participated, concerning education policy, from August 2016 through September 2022. The complaint states

¹ The letter is available at house.leg.state.mn.us/comm/docs/2d1ptzdFNkS2eDbNrHEADg.pdf.

that “[t]he website of the Minneapolis Fed has also published many articles dedicated to the advocacy for the Page Amendment” including “one from February 2021, arguing that the passage of the amendment won’t increase education litigation. . . .”² The complaint alleges that “[m]any members of the Bank’s staff have contributed advocacy articles for the Page Amendment.”

The complainant provides as evidence a link to a webpage containing Mr. Kashkari’s public schedules dating back to 2016, as well as copies of some of those schedules. The schedules include meetings attended by Mr. Kashkari, often with bank staff and Mr. Page, and Governor Tim Walz, Lieutenant Governor Peggy Flanagan, Attorney General Keith Ellison, and legislators, among many others, regarding “Education policy issues.”³ The complaint states that “[m]erely arranging these meeting [sic] must have consumed a lot of administrative staff time.” The complainant argues that the use of federal resources to influence state actions creates serious separation of powers issues.⁴

Determination

Minnesota Statutes section 10A.01, subdivision 21, paragraph (a), clause (2)⁵ defines lobbyist to mean an individual:

who spends more than \$250, 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 section 10A.01, subdivision 21, paragraph (c) provides “[a]n individual who volunteers personal time to work without pay or other consideration on a lobbying campaign, and who does not spend more than the limit in paragraph (a), clause (2), need not register as a lobbyist.” The complaint notes that Minnesota Statutes section 10A.01, subdivision 21, paragraph (b) contains a number of exclusions from the definition of lobbyist, including exclusions for public officials, state employees, local officials, and employees of certain political subdivisions in the metropolitan area. The offices and positions included in the definition of “public official” are provided in Minnesota Statutes section 10A.01, subdivision 35, and does not include any elected or appointed positions in the federal government. Therefore, there is no

² The complaint includes a URL for the February 2021 article, which is minneapolisfed.org/article/2021/no-evidence-that-education-amendments-increase-litigation.

³ minneapolisfed.org/about-us/leadership/presidents-schedule

⁴ Because the complaint does not allege that the Federal Reserve Bank of Minneapolis was a principal within the meaning of Minnesota Statutes Chapter 10A, this determination does not address whether it was required to file principal reports under Minnesota Statutes section 10A.04, subdivision 6.

⁵ While Minnesota Statutes section 10A.01, subdivision 21, paragraph (a), clause (1) provides another definition of lobbyist, the complaint does not allege that Mr. Kashkari was compensated more than \$3,000 in any year to engage in lobbying and instead only cites to Minnesota Statutes section 10A.01, subdivision 21, paragraph (a), clause (2). Accordingly, this prima facie determination does not consider whether Mr. Kashkari may be a lobbyist under section 10A.01, subdivision 21, paragraph (a), clause (1).

reason to believe that Mr. Kashkari is excluded from the definition of a lobbyist because of his employment with the Federal Reserve Bank of Minneapolis.

A threshold question when determining whether an individual must register and report to the Board as a lobbyist is whether the definition of lobbyist applies to the individual. The complaint argues that Mr. Kashkari has caused the Federal Reserve Bank of Minneapolis to spend over \$250 on lobbying, and accordingly, Mr. Kashkari is a lobbyist by virtue of spending more than \$250. On at least two prior occasions the Board has addressed whether the \$250 expenditure threshold quoted above may be triggered by an individual's authorized expenditure of an association's money, and on each of those occasions the Board has answered that question in the negative.⁶

In 2011 the Board considered a complaint alleging that one or more individuals were required to register as lobbyists because "someone must have spent more than \$250 to" mail a letter and a DVD to approximately 400,000 households concerning a proposed amendment to the Minnesota Constitution regarding the definition of marriage. As is the case in this matter, in that instance the complaint asserted that the text of the statute establishing the \$250 registration threshold "does not specify whose money is being spent" and argued that if an individual authorized more than \$250 in lobbying expenditures by an association, that individual was required to register as a lobbyist. The Board concluded, based on the following analysis, that "[t]his interpretation of the definition of 'lobbyist' is not supported by an analysis of the history of this particular provision."

Prior to amendments in 2003, the lobbyist definition read:

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

(1) engaged for pay or other consideration, or authorized to spend money by another individual, association, political subdivision, or public higher education system, who spends more than five hours in any month or more than \$250, not including the individual's own travel 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; or

(2) who spends more than \$250, 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.

As a result of 2003 amendments, the statute read:

⁶ [Findings and Order in the Matter of the Complaint of Kurt M. Anderson regarding the Archdiocese of St. Paul and Minneapolis \(Dec. 8, 2011\)](#); [Findings and Order in the Matter of the Complaint by Common Cause Minnesota regarding Dan McGrath and Minnesota Majority \(Oct. 2, 2012\)](#).

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, by communicating or urging others to communicate with public or local officials; or

(2) who spends more than \$250, 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.

It is important to note that the original 2002 statute included a separate spending threshold of \$250 in both clauses (1) and (2) quoted above.

The spending threshold in clause (1) is triggered if an individual was "**authorized to spend money by another** individual, association, political subdivision, or public higher education system" and spent more than \$250 under that clause. The Clause (2) threshold applied to a person "**who spends more than \$250.**"

Under the 2002 law, if the threshold in clause (2) was triggered by being authorized to spend money by another, as Complainant argues, that interpretation would have rendered the authorized spending threshold of clause (1) redundant. To give meaning to each clause of the statute, the Board has always interpreted clause (2) as triggering a lobbyist registration requirement for a person who spends the person's *own* money. This interpretation gave meaning to each provision of the statute, as is required by the principles of statutory interpretation.

The legislative history of the 2003 amendment described above is that it was enacted as part of a package that required lobbyists to pay a registration fee. While the fee has since been repealed, the other changes remain in place, including the significant modification of the definition of "lobbyist" to base lobbyist status on being paid compensation of \$3,000 in a year.

The amendment to the lobbyist definition also included this narrowing provision:

"Lobbyist" does not include:

. . .

An individual who volunteers personal time to work without pay or other consideration on a lobbying campaign, and who does not spend more than the limit in paragraph (a), clause (2), need not register as a lobbyist.

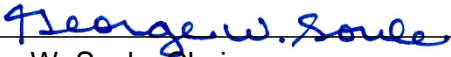
This provision supports the Board's conclusion that the clause (2) threshold applies to a person spending his or her own money.

Before the 2003 amendment, clause (1) was triggered by spending someone else's money and clause (2) was triggered by spending one's own money.

Deleting the spending threshold from clause (1) in favor of a compensation threshold does not alter the interpretation of clause (2).⁷

The complaint does not allege that Mr. Kashkari spent any of his own money on the activities described in the complaint. Based upon the forgoing analysis, the complaint does not state a prima facie violation of the lobbyist registration requirement in Minnesota Statutes section 10A.03, and thereby does not state a prima facie violation of the lobbyist reporting requirements in Minnesota Statutes section 10A.04.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, paragraph (c), 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.



George W. Soule, Chair
Campaign Finance and Public Disclosure Board

Date: January 24, 2023

⁷ This analysis appears on pages 5-6 of the [Findings and Order in the Matter of the Complaint of Kurt M. Anderson regarding the Archdiocese of St. Paul and Minneapolis \(Dec. 8, 2011\)](#).

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD FEBRUARY 2023

ACTIVE FILES

Candidate/Treasurer/ Lobbyist	Committee/Agency	Report Missing/ Violation	Late Fee/ Civil Penalty	Referred to AGO	Date S&C Personally Served	Default Hearing Date	Date Judgment Entered	Case Status
	Environment America dba Environment Minnesota Contacts: Timothy Schaefer, Chuck Caldart	2021 Annual Report of Lobbyist Principal, due 3/15/22	\$1,000 LFF \$1,000 CP	12/6/22				
Martinez-Perez, Ashley, Candidate	Ashley Martinez-Perez for MN House	2020 pre-general report of receipts and expenditures due 10/26/20, filed 10/28/20 2020 year end report of receipts and expenditures due 1/31/22, not filed	\$100 LFF \$1,000 LFF	6/13/22	8/12/22			Currently drafting default judgment motion.
	Trace, LLC Contacts: Ashley Moore, Patrick Hynes	2021 Annual Report of Lobbyist Principal, due 3/15/22	\$1,000 LFF \$1,000 CP	12/6/22				

CLOSED FILES

Candidate/Treasurer/ Lobbyist	Committee/Agency	Report Missing/ Violation	Late Fee/ Civil Penalty	Referred to AGO	Date S&C Served by Mail	Default Hearing Date	Date Judgment Entered	Case Status