

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

.....
December 1, 2021

Meeting conducted remotely though Webex due to COVID-19 pandemic

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MINUTES

The meeting was called to order by Chair Swanson.

Members present: Flynn (arrived during chair's report), Leppik, Rashid, Rosen, Soule, Swanson

Others present: Sigurdson, Engelhardt, Olson, Pope, staff; Steve Melchionne (for Hartshorn), counsel

MINUTES (November 3, 2021)

After discussion, the following motion was made:

Member Leppik's motion:	To approve the November 3, 2021, minutes as drafted.
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Vote on motion:	A roll call vote was taken. All members voted in the affirmative (Flynn absent).
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CHAIR'S REPORT

A. 2022 meeting schedule

The next Board meeting is scheduled for 10:00 a.m. on Wednesday, January 5, 2022.

B. Resolution recognizing the service of Daniel Rosen

Mr. Sigurdson presented members with a draft resolution regarding this matter that is attached to and made a part of these minutes. Chair Swanson read the draft resolution recognizing Member Rosen's years of service to the Board. Members then expressed their individual appreciation for Member Rosen's service and several specifically noted that Member Rosen's ability to respectfully disagree had resulted in better decision-making by the Board.

After discussion, the following motion was made:

Member Flynn's motion:	To approve the following resolution:
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RESOLVED, that the Campaign Finance and Public Disclosure Board recognizes **Daniel N. Rosen** for his service from 2014 to 2021 as a member of the Board, and offers this resolution in appreciation for his investment of time and energy in support of the mission and objectives of the Minnesota Campaign Finance and Public Disclosure Board.

Vote on motion: A roll call vote was taken. Motion passed (Five ayes, Member Rosen voted nay).

C. Appointment of nominating committee for 2022 officers

Chair Swanson told members that in his role as chair, he had appointed a committee consisting of himself and Member Rosen to nominate officers for 2022. Member Rosen said that the report of the committee was to nominate Vice Chair Rashid to be chair, and Member Soule to be vice chair, in 2022. Member Rosen said that these nominations followed the Board's historical practice of recommending the most senior member who had not yet served as chair to fill that vacancy and the next most senior member who had not yet served as an officer to fill the vice chair vacancy. Chair Swanson reported that he had consulted with the nominees and both had agreed to serve if approved.

After discussion, the following motion was made:

Member Leppik's motion: To approve the nominating committee's report that Member Rashid be chair, and Member Soule be vice chair, in 2022.

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

EXECUTIVE DIRECTOR REPORT

A. Integration of political committees from Hennepin County

Mr. Sigurdson presented members with a memorandum regarding this matter that is attached to and made a part of these minutes. Mr. Sigurdson first told members about office operations for the upcoming month. Mr. Sigurdson said that staff was busy preparing and mailing the notices for the year-end reports that were due in January for all three Board programs.

Mr. Sigurdson then stated that effective January 1, 2022, the Board would begin overseeing campaign finance registration and reporting for political committees and funds, and party units, that are active in certain elections in Hennepin County. Mr. Sigurdson said that these groups currently register with and report to Hennepin County. Mr. Sigurdson stated that the legislation prompting this change did not transfer any Hennepin County registrations to the Board. Instead, the new law requires these groups to register with the Board after reaching the registration thresholds specified in Chapter 10A. Mr. Sigurdson explained that the Board's authority applies only to financial activity that occurs after January 1, 2022, and that the Board has no authority over financial activity that occurred in 2021 or the reporting of those transactions. Mr. Sigurdson said that although no Board action was necessary at this time, he wanted to bring the matter before the Board because staff time would be required to implement the new provisions. Specifically, staff will need to modify the Campaign Finance Reporter software and Board forms and publications to include the covered local elections and the additional reports that will be required in odd-numbered years from groups with activity in those elections.

ENFORCEMENT REPORT

A. Discussion item

1. Balance adjustment request – Masin (Sandra) Campaign Committee (14857)

Mr. Olson told members that the Masin committee's actual cash balance at the end of 2017, including checks received late in the year and deposited in early 2018, was \$3,783.29. That amount was \$263.63 less than the ending cash balance of \$4,046.92 listed on the committee's 2017 year-end report. Mr. Olson said that the committee's new treasurer did not have a copy of the committee's Campaign Finance Reporter data from 2017 and despite his efforts was unable to determine the source of that discrepancy. Mr. Olson stated that the committee therefore was asking for a downward balance adjustment of \$263.63 to its 2017 ending cash balance.

After discussion, the following motion was made:

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

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

B. Informational Items

1. Payment of civil penalty for exceeding aggregate special source contribution limit

Neighbors for Jim Davnie, \$200

2. Partial payment of civil penalties for conversion to personal use and false certification

Tamara Jones, \$186

3. Payment of civil penalty for exceeding individual contribution limit

Isaacson (Jason) for SD 42, \$50

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

Isaacson (Jason) for SD 42, \$50

5. Payment of late filing fee for 2016 year-end report of receipts and expenditures

Isaacson (Jason) for SD 42, \$25

6. Payment of late filing fee for lobbyist disbursement report due 6/15/2021

David Anderson, \$100

7. Partial payment of late filing fee for lobbyist disbursement report due 1/15/2020

Marcus Harcus, \$150

8. Payment of late filing fee for lobbyist principal report due 3/15/2021

YWCA of Minneapolis, \$125

9. Payment of late filing fee for original EIS

Jaden Partlow, \$160 (partial payment)
Sen. Jason Isaacson, \$5

10. Return of public subsidy due to subsidy exceeding expenditures

Neighbors for Jim Davnie, \$499.34

RATIFICATION OF WORKPLACE VIOLENCE PREVENTION PLAN

Ms. Pope presented members with a memorandum regarding this matter that is attached to and made a part of these minutes. Ms. Pope told members that the Board's existing workplace violence prevention plan had been modified to incorporate the formal workplace violence prohibited policy recently adopted by Minnesota Management and Budget. Ms. Pope said that Mr. Sigurdson had approved the plan but that Board ratification was needed. Ms. Pope said that a typographical error in the title of the assistant director on page 5 had been corrected.

After discussion, the following motion was made:

Member Soule's motion: To ratify the workplace violence prevention plan.

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

PRIMA FACIE DETERMINATION

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 complaints filed with the Board are subject to a prima facie determination which is usually made by the Board chair in consultation with staff. Mr. Sigurdson said that on October 21, 2021, the Board had received a complaint submitted by Jon Erik Kingstad regarding Doug Wardlow, a candidate for attorney general; the Upper Midwest Law Center (UMLC) and its president, Douglas Seaton; Energy Policy Advocates (EPA) and one of its directors, Matthew Hardin; and Government Accountability and Oversight, P.C. (GAO) and one of its directors, Christopher Horner. Mr. Sigurdson said that the complaint alleged that the UMLC, EPA, and GAO were corporations and that one or more of those entities had made approved expenditures and thereby had given contributions to Mr. Wardlow that were prohibited by Minnesota Statutes section 211B.15.

Mr. Sigurdson stated that the complaint asserted that the respondent corporations had filed two lawsuits against Attorney General Keith Ellison, in his official capacity, under the Minnesota Government Data Practices Act. The complaint maintained that the corporations' expenses and volunteer services for those lawsuits were approved expenditures because the UMLC participated in each lawsuit, Mr. Wardlow allegedly was a member of the UMLC's Advisory Legal Panel, and, as a member of that panel, Mr. Wardlow allegedly consented to or approved of the lawsuits. Mr. Sigurdson said that the complaint asserted that the purpose of the lawsuits was to support the candidacy of Mr. Wardlow or to defeat the candidacy of Attorney General Ellison. The complaint also appeared to allege circumvention in violation of Chapter 10A and criminal bribery.

Mr. Sigurdson told members that Chair Swanson had concluded that an investigation of the complaint would require the Board to inquire into the purpose with which the specified lawsuits were pursued, that the power to inquire into such motives was reserved to the Minnesota Judicial Branch, and that the doctrine of separation of powers precluded the Board from engaging in such an inquiry. Chair Swanson thereby concluded that the complaint did not state a prima facie violation of Minnesota Statutes section 211B.15. Mr. Sigurdson said that Chair Swanson also concluded that the complaint did not state a prima facie violation of the circumvention provision and that the Board had no authority to investigate the alleged bribery. Mr. Sigurdson stated that the prima facie determination was provided as an informational item to Board members and that no further Board action was required.

LEGAL COUNSEL'S REPORT

Members were presented with a legal report that is attached to and made a part of these minutes. Because Mr. Hartshorn was unable to attend the meeting, Assistant Attorney General Steve Melchionne attended in Mr. Hartshorn's place. Mr. Melchionne answered questions from members regarding the legal report.

OTHER BUSINESS

Chair Swanson reminded members that the Board had made legislative recommendations in 2021, that the technical recommendations had been adopted but the policy recommendations had not, and that the legislature soon would be convening its 2022 session. Chair Swanson asked staff to prepare a report for the next meeting listing possible technical recommendations for the upcoming session and reviewing the status of the lobbying proposal.

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:

Draft resolution recognizing the service of Daniel N. Rosen
Executive director report – Integration of political committees from Hennepin County
Memorandum regarding ratification of workplace violence prevention plan
Workplace violence prevention plan
Prima facie determination
Legal report



**Certificate of the
Campaign Finance and Public Disclosure Board
Authorizing Resolution**

RESOLVED, that the Campaign Finance and Public Disclosure Board recognizes **Daniel N. Rosen** for his service from 2014 to 2021 as a member of the Board, and offers this resolution in appreciation for his investment of time and energy in support of the mission and objectives of the Minnesota Campaign Finance and Public Disclosure Board.

I, Stephen Swanson, do hereby certify that I am a member and Chair of the Campaign Finance and Public Disclosure Board, a board duly authorized under the laws of Minnesota, and that the above is a true, complete, and correct copy of a resolution adopted by unanimous vote at a meeting of the Campaign Finance and Public Disclosure Board duly and properly called and held on the 1st day of December, 2021.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 1st day of December, 2021.

Stephen Swanson, Chair

Carol Flynn, Member



MINNESOTA CAMPAIGN FINANCE BOARD

Date: November 23, 2021

To: Board Members

From: Jeff Sigurdson, Executive Director

Telephone: 651-539-1189

Re: Executive Director's Report

Hennepin County political committees, political funds, and party units

As of January 1, 2022, the provisions of Chapter 383B regulating the registration and reporting of political committees, political funds, and party units (committees) active in Hennepin County will be repealed. In place of Chapter 383B, Chapter 10A has been modified to include a registration and reporting requirement under the Board's jurisdiction for the committees that previously were required to register with Hennepin County.¹ The Chapter 10A registration requirement will apply to associations that raise or spend over the registration threshold amounts on a ballot question, or an office, that is voted on by all voters of Hennepin County, by voters of a city in Hennepin County with a population over 75,000², or by voters of Special School District 1 (the Minneapolis School District). Of note, candidate committees for offices in these jurisdictions will not register with or report to the Board.

Because scheduled elections for some of the covered entities in Hennepin County occur in odd-numbered years³, Chapter 10A also has been modified to require additional reports in odd-numbered years if a committee spends money, including making independent expenditures, to influence the election of a candidate for municipal office in one of the covered cities. Additional reporting will also be required for expenditures to influence the outcome of a ballot question voted on countywide, in a city of over 75,000, or in Special School District 1.

To help committees currently registered with Hennepin County understand their options going forward, staff will be contacting the 51 committees that are currently registered with Hennepin County. A list of the committees and their reported ending cash balance as of the 2021 pre-general report is attached for your reference. The following is a list of issues that these committees must consider.

Registration: Committee registrations with Hennepin County will not be automatically transferred to the Board. Instead, the new provisions in Chapter 10A create a registration requirement for associations that raise or spend over \$750 on certain local

¹ Laws of 2021, Chapter 31, Article 4 (HF 1952).

² Minneapolis, Bloomington, Brooklyn Park, Plymouth.

³ Minneapolis and Bloomington.

candidates, or \$1,500 on certain ballot questions, after January 1, 2022. The new language in Chapter 10A does not retroactively apply the registration or reporting requirements to committees that did not need to register with the Board prior to January 1, 2022. A Hennepin County committee that wishes to remain active after January 1, 2022, will need to submit a new registration to the Board and provide the information required of any new committee.

Beginning Cash Balance: Typically, new Board registrants have a beginning cash balance of zero, or, at most, the registration threshold amount of \$750 or \$1,500. Some of the committees currently registered with Hennepin County have reported significant cash balances. The actual balance may be much less than provided on the attached list because the reported balances do not include expenditures made in the two weeks prior to the 2021 general election. To transfer an existing cash balance to the new committee registered with the Board, the committee will need to treat that cash balance as the committee's first contribution received in 2022. If the "contribution" of the cash balance is over \$200, it must be accompanied by the underlying disclosure required for any such contribution by Minnesota Statutes section 10.27, subdivision 13.

The itemization threshold for reports required by Chapter 383B is any transaction over \$100, compared to over \$200 in Chapter 10A. Consequently, the underlying disclosure for the transferred cash balance may be in the form of the 2021 annual report required by Chapter 383B. The underlying disclosure also may be in the form of a report that meets the disclosure standards of Chapter 10A. Because of the unusual circumstances surrounding the Hennepin County committees, staff will request that the underlying disclosure for the transferred cash balance be provided at the time of registration. If the underlying disclosure is not provided with the registration, it must be provided with the first report of receipts and expenditures for 2022, which is due on April 14, 2022

Type of committee: Many of the committees currently registered with Hennepin County were organized to influence Minneapolis ballot questions. Ballot question committees may receive corporate contributions but general-purpose political committees and funds may not. Consequently, the registration options of those Hennepin County committees that received corporate contributions will be limited. Staff will work with the committees to ensure that those committees that received corporate contributions register as either ballot question committees or funds or independent expenditure committees or funds.

Year-end report: Due to the effective date of the new provisions, Hennepin County committees have no statutory obligation to register with the Board until after January 1, 2022. Therefore, a Hennepin County committee that registers with the Board after January 1, 2022, is not required to file a 2021 year-end report with the Board under Chapter 10A.

A possible complication is that under Chapter 383B the year-end report for 2021, an election year report, is not due to be filed with Hennepin County until January 31, 2022, which is a full month after the statutory requirement for the report has been repealed.

Hopefully committees will meet their obligations for public disclosure and file 2021 annual reports with Hennepin County as required by Chapter 383B. However, to be clear, the Board has no enforcement authority over the provisions of Chapter 383B. If a Hennepin County committee does not file a year-end report with Hennepin County, does not register with the Board, or registers with a beginning cash balance of zero, the Board has no authority to compel the filing of a 2021 year-end report for activity that occurred under the provisions of Chapter 383B.

Attachment

List of political committees, political funds, and party units currently registered with Hennepin County



MINNESOTA

CAMPAIGN FINANCE BOARD

Date: November 24, 2021

To: Board members

From: Jodi Pope, Legal/Management Analyst

Telephone: 651-539-1183

Re: Ratification of Workplace Violence Prevention and Response Plan

In March 2021, Minnesota Management and Budget (MMB) adopted a formal workplace violence prohibited policy, MMB HR/LR #1444. As part of the implementation of the policy, staff reviewed the Board's existing workplace violence prevention and response plan and revised it to incorporate new guidance provided by MMB in the areas of violence de-escalation and employee communication.

Mr. Sigurdson, as executive director, is responsible for approving the plan, which he did on November 23, 2021. The Board, however, is required to be aware of and to ratify the plan. The plan is attached for Board reference. A motion to ratify will be necessary.

Attachment:

Workplace Violence Prevention and Response Plan

WORKPLACE VIOLENCE PREVENTION and RESPONSE PLAN

Adopted November 23, 2021

Ratified December 1, 2021

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD
190 Centennial Building
658 Cedar Street
St. Paul, MN 55155-1603
(651) 539-1180, (800) 657-3889, or for
TTY/TDD communication contact us through the Minnesota Relay Service at (800) 627-3529.

This document is available in alternative formats to individuals with disabilities by calling (651) 539-1184; (800) 657-3889; or through the Minnesota Relay Service at (800) 627-3529.

Workplace violence prevention and response plan

The Campaign Finance and Public Disclosure Board has zero tolerance of workplace violence and works to create a safe workplace environment that is free from threats and incidents of violence.

Board policy

The Board adopts Minnesota Management and Budget (MMB) HR/LR Policy #1444 Workplace Violence Prohibited and incorporates the provisions of that policy into this plan. It is the policy of the Campaign Finance and Public Disclosure Board that no violence in the workplace will be tolerated. Any form of threatening behavior or violent behavior in the workplace or any threatening behavior or violent behavior that negatively affects the workplace is strictly prohibited.

The Board will work to provide an environment where employees, customers, and visitors to the workplace are at a low risk of involvement in workplace violence. This will be accomplished by encouraging mutual respect among all individuals, establishing open and honest communication, inviting all employees to provide input, responding promptly to customer complaints, and enforcing zero tolerance for any type of violent behavior.

Under the Minnesota Citizens' Protection Act of 2003, the Campaign Finance and Public Disclosure Board prohibits its employees from carrying or possessing firearms while working. This policy does not extend to parking facilities and parking areas. Employees are also prohibited from carrying or possessing other dangerous weapons.

Violence prevention plan

Purpose

This plan outlines methods and actions to be taken to prevent and plan for potential incidents of workplace violence at the Campaign Finance and Public Disclosure Board.

Threatening behavior is defined as follows: "Any verbal or physical conduct that would reasonably cause fear of physical harm to individuals or property."

Violent behavior is defined as follows: "The use of physical force that causes or is intended to cause physical harm to individuals or property."

Warning signs of violent behavior is defined as follows: "Observable behavior that leads to a reasonable belief that the individual may engage in violent behavior. Warning signs of violent behavior may include, but are not limited to, intensely angry demeanor, significant loss of temper, articulated plan to commit violence, oral or written remarks about violent behavior, discussing use of weapons of any kind in a harmful manner toward others or bringing weapons into the workplace without a work-related reason, or repeated aggressive movements such as pounding, banging, or slamming items."

Workplace is defined as follows: "A location where employees perform job duties. The location need not be a permanent location, physical building, or state owned/leased property."

Workplace violence generally falls into three categories:

1. A violent act or threat by a current or former employee; or someone who has some involvement with a current or former employee, such as an employee's spouse, significant other, relative, or another person who has had a dispute with an employee.
2. A violent act or threat by a customer or someone receiving service from the agency.
3. A violent act by someone totally unrelated to the work environment, with the intent to commit a criminal act such as robbery or an act of terrorism.

Goals and objectives

It is a Board goal to achieve a work environment that is free from threats and acts of violence. The Board's objectives are to:

- Develop awareness among employees, customers, and visitors about violence in the workplace, its prevention, and the agency violence prevention plan;
- Provide access to education and training opportunities for all employees that include the following information:
 - Agency violence prevention plan;
 - Prevention strategies;
 - Effects of workplace violence;
 - Supervisory/managerial responsibilities
 - Employee responsibilities; and
 - Incident response procedures
- Develop procedures to be used when incidents, as defined in the violence prevention plan, occur;
- Ensure facility security plans are communicated to appropriate staff;
- Communicate personal security procedures and avenues for assistance with violence issues to employees; and
- Develop procedures to continually monitor and evaluate the effectiveness of the violence prevention plan.

Reducing the potential for violence from external and internal sources and creating a low-risk environment

The Board will attempt to reduce the potential for workplace violence from external and internal sources by acting to create a low-risk environment for potential violence. Board managers are expected to promote positive behavior and to lead by example in the courteous and professional treatment of employees, customers, and visitors in the workplace. Emphasis will be placed on creating a workplace where established standards of non-violent conduct are clear, are communicated, and are consistently enforced, and where discipline is used fairly and appropriately.

To create a low-risk environment for potential violence, the Board will encourage behavior that:

- promotes an attitude of friendliness and helpfulness towards co-workers and members of the public;
- motivates employees to present a calm attitude and demeanor towards others;
- promotes a workplace that takes pride in customer service and customer satisfaction;
- motivates empathetic listening skills;
- treats employees, customers, and visitors with respect and dignity; and
- values and respects individual differences among people.

Customers will be free, and will be made aware of the opportunity, to provide feedback on the quality of services provided in whatever format is easiest for the customer to use, including email. Managers will deal promptly and courteously with these communications. Managers will communicate both positive and negative feedback to employees and will work with employees as necessary to improve customer service. Managers also will regularly reiterate the importance of the behaviors listed above. Staff will be asked to provide suggestions and ideas to keep office policies and procedures up-to-date and responsive to customer needs.

Because violence in the workplace may take various forms, several Board and state policies are related to this issue and provide complaint processes for employees and customers to use. The Board has adopted or is subject to the policies listed below:

- Campaign Finance Board Violence Prevention Policy
- Campaign Finance Board Affirmative Action Policy
- Campaign Finance Board Code of Conduct Policy
- Centennial Office Building Emergency Plan
- MMB HR/LR Policy #1329 Sexual Harassment Prohibited
- MMB HR/LR Policy #1418 Drug and Alcohol Use
- MMB HR/LR Policy #1432 Respectful Workplace
- MMB HR/LR Policy #1436 Harassment and Discrimination Prohibited
- MMB HR/LR Policy #1444 Workplace Violence Prohibited

Coordination with safety and wellness programs

The Occupational Safety and Health Act of 1970 mandates that all employers have “a general duty to provide their employees with a workplace free from recognized hazards likely to cause death or serious physical harm.” The main components to any effective safety and health program also apply to preventing workplace violence: a) management commitment and employee involvement, b) worksite analysis, c) hazard prevention and control, and d) safety and health training.

The Board will encourage use of counseling and assistance through the Employees Assistance Program (EAP) to deal with both workplace and non-workplace violence. While managers, union representatives, or family members may encourage employees to seek help from EAP, the decision to use the services must be a voluntary one.

Materials produced by EAP will be used to make employees familiar with the services offered by EAP and to tell them how to take advantage of those services. Small Agency Resource Team (SmART) human resources services also will be made available to employees.

Awareness

The Board will promote awareness of its violence prevention plan using the following methods:

- Working with the Board safety officer, EAP, SmART, MMB, and building security to obtain information for employees, such as publications and brochures, related to personal security, customer relations, and violence prevention topics;
- Providing managers and staff with information about how to deal with workplace-related threats and acts of violence;
- Allowing appropriate staff to attend workplace violence training offered by other state agencies;
- Providing a copy of the violence prevention plan, including the Centennial Office Building Emergency Plan, to each employee at the time of initial hire;
- Reviewing the violence prevention plan with staff, annually, at a staff meeting; and
- Making the violence prevention plan, as well as the Centennial Office Building Emergency Plan, available to all employees at all times on the Board's computer network.

Incident procedures and reporting

Employees are expected to report if they are subject to or witness threatening or violent behavior, or warning signs of violent behavior, in the workplace that affects the workplace, or that may affect the workplace. Non-employees are encouraged to make such reports.

Non-emergency situations

Non-emergency situations should be reported as soon as possible after the incident occurs. Individuals may report to any of the following:

- the Board safety officer;
- the executive director or assistant executive director; or
- the SmART human resources team.

If the report concerns the executive director, the individual may contact the office of the Deputy Commissioner for Enterprise Human Capital at MMB.

In addition, the executive director and the assistant executive director will be contacted by cellphone if they are out of the office at the time of the incident. The executive director or designee shall prepare a complete written report of the incident.

Emergency situations

In a situation involving direct threats of physical violence or another emergency, individuals should move to a safe place and immediately follow the procedures for contacting local

emergency services or 9-1-1. The individual should follow the internal reporting procedures in this policy during or after the incident, when it is safe to do so.

The Board is part of the Centennial Building Emergency Plan, which contains procedures for the following:

- How to report to security in the Centennial Building;
- When to call 911 or local law enforcement; and
- What actions can be taken to get away from a potentially violent situation.

The Centennial Building Emergency Plan will be made available to all staff.

After an incident, a debriefing will occur. Management will work with the SmART human resources team to determine who will conduct the debriefing and what information will be communicated. Other responses after the occurrence of an incident can include referral to EAP, temporary relocation of an employee(s), and providing approved leave. The Board will follow the procedures in its Continuation of Operations Plan if the workplace is unavailable after the incident.

Coordination with partners

The Board is part of the Centennial Office Building Emergency Plan. The Centennial Building Emergency Plan describes the roles of every agency in the Centennial Office Building during different critical situations, including violence in the workplace.

Plan implementation

A link to the electronic version of the violence prevention plan will be distributed to all Board employees. The plan also will be posted on the employee bulletin board and filed with the Legislative Reference Library. Managers and supervisors will be responsible for informing employees of this plan and for enforcing compliance.

Employees found to have violated the provisions of the plan will be subject to appropriate corrective action up to and including discharge.

Violence prevention responsibilities

The executive and assistant executive directors will have primary responsibility for implementing this policy. The executive and assistant executive directors are specifically empowered to take immediate action to resolve or stabilize violent situations in the workplace and to protect people from harm. The executive and assistant executive directors also will:

- Model the importance of proactive workplace violence prevention and response;
- Promote positive behavior and lead by example through modeling appropriate behavior, by treating employees, customers, and visitors with respect and dignity;
- Emphasize creating a workplace where established standards of conduct are clear, communicated, and consistently enforced, and where corrective action, including discipline, is used fairly and appropriately to deal with instances of unacceptable behavior;

- Treat all reports of violence or threats of violence seriously, regardless of the individual or behavior involved;
- Take immediate action to resolve or stabilize violent situations in the workplace and protect people from harm;
- Be familiar with and use the manager and supervisory violence prevention and response guidance tools available from appropriate state agencies including SmART and MMB;
- Offer training opportunities to employees to increase their awareness of violence-in-the-workplace issues including training that includes information on responding to and reporting violence-related incidents as well as assistance in maintaining a violence-free workplace; and
- Understand that knowingly participating in or tolerating workplace violence or retaliation against employees or customers making a report are subject to discipline up to and including discharge.

Employees will:

- Abide by and promote the Board policy of zero tolerance of violence in all contacts with co-workers, managers, customers, and visitors;
- Be familiar with and follow workplace violence procedures; and
- Be familiar with and adopt the workplace violence prevention practices outlined in this plan and any other guidance tools available from Board managers.

Approved:

November 23, 2021

/s/ Jeff Sigurdson
Executive Director
Campaign Finance and Public Disclosure Board

Employee Acknowledgment Form

I acknowledge that I have received and read a copy of the Campaign Finance and Public Disclosure Board's Workplace Violence Prevention and Response Plan.

Name: _____

Date: _____

Signature: _____

Please sign and return this form to the Campaign Finance & Public Disclosure Board executive director.



MINNESOTA

CAMPAIGN FINANCE BOARD

Date: November 24, 2021

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

If the Board chair determines 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 Swanson 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 Doug Wardlow, the Upper Midwest Law Center, and others

On October 21, 2021, the Board received a complaint submitted by Jon Erik Kingstad regarding Doug Wardlow, a candidate for attorney general; the Upper Midwest Law Center (UMLC) and its president, Douglas Seaton; Energy Policy Advocates (EPA) and one of its directors, Matthew Hardin; and Government Accountability and Oversight, P.C. (GAO) and one of its directors, Christopher Horner. The complaint alleged that the UMLC, EPA, and GAO are corporations and that one or more of those entities made approved expenditures and thereby gave contributions to Mr. Wardlow that were prohibited by Minnesota Statutes section 211B.15.

The complaint alleged that the respondent corporations filed two lawsuits against Attorney General Keith Ellison, in his official capacity, under the Minnesota Government Data Practices Act. The complaint alleged that the corporations' expenses and volunteer services for those lawsuits were approved expenditures because the UMLC participated in each lawsuit, Mr. Wardlow allegedly was a member of the UMLC's Advisory Legal Panel, and, as a member of that panel, Mr. Wardlow allegedly consented to or approved of the lawsuits. The complaint asserted that the purpose of the lawsuits was to support the candidacy of Mr. Wardlow or to defeat the candidacy of Attorney General Ellison.

The complaint also appeared to allege that one or more of the entities named in the complaint attempted to circumvent Chapter 10A in violation of Minnesota Statutes section 10A.29 and that the expenses and free services in question may have constituted an illegal bribe under Minnesota Statutes section 609.42.

Chair Swanson concluded that an investigation of the complaint would require the Board to inquire into the purpose with which the lawsuits identified in the complaint were pursued, that the power to inquire into such motives is reserved to the Minnesota Judicial Branch, and that the doctrine of separation of powers precluded the Board from engaging in such an inquiry. Chair Swanson thereby concluded that the complaint did not state a prima facie violation of Minnesota Statutes section 211B.15. Chair Swanson also concluded that the complaint did not state a prima facie violation of Minnesota Statutes chapter 10A.29 and that the Board did not have the authority to investigate an alleged violation of Minnesota Statutes section 609.42.

Attachments:

Prima facie determination

Complaint

**CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD
December 2021**

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
Sandra (Sandi) Blaeser		2018 Public Official Statement of Economic Interest	\$100 LFF and \$1,000 CP	9/11/20	6/3/21	2/3/22 (summary judgment)		
		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 1/8/21 2/18/21	11/15/21 (summary judgment)		Judge told Brown and Berger he would rule in 30- 90 days and urged them to contact Jodi to get report filed and fees paid and/or waiver request filed by mid-December
		Unpaid late filing fee on 10/31/16 Pre- General Election Report	\$50 LFF					

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
Marcus Harcus	MN Campaign for Full Legalization	Original Statement of Economic Interest, due 6/16/20 Lobbyist Disbursement Report due 6/15/20 Lobbyist Disbursement Report due 1/15/20 Late Filing of Lobbyist Disbursement Report due 1/15/19; filed on 6/16/19 Late Filing of Lobbyist Disbursement Report due 6/15/18, filed on 6/27/18 Annual Lobbyist Principal Report, due 3/16/20	\$100 LFF \$1,000 CP \$1,000 LFF \$1,000 CP \$1,000 LFF \$1,000 CP \$1,000 LFF \$200 LFF \$1,000 LFF \$1,000 CP	10/5/20	4/27/21			Harcus agreed to a proposed payment plan of \$150 per month with a final payment of \$250 in February and he has made his first two payments. Board requested hold until fees and penalties are paid.
Beau Hullerman		Candidate Statement of Economic Interest due 6/16/20	\$100 LFF \$1,000CP	9/23/20	6/18/21	12/28/21		
Steve Laitinen		2018 Public Official Statement of Economic Interest 2019 Public Official Statement of Economic Interest	\$100 LFF and \$1,000 CP \$100 LFF and \$1,000 CP	9/23/20	6/14/21			Board's motion for default judgment was filed on November 5

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Jaden Partlow		Candidate Statement of Economic Interest due 6/15/20	\$100 LFF \$700CP	9/23/20	6/18/21			Jaden Partlow agreed to a payment plan of \$160 per month through February and he has made his first payment. Board requested hold until fees and penalties are paid.
Jenny Rhoades		Candidate Statement of Economic Interest due 6/15/20	\$100 LFF \$1,000CP	9/23/20	6/29/21			Payment plan being established. Board requested hold until fees and penalties are paid.
Jae Hyun Shim		Statement of Economic Interest due 1/25/2021	\$100 LFF \$1,000CP	9/7/21				

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
Tim Johnson		Candidate Statement of Economic Interest due 6/16/20	\$100 LFF \$1,000CP	9/11/20				Board requested AGO close file.