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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2876

03/10/2014 Authored by Freiberg
The bill was read for the first time and referred to the Committee on Elections

A bill for an act

relating to campaign finance; requiring disclosure of campaign contributions from lobbyists, principals, and political committees in any amount; amending Minnesota Statutes 2012, section 10A.04, subdivisions 4, 6; Minnesota Statutes 2013 Supplement, section 10A.20, subdivisions 3, 5.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2012, section 10A.04, subdivision 4, is amended to read:

Subd. 4. Content. (a) A report under this section must include information the board requires from the registration form and the information required by this subdivision for the reporting period.

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

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

(d) A lobbyist must report each original source of money in excess of \$500 in any year used for the purpose of lobbying to influence legislative action, administrative action,

2.1 or the official action of a metropolitan governmental unit. The list must include the  
 2.2 name, address, and employer, or, if self-employed, the occupation and principal place of  
 2.3 business, of each payer of money in excess of \$500.

2.4 (e) On the report due June 15, the lobbyist must provide a general description of the  
 2.5 subjects lobbied in the previous 12 months.

2.6 (f) A lobbyist must report the amount of a contribution in any amount made to a  
 2.7 candidate, principal campaign committee, or party unit. The list must include the name  
 2.8 and address of each candidate, principal campaign committee, or party unit to whom the  
 2.9 contribution was made.

2.10 Sec. 2. Minnesota Statutes 2012, section 10A.04, subdivision 6, is amended to read:

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

2.13 (b) Except as provided in paragraph (d), the principal must report the total amount,  
 2.14 rounded to the nearest \$20,000, spent by the principal during the preceding calendar year  
 2.15 to influence legislative action, administrative action, and the official action of metropolitan  
 2.16 governmental units.

2.17 (c) Except as provided in paragraph (d), the principal must report under this  
 2.18 subdivision a total amount that includes:

2.19 (1) all direct payments by the principal to lobbyists in this state;

2.20 (2) all expenditures for advertising, mailing, research, analysis, compilation and  
 2.21 dissemination of information, and public relations campaigns related to legislative action,  
 2.22 administrative action, or the official action of metropolitan governmental units in this  
 2.23 state; and

2.24 (3) all salaries and administrative expenses attributable to activities of the principal  
 2.25 relating to efforts to influence legislative action, administrative action, or the official  
 2.26 action of metropolitan governmental units in this state.

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

2.32 (e) A principal must report the amount of a contribution in any amount made to a  
 2.33 candidate, principal campaign committee, or party unit. The list must include the name  
 2.34 and address of each candidate, principal campaign committee, or party unit to whom the  
 2.35 contribution was made.

3.1 Sec. 3. Minnesota Statutes 2013 Supplement, section 10A.20, subdivision 3, is  
3.2 amended to read:

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

3.7 (b) The report must disclose the amount of liquid assets on hand at the beginning  
3.8 of the reporting period.

3.9 (c) The report must disclose the name, address, and employer, or occupation if  
3.10 self-employed, of each individual or association that has made one or more contributions  
3.11 to the reporting entity, including the purchase of tickets for a fund-raising effort, that in  
3.12 aggregate within the year exceed \$200 for legislative or statewide candidates or more than  
3.13 \$500 for ballot questions, together with the amount and date of each contribution, and  
3.14 the aggregate amount of contributions within the year from each source so disclosed. A  
3.15 donation in kind must be disclosed at its fair market value. An approved expenditure must  
3.16 be listed as a donation in kind. A donation in kind is considered consumed in the reporting  
3.17 period in which it is received. The names of contributors must be listed in alphabetical  
3.18 order. Contributions from the same contributor must be listed under the same name. When  
3.19 a contribution received from a contributor in a reporting period is added to previously  
3.20 reported unitemized contributions from the same contributor and the aggregate exceeds  
3.21 the disclosure threshold of this paragraph, the name, address, and employer, or occupation  
3.22 if self-employed, of the contributor must then be listed on the report.

3.23 (d) The report must disclose the sum of contributions to the reporting entity during  
3.24 the reporting period.

3.25 (e) The report must disclose each loan made or received by the reporting entity  
3.26 within the year in aggregate in excess of \$200, continuously reported until repaid or  
3.27 forgiven, together with the name, address, occupation, and principal place of business,  
3.28 if any, of the lender and any endorser and the date and amount of the loan. If a loan  
3.29 made to the principal campaign committee of a candidate is forgiven or is repaid by an  
3.30 entity other than that principal campaign committee, it must be reported as a contribution  
3.31 for the year in which the loan was made.

3.32 (f) The report must disclose each receipt over \$200 during the reporting period not  
3.33 otherwise listed under paragraphs (c) to (e).

3.34 (g) The report must disclose the sum of all receipts of the reporting entity during  
3.35 the reporting period.

4.1 (h) The report must disclose the name and address of each individual or association  
4.2 to whom aggregate expenditures, approved expenditures, independent expenditures, and  
4.3 ballot question expenditures have been made by or on behalf of the reporting entity  
4.4 within the year in excess of \$200, together with the amount, date, and purpose of each  
4.5 expenditure and the name and address of, and office sought by, each candidate on whose  
4.6 behalf the expenditure was made, identification of the ballot question that the expenditure  
4.7 was intended to promote or defeat and an indication of whether the expenditure was to  
4.8 promote or to defeat the ballot question, and in the case of independent expenditures made  
4.9 in opposition to a candidate, the candidate's name, address, and office sought. A reporting  
4.10 entity making an expenditure on behalf of more than one candidate for state or legislative  
4.11 office must allocate the expenditure among the candidates on a reasonable cost basis and  
4.12 report the allocation for each candidate.

4.13 (i) The report must disclose the sum of all expenditures made by or on behalf of the  
4.14 reporting entity during the reporting period.

4.15 (j) The report must disclose the amount and nature of an advance of credit incurred  
4.16 by the reporting entity, continuously reported until paid or forgiven. If an advance of credit  
4.17 incurred by the principal campaign committee of a candidate is forgiven by the creditor or  
4.18 paid by an entity other than that principal campaign committee, it must be reported as a  
4.19 donation in kind for the year in which the advance of credit was made.

4.20 (k) The report must disclose the name and address of each political committee,  
4.21 political fund, principal campaign committee, or party unit to which contributions have  
4.22 been made that aggregate in excess of \$200 within the year and the amount and date of  
4.23 each contribution.

4.24 (l) The report must disclose the sum of all contributions made by the reporting  
4.25 entity during the reporting period.

4.26 (m) The report must disclose the name and address of each individual or association  
4.27 to whom noncampaign disbursements have been made that aggregate in excess of \$200  
4.28 within the year by or on behalf of the reporting entity and the amount, date, and purpose of  
4.29 each noncampaign disbursement.

4.30 (n) The report must disclose the sum of all noncampaign disbursements made within  
4.31 the year by or on behalf of the reporting entity.

4.32 (o) The report must disclose the name and address of a nonprofit corporation that  
4.33 provides administrative assistance to a political committee or political fund as authorized  
4.34 by section 211B.15, subdivision 17, the type of administrative assistance provided, and the  
4.35 aggregate fair market value of each type of assistance provided to the political committee  
4.36 or political fund during the reporting period.

5.1 (p) Notwithstanding any dollar limits in this subdivision, the report must individually  
 5.2 list the amount of a contribution in any amount received from a lobbyist, principal,  
 5.3 political committee, or political fund. The list must include the name and address of each  
 5.4 lobbyist, principal, or political committee.

5.5 (q) Notwithstanding any dollar limits in this subdivision, the report must individually  
 5.6 list the amount of a contribution in any amount made by a political committee or a political  
 5.7 fund. The list must include the name and address of the recipient of each contribution.

5.8 Sec. 4. Minnesota Statutes 2013 Supplement, section 10A.20, subdivision 5, is  
 5.9 amended to read:

5.10 Subd. 5. **Pre-election reports.** (a) Any loan, contribution, or contributions:

5.11 (1) to a political committee or political fund from any one source totaling more  
 5.12 than \$1,000;

5.13 (2) to the principal campaign committee of a candidate for an appellate court judicial  
 5.14 office totaling more than \$2,000;

5.15 (3) to the principal campaign committee of a candidate for district court judge  
 5.16 totaling more than \$400; or

5.17 (4) to the principal campaign committee of a candidate for constitutional office or  
 5.18 for the legislature totaling more than 50 percent of the election cycle contribution limit for  
 5.19 the office; or

5.20 (5) received from a lobbyist, principal, or political committee in any amount,  
 5.21 notwithstanding any dollar limit in this subdivision,

5.22 received between the last day covered in the last report before an election and the election  
 5.23 must be reported to the board in the manner provided in paragraph (b).

5.24 (b) A loan, contribution, or contributions required to be reported to the board under  
 5.25 paragraph (a) must be reported to the board either:

5.26 (1) in person by the end of the next business day after its receipt; or

5.27 (2) by electronic means sent within 24 hours after its receipt.

5.28 (c) These loans and contributions must also be reported in the next required report.

5.29 (d) This notice requirement does not apply in a primary election to a candidate who  
 5.30 is unopposed in the primary, in a primary election to a ballot question political committee  
 5.31 or fund, or in a general election to a candidate whose name is not on the general election  
 5.32 ballot. The board must post the report on its Web site by the end of the next business day  
 5.33 after it is received.

5.34 (e) This subdivision does not apply to a ballot question or independent expenditure  
 5.35 political committee or fund that has not met the registration threshold of section 10A.14,

6.1 subdivision 1a. However, if a contribution that would be subject to this section triggers the  
6.2 registration requirement in section 10A.14, subdivision 1a, then both registration under  
6.3 that section and reporting under this section are required.