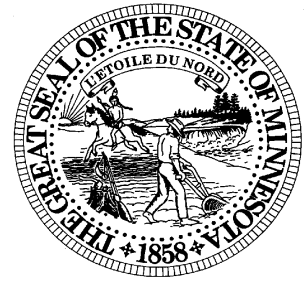


Minnesota

*Campaign Finance and
Public Disclosure Board*



Date: August 17, 2010

To: Advisory Opinion Files
Opinions 198, 218, 238, and 245

From: Gary Goldsmith, Executive Director

Telephone: 651-296-1721

Re: Legislation renders Advisory Opinion obsolete

This Advisory Opinion, which relates to gifts of plaques from lobbyists or lobbyist principals to officials under Minnesota Statutes Section 10A.071, is obsolete.

The 2009 legislature changed the language of the exception so that most gifts of plaques are now permitted.

The statute is here:

<https://www.revisor.mn.gov/statutes/?id=10A.071>

The exception is found in subd. (3)(a)(4).

ETHICAL PRACTICES BOARD

First Floor South, Centennial Building . 658 Cedar Street . St. Paul, MN 55155-1603

This publication of the advisory opinion does not disclose the identity of the requester, which is nonpublic data under Minn. Stat. § 10A.02, subd. 12(b).

RE: Gifts to Officials

ADVISORY OPINION #218

SUMMARY

218. The presentation of a plaque or similar memento of more than insignificant value to a state legislator in recognition of his or her voting record is prohibited by Minn. Stat. § 10A.071.

FACTS

As a registered lobbyist for a lobbyist principal, you request an advisory opinion based on your statement of the following facts:

1. Every biennium the lobbyist principal rates state legislators on their voting records.
2. Legislators who receive a 100% voting record receive a recognition plaque from the lobbyist principal.
3. The cost of the plaque is approximately \$40.00 to \$85.00.

ISSUE

Is the award of the plaque under the stated facts prohibited by Minn. Stat. §10A.071?

OPINION

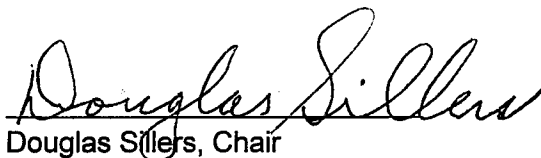
Yes, the proposed plaque is a prohibited gift pursuant to Minn. Stat. §10A.071 because a plaque of value between \$40.00 and \$85.00 is not of insignificant value and thus does not fall within the exception for trinkets or mementos of insignificant value.¹

¹ Minn. Stat. § 10A.071, Subd 3(a)5

The plaque is a gift to an official² by a registered lobbyist principal. Both the giving and the receiving of the gift are prohibited³ unless it falls within a statutory exception.

Issued:

30/10/95



Douglas Sillers, Chair
Ethical Practices Board

² Minn. Stat. § 10A.071, Subd. 1

³ Minn. Stat. § 10A.071, Subd 2